

TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2627

June 6, 2012, 1:30 PM

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

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Call to Order:

REPORTS:

Chairman's Report:

Worksession Report:

Director's Report:

Review TMAPC Receipts for the month of April 2012

1. Minutes of May 16, 2012, Meeting No. 2626

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. **LC-406** (Lot-Combination) (County), Location: West of the Northwest corner of West 161st Street and South 105th West Avenue
3. **LC-407** (Lot-Combination) (CD 3), Location: Northwest corner of East 46th Street North and North Mingo Road
4. **LS-20523** (Lot-Split) (CD 8), Location: North of the Northwest corner of East 88th Street South and South Louisville Avenue (Related to LC-408)
5. **LC-408** (Lot-Combination) (CD 8), Location: Northwest corner of East 88th Street South and South Louisville Avenue (Related to LS-20523)
6. **LS-20524** (Lot-Split) (CD 9), Location: North of the intersection of East 48th Place South and South Zunis Avenue (Related to LC-409 and LC-410)
7. **LC-409** (Lot-Combination) (CD 9), Location: North of the intersection of East 48th Place South and South Zunis Avenue (Related to LS-20524)

8. **LC-410** (Lot-Combination) (CD 9), Location: North of the intersection of East 48th Place South and South Zunis Avenue (Related to LS-20524)
9. **All Commerce Business Park** – Final Plat, Location: East of southeast corner of South 145th East Avenue and East Admiral Place (CD 6)
10. **Z-7008-SP-1 – HRAOK/Alan Hall/Kum-N-Go**, Location: Northwest corner of West 81st Street South and South Olympia Avenue, Requesting **Corridor Detail Site Plan** for a new convenience goods and services store, **CO**, (CD-2)
11. **PUD-370-B – Joe Kelley/Well Quest**, Location: Northwest of the intersection of East 106th Street South at South Memorial Drive, Requesting **Detail Site Plan** for a medical office, medical supply store and health food store in a single multi-use building, **OL/CS**, (CD-8)
12. **PUD-600-A-8 – W Design/Weldon Bowman**, Location: South and west of the intersection of East 91st Street South and South Yale Avenue, Requesting **Minor Amendment** to allow for shared parking between the new owners of Lot 8 and the owners of the combined Lots 9 and 10, **OL/PUD**, (CD-8)
13. **PUD-600-A – W Design/Weldon Bowman**, Location: South and west of the intersection of East 91st Street South and South Yale Avenue, Requesting **Revised Detail Site Plan** for a reduction in the required parking spaces, **OL/PUD-600-A**, (CD-8)
14. **PUD-582-7 – Roy Johnsen/Kay Ramsey Trust**, Location: North and west of the intersection of East 66th Place South and South Birmingham, Requesting Minor Amendment to allow for a reduction in a rear yard setback adjoining Birmingham Avenue, **RS-3/PUD-582-7**, (CD-2)

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

FORM-BASED CODE REGULATING PLAN PUBLIC HEARING:

15. **Public Hearing to consider adopting a Form-Based Code Regulating Plan for the Pearl District within the City of Tulsa, Oklahoma. (Continued from 4/4/12)**

PUBLIC HEARINGS:

16. **Pine & 141st Substation** – Minor Subdivision Plat, Location: 13198 East Pine Street, west of southwest corner of East Pine Street and North 145th East Avenue (0433) (CD 3)
17. **The Vineyard** – Preliminary Plat, Location: North of the northwest corner of East 111th Street South and South Memorial Drive (8326) (CD 8)
18. **PUD-793 – Roy D. Johnsen/Sunset Hills at Trinity Creek**, Location: West of the southwest of East 41st Street and South 177th East Avenue, Requesting a **PUD** for a large lot single-family residential subdivision with three car garages, **RS-4/PUD**, (CD-6)

OTHER BUSINESS

19. Commissioners' Comments

ADJOURN

CD = Council District

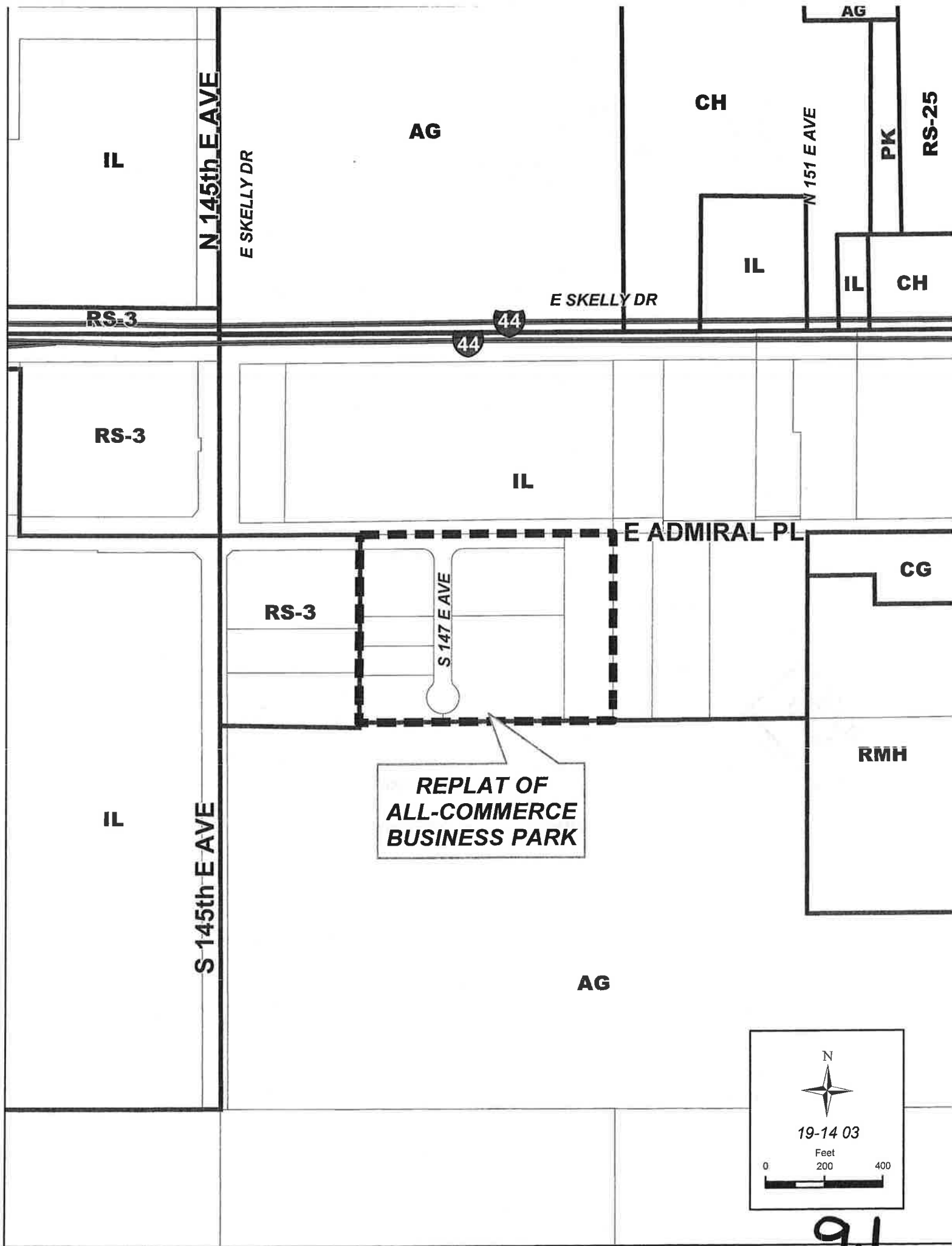
NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526. Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Land Development Services, INCOG. Ringing/sound on all cell phones and paggers must be turned off during the Planning Commission.

Visit our website at www.tmapc.org

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

TMAPC RECEIPTS
Month of April 2012

----- Current Period -----				----- Year To Date -----				
	ITEM	CITY	COUNTY	TOTAL RECEIVED	ITEM	CITY	COUNTY	TOTAL RECEIVED
ZONING								
Zoning Letters	11	\$55.00	\$55.00	\$110.00	93	\$1,295.00	\$1,295.00	\$2,590.00
Zoning	0	635.00	635.00	1,270.00	32	14,440.00	14,440.00	28,880.00
PUDs & Plan Reviews	28	2,825.00	2,825.00	5,650.00	297	25,895.00	25,895.00	51,790.00
Refunds		0.00	0.00	0.00	0	(400.00)	(400.00)	(800.00)
Fees Waived		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	0	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
		<u>\$3,515.00</u>	<u>\$3,515.00</u>	<u>\$7,030.00</u>		<u>\$41,230.00</u>	<u>\$41,230.00</u>	<u>\$82,460.00</u>
LAND DIVISION								
Minor Subdivisions	0	\$0.00	\$0.00	\$0.00	7	\$1,950.00	\$1,950.00	\$3,900.00
Preliminary Plats	3	1,765.85	1,765.85	3,531.70	16	\$7,335.85	\$7,335.85	14,671.70
Final Plats	2	805.00	805.00	1,610.00	9	\$3,467.77	\$3,467.77	6,935.54
Plat Waivers	2	250.00	250.00	500.00	17	\$2,125.00	\$2,125.00	4,250.00
Lot Splits	18	900.00	900.00	1,800.00	69	\$3,548.00	\$3,548.00	7,096.00
Lot Combinations	12	600.00	600.00	1,200.00	57	\$2,850.00	\$2,850.00	5,700.00
Access Changes	1	25.00	25.00	50.00	3	\$75.00	\$75.00	150.00
Other		0.00	0.00	0.00	0	\$430.00	\$430.00	860.00
Refunds			0.00	0.00	1	\$0.00	\$0.00	0.00
Fees Waived		<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	0	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>
		<u>\$4,345.85</u>	<u>\$4,345.85</u>	<u>\$8,691.70</u>		<u>\$21,781.62</u>	<u>\$21,781.62</u>	<u>\$43,563.24</u>
BOARDS OF ADJUSTMENT								
Fees	16	\$5,400.00	\$550.00	\$5,950.00	153	\$50,860.00	\$10,150.00	\$61,010.00
Refunds		(800.00)		(\$800.00)	0	(\$2,822.00)	(\$700.00)	(3,522.00)
NSF Check			0.00	\$0.00	0	\$0.00	\$0.00	0.00
Fees Waived		<u>0.00</u>	<u>0.00</u>	<u>\$0.00</u>		<u>(250.00)</u>	<u>0.00</u>	<u>(250.00)</u>
		<u>\$4,600.00</u>	<u>\$550.00</u>	<u>\$5,150.00</u>		<u>\$48,038.00</u>	<u>\$9,450.00</u>	<u>\$57,488.00</u>
TOTAL		\$12,460.85	\$8,410.85	\$20,871.70		\$111,049.62	\$72,461.62	\$183,511.24



9.1

Final Subdivision Plat

All Commerce Business Park Replat - (CD 6)

East of Southeast corner of South 145th East Avenue and East Admiral Place

This plat consists of 8 Lots, 2 Blocks, on 10.59 acres.

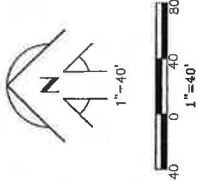
Staff has received release letters for this plat and can recommend approval of the final plat.

LOCATION MAP

SCALE: 1"=100'

OWNER:
ALL-COMMERCE, LLC
PARK ALLWINE
111 SOUTH 147 EAST AVENUE
TULSA, OK. 74110
PHONE: (918) 867-7361
EMAIL: pat@allwine.com

SURVEYOR:
LACY SURVEYING COMPANY
3331 SOUTH 148TH EAST AVENUE
TULSA, OKLAHOMA 74134
PHONE: (918) 518-1873
C.A. NO. 54523, EXP. DATE 08/30/2013
LACTSURVING@GCOM.NET



6 107 INTERNALS

LOT AREA		BLOCK 1		BLOCK 2	
LOT	AREA	LOT	AREA	LOT	AREA
1	3,713	1	3,713	1	3,713
2	3,713	2	3,713	2	3,713
3	3,713	3	3,713	3	3,713
4	3,713	4	3,713	4	3,713
5	3,713	5	3,713	5	3,713
6	3,713	6	3,713	6	3,713
7	3,713	7	3,713	7	3,713
8	3,713	8	3,713	8	3,713
9	3,713	9	3,713	9	3,713
10	3,713	10	3,713	10	3,713
11	3,713	11	3,713	11	3,713
12	3,713	12	3,713	12	3,713
13	3,713	13	3,713	13	3,713
14	3,713	14	3,713	14	3,713
15	3,713	15	3,713	15	3,713
16	3,713	16	3,713	16	3,713
17	3,713	17	3,713	17	3,713
18	3,713	18	3,713	18	3,713
19	3,713	19	3,713	19	3,713
20	3,713	20	3,713	20	3,713
21	3,713	21	3,713	21	3,713
22	3,713	22	3,713	22	3,713
23	3,713	23	3,713	23	3,713
24	3,713	24	3,713	24	3,713
25	3,713	25	3,713	25	3,713
26	3,713	26	3,713	26	3,713
27	3,713	27	3,713	27	3,713
28	3,713	28	3,713	28	3,713
29	3,713	29	3,713	29	3,713
30	3,713	30	3,713	30	3,713
31	3,713	31	3,713	31	3,713
32	3,713	32	3,713	32	3,713
33	3,713	33	3,713	33	3,713
34	3,713	34	3,713	34	3,713
35	3,713	35	3,713	35	3,713
36	3,713	36	3,713	36	3,713
37	3,713	37	3,713	37	3,713
38	3,713	38	3,713	38	3,713
39	3,713	39	3,713	39	3,713
40	3,713	40	3,713	40	3,713
41	3,713	41	3,713	41	3,713
42	3,713	42	3,713	42	3,713
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47	3,713	47	3,713	47	3,713
48	3,713	48	3,713	48	3,713
49	3,713	49	3,713	49	3,713
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51	3,713	51	3,713	51	3,713
52	3,713	52	3,713	52	3,713
53	3,713	53	3,713	53	3,713
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57	3,713	57	3,713	57	3,713
58	3,713	58	3,713	58	3,713
59	3,713	59	3,713	59	3,713
60	3,713	60	3,713	60	3,713
61	3,713	61	3,713	61	3,713
62	3,713	62	3,713	62	3,713
63	3,713	63	3,713	63	3,713

BASIS OF BEARING

GRANTED N 87°17'17" E ALONG THE NORTH LINE OF LOT 3, SECTION 3, TOWNSHIP 19 NORTH, RANGE 14 EAST OF THE 18-AM, TULSA COUNTY, STATE OF OKLAHOMA.

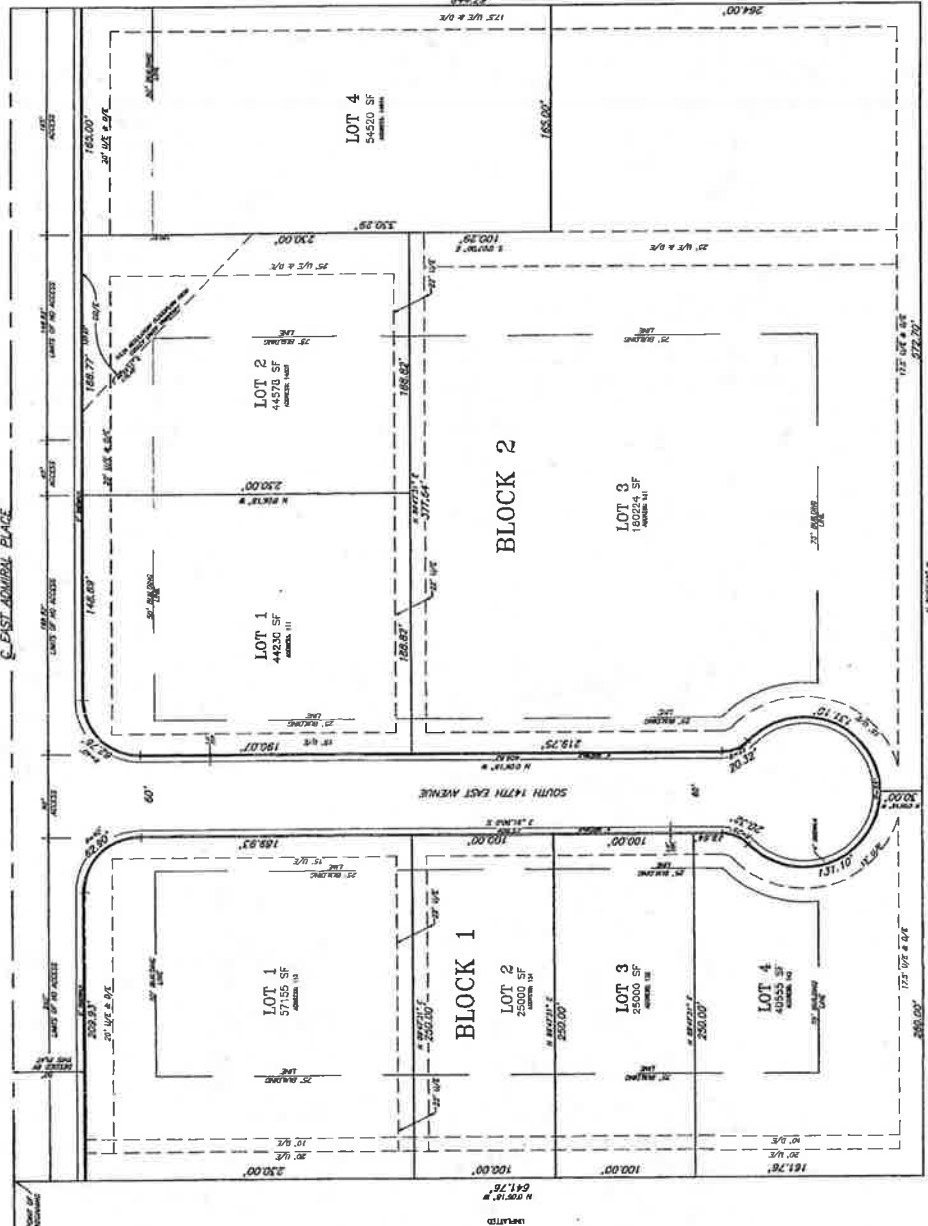
MONUMENTATION
ALL CORRUPTING SHOWN HEREIN WERE SET UP AND
3/8" X 1/8" STEEL PIN WITH A PLASTIC CAP

NOTE

ALL STREET NAMES HEREIN ARE LOCATED AS PUBLISHED BY THE P.O.D.

STREET NAMES ON THIS PLAN HAVE BEEN OBTAINED FROM THE P.O.D. AND ARE NOT TO BE USED FOR ANY OTHER PURPOSES. ANY CHANGES TO THESE NAMES OR LOCATIONS WILL BE THE RESPONSIBILITY OF THE USER.

PLEASE USE THESE PLANS FOR THE ONLY OFFICIAL PURPOSES.



PLAT NO.	<p><u>FINAL PLAT</u></p> <p><u>CERTIFICATE OF APPROVAL</u></p> <p>I hereby certify that this plat was approved by the Board of Supervisors of the County of Santa Clara on the _____ day of _____, 19____.</p> <p><u>SAN JOAQUIN SUPERVISOR.</u></p> <p>This signature is valid only if the plat is filed and duly recorded in the office of the County Clerk on or before _____.</p> <p><u>CITY ENGINEER</u></p> <p>APPROVED _____ by the Council of the City of _____, California.</p> <p><u>CHAIRMAN</u></p> <p><u>MANOR</u></p> <p><u>ATTORNEY CITY CLERK</u></p>
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CERTIFICATE

As provided in Title 11, Chapter 11, Section 214 of the Oklahoma Statutes, I hereby certify that all of the money herein listed in the table, all of which have been paid, refunded for the common use and all amounts so required by said Section 214, have been provided to the

sum of \$ _____ per year receipt no. _____

as so applied to \$ _____ loan out as per _____

certified to me, _____

This certificate is NOT to be considered as payment of 20 _____

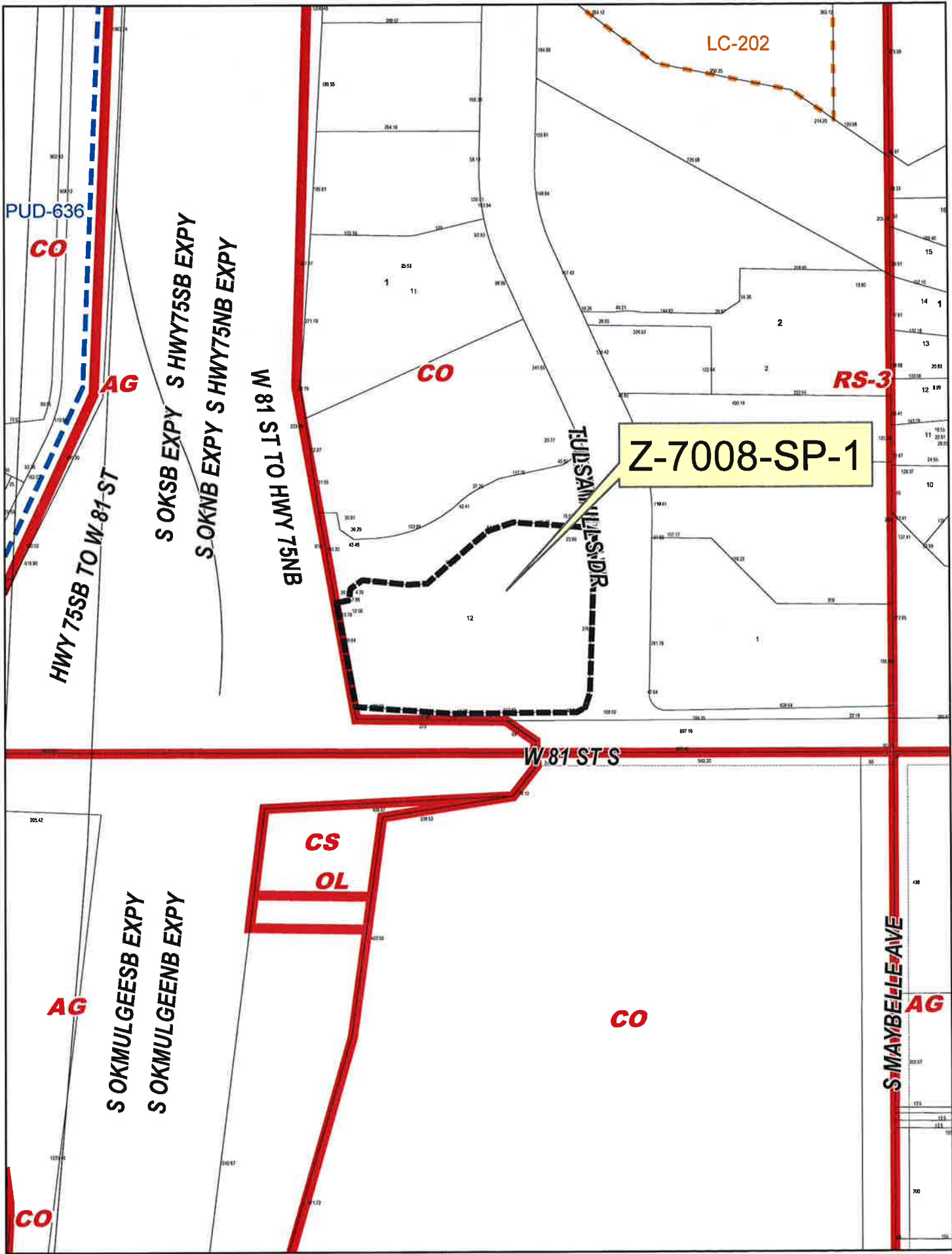
sum in full but is given in order that said loan may be filed of record.

20 _____ were used toward the payment of the maturity deposit.

10
DENNIS SOMMER
TULSA COUNTY TREASURER
11
Dennis

REPLAT OF ALL-COMMERCE
BUSINESS PARK
FINAL PLAT, XXXXX
SHEET 1 OF 2

DEED OF DEDICATION AND COVENANTS, ART. ATTACHED SEPARATELY



June 6, 2012

STAFF RECOMMENDATION

Z-7008-SP-1: Detailed Site Plan – Northwest corner of West 81st Street South at South Olympia Avenue; Lot 12, Block 1 at Tulsa Hills Development Area F, (Plat #6154); TRS 18-12-24; CZM 51, Atlas 1584: CD 2; CO

The applicant is requesting approval of a detail site plan for a new Convenience Goods and Services Store (Kum-N-Go). The proposed use, Convenience Goods and Services (Use Unit 13) is a permissible use within this Corridor District.

The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Parking has been provided per the applicable Use Unit of the Zoning Code. Landscaping is provided per the Landscape Chapter of the Zoning Code. All site lighting is below the 35-foot height limitation and is directed down and away from adjoining properties. A trash enclosure has been provided as required by the Corridor District Development Plan. Sidewalks have been provided along West 81st Street and South Olympia as required by CO District Development Standards and Subdivision regulations.

Therefore, staff recommends **APPROVAL** of the detail site plan for Z-7008-SP-1.

(Note: Detail site plan approval does not constitute landscape plan or sign plan approval.)

10.4

A2



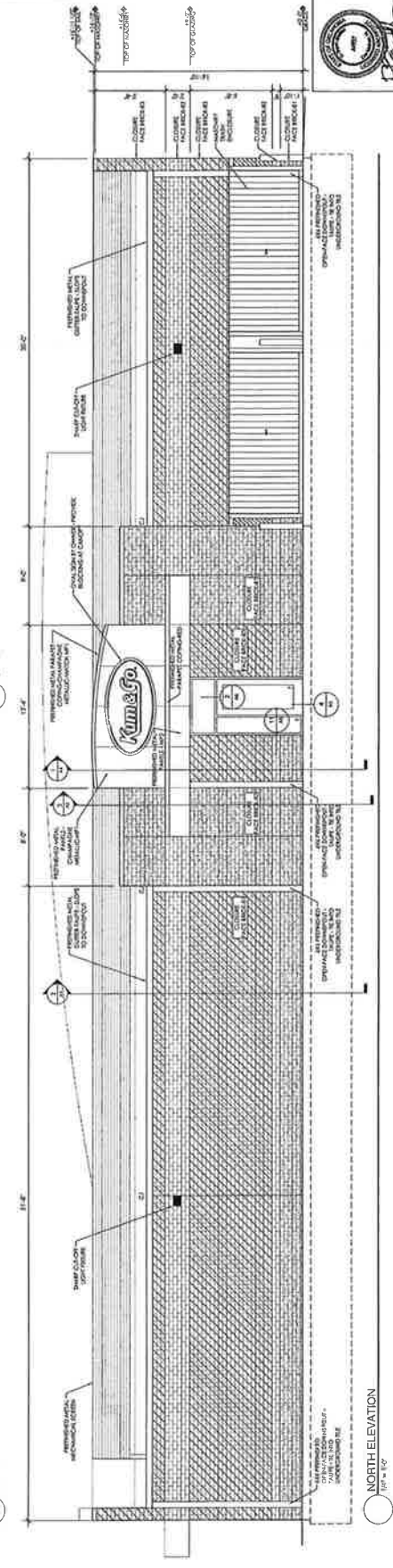
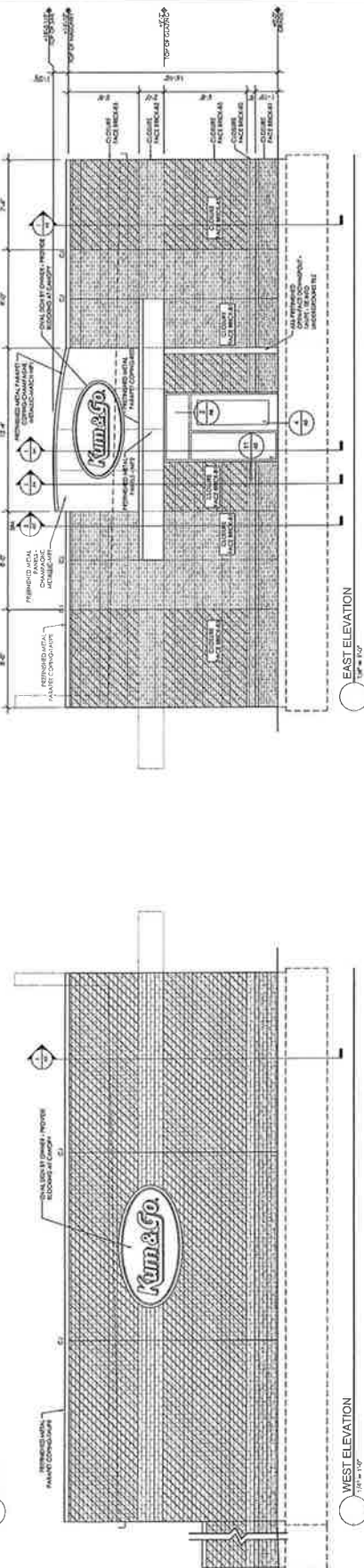
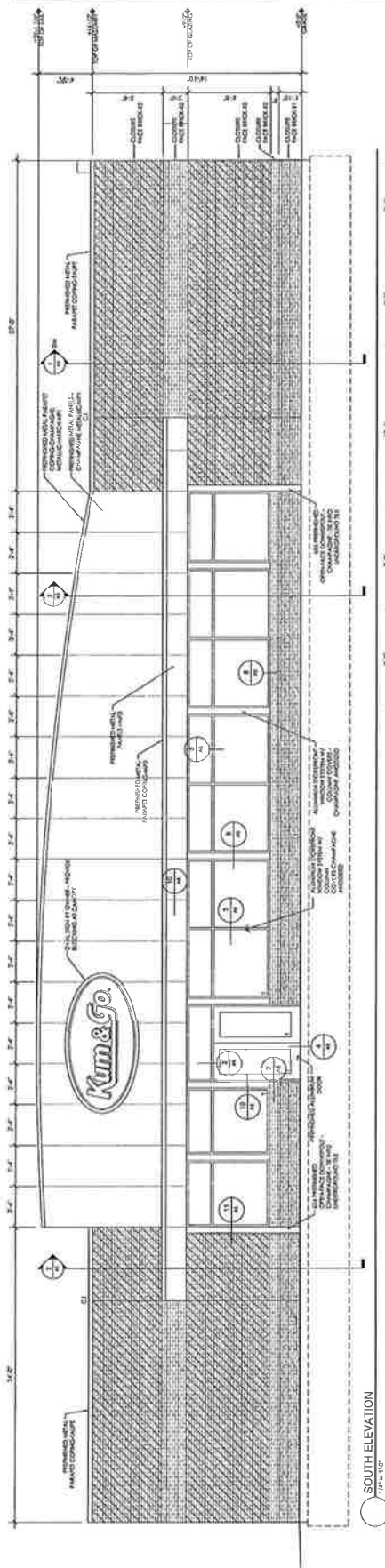
KUM & GO STORE #887

TULSA, OKLAHOMA

EXTERIOR ELEVATIONS SCALE: 1/4" = 1'-0"

10001
APRIL 11, 2017

S H I F F L E R
A S S O C I A T E S P L C
10001
APRIL 11, 2017



AG

E REGAL CT

E REGAL DR

PUD-370-B dsp

E 105 ST S

CS

S MEMORIAL DR

PUD-67

E 106 ST S

CG

RM-1

OL

PUD-370

PUD-370A

CS¹

RS-3

PUD-619

PUD-619B

PUD-619C

11.1

June 6, 2012

STAFF RECOMMENDATION

PUD-370-B: **Detailed Site Plan** – Northwest of the intersection of East 106th Street South at South Memorial Drive; Lots 1 and 2, Block 1 in Avalon Park Subdivision; TRS 18-13-26; CZM 57, Atlas 2673: CD 8; OL/CS PUD-370-B

The applicant is requesting approval of a detail site plan for a medical office, medical supply store and health food store in a single multi use building. The proposed use, Use Unit 11 is a permitted use in PUD-370-B.

The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Vehicular access to the site will be provided from East 106th Street South which is a private street. Parking will be provided per the applicable Use Unit of the Zoning Code. Parking area dimensioning meets the applicable requirements of Chapter 13 of the Code. Landscaping will be provided per the PUD and Landscape Chapters of the Zoning Code. All site lighting, including building mounted, will be limited to 15 feet per PUD limitations for exterior lighting. Lighting will be directed down and away from adjoining residential properties in a manner that the light producing element and/or reflector are not visible to a person standing at ground level within said residential district. A trash enclosure will be provided as required by the PUD. Sidewalks will be provided along East 106th Street as required by PUD Development Standards and Subdivision Regulations.

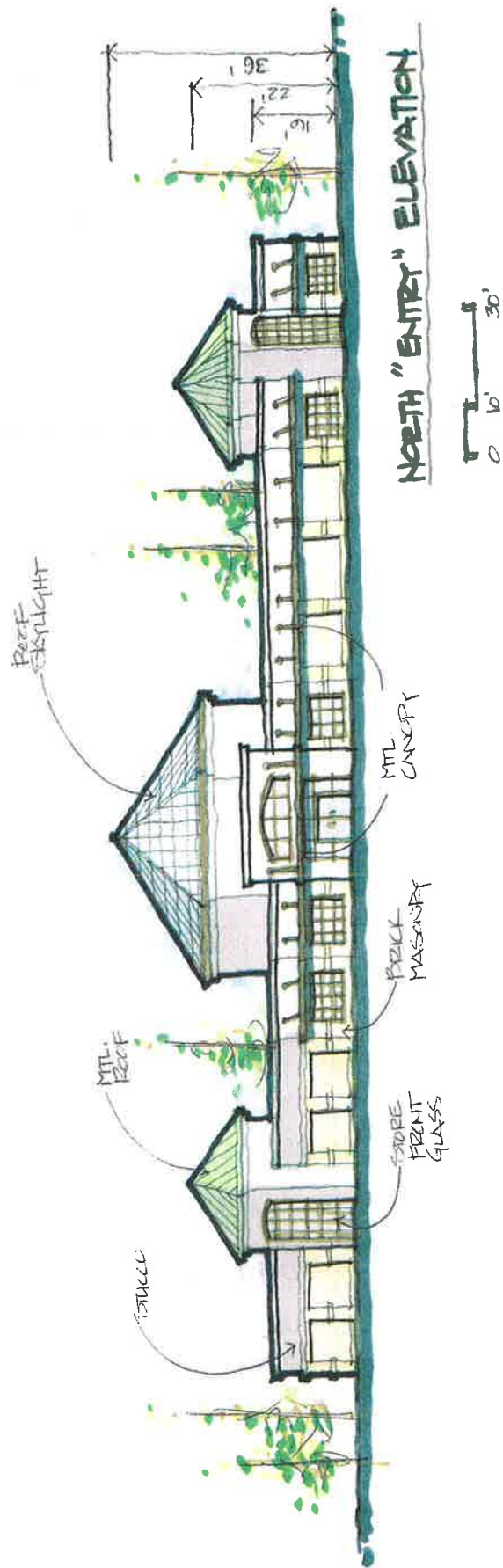
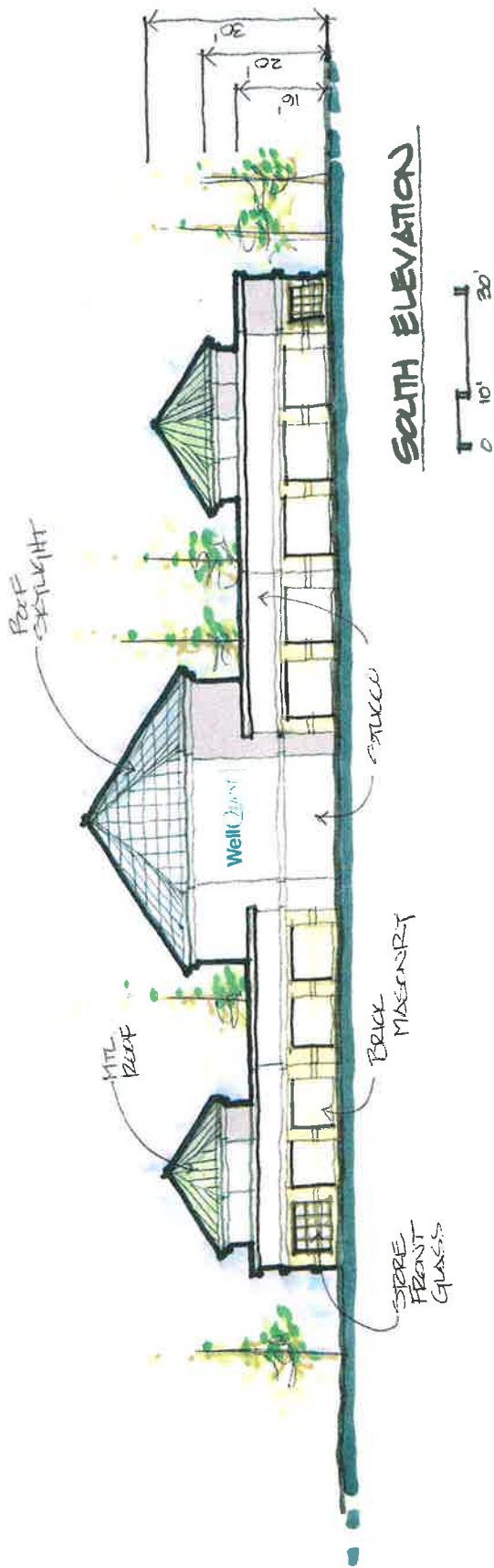
A link for pedestrian access to an existing sidewalk or accessible ramp on South Memorial Drive will be required. This sidewalk will require offsite sidewalk installation from the east lot line along East 106th Street to the existing pedestrian access points. All of this sidewalk will be placed in Reserve Area "D" and the Memorial Drive right of way. Distinct pedestrian access is provided from the sidewalk along 106th Street along sidewalks provided to the building in at least three locations.

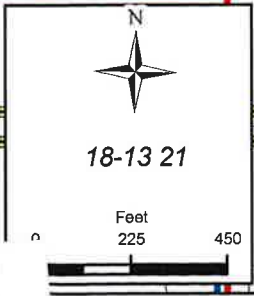
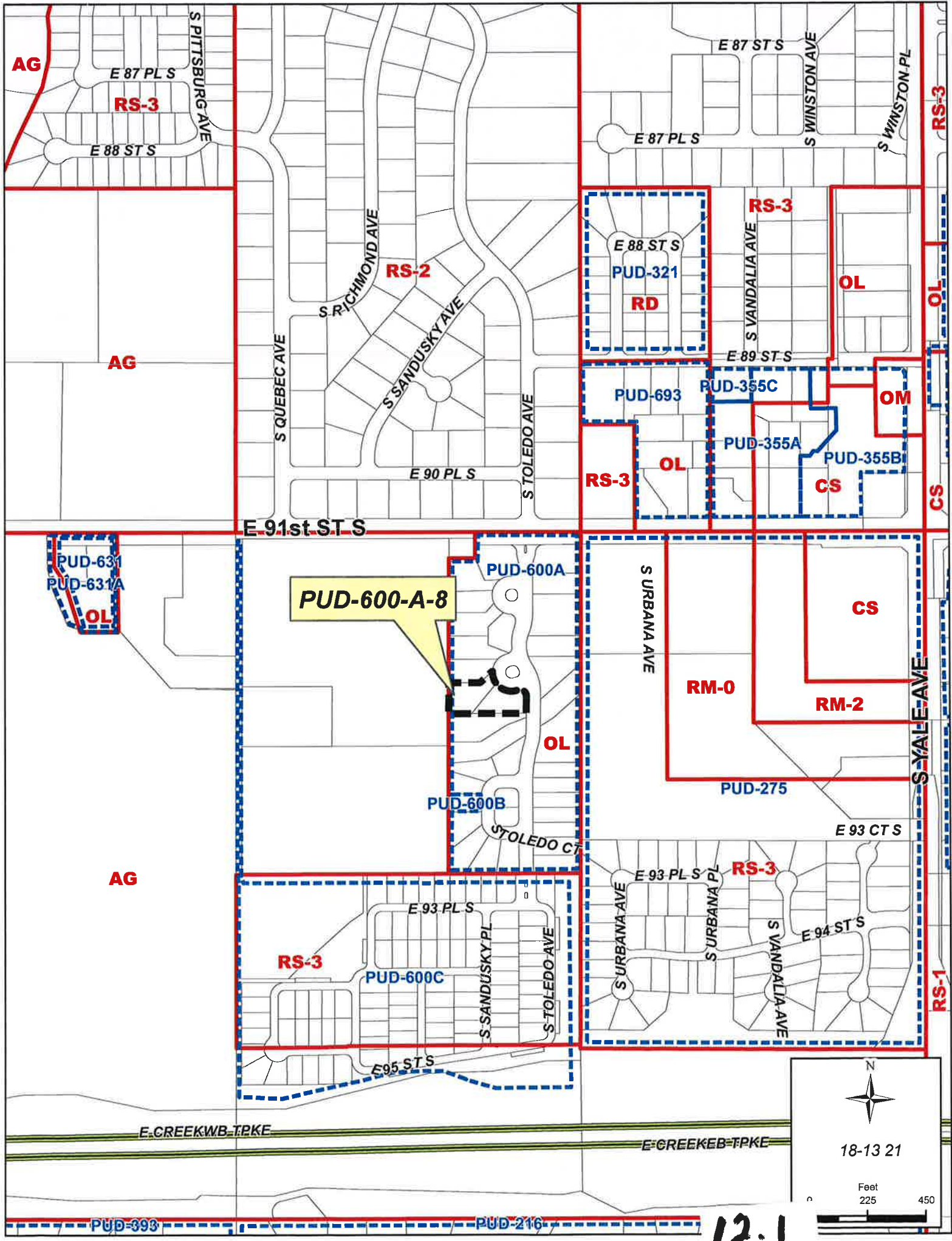
Staff recommends **APPROVAL** of the detail site plan for PUD-370-B with the condition that the additional sidewalk construction will be installed prior to building occupancy.

Note: Detail site plan approval does not constitute landscape and sign plan approval.

11.2







12.1





18-13 21

Feet
0 100 200

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010

12.3

June 6, 2012

STAFF RECOMMENDATION

PUD-600-A-8: Minor Amendment – South and west of the intersection of East 91st Street South and South Yale Avenue; Lots-8 and 9, Block-1 Ashton Creek Office Park; TRS 18-13-21; CZM 56; Atlas 1909; CD 8; OL/PUD-600-A.

The applicant is requesting a minor amendment to allow for shared parking between the new owners of Lot 8 and the owners of the combined Lots 9 and 10. The property owners have requested a reduction in the overall parking count from the required 30 spaces to 28 spaces, which is only two spaces; however, it saves significantly more pavement than the two spaces reflected because of shared access to Toledo Ave.

This minor amendment also includes the mutual access and parking agreement between all property owners and has been included for record purposes.

Generally the Comprehensive Plan for the City of Tulsa recognizes the need to allow for shared parking thereby reducing the overall pavement surface area requirements in Tulsa. This particular request is a good example for adjacent property owners to choose their needs, provide common vehicular access points and develop higher density than may be allowed by current Zoning Code guidelines. This minor amendment is a small but important example of how property owners and INCOG can help meet the goals and objectives of the Comprehensive Plan as defined in the proposed strategies outlined in page 40 of the Tulsa Comprehensive Plan.

In an effort to enable property owners to provide innovative parking solutions staff supports this minor amendment to the PUD which is allowed in the PUD section of the current Zoning Code.

Therefore, staff recommends **APPROVAL** of the minor amendment PUD-600-A-8.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.

12.4



wdesign
ARCHITECTURE
1513 S. HENRI ST. SUITE 100
TULSA, OK 74107
Office: 539.664.5540
Fax: 539.664.1905
www.wdesignarch.com



PROJECT
ASHTON CREEK OFFICE PARK
TULSA, OK

THE OFFICES
AT 9206

PROJECT #
10107

Ashton Creek
Office Park
Tulsa, OK

CONSULTANT

REVISIONS

ISSUE DATE

5.16.2012

SHEET NAME

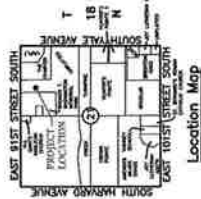
PUD #600

Detailed Site Plan

SHEET #

SP1

R 13 E



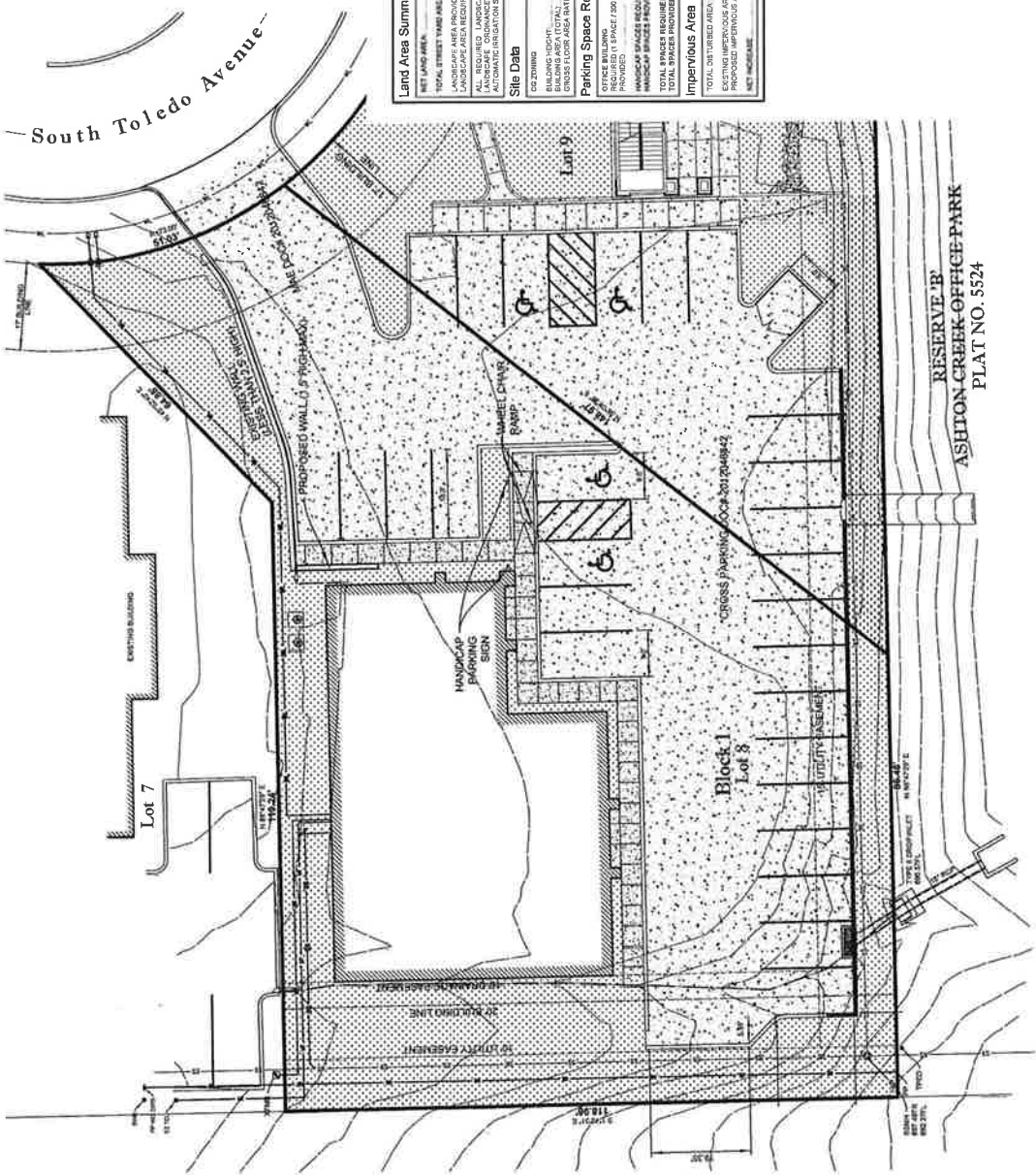
Owner / Developer

TRAVIS SHORT
ARCHITECTURE
TULSA, OK 74107
PHONE: 539.664.5540
FAX: 539.664.1905
WWW.WDESIGNARCH.COM

Engineer / Surveyor

HRAK, INC.
1513 S. HENRI ST. SUITE 100
TULSA, OK 74107
PHONE: 539.664.5540
FAX: 539.664.1905
WWW.WDESIGNARCH.COM

South Toled Avenue



Land Area Summary	
NET LAND AREA	12,272.14 SF
TOTAL STREET YARD AREA	507.38 SF
LANDSCAPE AREA PROVIDED	5,341.81 SF (43%)
LANDSCAPE AREA REQUIRED	5,930.82 SF (48%)
ALL REQUIRED LANDSCAPE AREA SHALL BE SET, CORRECTED, AND MAINTAINED BY THE DEVELOPER, WITHIN THE AUTOMATIC IRRIGATION SYSTEM	
Site Data	
CO ZONING	1 STORY
BUILDING HEIGHT	3.75 FT
BUILDING AREA (TOTAL)	10,764.77 SF
UNUSABLE FOOTPRINTED AREA	0.00 SF
Parking Space Requirement	
OFFICE BUILDING	12
PROVIDED	15
MANICAP SPACES REQUIRED	15
MANICAP SPACES PROVIDED	15
TOTAL SPACES PROVIDED	15
Impervious Area	
TOTAL IMPERVIOUS AREA	18,807.77 SF
PERMITTED IMPERVIOUS AREA	15,000.00 SF
PROPOSED IMPERVIOUS AREA	15,000.00 SF
NET IMAGINE	3,807.77 SF



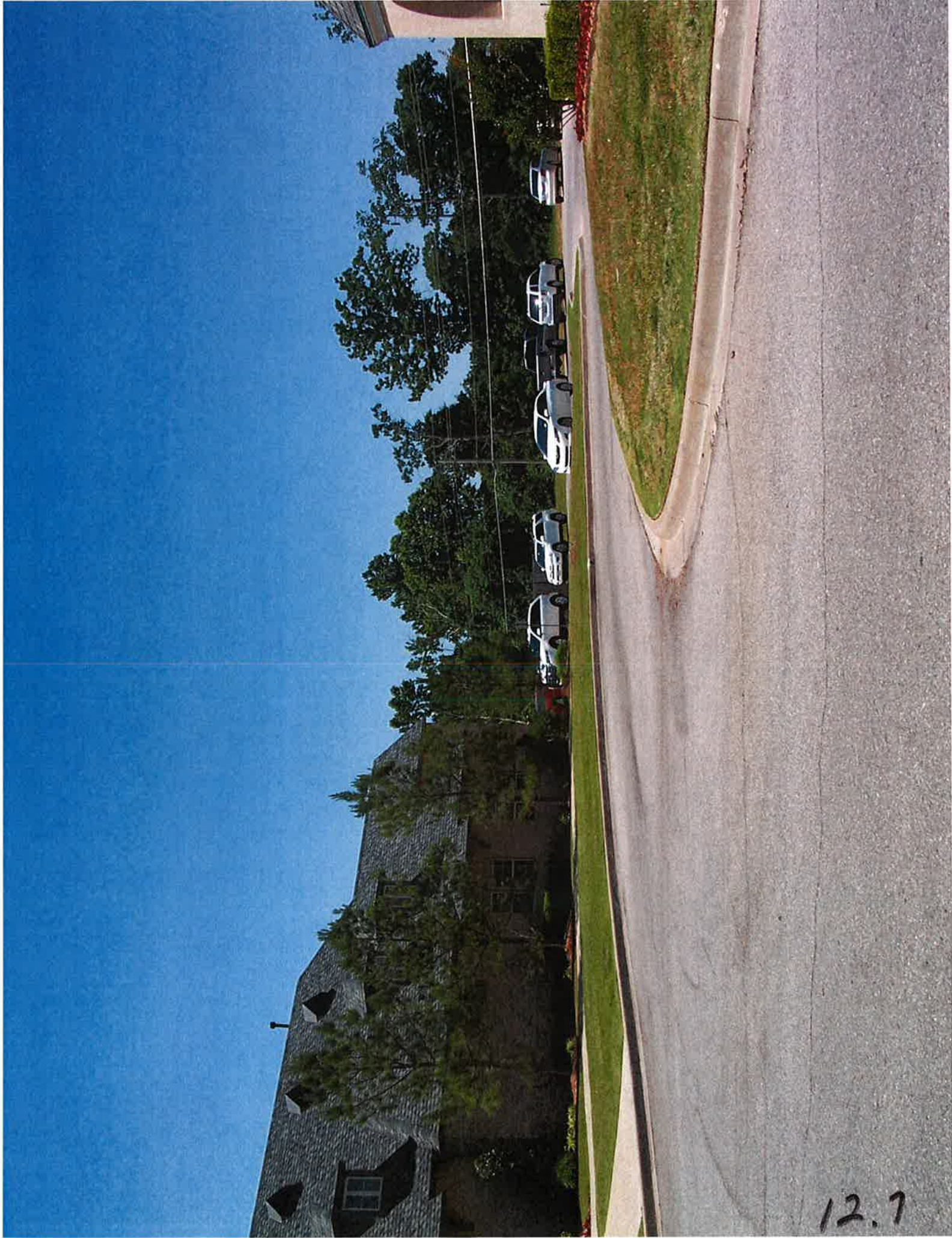
BEFORE YOU USE THIS PLAN, YOU MUST READ THE CITY OF TULSA, OKLA. ORDINANCE NO. 10107, WHICH GOVERNS THE DESIGN AND CONSTRUCTION OF OFFICE PARKS. THIS PLAN IS A PRELIMINARY DESIGN AND IS NOT TO BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE CITY OF TULSA, OKLA. ENGINEER'S SEAL AND SIGNATURE REQUIRED.

RESERVE 'B'
ASHTON CREEK OFFICE PARK
PLAT NO. 5524

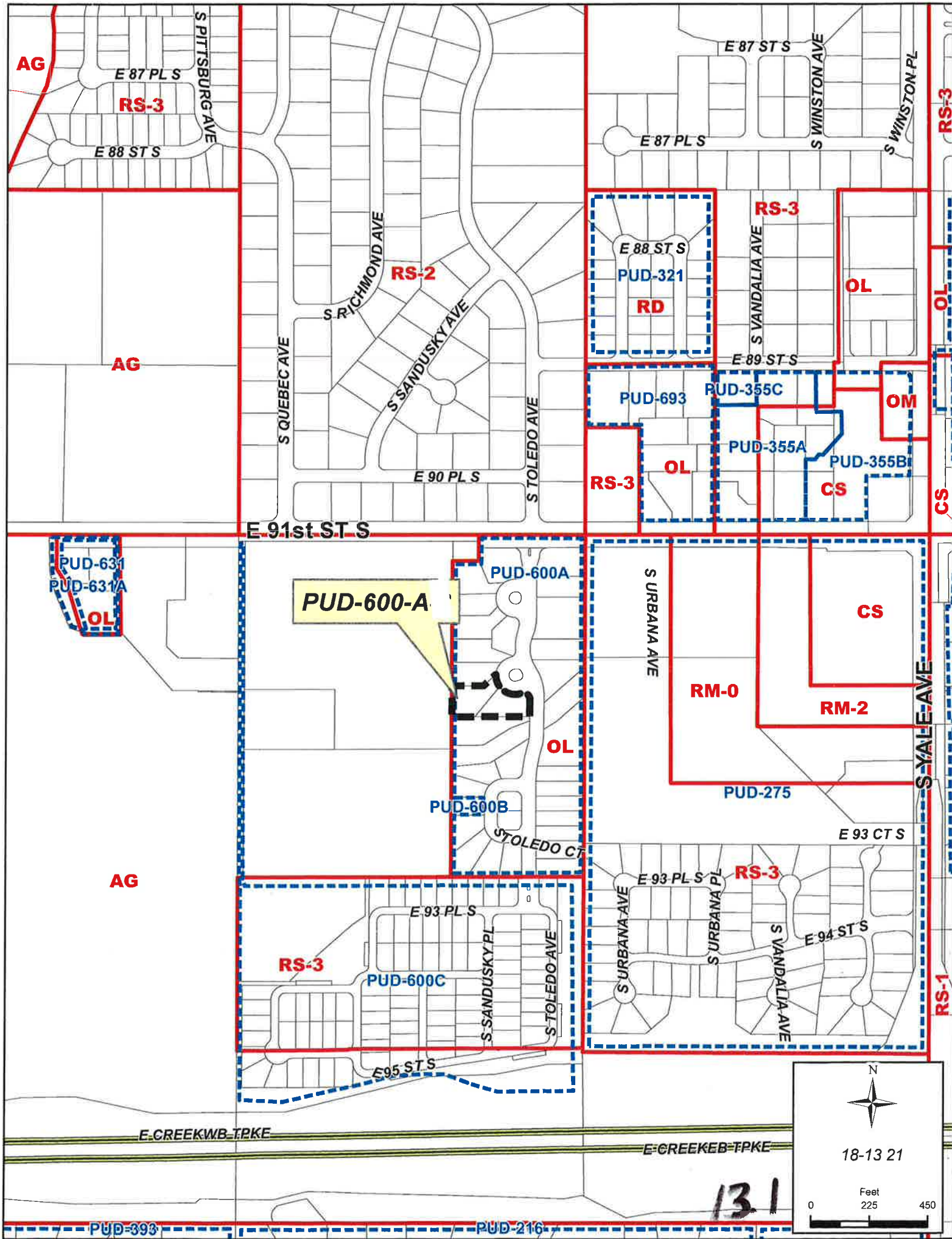
12.5



12.6



12.7





PUD-600-A



18-13 21

Feet
0 225 450

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010

13.2



18-13 21

Feet
0 100 200

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010

13.3

June 6, 2012

STAFF RECOMMENDATION

PUD-600-A: **Revised Detailed Site Plan** – South and west of the intersection of East 91st Street South and South Yale Avenue; Lots-9 and 10, Block-1 Ashton Creek Office Park; TRS 18-13-21; CZM 56; Atlas 1909; CD 8; OL/PUD-600-A.

The applicant has also requested approval of a revised detail site plan for a reduction in the required parking spaces. As part of that process a minor revision to the detailed site plan has been prepared to document the mutual access and shared parking agreement between Lots 8 and Lots 9/10.

In conjunction with the shared parking and access agreement and the minor amendment for reduction of parking on Lots 8, 9 and 10, the submitted existing site meets all applicable building floor area, open space, building height and setback limitations as defined in the Planned Unit Development. Vehicular access to the site will be provided from South Toledo Avenue through Lot 8 as allowed by the mutual access and parking agreement. Parking will be provided per the applicable Use Unit of the Zoning Code except as amended by amendment to PUD-600-A-8. Parking area dimensioning meets the applicable requirements of Chapter 13 of the Code. Landscaping will be provided per the PUD and Landscape Chapters of the Zoning Code. All site lighting will meet the PUD limitations for exterior lighting. Lighting will be directed down and away from adjoining residential properties in a manner that the light producing element and/or reflector are not visible to a person standing at ground level within said residential district. A trash enclosure will be provided as required by the PUD; however, Lots 8 and Lots 9/10 will share a common existing trash enclosure.

Staff recommends **APPROVAL** of the revised detail site plan for PUD-600-A.

Note: Detail site plan approval does not constitute landscape and sign plan approval.



MUTUAL ACCESS AND PARKING EASEMENT AGREEMENT

THIS AGREEMENT is made and entered into effective the 14 day of May, 2012, by and between MUZOOM ENTERPRISES, LLC, an Oklahoma limited liability company ("Muzoom"), and 9206 ASHTON CREEK, LLC, an Oklahoma limited liability company ("9206").

RECITALS:

- A. Muzoom is the owner and in possession of that certain tract of real property described on Exhibit "A" attached hereto and made a part hereof (the "Muzoom Tract").
- B. 9206 is the owner and in possession of that certain tract of real property described on Exhibit "B" attached hereto and made a part hereof (the "9206 Tract").
- C. Muzoom has agreed to grant to 9206, its grantees, heirs and assigns, a non-exclusive, perpetual easement upon and across the Muzoom Tract for vehicular and pedestrian access and parking, all upon the terms and conditions and subject to the reservations hereinafter set forth.
- D. 9206 has agreed to grant to Muzoom, its grantees, heirs and assigns, a non-exclusive, perpetual easement upon and across the 9206 Tract for vehicular and pedestrian access and parking, all upon the terms and conditions and subject to the reservations hereinafter set forth.

COVENANTS AND AGREEMENTS

NOW, THEREFORE, in consideration of the mutual covenants herein contained and the mutual benefits to be derived herefrom and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto do hereby agree as follows:

1. **Grant of Easements.**

A. **Muzoom to 9206:** Subject to the rights reserved in paragraph 2 below, Muzoom does hereby grant and convey unto Muzoom, its grantees, heirs and assigns in and to all or any part of the Muzoom Tract, a non-exclusive, perpetual easement (the "9206 Easement") upon and across the Muzoom Tract for vehicular and pedestrian passage (both ingress and egress) and parking. The easement herein granted is for the express purpose of providing 9206, its tenants, lessees and invitees, a means of vehicular and pedestrian access (both ingress and egress) from the 9206 Tract over and across the Muzoom Tract. The 9206 Easement shall constitute a burden upon and a covenant running with the title to the Muzoom Tract and it shall be deemed a benefit and appurtenance to the 9206 Tract and shall run with the title thereto.

Muzoom covenants and agrees that it shall not alter, diminish, block or impair in any manner the ingress or egress points of the Muzoom Tract or the parking spaces and traffic lanes on the Muzoom Tract without the prior written approval of 9206, which approval can be granted or denied in the sole discretion of 9206.

B. 9206 to Muzoom: Subject to the rights reserved in paragraph 2 below, 9206 does hereby grant and convey unto Muzoom, its grantees, heirs and assigns in and to all or any part of the 9206 Tract, a non-exclusive, perpetual easement (the "Muzoom Easement") upon and across the 9206 Tract for vehicular and pedestrian passage (both ingress and egress) and parking. The easement herein granted is for the express purpose of providing Muzoom, its tenants, lessees and invitees, a means of vehicular and pedestrian access (both ingress and egress) from the Muzoom Tract over and across the 9206 Tract. The Muzoom Easement shall constitute a burden upon and a covenant running with the title to the 9206 Tract and it shall be deemed a benefit and appurtenance to the Muzoom Tract and shall run with the title thereto.

9206 covenants and agrees that it shall not alter, diminish, block or impair in any manner the ingress or egress points of the 9206 Tract or the parking spaces and traffic lanes on the 9206 Tract without the prior written approval of Muzoom, which approval can be granted or denied in the sole discretion of Muzoom.

2. Reservation of Rights.

A. Muzoom: Muzoom specifically reserves unto itself, its grantees, successors and assigns in and to the Muzoom Tract the right to use and enjoy the 9206 Easement and the right to permit its tenants, lessees and invitees to use and enjoy the 9206 Easement in common with the owner of the 9206 Tract and its tenants, lessees and invitees.

B. 9206: 9206 specifically reserves unto itself, its grantees, successors and assigns in and to the 9206 Tract the right to use and enjoy the Muzoom Easement and the right to permit its tenants, lessees and invitees to use and enjoy the Muzoom Easement in common with the owner of the Muzoom Tract and its tenants, lessees and invitees.

C. Mutual Reservation of Rights: The parties reserve each to itself, and their successors and assigns, the following perpetual right to grant additional easements upon, across, in, above and under all or any part of the easement tracts identified above pursuant to a mutual written agreement of the parties, provided, that the exercise granted or inherent in any such additional easement shall be exercised in such a manner as shall minimize the disruption in the use of the easements herein; and provided further, that after any such installment or construction has been completed, the easement tracts, and any roadway or other improvements thereon, shall promptly be restored or repaired to its same condition as existed prior to the granting of any such additional easements and the party benefitting from the rights granted under this Agreement shall not be responsible for bearing any of the expenses related to such additional easements granted by the other party.

3. Maintenance. All roadways, driving surfaces, parking lots, and parking areas located upon the Muzoom Tract and the 9206 Tract shall be maintained by Muzoom and 9206 respectively and the costs and expenses of the maintenance shall be allocated equally between Muzoom and 9206 with the Muzoom Tract and the 9206 Tract each bearing 50% of such cost. Such maintenance shall include, without limitation, all reasonably necessary repairs to or replacement or reconstruction of roadways, parking lots, parking areas, and driving surfaces. If either party, or their

successors and assigns, fails to properly maintain the roadways, parking lots, parking areas, and driving surfaces located on their respective tract, then the other party, or its successors and assigns, upon thirty (30) days written notice, may effect and complete such necessary repairs on behalf of the other party. The parties shall be liable for payment or reimbursement of their share of such costs and expenses incurred and shall be obligated to pay the same within thirty (30) days after receipt of an invoice thereof.

4. Garbage Storage Area and Garbage Disposal Services. The parties hereto shall share equally the costs and expenses of construction and maintenance of an area for storage of garbage disposal receptacles (the "Garbage Storage Area"). The parties hereto agree that each party shall be entitled to store one (1) garbage receptacle at the Garbage Storage Area. The location of the Garbage Storage Area shall be mutually agreed upon by the parties and matters relating to the destruction of any current structures and the construction of the Garbage Storage Area shall be jointly determined by the parties. All costs and expenses related to the construction and maintenance of the Garbage Storage Area shall be born equally between Muzoom and 9206, each party bearing fifty percent (50%) of the costs and expenses. Each party shall be separately responsible for procuring and paying the entity responsible for performance of the disposal services which shall service the garbage receptacles located at the Garbage Storage Area.

5. Enforcement. Muzoom and its respective successors and assigns in and to any part of or interest in the 9206 Tract, and 9206 and its respective successors and assigns in and to any part of or interest in the Muzoom Tract shall have the right to compel performance of the terms and provisions of this Agreement by suit for specific performance or mandatory injunction and the further right to restrain or enjoin any threatened or continuing violation of the terms of this Agreement. In any action to enforce the terms of this Agreement or to enjoin a threatened or continued violation hereof, the defense that the party initiating such equitable proceeding has a speedy and adequate remedy at law is hereby waived. The right herein granted to seek and obtain injunctive relief or specific performance shall not preclude an aggrieved party from recovering any damages sustained by it by reason of breach of any of the covenants and agreements herein and shall not preclude such party from seeking and obtaining any other remedy or relief afforded by the terms of this Agreement or by law for breach of the covenants herein contained. In any such action seeking injunctive relief and/or specific performance and/or damages for the violation hereof, the prevailing party shall be entitled to recover all reasonable expenses incurred by it including reasonable attorneys' fees.

6. Covenants Running with Land. The easements hereby granted and the covenants and agreements herein contained shall be easements and covenants running with the land and shall inure to the benefit of and be binding upon the parties hereto and their respective successors, heirs and assigns, including, but without limitation, all subsequent owners of the Muzoom Tract and the 9206 Tract and all persons claiming under them.

7. Amendment and Waiver. This Agreement may not be amended or modified except in writing duly dated and executed by the owners of the Muzoom Tract and the 9206 Tract. No waiver of any of the provisions hereof shall be deemed binding unless reduced to writing, dated and executed by the party sought to be charged with such waiver. No delay or failure by either party to exercise any right under this Agreement and no partial or single exercise of that right shall

constitute a waiver of that or any other right unless otherwise expressly provided therein.

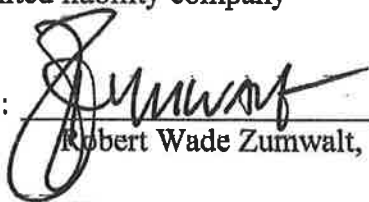
8. Governing Law. This agreement shall be construed in accordance with and governed by the laws of the State of Oklahoma.

9. Binding Effect. This agreement shall be binding upon and inure to the benefit of each party hereto, their respective grantees, successors, heirs and assigns, in and to any part of or interest in their respective tracts.

IN WITNESS WHEREOF, this Mutual Access and Parking Easement Agreement has been duly executed by each of the parties hereto effective the date first above written, notwithstanding the actual date that either party hereto affixes their signatures to this Agreement.

MUZOOM ENTERPRISES, LLC, an Oklahoma
limited liability company

By:


Robert Wade Zumwalt, Manager

By:


David W. Moore, Manager

9206 ASHTON CREEK, LLC, an Oklahoma limited
liability company

By:


J. Travis Short, Manager

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

This instrument was acknowledged before me on this 15th day of May, 2012, Robert Wade Zumwalt as Manager of MUZOOM ENTERPRISES, LLC, an Oklahoma limited liability Company.

Kathy Landsverk
Notary Public

My Commission Expires: 11-9-2014
Commission No.: 10009512



STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

This instrument was acknowledged before me on this 14th day of May, 2012, by David W. Moore as Manager of MUZOOM ENTERPRISES, LLC, an Oklahoma limited liability Company.



Trudy Edwards
Notary Public

My Commission Expires: 06-9-13-14
Commission No.: 06009012

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

This instrument was acknowledged before me on this 15th day of May, 2012 by J. Travis Short as Manager of 9206 ASHTON CREEK, an Oklahoma limited liability company.



Michele Weaver
Notary Public

My Commission Expires: 3/2/16
Commission No.: 12002064

EXHIBIT "A"

to Mutual Access and Parking Easement Agreement (Muzoom Tract)

Lot Nine (9), Block One (1), ASHTON CREEK OFFICE PARK, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, accordingly to the recorded Plat thereof.

EXHIBIT "B"

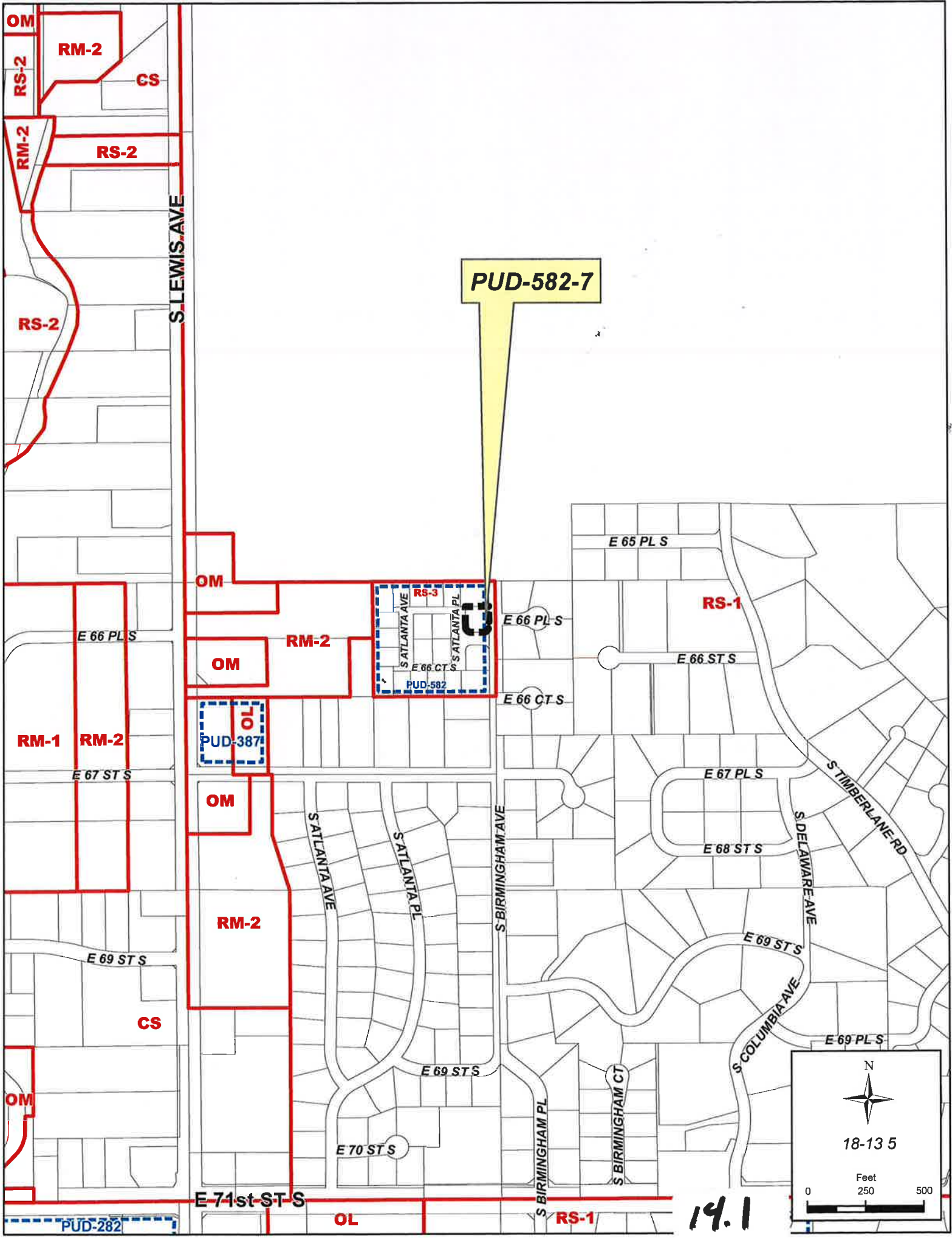
to Mutual Access and Parking Easement Agreement (9206 Tract)

Lot Eight (8), Block One (1), ASHTON CREEK OFFICE PARK, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, accordingly to the recorded Plat thereof.



9206 ASHTON CREEK

4605 E 91
TULSA, OK 74137



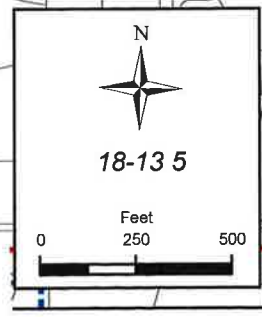
PUD-582-7

RS-3
PUD-582

OL
PUD-387

PUD-282

14.1



18-135



PUD-582-7

S LEWIS AVE

E 66 PL S

E 67 ST S

E 69 ST S

E 71st ST S

S ATLANTA AVE

S ATLANTA PL

E 69 ST S

E 70 ST S

S ATLANTA AVE

S ATLANTA PL

S BIRMINGHAM AVE

S BIRMINGHAM PL

S BIRMINGHAM CT

E 65 PL S

E 66 PL S

E 66 CT S

E 66 ST S

E 67 PL S

E 68 ST S

E 69 ST S

S DELAWARE AVE



18-13 5

0 250 500
Feet

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010

14.2



PUD-582-7

E 66 PLS

E 66 PLS

S ATLANTA AVE

S ATLANTA PL

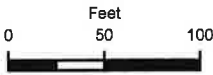
S BIRMINGHAM AVE

E 66 CTS

E 66 CTS



18-13 5



*Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010*

14.3

June 6, 2012

STAFF RECOMMENDATION

PUD-582-7: **Minor Amendment** – North and west of the intersection of East 66th Place South and South Birmingham; Lot 1 and part of Lot 2, Balmoral Addition; TRS 18-13-05; CZM 52; Atlas 768; CD 2; RS-3/PUD-582-7.

Balmoral Addition is a private gated community adjacent to the south property line of Southern Hills Country Club. The applicant is requesting a minor amendment to allow for a reduction in the rear yard setback adjoining Birmingham Avenue. Birmingham is a dead-end two-lane street contained in a 60-foot right-of-way which ends at the south property line of Southern Hills Country Club approximately 100 feet from the north line of this lot. A masonry privacy wall was constructed along Birmingham with the original development of the project.

The original PUD requires a 45-foot setback from the centerline of Birmingham Avenue right-of-way. The proposed minor amendment requests a reduction of 5 feet to 40 feet from the centerline of the right-of-way.

The privacy wall separates the street from the lot and staff does not believe a proposed five-foot reduction in the building setback line will substantially alter the character of the development or the surrounding neighborhood.

Therefore, staff recommends **APPROVAL** of the minor amendment PUD-600-A-8.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.

street Row

BALMORAL

A Re-Subdivision of Lot 8, Block 1
Mazinger Hill, City of Tulsa, Tulsa
County, State of Oklahoma

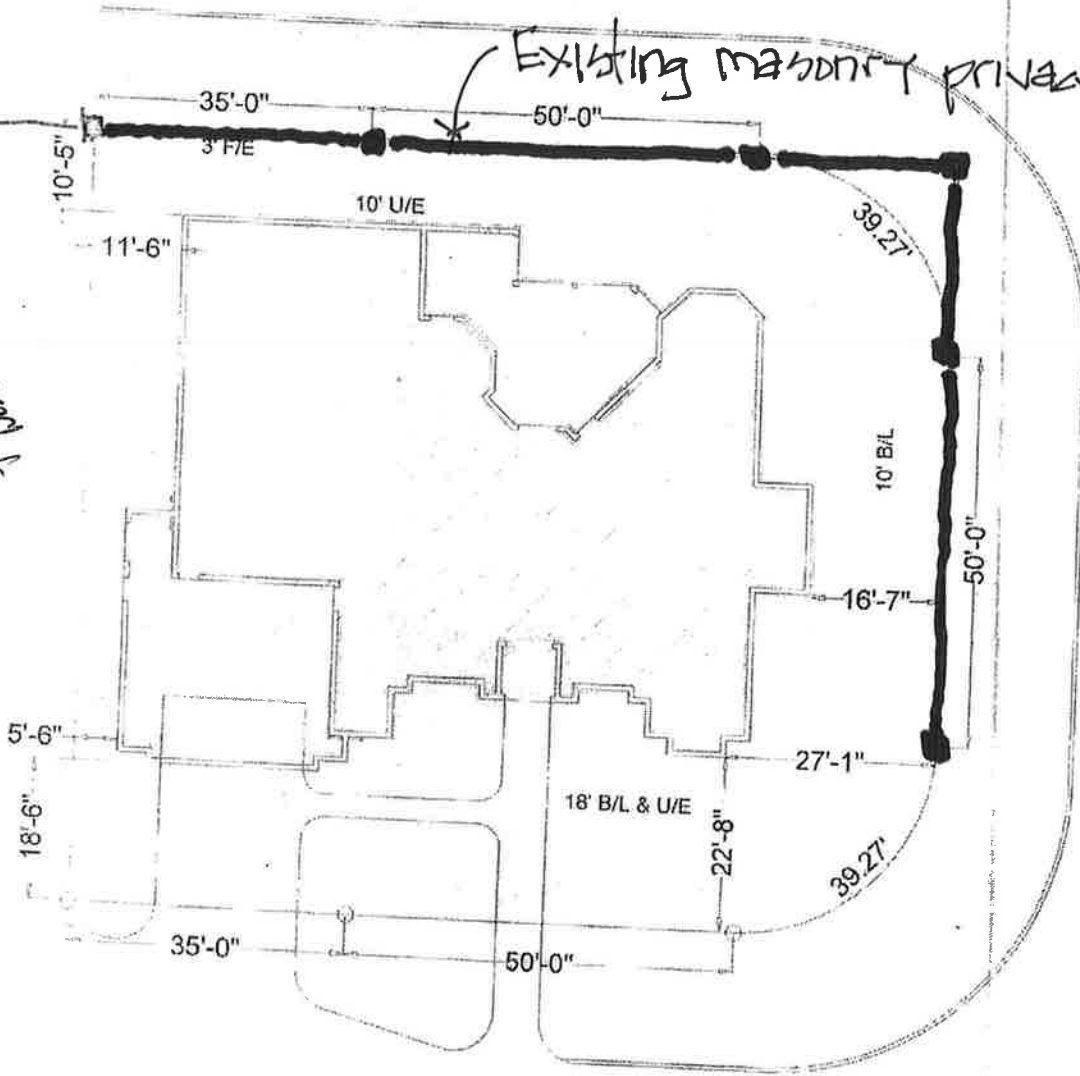
Birmingham Ave

LOT 1 & S-1/2 of LOT 2, BLOCK 1

ATLANTA PLACE

Existing masonry privacy wall.

Back
yard
house



PLAN 4096
X BORM - 2 Story
SITE PLAN

1/8" = 1'-0"

9

The "RAMSEY Residence"

CREATIVE HOME PLANS

14.5



14.6



14.7



14.8

STAFF COMMENTS

Proposed Form-Based Code Regulating Plan June 6, 2012

The Planning Commission on April 4, 2012 held the first public hearing on the proposed Regulating Plan for the balance of the Pearl District. At the conclusion of the meeting, after hearing from 24 interested parties, a work session was scheduled for May 16, 2012 and the public hearing was continued until June 6, 2012.

The staff presented several options to consider at the work session and those were:

- Approve the proposed Regulating Plan as presented.
- Modify the proposed Regulating Plan.
- Amend the area boundaries of the proposed Regulating Plan.
- Deny the proposed Regulating Plan in the present form.

At the work session Mr. Jamieson presented a PowerPoint presentation on behalf of the Pearl District Design Team, explaining their reasons for supporting the proposed Regulating Plan. Other speakers present voiced issues in support or opposition to the proposed Regulating Plan. City Attorney, Bob Edmiston rendered a verbal opinion that adoption of Form-Based Codes, insofar as re-regulated land retains reasonable use and economic value, i.e., the capacity to be developed by private owners, would not constitute a regulatory taking.

It appeared to the staff that the Commissions' sentiment expressed at the work session was as follows:

- A consensus of support for the Form-Based Code in principle.
- A consensus that the proposed Regulating Plan seemed un-approvable in the present form.
- A consensus that the boundaries for the Regulating Plan were not correct.
- A consensus that staff should continue to engage and gather feedback from Pearl District property owners.

At the conclusion of the work session, the Commission requested staff analysis and recommendation on the following:

- Staff prepare a recommended Regulating Plan that is consistent with the approved policy document, The 6th Street Infill Plan.
- A finding and recommendation that considers potential development, financing, and insurance problems created by nonconformities.
- A finding and recommendation that considers the strengths and weaknesses of an optional Code.
- A finding and recommendation that considers the potential issues and benefits of a transition period from the existing Code to Form-Based Code.

Staff suggested that information would be provided on June 6, 2012 enabling the Commission to render a decision on the proposed Regulating Plan.

INCOG and City staff are preparing a revised Regulating Plan and recommendations regarding nonconformities, optional code, and transition periods. In order to brief Pearl District property owners on these recommended changes and allow ample time for public scrutiny and feedback prior to the next public hearing, staff recommends a continuance to complete the following:

1. To hold two public information meetings to present a revised Regulating Plan for public comment.
 - a. The meetings to be noticed on the TMAPC and City's websites and mailed notices to those interested parties that appeared at the April 4 and June 6, 2012 public hearings.
 - b. Dates for the public informational meetings could be as early as Tuesday, June 12th and Monday, June 18th. Meetings to be held at the Centennial Park meeting rooms.
2. Continue the TMAPC public hearing of June 6th to July 11th meeting to consider the revised Regulating Plan and address all issues raised concerning the implementation of the Plan.

Huntsinger, Barbara

From: Alberty, Wayne
Sent: Tuesday, May 22, 2012 2:07 PM
To: Huntsinger, Barbara
Subject: FW: Pearl District Form Based Code

From: Tiny Tomsen [<mailto:tinytomsen54@gmail.com>]
Sent: Tuesday, May 22, 2012 1:44 PM
To: Alberty, Wayne; twarlick@cityoftulsa.org
Cc: rlreynolds@ellerdetrich.com
Subject: Pearl District Form Based Code

Mr. Alberty, INCOG
Mr. Warlick, City of Tulsa

It is my understanding there will be yet another meeting concerning your attempts to create a "Form Based Planning Code" for the Pearl District, and that meeting is scheduled for June 6, 2012.

I will be unavailable for the June 6 meeting.

My comments furnished to you, and to all of the Councilors of the City of Tulsa, and the presentation I made at earlier meeting(s) are all of record. I do not support your planning efforts.

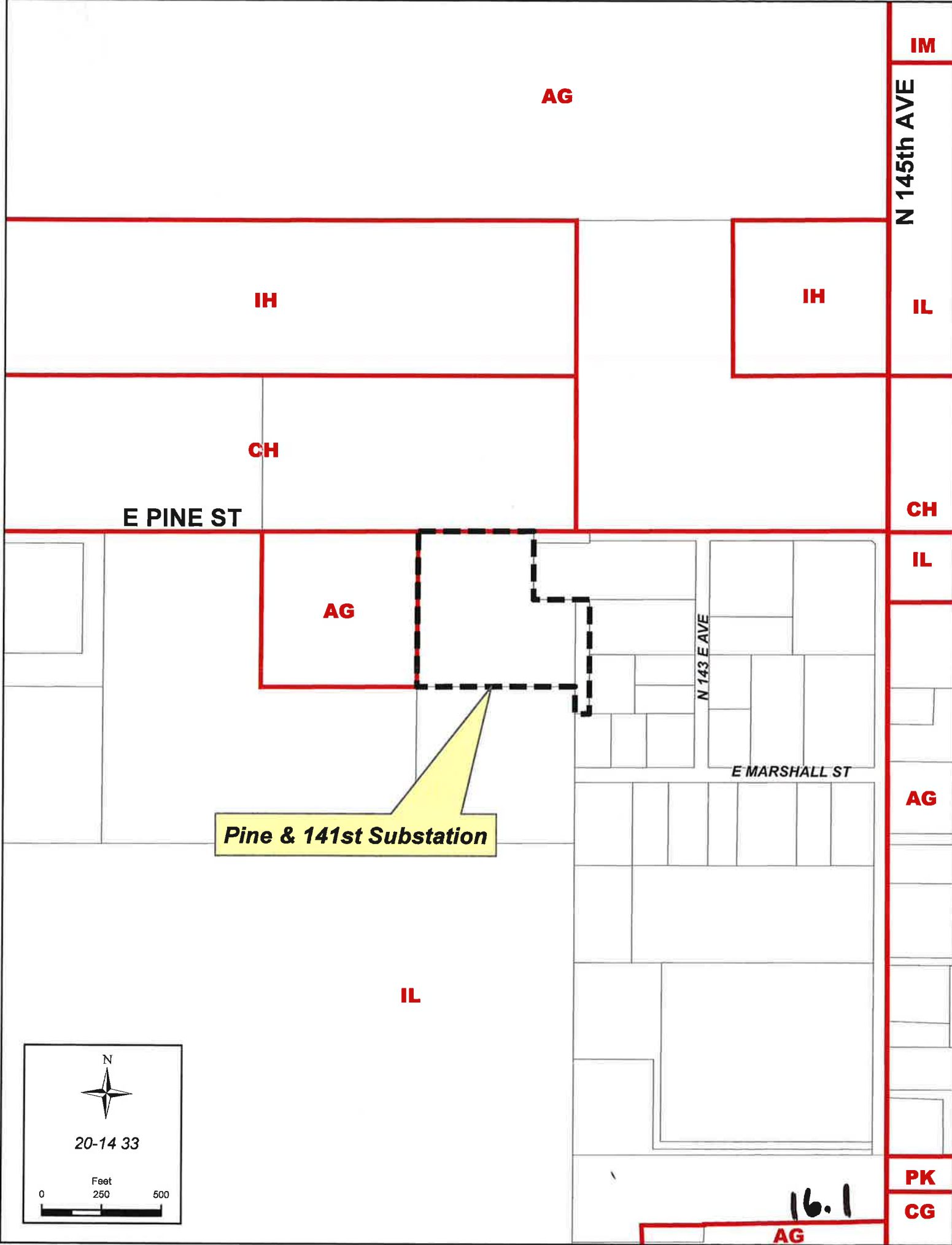
To my knowledge not one single business person or business property owner in the entire Pearl District has indicated support for your proposed plan. The support you have managed to generate for your ill conceived plan has been by others who neither live in the area nor own income producing property in the area.

The comments of Mr. R. Louis Reynolds in his letter to you dated May 14, 2012 were explicit and totally supportive of my views and comments. I trust you have made note of his comments.

Please "kill this dog" at the earliest opportunity. It is only a continued waste of taxpayers money to pay the salaries of government employees to create, generate, and promote this sort of nonsense. "Form Based Code" for the Pearl District is not only unnecessary, unwanted, and undesirable, it is also grossly unfortunate that your continued consideration of forcing this abomination on the citizens of Tulsa has not yet ceased!

Sincerely,

*Willis C. Tomsen
Property Owner in Pearl District*



IM

N 145th AVE

AG

IH

IH

IL

CH

E PINE ST

CH

AG

IL

N 143 E AVE

E MARSHALL ST

AG

Pine & 141st Substation

IL

PK

CG

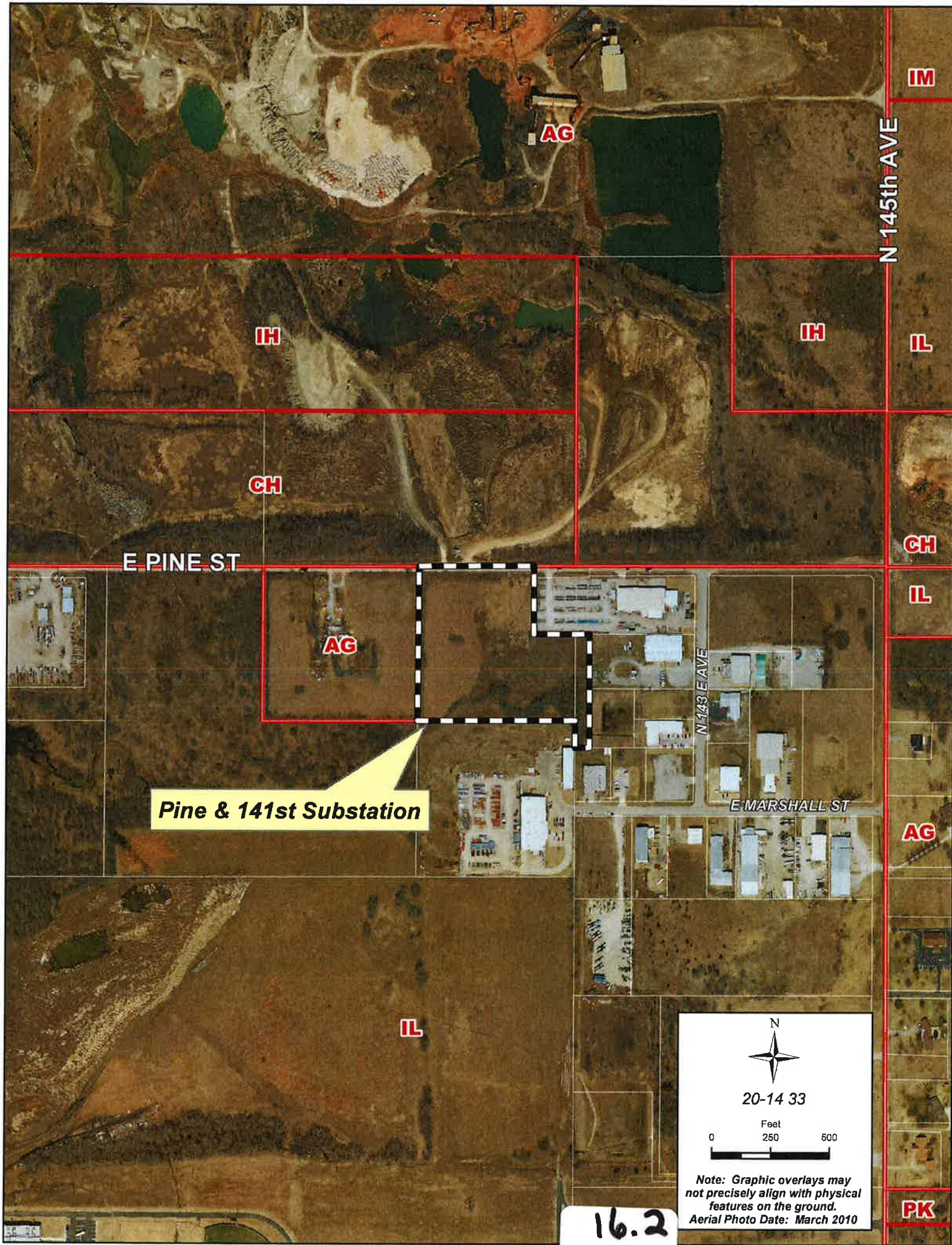
16.1

AG



20-14 33

0 Feet 250 500



Pine & 141st Substation

N

20-14 33

Feet
0 250 500

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010

PK

16.2

MINOR SUBDIVISION PLAT

Pine & 141st Substation - (CD 3)

West of Southwest corner of East Pine Street and North 145th East Avenue
(0433) (CD 3)

This plat consists of one lot, one block, on 9.52 acres.

The following issues were discussed May 17, 2012, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned IL (industrial light).
2. **Streets:** Show limits of no access along Pine Street. Include section on Limits of No Access. Modify section on sidewalks to reflect one lot, one block. Minimum driveway width required for each driveway is 24 feet.
3. **Sewer:** Identify what the existing 60-foot easement is for along the eastern boundary of the plat. If it is not for utility use, then you must provide an 11-foot utility easement where this plat shares a boundary line with Lots 2 & 7, Block 2, Airport Industrial Center. There is a "Section II" but no "Section I". Under Water, Sanitary Sewer, and Storm Sewer Service, paragraph 3, spell ordinary correctly. Also in this area, add a note requiring construction of a Sanitary Sewer Mainline Extension if the property is ever developed in a manner that requires water and sanitary sewer use. Under Paving and Landscaping Within Easements, use the standard language for this note. The City will have a right to do much more than just repair existing facilities within the easement, and we do not pay for encroachments into the easement for those activities either.
4. **Water:** Remove the word "Restrictive" from paragraph 2 of "Water, Sanitary, and Storm Sewer Services Section".
5. **Storm Drainage:** The Eagle Creek Tulsa Regulatory Floodplain should be labeled as such. The Floodplain must be plotted onto the plat by using the Regulatory Water Surface Elevation Profiles from the Master Drainage Plan for this creek and utilizing the surveyed existing ground elevations. Boundary line for the Overland Drainage Easement must be labeled with the distances and bearings. The Stormwater Detention Easement must be shown and labeled on the Face of Plat, including the bearings and distances of all bounding lines. Add the City of Tulsa Standard Language for "Stormwater Detention Easements" and "Lot Surface Drainage".
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Release letters from the utilities have been received.

7. **Other: Fire:** No comment

GIS: Add a section number label and a north arrow to the Location Map. Under the graphic scale bar on the face of the plat state the scale of the drawing. On the face of the plat show the actual corner for the point of commencement and show a label. Add leading zeros to descriptions. In the southeast corner of the plat correct legal and bearings. Clearly describe the Basis of Bearing. Submit a Subdivision Control Data Form. A 17.5-foot perimeter utility easement is needed along the west property line.

Staff recommends **APPROVAL** of the minor subdivision plat with the TAC recommendations and the special and standard conditions listed below. Releases have been received

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the Public Works staff 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.

N 145th AVE




E PINE ST

N 143 E AVE

E MARSHALL ST

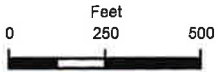
Pine & 141st Substation

Growth and Stability

-  Area of Growth
-  Area of Stability
-  Park
-  Open Space



20-14 33



16.7

N 145th AVE

E PINE ST

N 143 E AVE

E MARSHALL ST

**Pine & 141st Substation
LAND USE PLAN:
EMPLOYMENT**

Land Use Plan Categories

	Downtown		Neighborhood Center
	Downtown Neighborhood		Employment
	Main Street		New Neighborhood
	Mixed-Use Corridor		Existing Neighborhood
	Regional Center		Park
	Town Center		Open Space



20-14 33

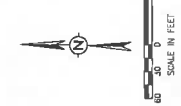
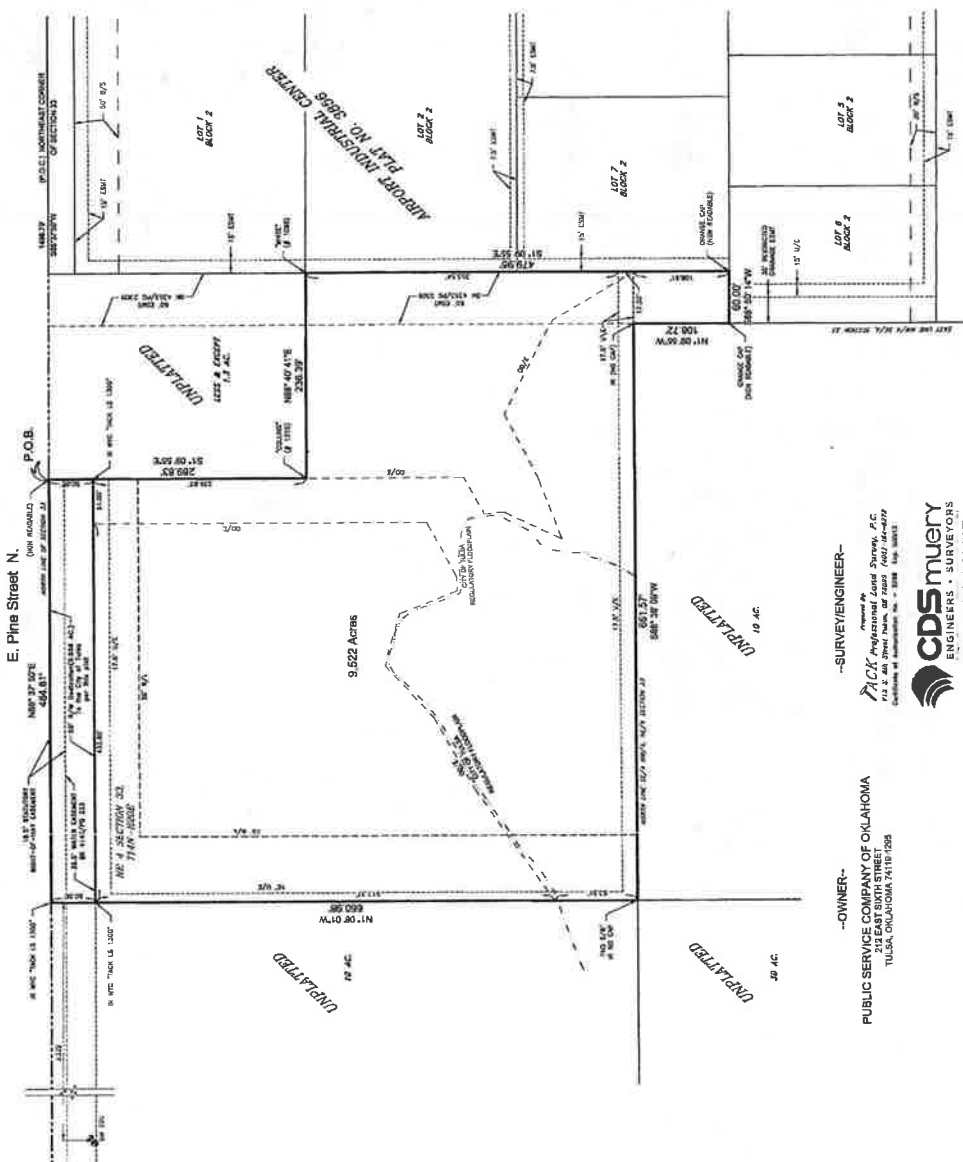


16.8

PINE & 141st. SUBSTATION

A SUBDIVISION OF PART OF THE NORTHEAST QUARTER (NBA)
OF SECTION 29, T14N - R14E, N14W
NORTH RANGE FOURTEEN (N14E),
CITY OF TULSA, TULSA COUNTY, OKLAHOMA

SS & SECTION 29,
T14N - R14E, N14W



Note:
This plat is a preliminary plat and is subject to change without notice. The plat is not to be used for any purpose other than for the purpose for which it was prepared.

Legend:
• Dotted line indicates boundary of property owned by the City of Tulsa.
• Solid line indicates boundary of property owned by the City of Tulsa.
• Dashed line indicates boundary of property owned by the City of Tulsa.

Map Information:
This map was prepared by the City of Tulsa, Oklahoma, and is subject to change without notice. The map is not to be used for any purpose other than for the purpose for which it was prepared.

<p>APPROVED: _____</p> <p>City Engineer</p>	
<p>APPROVED: _____</p> <p>City Engineer</p>	
<p>APPROVED: _____</p> <p>City Engineer</p>	
<p>APPROVED: _____</p> <p>City Engineer</p>	
<p>APPROVED: _____</p> <p>City Engineer</p>	

—SURVEY/ENGINEER—

PICK
PICK ENGINEERING & SURVEYING, P.C.
212 EAST SIXTH STREET
TULSA, OKLAHOMA 74103-1008

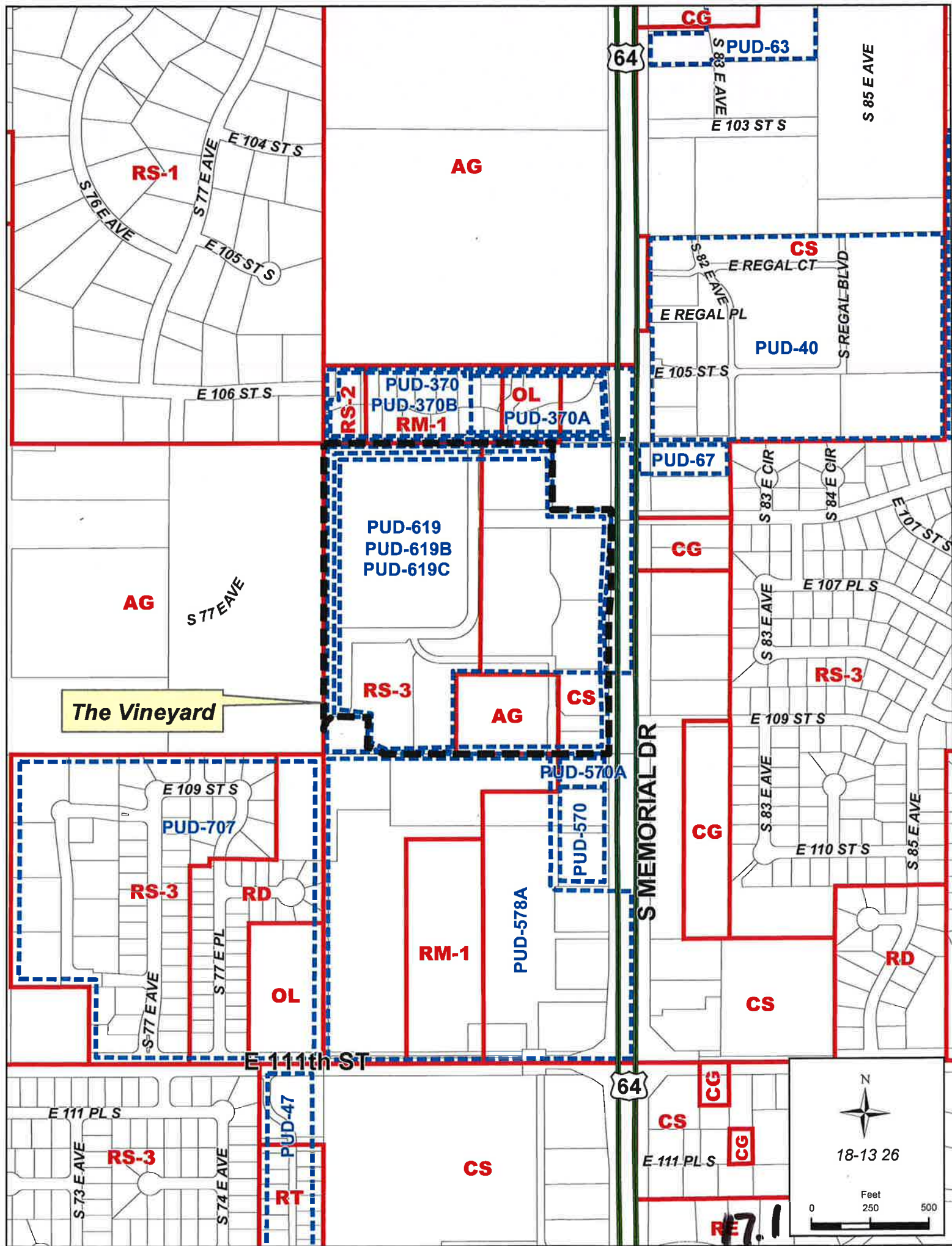


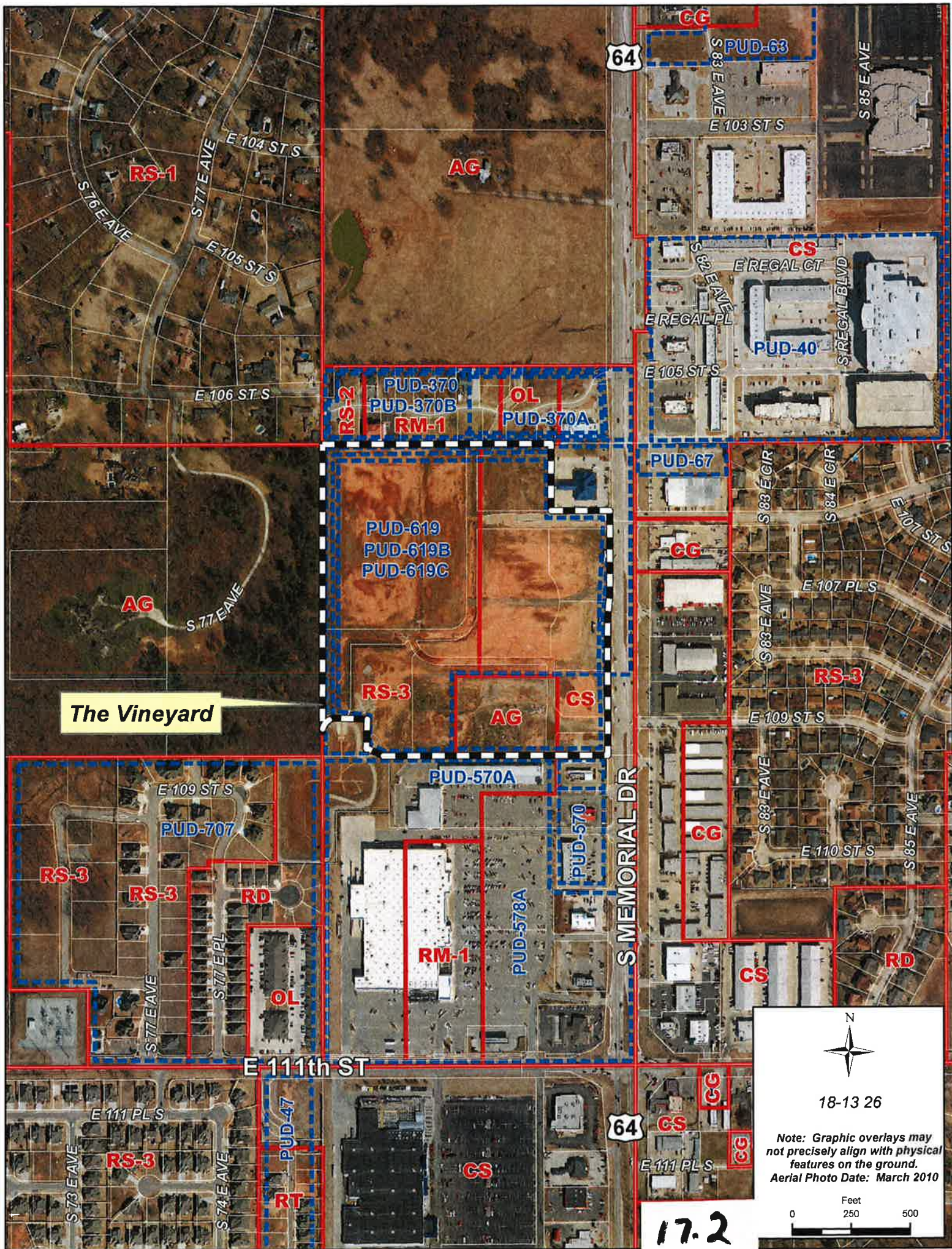
—OWNER—

PUBLIC SERVICE COMPANY OF OKLAHOMA
212 EAST SIXTH STREET
TULSA, OKLAHOMA 74103-1008

Minor Subdivision Plat
PINE & 141st. SUBSTATION
Sheet 1 of 2

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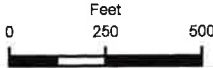


The Vineyard



18-13 26

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010



17.2

PRELIMINARY SUBDIVISION PLAT

The Vineyard - (8326) (CD 8)

North of the Northwest corner of East 111th Street South and South Memorial Drive

This plat consists of ten lots, five blocks, three reserves, on 34 acres.

The following issues were discussed May 17, 2012, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned PUD-619-C. All PUD requirements must be shown in the covenants.
2. **Streets:** Show street names for Reserves B and C on the face of plat. Is the existing 45.8-foot easement along Reserve B going to be vacated?
3. **Sewer: Use standard language for Section 1-1.2.** The City of Tulsa will have a right to do much more than just repair existing facilities within the easement, and we do not pay for encroachments into the easement for those activities. On the conceptual plan Lot 1, Block 3 does not have access to a sanitary sewer main. The sewer atlas shows a line extending to the lot. Which one is correct? Please note that the existing sewer line serving Lot 1, Block 3 does not have sufficient capacity to handle the added flow from the proposed hotel. Any development of this lot as a hotel will require an upgrade to the existing sanitary sewer system before development can be approved.
4. **Water:** No comments.
5. **Storm Drainage:** The "Wetlands Mitigation Area" should be labeled as such, and placed in a separate reserve area (Reserve D). Use the Tulsa Standard language for "Compensatory Storage Easement in Reserve---"for the "Wetlands Mitigation in Reserve Area ----". Replace Compensatory Storage Easement in Reserve--- with Wetlands Mitigation in Reserve---. Also use the standard language for "Overland Drainage Easement in Reserve---".
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Additional easements may be necessary.
7. **Other: Fire:** If the building on the west half of Lot 2 is fully equipped with an automatic fire sprinkler system the fire hydrant layout is adequate. If the building is not sprinkled additional fire hydrants will be required on the west side of the building to satisfy the 400-foot fire hydrant distance requirement.

Staff recommends **APPROVAL** of the preliminary subdivision plat with the TAC recommendations and the special and standard conditions listed below.

Waivers of Subdivision Regulations:

1. None requested.

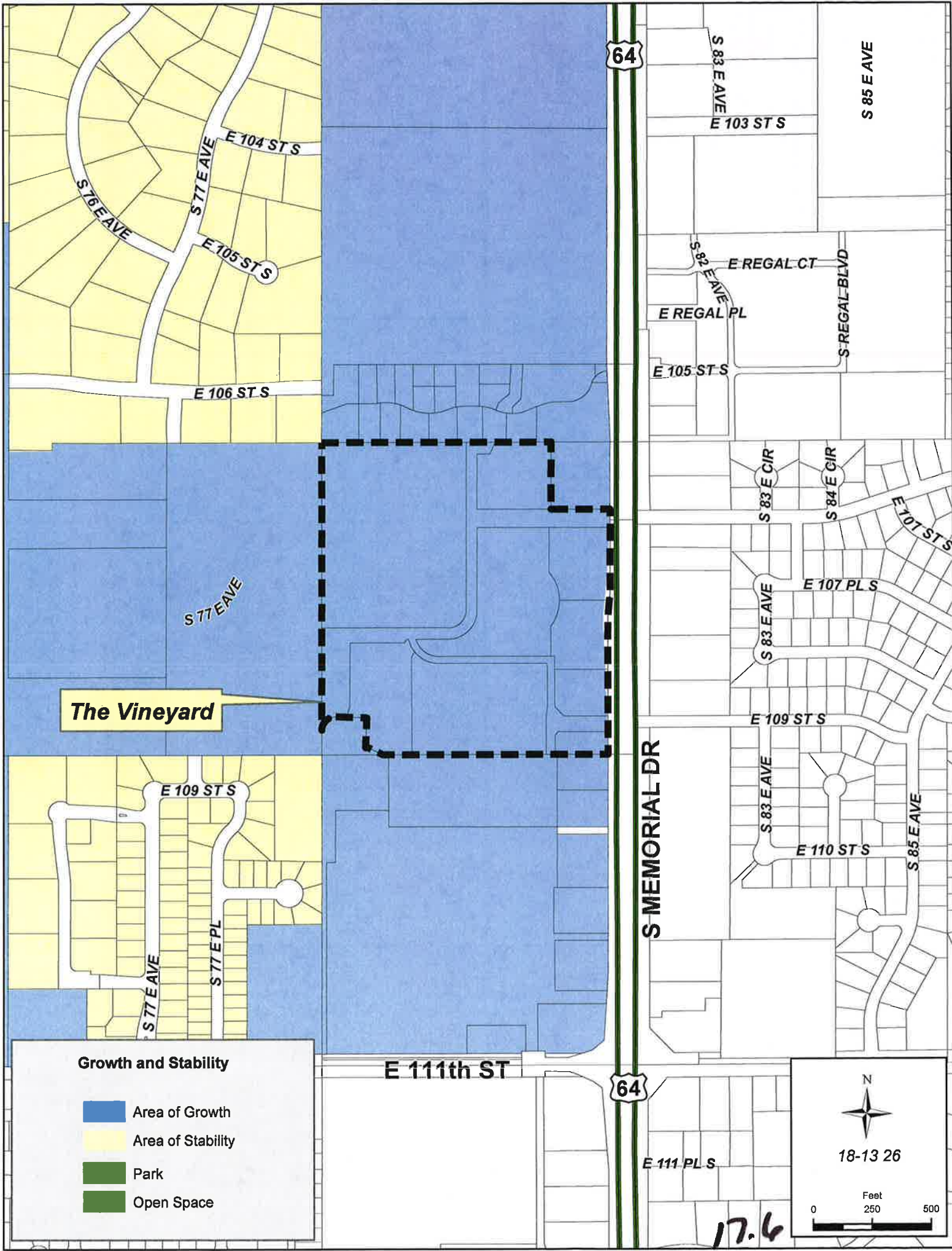
Special Conditions:

1. The concerns of the public works staff 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.



The Vineyard

Growth and Stability

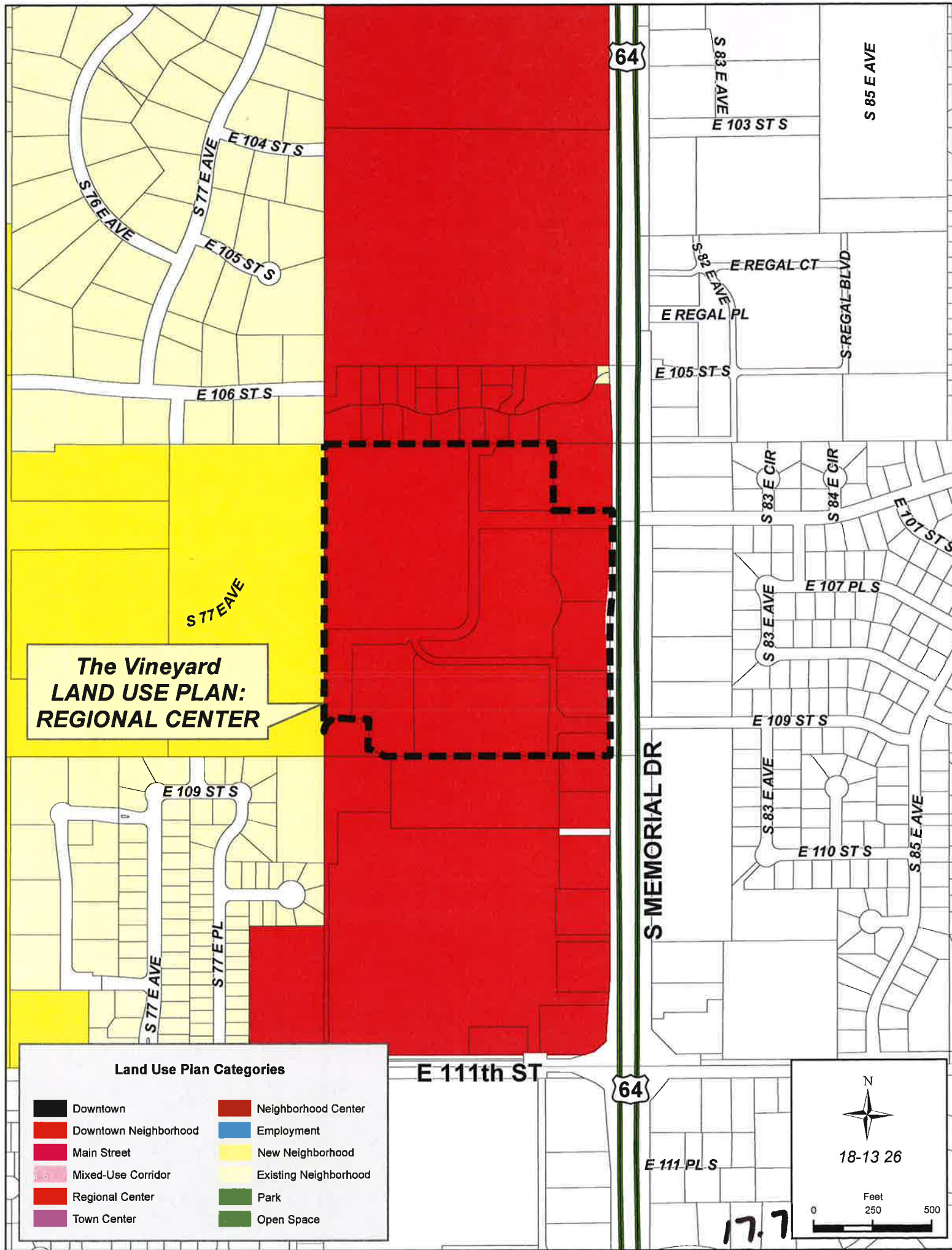
- Area of Growth
- Area of Stability
- Park
- Open Space

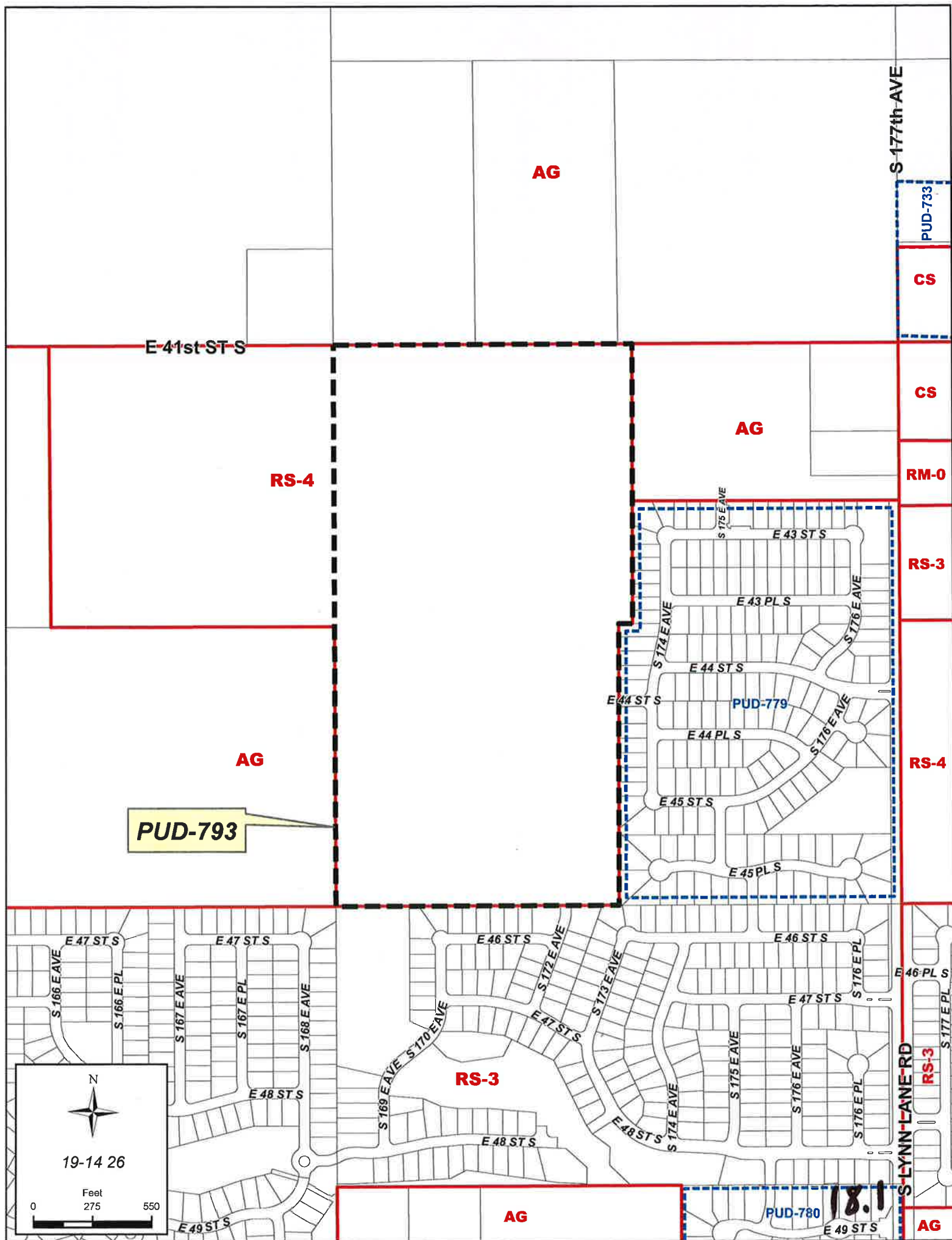


18-13 26



17.6







PUD-793



19-14 26

Feet

0 275 550

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010

18.2

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: PUD-793

TRS 9426

Atlas 0

CZM 50

CD-6

TMAPC Hearing Date: June 6, 2012

Applicant: Roy D. Johnsen

Tract Size: 82± acres

ADDRESS/GENERAL LOCATION: West of southwest of East 41st Street and South 177th East Avenue

EXISTING ZONING: RS-4

EXISTING USE: Vacant

PROPOSED ZONING: RS-4/ PUD

PROPOSED USE: Single-family Residential

ZONING ORDINANCE: Ordinance number 22290 dated August 27, 2010, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-7156 August 2010: All concurred in approval of a request for rezoning an 82± acre tract of land from RS-3 to RS-4 on property located West of southwest of East 41st Street and South 177th East Avenue and is the subject property.

Z-7075 December 2007: All concurred in approval of a request for rezoning a 122± acre tract of land from AG to RS-3 on the east 80± acres and RS-4 on the northwest 40 acres, on property located west of the southwest corner of East 41st Street and South 177th East Avenue and is the subject property.

Z-7048 March 2007: All concurred in approval of a request for rezoning a 46.7± acre tract of land from AG to RS-4 for single-family development on property located south of southwest corner of East 41st Street South and South 177th East Avenue.

PUD-779 November 2010: All concurred in approval of a proposed Planned Unit Development on a 57± acre tract of land for residential development, on property located south of southwest corner of East 41st Street South and South 177th East Avenue and abutting east of subject property.

BOA-21102-A October 12, 2010: The Board of Adjustment approved a Variance of the maximum amount of required front yard permitted to be covered with an all-weather surface parking area in the RS-3 district from 34% to permit 28 ft. wide driveways in front of three (3) bay garages, with conditions that specifically emphasized this approval is limited to those residences containing three-bay garages. It is also specifically emphasized there shall remain a minimum of 4,000 square feet livability space per lot throughout the addition regardless of lot size. This is on property located at south of the southwest corner of East 41st Street and South 177th East Avenue and abutting east of subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 82± acres in size and is located west and south of the southwest corner of East 41st Street South and South 177th East Avenue. The property appears to be vacant and is zoned RS-4. The site is gently sloping from a highpoint which is located in the north half of the site. The site slopes in all directions from that point to a low point on the southwest corner and another low point near the northeast corner. The south west portion of the project is covered by a FEMA floodplain. The northeast corner of the site is not in a flood plain however a significant drainage system will affect the arrangement of the proposed single-family residential project. An overhead electrical transmission line and easement follows the west property line on the subject property.

SURROUNDING AREA: The subject tract is abutted on the north by AG zoned property on the north side of East 41st street south; on the east by Oxford Court, a single-family residential subdivision with an underlying zoning which is RS-3 with a PUD overlay (PUD 779); on the south (all in the City of Broken Arrow) by Oxford Park II, Oxford Park and Trinity Creek all three single-family residential subdivisions, zoned RS-3; and on the west by AG on the south half and RS-4 on the north half.

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

TRANSPORTATION VISION:

The Transportation Chapter of the City of Tulsa Comprehensive Plan identifies East 41st Street, west of 177th East Avenue as a future Multi-Modal Corridor. Multi-Modal Corridors are identified on page 15 of the Transportation Chapter as “emphasizing plenty of travel choices such as pedestrian, bicycle and transit use. Multi-modal streets are normally located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity”. Pedestrian access and bicycle traffic access should be encouraged through this project to encourage full use of this future multi-modal corridor.

177th East Avenue is not identified in the Comprehensive Plan; however, it is identified as a secondary arterial by the Major Street and Highway Plan which remains effective under the Tulsa Comprehensive Plan.

STREETS:

<u>Existing Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 41 st Street	Multi-modal street/secondary arterial	100'	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The City of Tulsa Comprehensive Plan identifies this area as an Area of Growth and a New Neighborhood Area. Staff finds that the proposed single-family use outlined in PUD-793 is in accord with the development objectives as outlined in the Plan.

STAFF RECOMMENDATION:

Concept Statement:

This site was originally planned for development as a small-lot single-family residential subdivision. In response to market demand and in recognition of the success of the nearby Trinity Creek subdivision, the property owner (the developer of Trinity Creek) now plans to configure larger lots. The larger lots are being designed to accommodate three car garages

Within this PUD the applicant has increased the minimum lot size from 5500 square feet to 6900 square feet and increased frontage from the RS-4 minimum lot width of 50 feet to 60 feet. The applicant has also increased the allowable driveway width to 27 feet, which will increase the maximum coverage allowed in RS-4 from 36% to approximately 46%. The applicant has chosen to limit the physical pavement area rather than use a percentage calculation. With this PUD the applicant has limited the pavement area in the required street yard to 550 square feet. As a result, when the lots are larger the actual amount of pavement cannot be increased. The conceptual plan shows lots that are consistently larger than 60 feet wide. This property has significant green space because of storm water detention and floodplain areas on the north and south portions of the site. An additional large recreation area and green space will be provided on the west side of the property. As a result of the significant green space the livability space requirements of the underlying RS-4 zoning pattern will not be reduced.

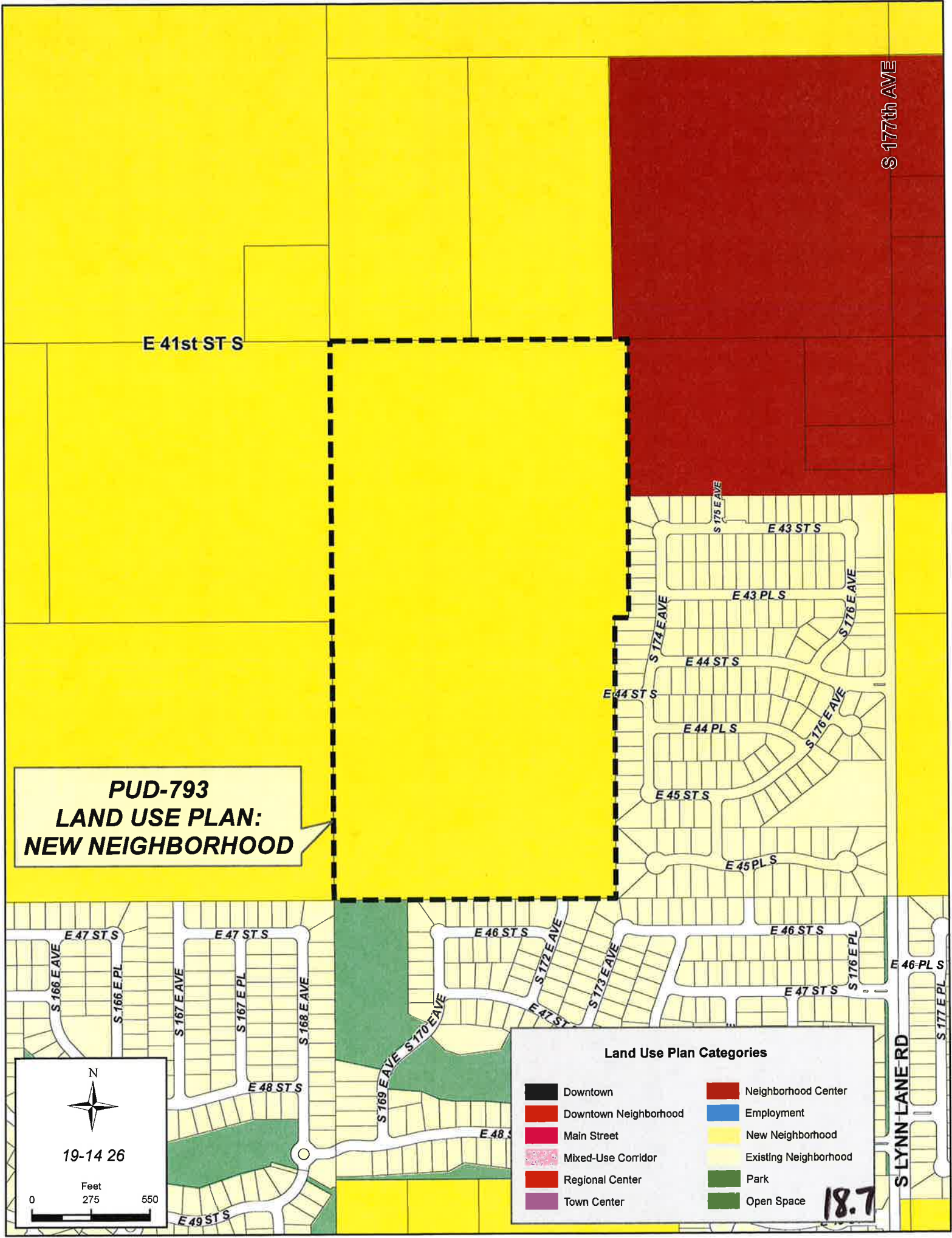
- 1) The applicants Outline Development Plan shall be made a condition of approval unless modified herein.
- 2) **Development Standards for Development Area "A"** (All land area outside reserve areas shown on conceptual site plan)

- 18.5

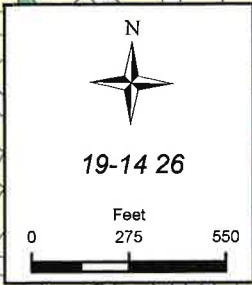
3) **Development Standards for Development Area "B"** (All reserve areas as shown on the conceptual plan)

- a) Permitted Uses: Open space as managed by a homeowners association for subdivision amenities including identification, recreation, including but not limited to pool, clubhouse playground and stormwater detention.

06/06/12



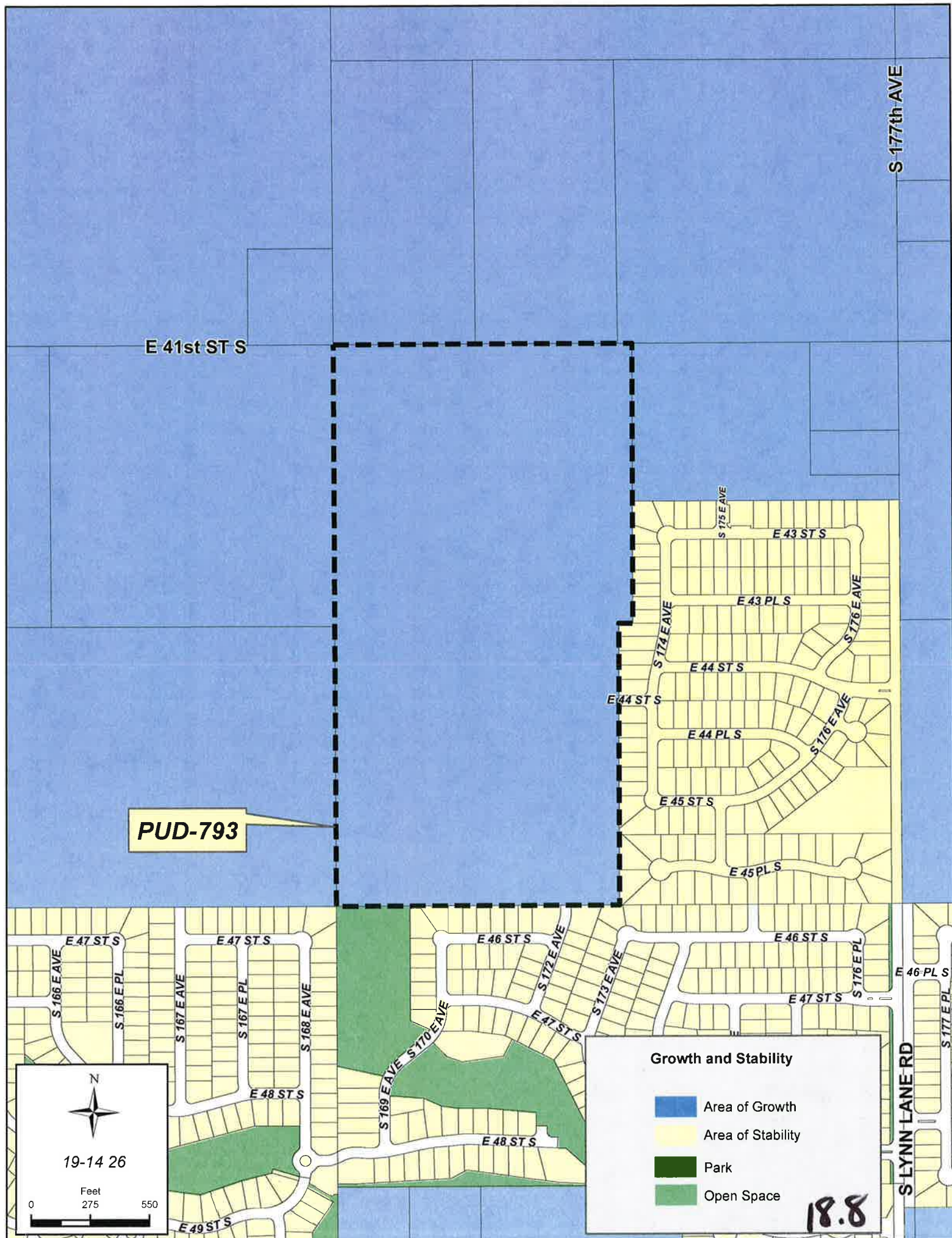
**PUD-793
LAND USE PLAN:
NEW NEIGHBORHOOD**

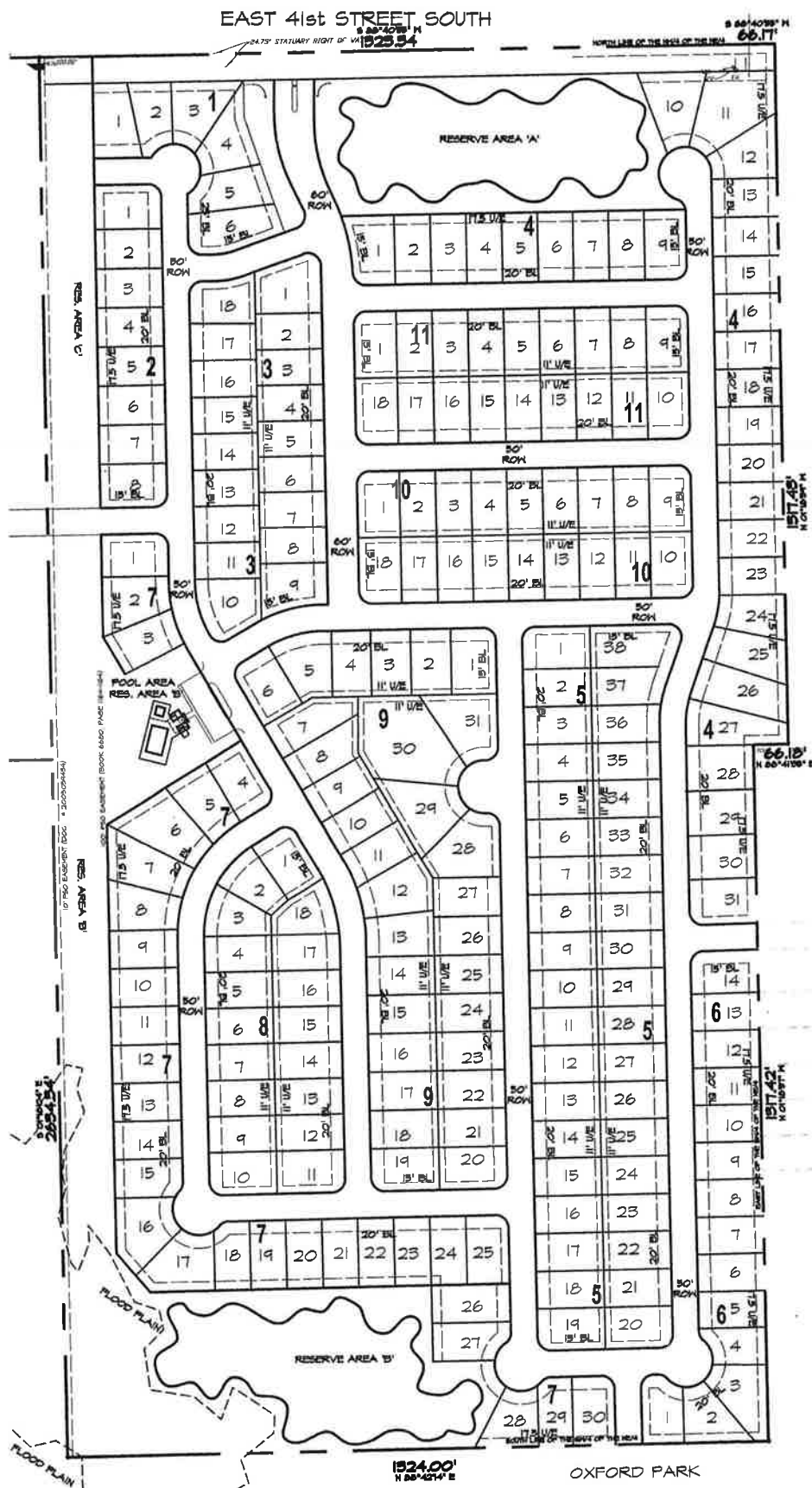


19-14 26

Land Use Plan Categories	
	Downtown
	Downtown Neighborhood
	Main Street
	Mixed-Use Corridor
	Regional Center
	Town Center
	Neighborhood Center
	Employment
	New Neighborhood
	Existing Neighborhood
	Park
	Open Space

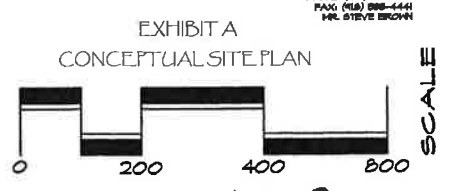
18.7





Sunset Hills

at Trinity Creek



LANDSCAPE ARCHITECT
 PLANNING DESIGN GROUP
 804 S. YALE AVE. SUITE 210
 TULSA, OKLAHOMA 74106
 PHONE: (918) 628-1288
 FAX: (918) 628-1286

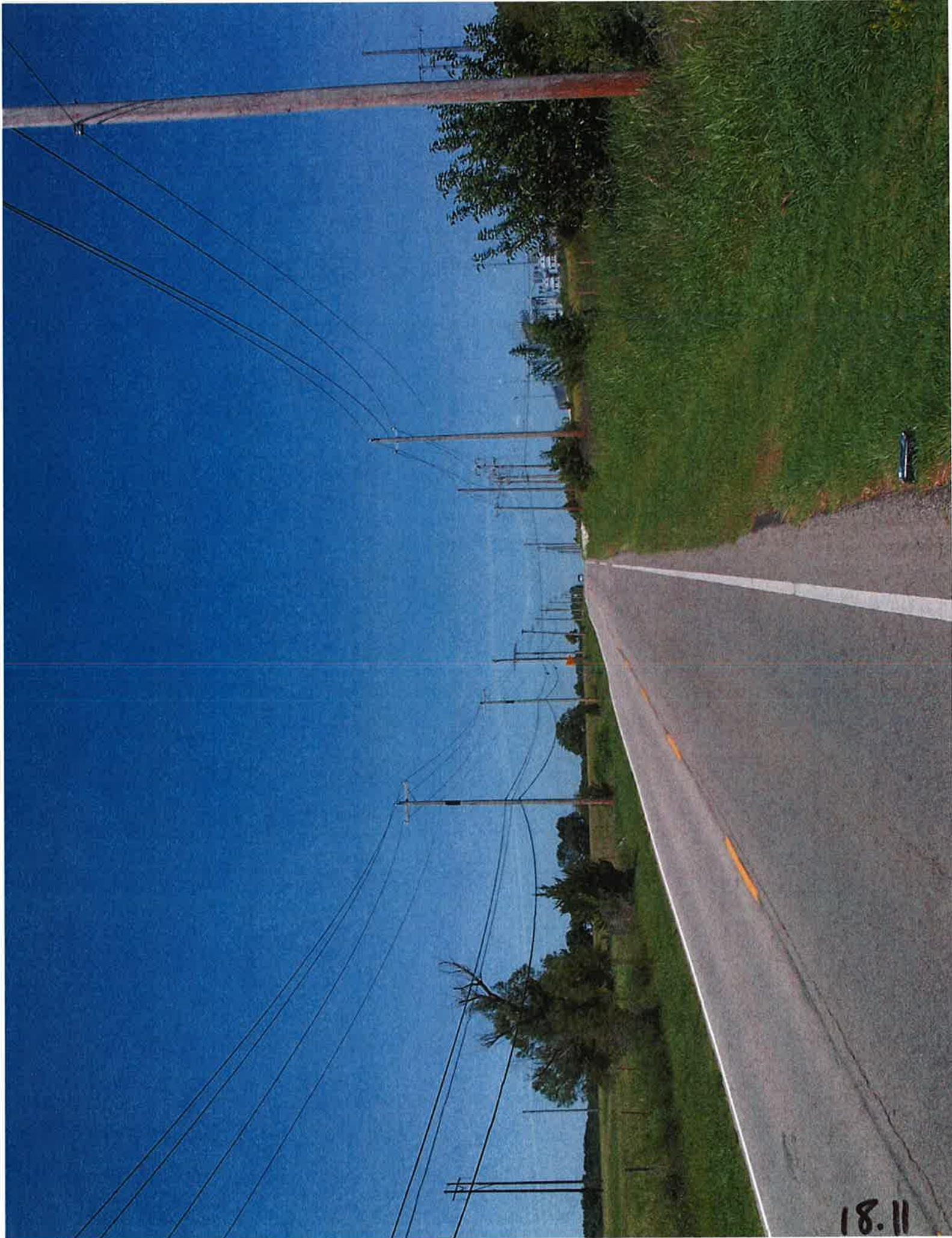
Engineer/Developer
 HRAAC, INC.
 1800 WEST TACOMA, SUITE-A
 BROKEN ARROW, OKLAHOMA 74013-1473
 PHONE: (918) 258-5751
 FAX: (918) 258-2554
 C.A.S.E.S. EXPIRES JUNE 30, 2001

Owner/Developer
 SUNSET HILL DEVELOPMENT, LLC
 1400 WEST ALBANY STREET
 BROKEN ARROW, OK 74012
 PHONE: (918) 491-8444
 FAX: (918) 598-4441
 MR. STEVE BROWN

18.9



18.10



18.11



18.12