AGENDA
TULSA METROPOLITAN AREA PLANNING COMMISSION
Meeting No. 2749

July 5, 2017, 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:

1. Minutes of June 21, 2017, Meeting No. 2748

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-21020** (Lot-Split) (CD 9) Location: Northeast corner of South Peoria Avenue and East 34th Street South (Related to Z-7398 and Z-7398 Plat Waiver)

3. **LS-21022** (Lot-Split) (CD 2) Location: West of the southwest corner of West 78th Street South and South Xenophon Avenue

4. **LC-916** (Lot-Combination) (CD 1) Location: Southwest corner of West 5th Street South and South 43rd West Avenue

5. **LC-917** (Lot-Combination) (CD 4) Location: North of the northeast corner of South Quaker Avenue and East 30th Street South

6. **LS-21023** (Lot-Split) (CD 4) Location: Southwest corner of South Peoria Avenue and East 21st Street South (Related to LC-918)

7. **LC-918** (Lot-Combination) (CD 4) Location: Southwest corner of South Peoria Avenue and East 21st Street South (Related to LS-21023)

8. **LS-21024** (Lot-Split) (CD 4) Location: North of the northeast corner of South Boston Avenue and East 17th Street South (Related to LC-919)

9. **LC-919** (Lot-Combination) (CD 4) Location: North of the northeast corner of South Boston Avenue and East 17th Street South (Related to LS-21024)

10. **The Cliffs of Yale** (CD 5) Final Plat, Location: East of the northeast corner of East 32nd Street South and South Yale Avenue

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

PUBLIC HEARINGS:

11. **71 Jackson** (CD 2) Preliminary Plat, Location: Southwest corner of West 71st Street South and South Jackson Avenue

12. **Stonegate V** (CD 6) Preliminary Plat, Location: North and east of the intersection of East 51st Street South and South 177th East Avenue

13. **Eastside Market III** (CD 7) Preliminary Plat, Location: Northeast corner of East 71st Street South and Highway 169

14. **Z-7386 Stuart Van De Wiele** (CD 5) Location: 5154 East Skelly Drive requesting rezoning from **CG** to **CH with an optional development plan** (Returned to TMAPC from City Council)

15. **Z-7393 Nathan Cross** (CD 7) Location: South of the southeast corner of South 75th East Avenue and East 61st Street requesting rezoning from **RS-3/CS** to **CG with optional development plan.** (Continued from June 21, 2017**) (Applicant requests continuance to August 2, 2017)**

16. **Z-7398 Dale Williams** (CD 9) Location: East of the northeast corner of South Peoria Avenue and East 34th Street requesting rezoning from **PK/RS-3** to **CH with optional development plan.** (Related to LS-21020 and Z-7398 Plat Waiver)

17. **Z-7398 Plat Waiver** (CD 9) Location: East of the northeast corner of South Peoria Avenue and East 34th Street (Related to Z-7398 Rezoning and LS-21020)

18. **Z-7399 KKT Architects, INC/Nicole Watts** (CD 4) Location: East of the northeast corner of East 4th Street and South Trenton Avenue requesting rezoning from **RM-1** to **OL** (Related to Z-7399 Plat Waiver)

19. **Z-7399 Plat Waiver** (CD 4) Location: East of the northeast corner of East 4th Street and South Trenton Avenue (Related to Z-7399 Rezoning)

20. **Z-7400 AAB Engineering, LLC/Jarrod Sanders** (CD 3) Location: Southeast corner of South Mingo Road and East Admiral Place requesting rezoning from **OL/CS** to **CG with optional development plan.**

21. **CZ-460 Ryan McCarty** (County) Location: West of the northwest corner of East 171st Street and South Harvard Avenue requesting rezoning from **AG** to **RE** (Related to PUD-846)

22. **PUD-846 Ryan McCarty** (County) Location: West of the northwest corner of East 171st Street and South Harvard Avenue requesting rezoning from **AG** to **RE/PUD** to permit single-family subdivision (Related to CZ-460)

23. **Z-7401 KKT Architects, INC/Nicole Watts** (CD 3) Location: East of the northeast corner of East 46th Street North and North 129th East Avenue requesting rezoning from **AG** to **IH**

24. **Z-7402 KKT Architects, INC/Nicole Watts** (CD 7) Location: South of the southwest corner of South Memorial Drive and East 66th Street requesting rezoning from **PK/CS** to **CS/CG** (Related to PUD-379-D and Z-7402/PUD-379-D Plat Waiver)

25. **PUD-379-D KKT Architects, INC/Nicole Watts** (CD 7) Location: South of the southwest corner of South Memorial Drive and East 66th Street requesting Major Amendment to a PUD to rezone from **PK/ CS/ PUD-379** to **CS/ CG/ PUD-379-D** to add CG zoning to allow a tasting room and brew pub in the shopping center (Related to Z-7402 and Z-7402/PUD-379-D Plat Waiver)

26. **Z-7402/PUD-379-D Plat Waiver** (CD 7) Location: South of the southwest corner of South Memorial Drive and East 66th Street (Related to PUD-379-D & Z-7402)

OTHER BUSINESS

27. **Commissioners' Comments**

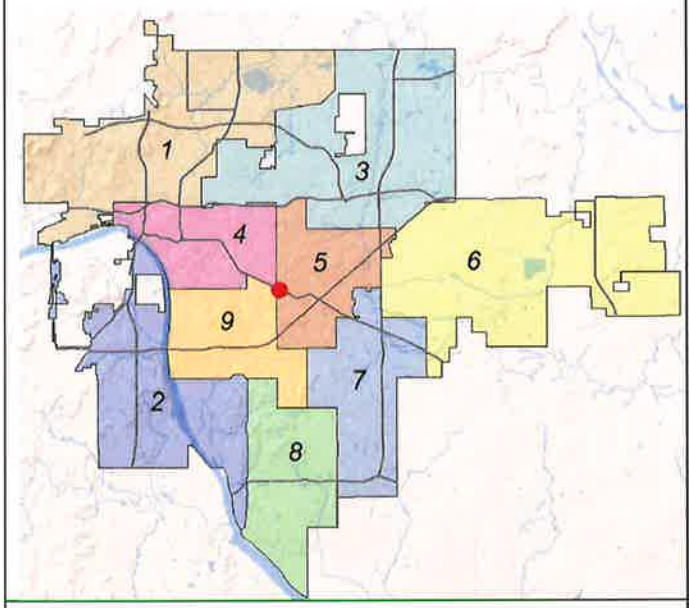
ADJOURN

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 pagers must be turned off during the Planning Commission.

Visit our website at www.tmapc.org email address: esubmit@incog.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 Tulsa Metropolitan Area Planning Commission	**Case:** **The Cliffs of Yale** **Hearing Date:** **July 5, 2017**
Case Report Prepared by: Nathan Foster	**Owner and Applicant Information:** *Applicant*: JC Engineering, Joe Kelley Owner: Jaslee Ventures, LLC
Location Map: **(shown with City Council Districts)**  	**Applicant Proposal:** Final Plat 1 lot, 1 block, 1.91± acres *Location*: East of the northeast corner of East 32nd Street South and South Yale Avenue *Proposed Use:* Climbing Gym
Zoning: CG (Commercial General) with an optional development plan	**Staff Recommendation:** Staff recommends **approval** of the Final Plat
	City Council District: **5** *Councilor Name*: Karen Gilbert **County Commission District:** **3** *Commissioner Name:* Ron Peters

EXHIBITS: Final Plat

FINAL PLAT of

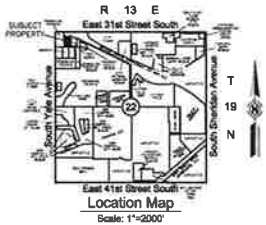
The Cliffs of Yale

A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, A REPLAT OF PART OF LOT ONE (1) BLOCK ONE (1), TWIN ACRES ADDITION TO THE TOWN OF HIGHLAND PARK, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AND ALSO PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW/4 NW/4) OF SECTION TWENTY-TWO (22), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA.
OPTIONAL DEVELOPMENT PLAN Z-7374

Owner & Developer
Jaslee Ventures, LLC
c/o Jason Burks
3217 EAST 28TH STREET
TULSA, OKLAHOMA 74114
TEL: 918-693-1717
jason@retrospecfilms.com

Engineer
JC Engineering, PC
10035 NORTH 177th EAST AVENUE
OWASSO, OKLAHOMA 74055
(918) 798-5979
CA: 5686 EXP. DATE: 6/30/17
joe@j-c-engineering.com

Surveyor
Bennett Surveying, Inc.
210 CHOUTEAU AVENUE
CHOUTEAU, OK 74337
TEL: 918-476-7484
RPLS 1556, CA #4502,
EXPIRES 6/30/18
wade@bennettsurveying.com

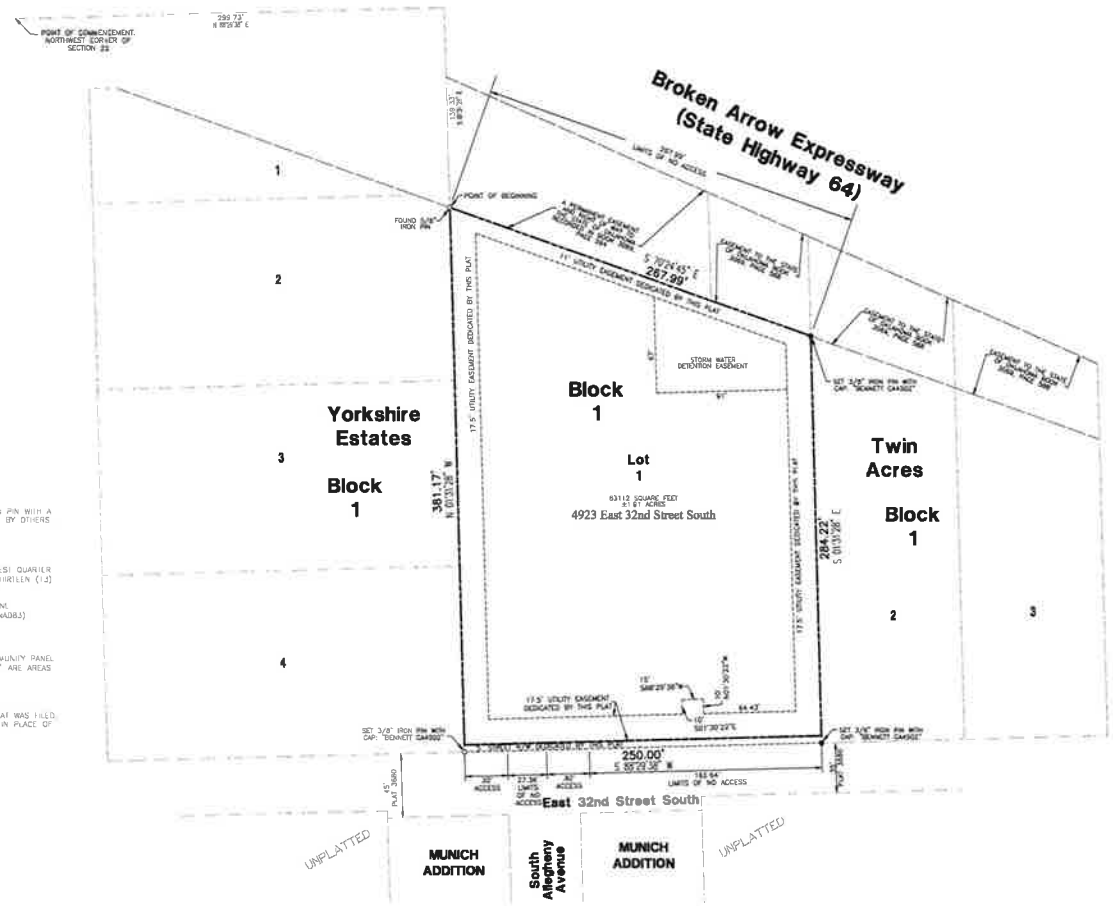


Location Map
Scale: 1"=2000'

SUBDIVISION CONTAINS ONE (1) LOT IN ONE (1) BLOCK.

SUBDIVISION CONTAINS ±1.91 TOTAL ACRES OR 83112 SQUARE FEET

FINAL PLAT ENDORSEMENT OF APPROVAL
Tulsa Metropolitan Area Planning Commission
Approval Date _____
TMAPC/INCOG
CITY ENGINEER
Council of the City of Tulsa, Oklahoma
Approval Date: _____
CHAIRMAN
MAYOR
ATTEST: CITY CLERK
CITY ATTORNEY
The approval of the Final Plat will expire one year from the date of City Council approval if not filed in the Office of the County Clerk within that date.



Monumentation:

ALL LOT CORNERS SHOWN ON THIS PLAT WERE EITHER SET USING AN IRON PIN WITH A CAP STAMPED BENNETT CA 4502 OR FOUND IRON PINS WITH CAPS PLACED BY OTHERS

Basis of Bearing:

BASIS OF BEARING IS BASED ON ON THE NORTH LINE OF OF THE NORTHWEST QUARTER OF SECTION TWENTY-TWO (22), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST, TULSA COUNTY, STATE OF OKLAHOMA AS N88°29'38"E.

THE HORIZONTAL DATUM FOR THIS SURVEY IS BASED OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE 3501, NORTH AMERICAN DATUM 1983 (NAD83)

Flood Plain Designation:

ALL OF THE CLIFFS OF YALE LIES IN UNSHADED ZONE "X" PER FIRM COMMUNITY PANEL 40142C-0356L AS LAST REVISED OCTOBER 16, 2012. UNSHADED ZONE "X" ARE AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN.

Address Disclaimer Note

ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AS OF THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.

Scale: 1"=40'

0 20 40 80 120

BEFORE YOU DIG
1-800-522-6543
CALL OKIE

The Cliffs of Yale
DATE PREPARED 4-6-17
FINAL PLAT 170321 1 OF 2

10.2

THE CLIFFS OF YALE
DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

JASLEE VENTURES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "OWNER/DEVELOPER" IS THE OWNER OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, TO WIT:

LEGAL DESCRIPTION

A TRACT OF LAND THAT IS PART OF LOT ONE (1), BLOCK ONE (1), TWIN ACRES ADDITION, TO THE TOWN OF HIGHLAND PARK, TULSA COUNTY STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 1827, AND ALSO PART OF THE NORTHWEST QUARTER OF THE NORTHWEST QUARTER (NW/4 NW/4) OF SECTION TWENTY-TWO (22), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT THE NORTHWEST CORNER OF SECTION 22; THENCE N88°29'38"E, ALONG THE NORTH LINE OF THE NORTHWEST QUARTER OF SECTION 22, A DISTANCE OF 299.73 FEET; THENCE S01°31'28"E A DISTANCE OF 139.33 FEET TO THE POINT OF BEGINNING; THENCE S70°24'45"E A DISTANCE OF 267.99 FEET TO A POINT ON THE WEST LINE OF LOT 2, BLOCK 1, TWIN ACRES ADDITION; THENCE S01°31'28"E ALONG THE WEST LINE OF LOT 2, BLOCK 1, TWIN ACRES ADDITION, A DISTANCE OF 284.22 FEET TO A POINT THAT IS THE SOUTHWEST CORNER OF LOT 2, BLOCK 1, TWIN ACRES ADDITION, SAID POINT BEING ON THE NORTH LINE OF THE STREET RIGHT OF WAY OF EAST 32ND STREET SOUTH; THENCE S88°29'38"W ALONG THE NORTH LINE OF SAID STREET RIGHT OF WAY, A DISTANCE OF 250.00 FEET TO A POINT THAT IS THE SOUTHEAST CORNER OF LOT 4, BLOCK 4, YORKSHIRE ESTATES; THENCE N01°31'28"W, ALONG THE EAST LINE OF YORKSHIRE ESTATES, A DISTANCE OF 381.17 FEET TO THE POINT OF BEGINNING.

AND HAS CAUSED THE ABOVE DESCRIBED LANDS TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 1 LOT AND 1 BLOCK, IN CONFORMITY WITH THE ACCOMPANYING PLAT AND HAS DESIGNATED THE SUBDIVISION AS "THE CLIFFS OF YALE", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA.

SECTION I. STREETS, EASEMENTS AND UTILITIES

A. STREETS AND UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE TO THE PUBLIC THE STREET RIGHTS-OF-WAY AS DEPICTED ON THE ACCOMPANYING PLAT. ADDITIONALLY, THE OWNER/DEVELOPER DOES HEREBY DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "U/E" OR UTILITY EASEMENT, FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES, AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID PROVIDED HOWEVER, THE OWNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND REPAIR OR REPLACE WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER/DEVELOPER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE USES AND PURPOSES OF THE UTILITY EASEMENTS SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING LANDSCAPING AND CUSTOMARY SCREENING FENCES THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UNDERGROUND SERVICE

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE PERIMETER EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD LINE OR UNDERGROUND CABLE AND ELSEWHERE THROUGHOUT THE SUBDIVISION. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS.

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH MAY BE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT, PROVIDED THAT UPON THE INSTALLATION OF A SERVICE CABLE OR GAS LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE NON-EXCLUSIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE, EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

3. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE OR CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

4. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR THE OWNER'S AGENTS OR CONTRACTORS.

5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH B SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

C. WATER, STORM SEWER AND SANITARY SEWER SERVICE

1. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON ITS LOT.

2. WITHIN THE UTILITY EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGEMENT OF THE CITY OF TULSA, WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS OR STORM SEWERS SHALL BE PROHIBITED.

3. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, SANITARY SEWER MAINS AND STORM SEWERS, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER, ITS AGENTS OR CONTRACTORS.

4. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER OR STORM SEWER FACILITIES.

5. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH C SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

D. GAS SERVICE

1. THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

2. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED ON ITS LOT, AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE GAS SERVICE. THE SUPPLIER OF GAS SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF THE UNDERGROUND FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OF THE LOT OR ITS AGENTS OR CONTRACTORS.

3. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH D SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE

E. SURFACE DRAINAGE

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH E SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF TULSA, OKLAHOMA.

F. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY MAINTENANCE OF UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE RESTRICTED WATER LINE, SEWER LINE OR UTILITY EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED HOWEVER, THE CITY OF TULSA, OKLAHOMA OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

G. SIDEWALKS

THE OWNER SHALL CONSTRUCT AND MAINTAIN SIDEWALKS ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH SUBDIVISION REGULATIONS OF THE CITY OF TULSA AND IN CONFORMANCE WITH CITY OF TULSA ENGINEERING DESIGN STANDARDS. ALL SUCH SIDEWALKS SHALL BE CONSTRUCTED BY THE OWNER PRIOR TO THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT FOR A BUILDING IN THE SUBDIVISION.

H. STORMWATER DETENTION EASEMENT

1. THE OWNER/DEVELOPER DOES HEREBY DEDICATE TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER, AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS "STORMWATER DETENTION EASEMENT" FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, RETENTION, DETENTION AND DISCHARGE OF STORMWATER RUNOFF FROM "THE CLIFFS OF YALE".

2. DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES CONSTRUCTED WITHIN SAID EASEMENT AREA SHALL BE IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF TULSA, OKLAHOMA.

3. NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION MAY BE PLACED OR MAINTAINED IN THE DETENTION EASEMENT AREA NOR SHALL THERE BE ANY ALTERATION OF THE GRADES OR CONTOURS IN SUCH EASEMENT AREA UNLESS APPROVED BY THE CITY OF TULSA.

4. DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE LOT OWNER, TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE, RETENTION, AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. SAID DETENTION FACILITIES SHALL BE MAINTAINED BY THE LOT OWNER IN ACCORDANCE TO THE FOLLOWING MINIMUM STANDARDS:

   a. GRASS AREAS SHALL BE MOWED (IN SEASON) AT REGULAR INTERVALS OF FOUR WEEKS OR LESS

   b. CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.

   c. THE DETENTION EASEMENT AREA SHALL BE KEPT FREE OF DEBRIS

   d. CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNEL SHALL BE PERFORMED TWICE YEARLY.

5. LANDSCAPING APPROVED BY THE CITY OF TULSA SHALL BE ALLOWED WITHIN THE DETENTION EASEMENT.

6. IN THE EVENT THE LOT OWNER SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN, OR THE ALTERATION OF THE GRADE OR CONTOUR THEREIN, THE CITY OF TULSA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO THE ACHIEVEMENT OF THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE OR CONTOUR, AND THE COST THEREOF SHALL BE PAID BY THE LOT OWNER. IN THE EVENT THE LOT OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF TULSA, OKLAHOMA MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE LAND RECORDS OF THE TULSA COUNTY CLERK AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE PROPERTY IN THE SUBDIVISION. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY CITY OF TULSA, OKLAHOMA

I. LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO "BROKEN ARROW EXPRESSWAY" OR ADJACENT TO EAST 32ND STREET WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" ("LNA") ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSOR, AND WITH THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ABOVE ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF TULSA.

J. CERTIFICATE OF OCCUPANCY RESTRICTIONS

NO CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN THE SUBDIVISION SHALL BE ISSUED BY THE CITY OF TULSA, OKLAHOMA UNTIL CONSTRUCTION OF THE REQUIRED INFRASTRUCTURE (STREETS, WATER, SANITARY SEWER, STORM SEWER SYSTEMS AND SIDEWALKS) SERVING THE ENTIRE SUBDIVISION HAS BEEN COMPLETED AND ACCEPTED BY THE CITY. NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY IF, IN THE CITY'S SOLE DISCRETION, THE CIRCUMSTANCES SUPPORT THE ISSUANCE. FURTHER NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE PHASING OF THE CONSTRUCTION OF INFRASTRUCTURE WITHIN THE SUBDIVISION, AND IF PHASING IS AUTHORIZED, A CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN AN AUTHORIZED PHASE MAY ISSUE UPON THE COMPLETION AND ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE. BUILDING CONSTRUCTION OCCURRING PRIOR TO THE CITY'S ACCEPTANCE OF THE INFRASTRUCTURE SHALL BE AT THE RISK OF THE OWNER OF THE LOT, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR OF A TEMPORARY CERTIFICATE OF OCCUPANCY.

SECTION II. OPTIONAL DEVELOPMENT PLAN RESTRICTIONS

WHEREAS THE PROPERTY WITHIN THE SUBDIVISION WAS SUBMITTED FOR REZONING UNDER THE OPTIONAL DEVELOPMENT PLAN PROVISIONS AS PROVIDED WITHIN SECTION 70.040 OF TITLE 42, TULSA REVISED ORDINANCES (TULSA ZONING CODE), AS AMENDED AND EFFECTIVE JULY 11, 2016, AND

WHEREAS, THE REZONING WAS AFFIRMATIVELY RECOMMENDED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION (THE "TMAPC") ON FEBRUARY 1, 2017 IN CASE NO. Z-7374, AND WAS APPROVED BY THE TULSA CITY COUNCIL ON MARCH 22, 2017, AND

WHEREAS, THE OWNER/DEVELOPER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT OF THE PROPERTY IN ACCORDANCE WITH THE APPROVED OPTIONAL DEVELOPMENT PLAN FOR THE MUTUAL BENEFIT OF THE OWNER/DEVELOPER, ITS SUCCESSORS IN TITLE, AND THE CITY OF TULSA, OKLAHOMA,

THEREFORE, THE OWNER/DEVELOPER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

A. PERMITTED USES:
THE SUBJECT PROPERTY SHALL ONLY BE USED FOR THE FOLLOWING:
1. PUBLIC, CIVIC AND INSTITUTIONAL USE CATEGORY
   - DAY CARE
   - LIBRARY OR CULTURAL EXHIBIT
   - NATURAL RESOURCE PRESERVATION
   - PARKS AND RECREATION
   - SAFETY SERVICE
   - SCHOOL
2. RESIDENTIAL USE CATEGORY, HOUSEHOLD LIVING SUB-CATEGORY
   - TOWNHOUSE
3. COMMERCIAL USE CATEGORY, OFFICE USE SUB-CATEGORY
   - BUSINESS OR PROFESSIONAL OFFICE
4. ASSEMBLY AND ENTERTAINMENT SUB-CATEGORY
   - OTHER INDOOR, SMALL (UP TO 250-PERSON CAPACITY, AS ALLOWED BY RIGHT BUT LIMITED TO HEALTH CLUB, AND CLIMBING GYMS). ANY OTHER ASSEMBLY AND ENTERTAINMENT VENUE WILL REQUIRE A MAJOR AMENDMENT TO THE DEVELOPMENT PLAN.

ANY SPECIAL EXCEPTION USE THAT COULD BE ALLOWED THROUGH THE BOARD OF ADJUSTMENT PROCESS IN A CG DISTRICT MUST ALSO RECEIVE EITHER A MINOR OR MAJOR AMENDMENT APPROVAL TO THE OPTIONAL DEVELOPMENT PLAN.

B. BUILDING SETBACKS:
1. BUILDINGS SHALL BE PLACED FURTHER THAN 25 FEET NORTH OF THE NORTH RIGHT-OF-WAY OF EAST 32ND STREET SOUTH.
2. BUILDINGS SHALL BE PLACED FURTHER THAN 50 FEET WEST OF THE EAST BOUNDARY OF THE SUBDIVISION.

C. LANDSCAPING AND SCREENING REQUIREMENTS:
1. FIVE EXISTING TREES OF 12" CALIPER OR GREATER SHALL REMAIN AFTER CONSTRUCTION. IF ANY OF THE FIVE TREES ARE REMOVED, EACH REMOVED TREE SHALL BE REPLACED WITH THREE DECIDUOUS TREES OF 3" MINIMUM CALIPER AND 14 FOOT MINIMUM HEIGHT.
2. A MINIMUM 15 FOOT LANDSCAPED AREA SHALL BE PROVIDED ALONG THE SOUTHERN BOUNDARY, EXCEPT FOR ACCESS DRIVES, PERIMETER FENCING AND GATES.
3. A MINIMUM 35 FOOT LANDSCAPED AREA SHALL BE PROVIDED ALONG THE EASTERN BOUNDARY, CONTAINING A MINIMUM OF 15 TREES OF 2.5" MINIMUM CALIPER AND 12 FOOT MINIMUM HEIGHT.

D. LIGHTING:
WALL MOUNTED LIGHTING OR PARKING LOT LIGHTING SHALL BE POINTED DOWN AND AWAY FROM ALL ADJACENT RESIDENTIALLY ZONED PROPERTY. NO EXTERIOR LIGHT FIXTURE SHALL BE FURTHER THAN 16 FEET ABOVE THE GROUND BELOW THE LIGHT.

E. SIGNAGE:
1. ALL GROUND SIGNS SHALL BE MONUMENT STYLE AND AND SHALL NOT BE ILLUMINATED FROM ANY INTERNAL OR EXTERIOR SOURCE
2. GROUND SIGNS SHALL NOT EXCEED 8 FEET IN HEIGHT AND SHALL NOT EXCEED 64 SQUARE FEET OF DISPLAY SURFACE AREA
3. GROUND SIGNS ARE ONLY ALLOWED FURTHER THAN 100 FEET WEST OF THE EAST BOUNDARY
4. WALL SIGNAGE IS PROHIBITED ON ANY EAST FACING WALL.
5. WALL SIGNAGE IS ALLOWED ON THE SOUTH FACING WALL HOWEVER THE MAXIMUM DISPLAY SURFACE AREA SHALL NOT EXCEED 128 SQUARE FEET AND MAY NOT BE ILLUMINATED FROM ANY INTERNAL OR EXTERIOR SOURCE.
6. WALL SIGNAGE ON THE WEST AND NORTH WALLS MAY BE ILLUMINATED FROM INTERNAL SOURCES ONLY. DYNAMIC DISPLAY SHALL NOT BE ALLOWED. THE MAXIMUM SIGNAGE SIZE ON THE WEST-FACING WALL SHALL NOT EXCEED 256 SQUARE FEET. THE MAXIMUM SIGNAGE SIZE ON THE NORTH-FACING WALL SHALL NOT EXCEED 256 SQUARE FEET
7. OFF PREMISE BUSINESS SIGNS ARE PROHIBITED.

F. VEHICULAR ACCESS AND CIRCULATION:
THE ACCESS TO EAST 32ND STREET SHALL BE ORIENTED TOWARD THE SOUTHWEST, DISCOURAGING EASTBOUND VEHICULAR TRAFFIC THROUGH THE NEIGHBORHOOD

G. PEDESTRIAN ACCESS:
SIDEWALKS SHALL BE INSTALLED ALONG THE FRONTAGE OF EAST 32ND STREET. PEDESTRIAN AND BICYCLE ACCESS FROM THE NEIGHBORHOOD SHALL BE ENCOURAGED BY PLACING ACCESS POINTS NEAR THE SOUTHEAST END OF THE SITE.

H. BUILDING HEIGHT:
BUILDINGS SHALL NOT BE TALLER THAN 45 FEET AS MEASURED FROM THE FIRST FLOOR ELEVATION.

I. MECHANICAL AND EQUIPMENT AREAS:
MECHANICAL EQUIPMENT ON THE GROUND SHALL BE SCREENED WITH MASONRY SCREENING AT LEAST ONE FOOT TALLER THAN THE MECHANICAL EQUIPMENT. ROOF TOP MECHANICAL EQUIPMENT SHALL BE SCREENED FROM PERSONS STANDING AT GROUND LEVEL WITHIN 300 FEET OF THE ABUTTING RESIDENTIAL DEVELOPMENT AREA.

J. TRASH DUMPSTERS AND ENCLOSURES:
ALL ENCLOSURES SHALL BE MASONRY AT LEAST ONE FOOT TALLER THAN THE CONTAINER. ANY DOOR FRAME SHALL BE METAL WITH A SCREENING MATERIAL BLOCKING VIEW THROUGH A MINIMUM 80% OF THE OPENING. THE DUMPSTER SHALL NOT BE PLACED WITHIN 120 FEET OF THE SOUTH OR EAST PROPERTY LINE.

SECTION III. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. STREETS EASEMENTS AND UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION I WHETHER OR NOT SPECIFICALLY THEREIN SO STATED SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION II. OPTIONAL DEVELOPMENT PLAN RESTRICTIONS ARE ESTABLISHED PURSUANT TO THE OPTIONAL DEVELOPMENT PLAN PROVISIONS OF THE TULSA ZONING CODE AS AMENDED AND EFFECTIVE JULY 11, 2016, AND SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA AND THE OWNER/DEVELOPER, ITS SUCCESSORS AND ASSIGNS. IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION II, IT SHALL BE LAWFUL FOR THE CITY OF TULSA TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED

B. DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I, STREETS EASEMENTS AND UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, AND THE CITY OF TULSA, OKLAHOMA. THE COVENANTS CONTAINED WITHIN SECTION II. OPTIONAL DEVELOPMENT PLAN RESTRICTIONS, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS.

D. SEVERABILITY

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

BY: JASLEE VENTURES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: ______________________________

JASON BURKS, MANAGER

STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS ______ DAY OF ______________, 2017, BY JASON BURKS AS MANAGER OF JASLEE VENTURES, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY

NOTARY PUBLIC ______________________

MY COMMISSION EXPIRES ______________________

COMMISSION NUMBER ______________________

CERTIFICATE OF SURVEY

I, R. WADE BENNETT OF BENNETT SURVEYING INC., A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED AS "THE CLIFFS OF YALE", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA IS A TRUE REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED.

____
R. WADE BENNETT
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1356

REGISTERED PROFESSIONAL LAND SURVEYOR
R. WADE BENNETT
1356
OKLAHOMA

STATE OF OKLAHOMA)
) SS.
COUNTY OF TULSA)

THE FOREGOING CERTIFICATE OF SURVEY WAS ACKNOWLEDGED BEFORE ME THIS ______ DAY OF ______________, 2017, BY R. WADE BENNETT AS A REGISTERED PROFESSIONAL LAND SURVEYOR.

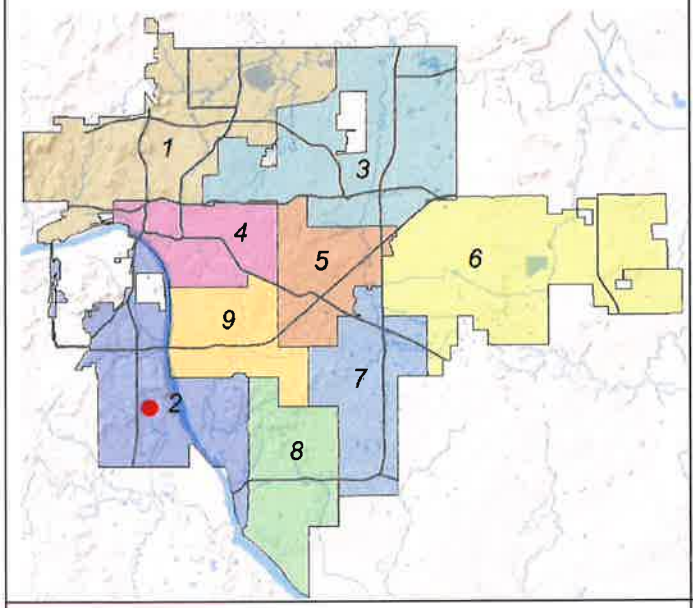
NOTARY PUBLIC ______________________

MY COMMISSION EXPIRES ______________________

COMMISSION NUMBER ______________________

The Cliffs of Yale
DATE PREPARED 6-2-17
FINAL PLAT – SHEET 2 OF [illegible]

10.3

TMAPC Tulsa Metropolitan Area Planning Commission	**Case :** **71 Jackson** **Hearing Date: July 5, 2017**
Case Report Prepared by: Nathan Foster	**Owner and Applicant Information**: *Applicant*: Tanner Consulting, LLC *Owner*: Quandary Peak, LLC
Location Map: **(shown with City Council Districts)**  	**Applicant Proposal:** Preliminary Subdivision Plat 2 lots, 1 block, 2.512± acres *Location*: Southwest corner of West 71st Street South and South Jackson Avenue *Proposed Use*: Commercial
Zoning: *Present Zoning:* RS-3 *Proposed Zoning:* CS (Approved by Council on 6/21/2017)	**Staff Recommendation:** Staff recommends **approval** of the Preliminary Plat
	City Council District: 2 *Councilor Name*: Jeannie Cue **County Commission District: 2** *Commissioner Name:* Karen Keith

EXHIBITS: Site Map, Aerial, Land Use, Growth & Stability, Preliminary Plat, Conceptual Improvements Plan

11.1

PRELIMINARY SUBDIVISION PLAT

71 Jackson - (CD 2)
Southwest corner of West 71st Street South and South Jackson Avenue

This plat consists of 2 lots, 1 block on 2.512± acres.

The Technical Advisory Committee (TAC) met on June 15th, 2017 and provided the following conditions:

1. **Zoning:** The property has been approved for rezoning to CS to permit commercial uses. All lots proposed on the preliminary plat conform to the lot regulations of the CS district.

2. **Addressing:** Label each lot with assigned address on final plat.

3. **Transportation & Traffic:** No comments.

4. **Sewer:** Provide minimum 11' utility easement along west property line of proposed Lot 1.

5. **Water:** No comments.

6. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Provide addresses for individual lots. Show only platted subdivision boundaries in the location map. Remove additional lines and label all unplatted land. Label plat location in the location map as "site" or "project location".

7. **Fire:** Provide mutual access to serve proposed lots.

8. **Stormwater, Drainage, & Floodplain:** Label and provide dimensions for drainage and detention easements. Provide text for detention easements. If offsite drainage is required, provide overland drainage easements.

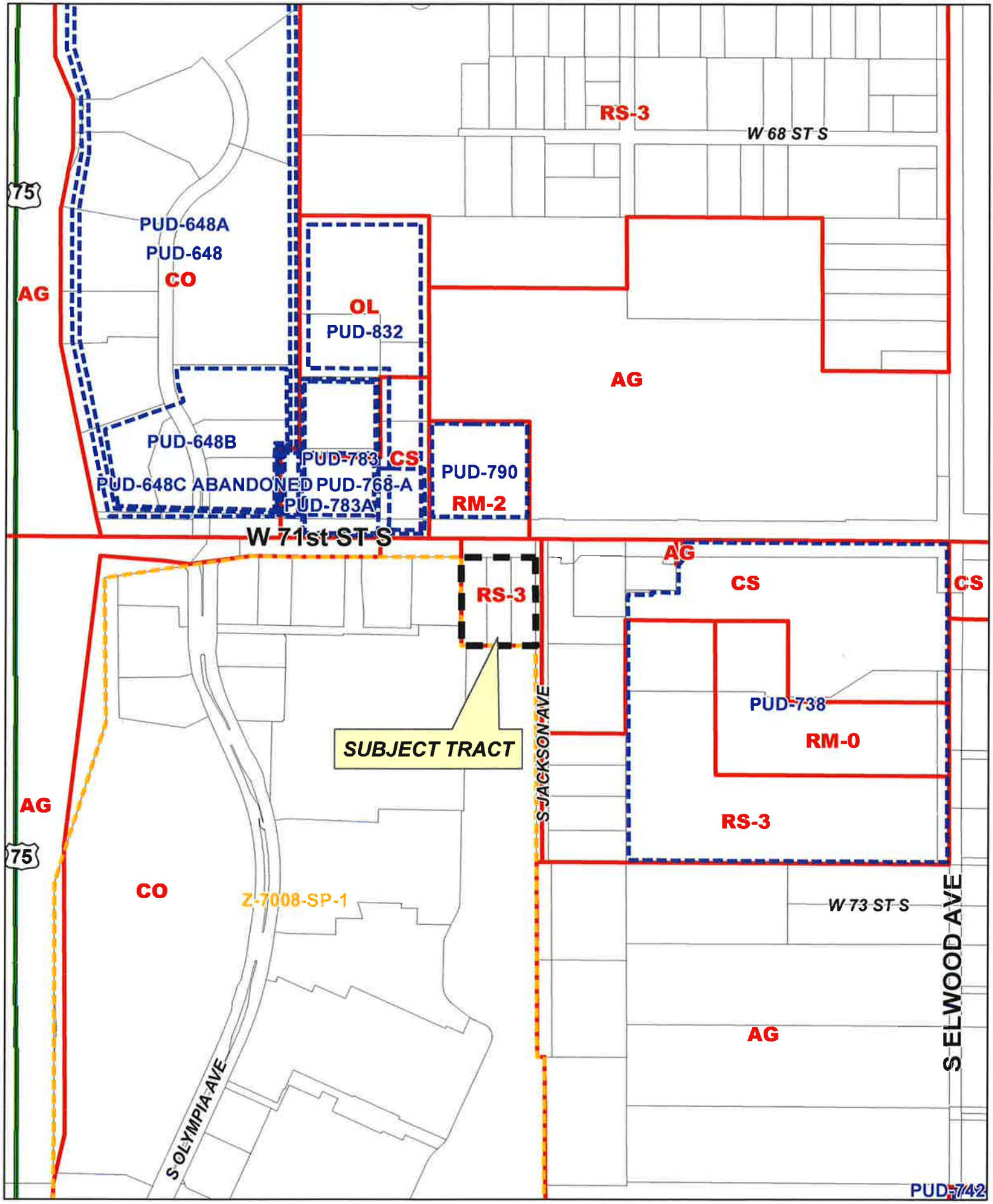
9. **Airport:** Avigation notice required on the face of the plat.

10. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Waivers of Subdivision Regulations:

1. None Requested

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.



Feet
0 250 500

71 JACKSON

18-12 11

11.3

N

Feet
0 250 500

Subject Tract

71 JACKSON

18-12 11

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

N

11.4

Feet
0 50 100

Subject Tract

71 JACKSON

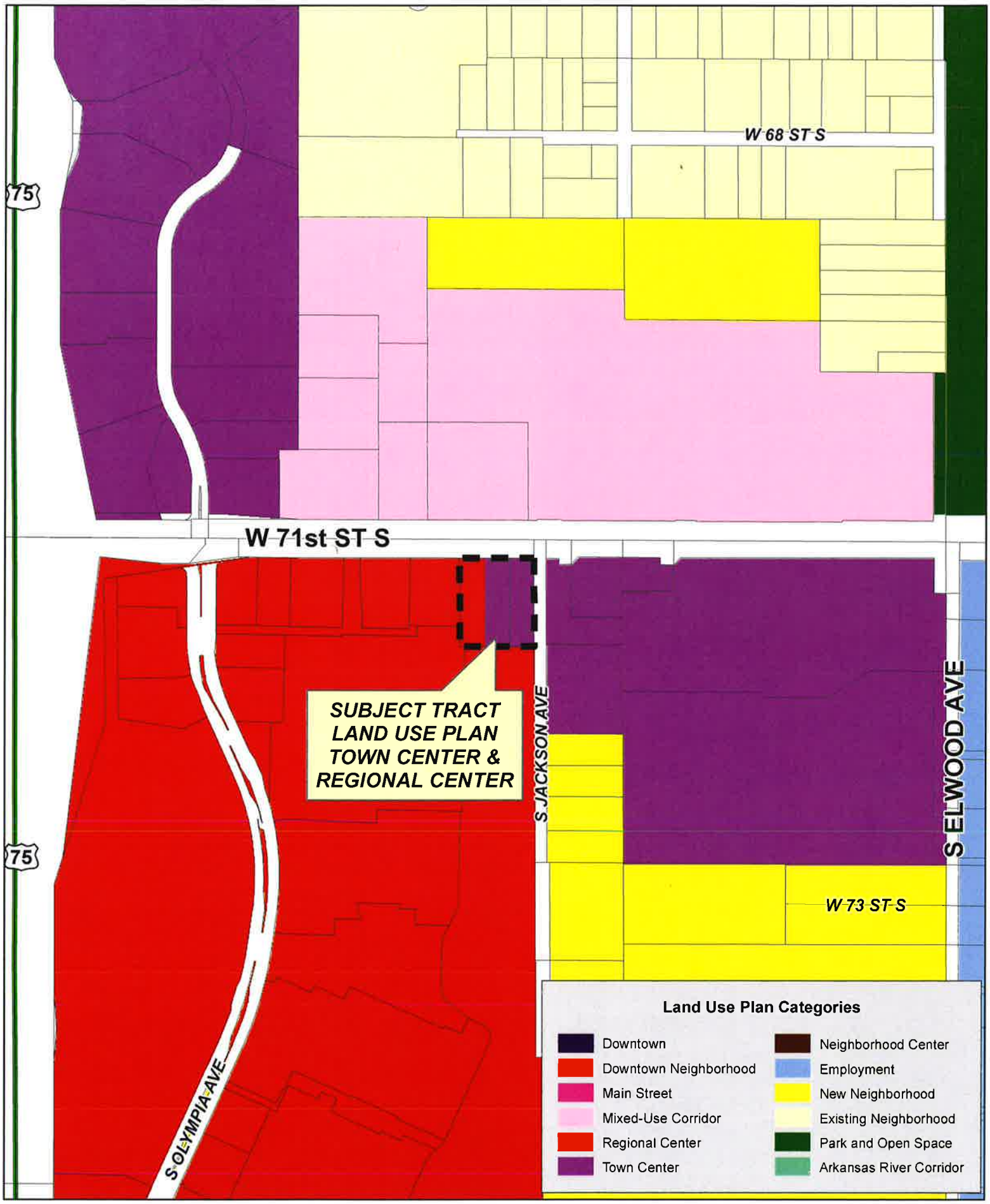
18-12 11

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

N

11.5



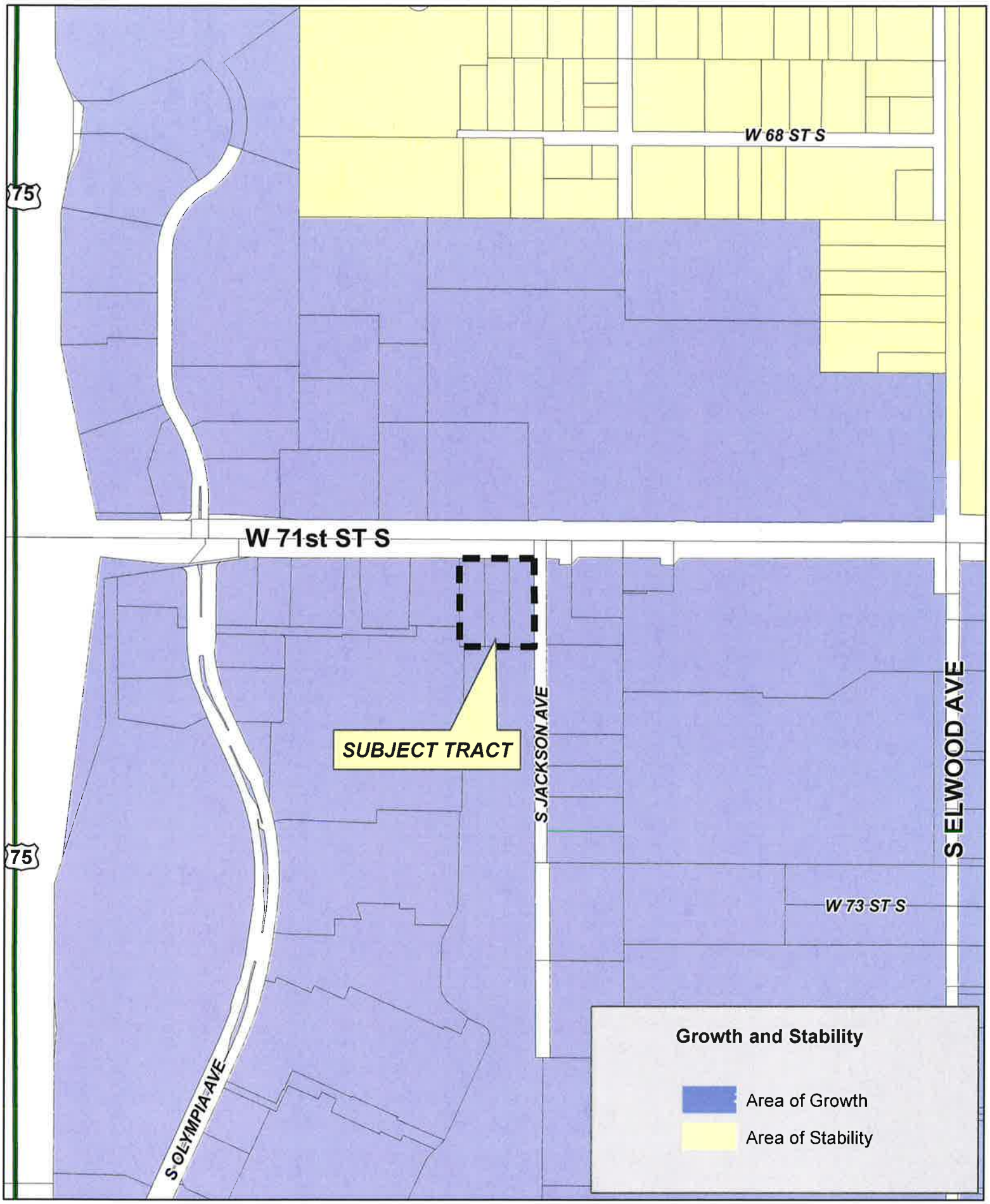
Feet
0 250 500

71 JACKSON

18-12 11

11.6

N



Feet
0 250 500

71 JACKSON

18-12 11

11.7

N

Preliminary Plat

71 Jackson

PART OF THE WEST HALF OF THE NORTHEAST QUARTER (W/2 NE/4) OF SECTION ELEVEN (11)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

R 12 E

T 18 N

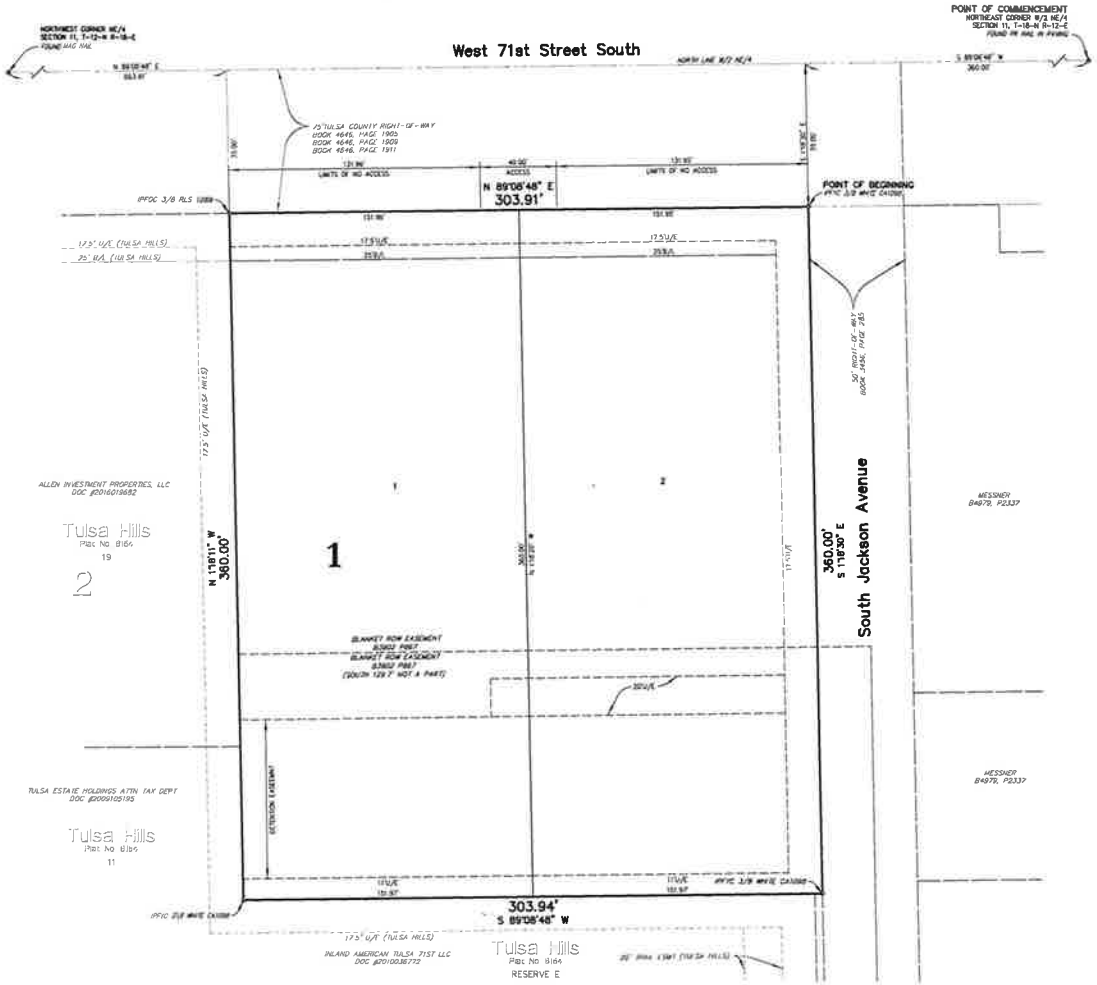
Location Map
Scale: 1"= 2000'
NORTH

SUBDIVISION CONTAINS:
TWO (2) LOTS
IN ONE (1) BLOCK

GROSS SUBDIVISION AREA: 2.512 ACRES

OWNER:
Quandary Peak, LLC
3104 NW 23rd Street
Oklahoma City, Oklahoma 73107
Phone: (405) 945-8941
Contact: Glenn Ashmore

SURVEYOR/ENGINEER:
Tanner Consulting, LLC
DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2019
EMAIL: DAN@TANNERBATISHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929



NORTH

Scale: 1"= 30'
Tanner Consulting

LEGEND

B/L	BUILDING LINE
BK PG	BOOK & PAGE
CL	CENTERLINE
DOC	DOCUMENT
ESMT	EASEMENT
ROW	RIGHT-OF-WAY
U/E	UTILITY EASEMENT

FINAL PLAT
ENDORSEMENT OF APPROVAL

Tulsa Metropolitan Area Planning Commission

Approval Date: _____

TMAPC/INCOG

CITY ENGINEER

Council of the City of Tulsa, Oklahoma

Approval Date: _____

CHAIRMAN

MAYOR

ATTEST: CITY CLERK

CITY ATTORNEY

The approval of this Final Plat will expire one year from the date of City Council approval if not filed in the Office of the County Clerk before that date.

Notes:

1. THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
2. ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER RLS 1435" UNLESS OTHERWISE NOTED.
3. THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83-1993); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
   (1) 2" ALUMINUM CAP FOUND AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE/4) OF SECTION 11;
   (2) NAIL FOUND AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (E/2 NE/4) OF SECTION 11;

   THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 88°08'48" WEST.
4. ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
5. ACCESS AT THE TIME OF PLAT WAS PROVIDED BY WEST 71ST STREET SOUTH AND SOUTH JACKSON AVENUE BY VIRTUE OF RIGHT-OF-WAY DEDICATED BY THIS PLAT.

DATE OF PREPARATION: June 2, 2017

11.8

Preliminary Plat

71 Jackson

PART OF THE WEST HALF OF THE NORTHEAST QUARTER (W/2 NE/4) OF SECTION ELEVEN (11)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT QUANDARY PEAK, LLC, AN OKLAHOMA LIMITED PARTNERSHIP, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA:

A TRACT OF LAND THAT IS A PART OF THE WEST HALF OF THE NORTHEAST QUARTER (W/2 NE/4) OF SECTION ELEVEN (11), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF THE WEST HALF OF THE NORTHEAST QUARTER (W/2 NE/4) OF SAID SECTION 11; THENCE SOUTH 89°08'48" WEST AND ALONG THE NORTH LINE OF SAID WEST HALF, FOR A DISTANCE OF 360.00 FEET TO A POINT AT THE NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN DOCUMENT NO. 2009047458, COUNTY OF TULSA RECORDS; THENCE SOUTH 1°18'30" EAST AND ALONG THE EAST LINE OF SAID TRACT, FOR A DISTANCE OF 75.00 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF WEST 71ST STREET SOUTH AS PRESENTLY LOCATED, SAID POINT ALSO BEING THE POINT OF BEGINNING;

THENCE SOUTH 1°18'30" EAST, CONTINUING ALONG EAST LINE OF SAID TRACT AND ALONG THE WEST RIGHT OF WAY LINE OF SOUTH JACKSON AVENUE, AS DEDICATED IN BOOK 3456 AT PAGE 285, TULSA COUNTY RECORDS, FOR A DISTANCE OF 360.00 FEET; THENCE SOUTH 89°08'48" WEST AND ALONG THE NORTH LINE OF RESERVE "E" AND THE EAST LINE OF LOT 11, BLOCK 2, "TULSA HILLS", AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 6154), FOR A DISTANCE OF 303.94 FEET TO A POINT ON THE EAST LINE OF SAID LOT 11; THENCE NORTH 1°18'13" WEST AND ALONG THE EAST LINE OF SAID LOT 11 AND THE EAST LINE OF LOT 19, SAID BLOCK 2, FOR A DISTANCE OF 360.00 FEET TO A POINT AT THE NORTHEAST CORNER OF SAID LOT 19; THENCE NORTH 89°08'48" EAST AND ALONG THE SOUTH RIGHT OF WAY LINE OF WEST 71ST STREET SOUTH AS PRESENTLY LOCATED, FOR A DISTANCE OF 303.91 FEET TO THE POINT OF BEGINNING

SAID TRACT CONTAINS 109,410 SQUARE FEET OR 2.512 ACRES

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83-1993); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:

(1) 2" ALUMINUM CAP FOUND AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE/4) OF SECTION 11;

(2) NAIL FOUND AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (E/2 NE/4) OF SECTION 11;

THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 89°08'48" WEST.

THE OWNER HAS CAUSED THE SAME TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTS, BLOCKS, AND STREETS AS SHOWN BY THE ACCOMPANYING PLAT AND SURVEY THEREOF, AND WHICH PLAT IS MADE A PART HEREOF; AND THE OWNER HAS GIVEN TO SAID PLAT THE NAME OF "71 JACKSON", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, (WHEREVER THE WORD "SUBDIVISION" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN "71 JACKSON" UNLESS THE CONTEXT CLEARLY DICTATES OTHERWISE. LIKEWISE, WHEREVER THE WORD "CITY" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, UNLESS THE CONTEXT CLEARLY DICTATES OTHERWISE.) NOW, THEREFORE, THE OWNER, FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION AND FOR THE PURPOSE OF INSURING ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS, GRANTEES AND ASSIGNS, AND THE BENEFICIARIES OF THE COVENANTS AS SET FORTH HEREIN, DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS, WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND WHICH SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

SECTION I. STREETS AND UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE STREET RIGHT-OF-WAY DESIGNATED ON THE ACCOMPANYING PLAT AS WEST 71ST STREET SOUTH AND DOES FURTHER DEDICATE TO THE PUBLIC "UTILITY EASEMENTS DESIGNATED AS "U/E" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, MANHOLES AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND REPAIR OR REPLACE WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING, AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE THAT, WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, NO BUILDING, STRUCTURE, OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF THE UTILITY EASEMENTS SHALL BE PLACED, ERECTED, INSTALLED, OR MAINTAINED. PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING, AND CUSTOMARY SCREENING FENCES THAT DO NOT CONSTITUTE AN OBSTRUCTION.

DATE OF PREPARATION: June 2, 2017

1.1. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

1.1.1. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON HIS LOT.

1.1.2. WITHIN THE UTILITY EASEMENT, WATERLINE, SANITARY SEWER, AND DRAINAGE EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGMENT OF THE CITY OF TULSA, WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS SHALL BE PROHIBITED.

1.1.3. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OF THE LOT, HIS AGENTS OR CONTRACTORS.

1.1.4. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY, WATERLINE, SANITARY SEWER, AND DRAINAGE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.

1.1.5. THE FOREGOING COVENANTS SET FORTH IN THE ABOVE PARAGRAPHS SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF THE LOT AGREES TO BE BOUND.

1.2. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF ANY LOT DEPICTED ON THE ACCOMPANYING PLAT SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY MAINTENANCE OF UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

1.3. UNDERGROUND SERVICE

1.3.1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE WEST 71ST STREET SOUTH RIGHT-OF-WAY DEDICATED BY THIS PLAT AND WITHIN THE PERIMETER UTILITY EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE AND, EXCEPT AS PROVIDED IN THE IMMEDIATELY PRECEDING SENTENCE, ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS.

1.3.2. UNDERGROUND PRIMARY CABLES, SECONDARY CABLES, AND EQUIPMENT MAY BE INSTALLED ALONG A PATH AGREED BETWEEN THE OWNER AND THE SUPPLIER OF SERVICE, AND THEREAFTER THE SUPPLIER OF SERVICE SHALL BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE, AND NON-EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A 10 FOOT STRIP EXTENDING 5 FEET ON EACH SIDE OF SUCH PRIMARY OR SECONDARY CABLE, EXTENDING FROM THE POINT OF SOURCE TO EACH TRANSFORMER OR PIECE OF EQUIPMENT. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WHICH ARE LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE AS MAY BE LOCATED UPON THE LOT, PROVIDED THAT UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE RIGHT-OF-WAY EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

1.3.3. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

1.3.4. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON SAID OWNER'S LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR SAID OWNER'S AGENTS OR CONTRACTORS.

1.3.5. THE COVENANTS SET FORTH IN THE FOREGOING PARAGRAPHS SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

1.4. GAS SERVICE

1.4.1. THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR AS PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

1.4.2. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED WITHIN THE LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY THAT WOULD INTERFERE WITH THE GAS SERVICE. THE SUPPLIER OF THE GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF SAID FACILITIES, BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OF THE LOT, OR ITS AGENTS OR CONTRACTORS.

1.4.3. THE COVENANTS SET FORTH IN THE FOREGOING PARAGRAPHS SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

1.5 SURFACE DRAINAGE

THE PROPERTY WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION. NO OWNER WITHIN THE SUBDIVISION SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE OWNER'S LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF TULSA, OKLAHOMA.

1.6 LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO WEST 71ST STREET SOUTH WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" ("LNA") ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSOR, AND WITH THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ABOVE ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF TULSA.

1.7 SIDEWALKS

THE OWNER SHALL CONSTRUCT AND MAINTAIN SIDEWALKS ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH SUBDIVISION REGULATIONS OF THE CITY OF TULSA AND IN CONFORMANCE WITH CITY OF TULSA ENGINEERING DESIGN STANDARDS. ALL SUCH SIDEWALKS SHALL BE CONSTRUCTED BY THE OWNER PRIOR TO THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT FOR A BUILDING IN THE SUBDIVISION.

1.8 CERTIFICATE OF OCCUPANCY RESTRICTIONS

NO CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN THE SUBDIVISION SHALL BE ISSUED BY THE CITY OF TULSA, OKLAHOMA UNTIL CONSTRUCTION OF THE REQUIRED INFRASTRUCTURE (STREETS, WATER, SANITARY SEWER, STORM SEWER SYSTEMS, AND SIDEWALKS) SERVING THE ENTIRE SUBDIVISION HAS BEEN COMPLETED AND ACCEPTED BY THE CITY. NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY IF, IN THE CITY'S SOLE DISCRETION, THE CIRCUMSTANCES SUPPORT THE ISSUANCE. FURTHER NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE PHASING OF THE CONSTRUCTION OF INFRASTRUCTURE WITHIN THE SUBDIVISION, AND IF PHASING IS AUTHORIZED, A CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN AN AUTHORIZED PHASE MAY ISSUE UPON THE COMPLETION AND ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE. BUILDING CONSTRUCTION OCCURRING PRIOR TO THE CITY'S ACCEPTANCE OF THE INFRASTRUCTURE SHALL BE AT THE RISK OF THE OWNER OF THE LOT, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR OF A TEMPORARY CERTIFICATE OF OCCUPANCY.

SECTION III. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

3.1 ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. STREETS AND UTILITY EASEMENTS ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTION I. WHETHER OR NOT SPECIFICALLY THEREIN SO STATED SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS ARE ESTABLISHED PURSUANT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE TULSA ZONING CODE IN EXISTENCE AS OF MAY 3, 2007 AND SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, AND ANY OWNER OF A LOT IN 71 AT TULSA HILLS. IF THE UNDERSIGNED OWNER OR ITS SUCCESSORS OR ASSIGNS SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION II., IT SHALL BE LAWFUL FOR THE CITY OF TULSA, ANY OWNER OF A LOT IN 71 AT TULSA HILLS TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

3.2 DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

3.3 AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I. STREETS AND UTILITY EASEMENTS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, AND THE CITY OF TULSA, OKLAHOMA. THE COVENANTS CONTAINED WITHIN SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS. NOTWITHSTANDING THE FOREGOING, THE COVENANTS CONTAINED WITHIN SECTION II. SHALL BE DEEMED AMENDED (WITHOUT NECESSITY OF EXECUTION OF AN AMENDING DOCUMENT) UPON APPROVAL OF A MINOR AMENDMENT TO PUD NO. 738 BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION OR ITS SUCCESSORS AND RECORDING OF A CERTIFIED COPY OF THE MINUTES OF THE TULSA METROPOLITAN AREA PLANNING COMMISSION OR ITS SUCCESSORS WITH THE TULSA COUNTY CLERK.

3.4 SEVERABILITY

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, QUANDARY PEAK, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT ON THIS _____ DAY OF _____, 2017.

QUANDARY PEAK, LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY,

BY: _____
GLENN ASHMORE, MANAGER

STATE OF OKLAHOMA)
) SS
COUNTY OF _____)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2017, BY GLENN ASHMORE, AS MANAGER OF QUANDARY PEAK, LLC.

_____ _____
MY COMMISSION EXPIRES: JENNIFER MILLER, NOTARY

CERTIFICATE OF SURVEY

I, DAN E. TANNER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "71 JACKSON", AN ADDITION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, IS A REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2017

Dan Edwin Tanner 1435 OKLAHOMA

BY: _____
DAN E. TANNER
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1435

STATE OF OKLAHOMA)
) SS
COUNTY OF TULSA)

THE FOREGOING CERTIFICATE OF SURVEY WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2017, BY DAN E. TANNER, AS A LICENSED PROFESSIONAL LAND SURVEYOR.

_____ _____
MY COMMISSION EXPIRES: JENNIFER MILLER, NOTARY

1.19

Conceptual Utility Plan

71 Jackson

PART OF THE WEST HALF OF THE NORTHEAST QUARTER (W/2 NE/4) OF SECTION ELEVEN (11)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

R 12 E

T 18 N

Location Map

Scale: 1" = 3000'

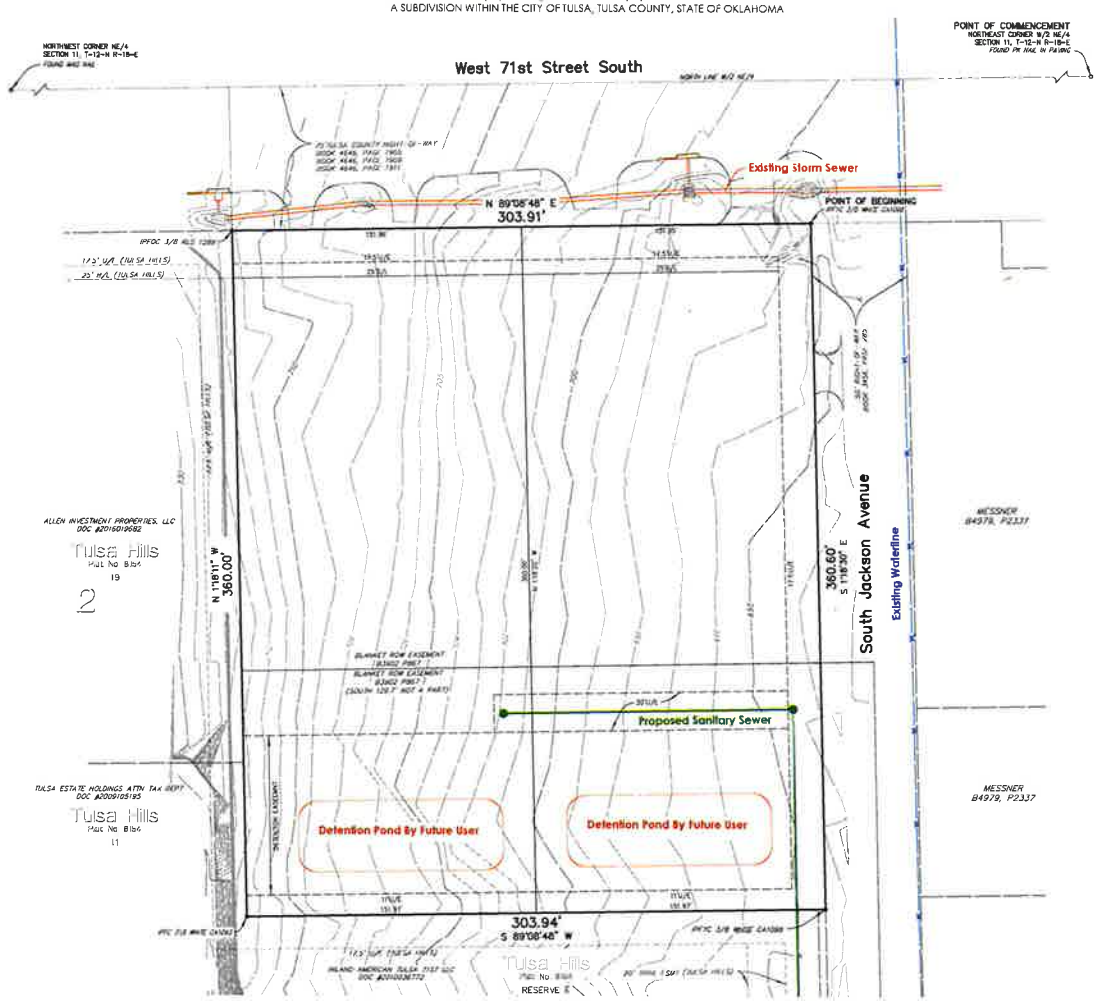
NORTH

SUBDIVISION CONTAINS:
TWO (2) LOTS
IN ONE (1) BLOCK

GROSS SUBDIVISION AREA: 2.512 ACRES

OWNER:
Quandary Peak, LLC
3104 NW 23rd Street
Oklahoma City, Oklahoma 73107
Phone: (405) 945-8941
Contact: Glenn Ashmore

SURVEYOR/ENGINEER:
Tanner Consulting, LLC
DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2019
EMAIL: DAN@TANNERBATSHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929



NORTH

Scale: 1" = 30'
Tanner Consulting

LEGEND

B/L	BUILDING LINE
B/U	BUILDING LINE & UTILITY EASEMENT
BK PG	BOOK & PAGE
CL	CENTERLINE
DOC	DOCUMENT
ESMT	EASEMENT
GOV'T	GOVERNMENT
U/E	UTILITY EASEMENT

FINAL PLAT
ENDORSEMENT OF APPROVAL

Tulsa Metropolitan Area Planning Commission

Approval Date:_____

TMAPC/INCOG

CITY ENGINEER

Council of the City of Tulsa, Oklahoma

Approval Date:_____

CHAIRMAN

MAYOR

ATTEST: CITY CLERK

CITY ATTORNEY

The approval of this Final Plat will expire one year from the date of City Council approval if not filed in the Office of the County Clerk before that date.

Notes:

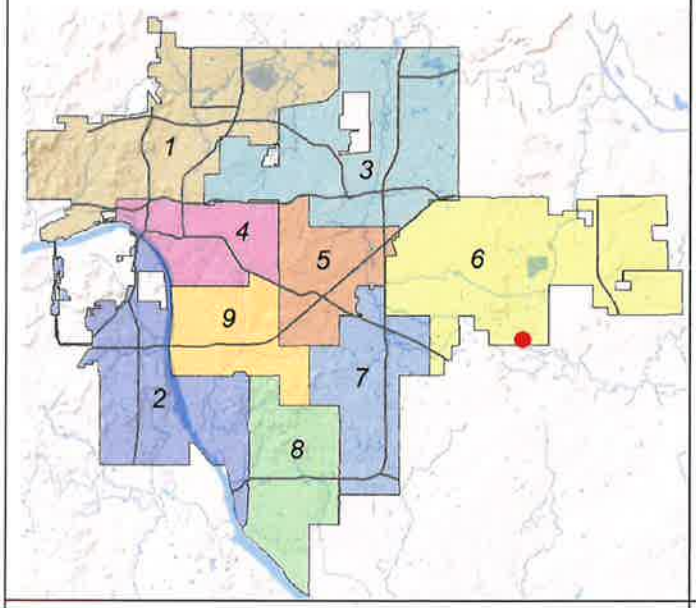
1. THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
2. ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER RLS 1435" UNLESS OTHERWISE NOTED.
3. THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83-1993); SAID BEARINGS ARE BASED LOCALLY UPON FIELD OBSERVED TIES TO THE FOLLOWING MONUMENTS:
   (1) 2" ALUMINUM CAP FOUND AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE/4) OF SECTION 11;
   (2) NAIL FOUND AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (E/2 NE/4) OF SECTION 11;

   THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 89°08'48" WEST.
4. ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
5. ACCESS AT THE TIME OF PLAT WAS PROVIDED BY WEST 71ST STREET SOUTH BY VIRTUE OF RIGHT-OF-WAY DEDICATED BY THIS PLAT.

DATE OF PREPARATION: June 2, 2017

71 Jackson
SHEET 1 OF 1

11.10

TMAPC Tulsa Metropolitan Area Planning Commission	**Case :** **Stonegate V** **Hearing Date: July 5, 2017**
Case Report Prepared by: Nathan Foster	**Owner and Applicant Information:** *Applicant*: Mark Capron *Owner*: Lynn Lane 51, LLC
Location Map: **(shown with City Council Districts)**  	**Applicant Proposal:** Preliminary Subdivision Plat 32 lots, 2 blocks, 8.5± acres *Location*: North and east of the intersection of East 51st Street South and South 177th East Avenue (Lynn Lane) *Proposed Use*: Single-Family Residential
Zoning: RS-3 (Residential Single-Family)	**Staff Recommendation:** Staff recommends **approval** of the Preliminary Plat
	City Council District: 6 *Councilor Name*: Connie Dodson **County Commission District: 1** *Commissioner Name:* John Smaligo

EXHIBITS: Site Map, Aerial, Land Use, Growth & Stability, Preliminary Plat, Conceptual Improvements Plan

12.1

PRELIMINARY SUBDIVISION PLAT

Stonegate V - (CD 6)
North and east of the intersection of East 51st Street South and South 177th East Avenue

This plat consists of 32 lots, 2 blocks on 8.5± acres.

The Technical Advisory Committee (TAC) met on June 15, 2017 and provided the following conditions:

1. **Zoning:** The entire property is currently zoned RS-3. All proposed lots conform to the lot regulations of RS-3.

2. **Addressing:** Addresses will be assigned at final plat.

3. **Transportation & Traffic:** Ensure accurate dimensions on the east property line. Presently showed dimension in conflict with neighboring plats.

4. **Sewer:** Provide 17.5 utility easement or City of Tulsa approval for smaller easements as shown.

5. **Water:** Remove water line segment between north and south extensions along East 49th Place for better water circulation.

6. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Provide addresses for individual lots on final plat. Add address caveat/disclaimer to face of plat. Provide a north arrow for the location map. Ensure only filed subdivisions are labeled in the location map and label all other property unplatted. Under the "Basis of Bearing" heading add the following after Oklahoma State Plane Coordinate System: North Zone 3501, North American Datum 1983 (NAD83).

7. **Fire:** No comments.

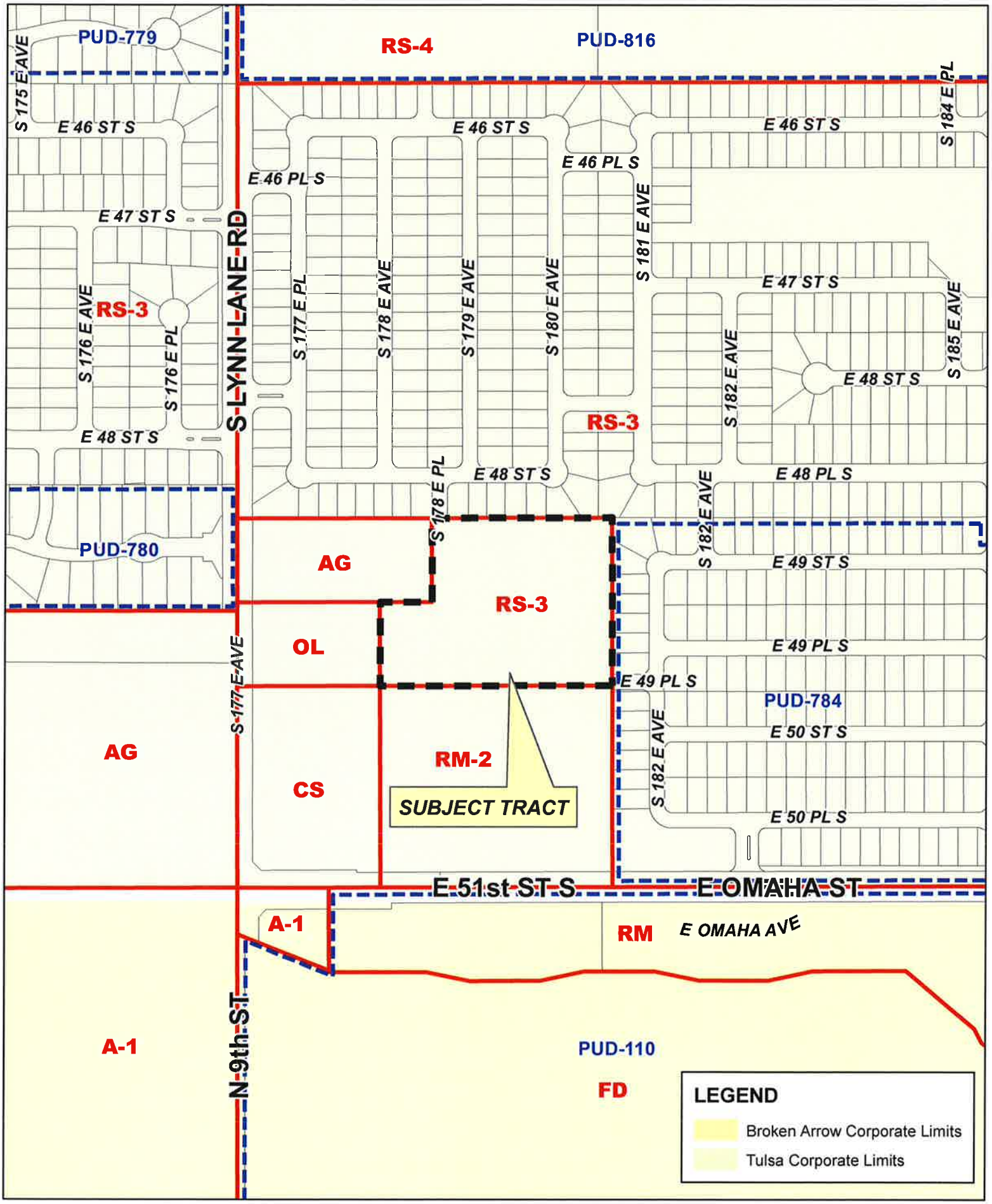
8. **Stormwater, Drainage, & Floodplain:** Provide proper easements for all proposed storm sewers. Ensure drainage plan conforms to previous subdivision drainage plans.

9. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Waivers of Subdivision Regulations:

1. None Requested

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.



STONEGATE V

19-14 25

12.3

Feet
0 200 400

Subject Tract

STONEGATE V

19-14 25

Note: Graphic overlays may not precisely align with physical features on the ground

Aerial Photo Date: February 2010

12.4

N

Feet
0 50 100

Subject Tract

STONEGATE V

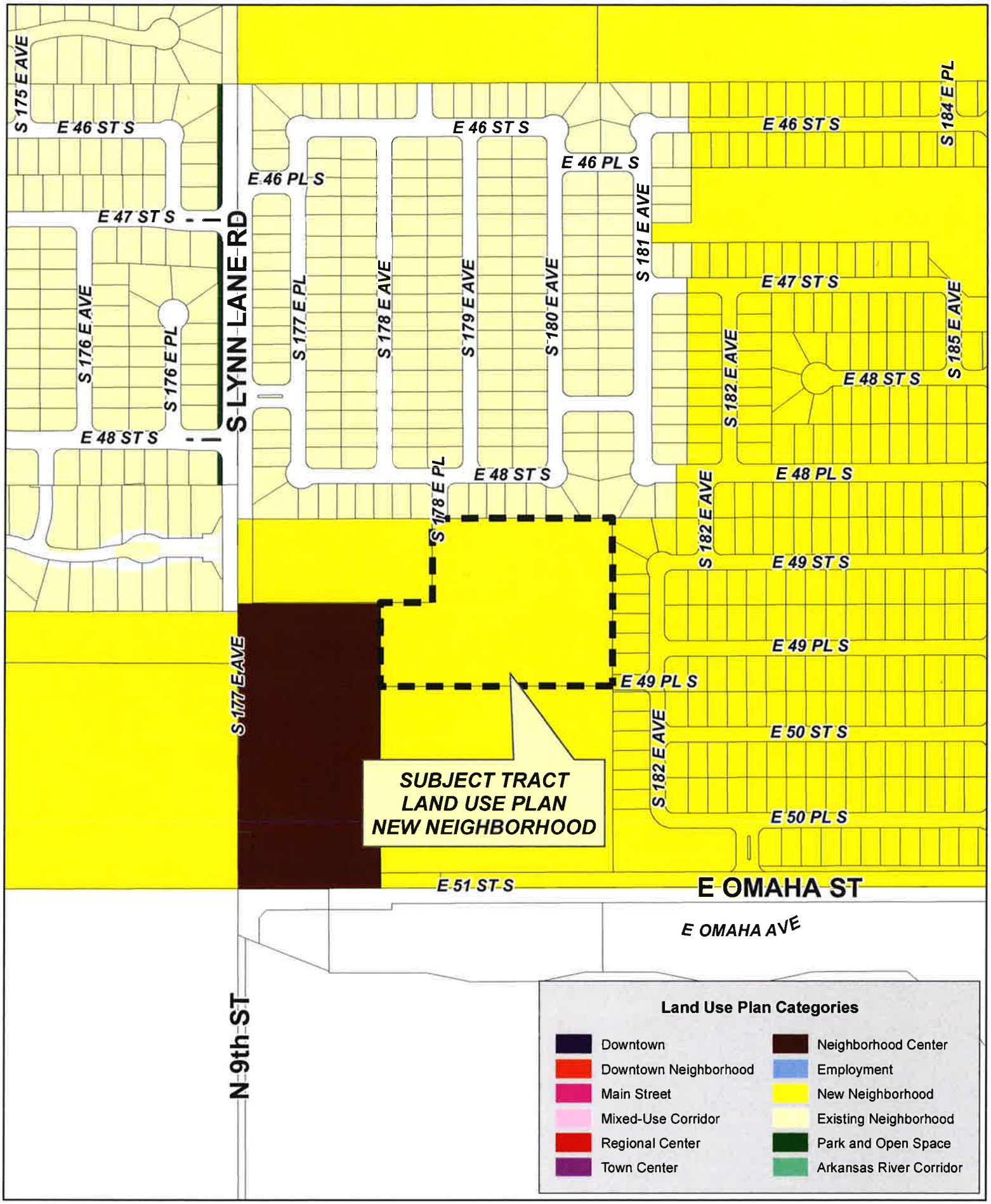
19-14 25

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

N

12.5



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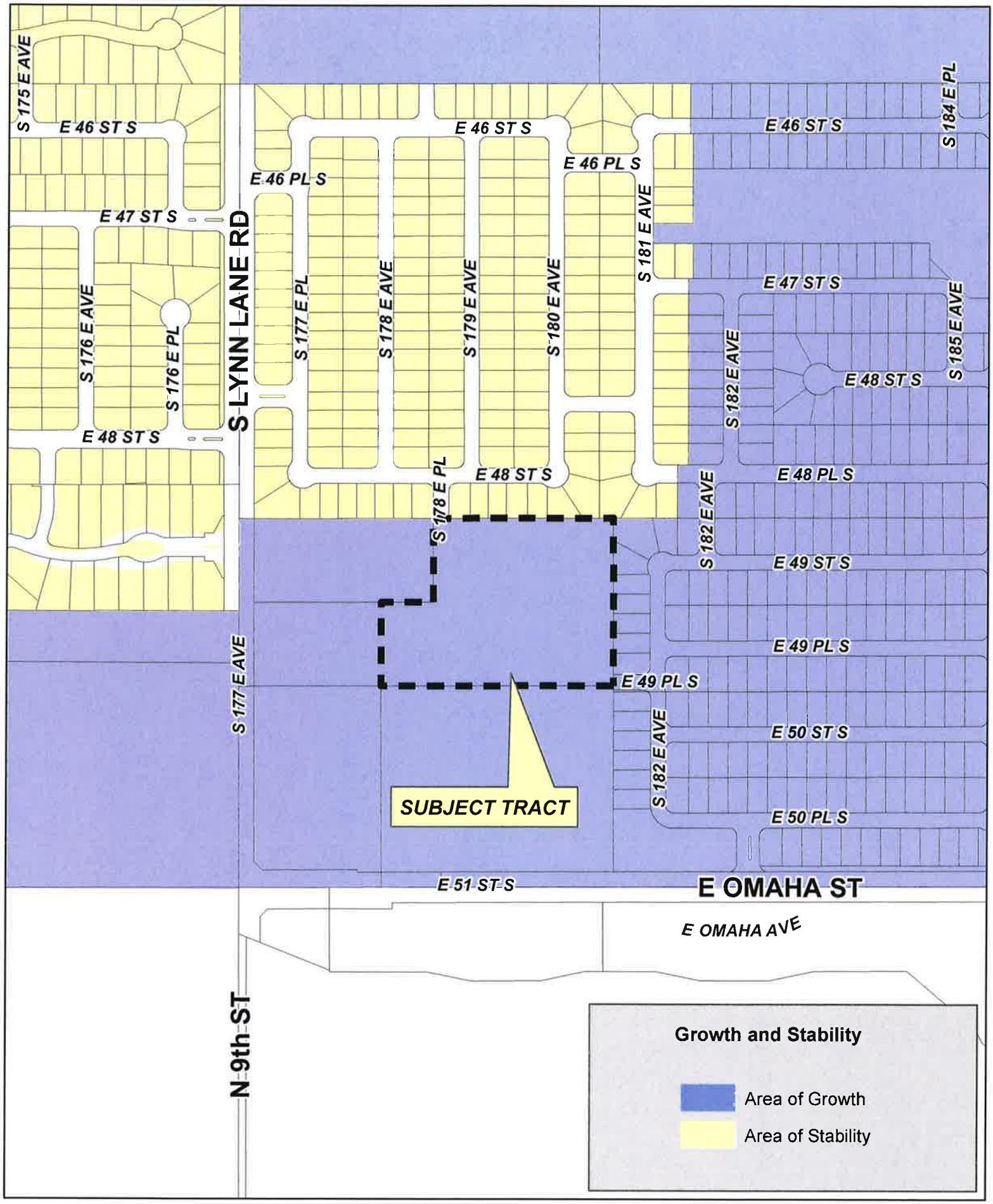
STONEGATE V

19-14 25

12.6

N



Feet
0 200 400

STONEGATE V

19-14 25

12.7

N

Preliminary Plat

Stonegate V

A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 14 EAST,
CITY OF TULSA, TULSA COUNTY, OKLAHOMA

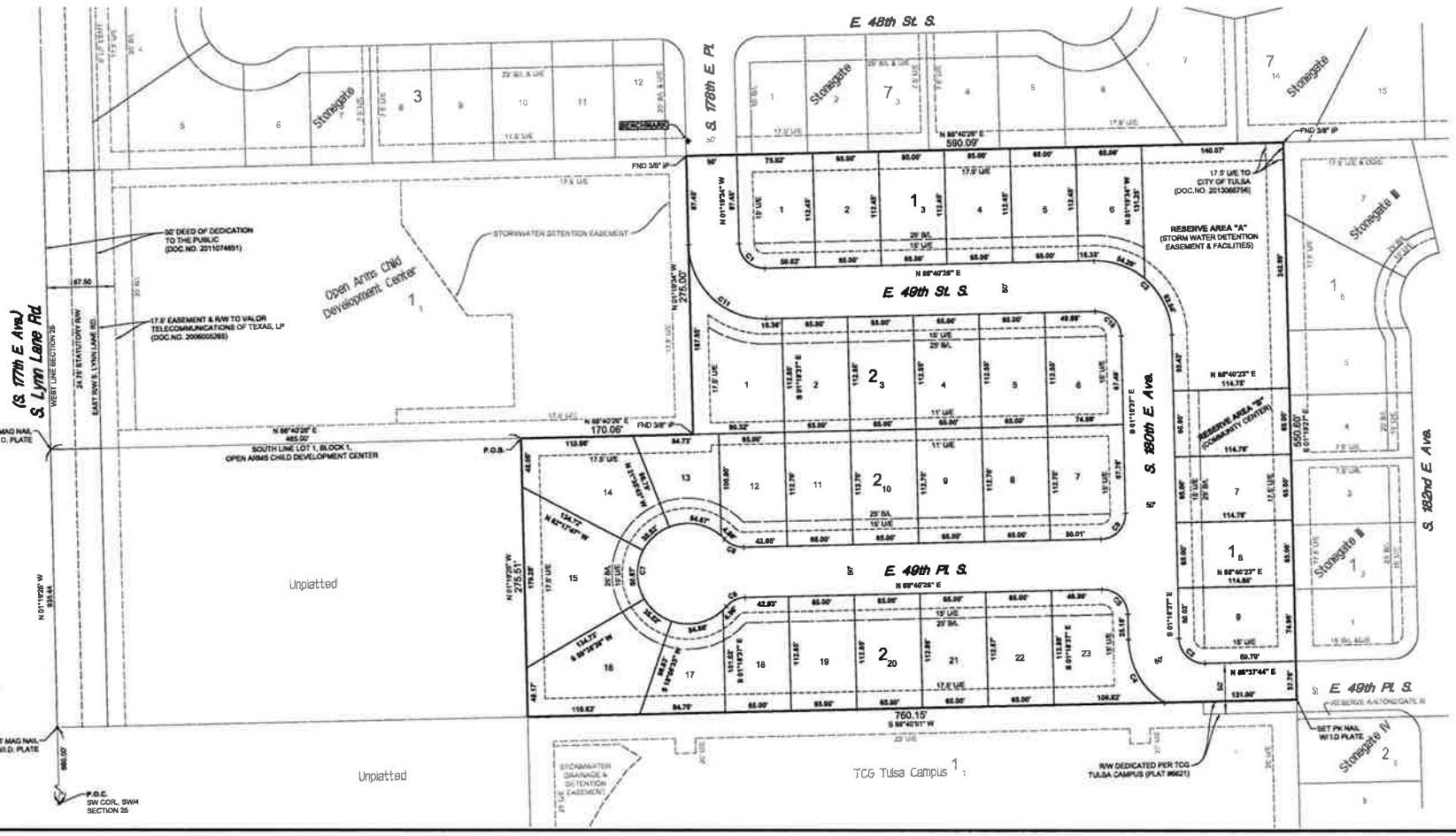
Curve Table					
CURVE #	LENGTH	RADIUS	DELTA (Δ)	CHORD LENGTH	CHORD BEARING
C1	39.27'	25.00	90°00'00"	35.36'	S 46°19'34" E
C2	117.83'	75.00	90°00'01"	106.06'	N 46°19'08" W
C3	39.30'	25.00	90°03'38"	35.37'	S 46°20'26" E
C4	74.22'	75.00	56°41'57"	71.23'	S 29°39'35" E
C5	39.28'	25.00	90°00'01"	35.36'	N 46°19'08" W
C6	21.03'	25.00	48°11'23"	20.41'	S 84°34'45" W
C7	241.19'	58.00	238°22'46"	88.67'	S 01°19'34" E
C8	21.03'	25.00	48°11'23"	20.41'	S 87°13'53" E
C9	39.28'	25.00	89°59'03"	35.35'	N 43°40'54" E
C10	39.28'	25.00	90°00'01"	35.36'	N 46°19'08" W
C11	117.81'	75.00	90°00'00"	106.07'	S 46°19'34" E

Owner/Developer:
Lynn Lane 51, LLC
An Oklahoma Limited Liability Company
5407 South Lewis Avenue
Tulsa, Ok 74105
Phone: (918) 640-3516
Contact: Mr. G. Dwight Claxton

Engineer/Surveyor:
Sisemore Weisz & Associates, Inc.
Certificate of Authorization No. 2421 Exp. June 30, 2019
6111 E. 32nd Place
Tulsa, Oklahoma 74135
Phone: (918) 665-3600
E-mail: gweisz@sw-assoc.com

SCALE: 1"=50'

Location Map
SCALE: 1"=2000'



Subdivision Statistics:

SUBDIVISION CONTAINS THIRTY-TWO (33) LOTS IN TWO (2) BLOCKS AND TWO (2) RESERVE AREAS

RESERVE AREA "A" CONTAINS 0.726 ACRES (31,630 SF)

RESERVE AREA "B" CONTAINS 0.171 ACRES (7,458 SF)

SUBDIVISION CONTAINS 8.524 TOTAL ACRES (371,737 SF)

Legend:

U/E	=	UTILITY EASEMENT
B/L	=	BUILDING SETBACK LINE
R/W	=	RIGHT-OF-WAY
L/S ESMT.	=	LANDSCAPE & FENCE EASEMENT
OD/E	=	OVERLAND DRAINAGE EASEMENT
P.O.B.	=	POINT OF BEGINNING
P.O.C	=	POINT OF COMMENCEMENT
IP	=	IRON PIN
FND	=	FOUND

Monumentation:

3/8" IRON PINS TO BE SET AT ALL PROPERTY CORNERS, UNLESS OTHERWISE NOTED

Basis of Bearing:

THE BEARING BASE FOR THIS SURVEY IS GRID BEARINGS DERIVED FROM THE OKLAHOMA STATE PLANE COORDINATE SYSTEM WITH THE WEST LINE OF SECTION 25 AS N 01°19'25" W AND THE SOUTH LINE OF STONEGATE AS N 88°40'26" E.

Benchmark:

CHISELED SQUARE ON CONCRETE LOCATED APPROXIMATELY 50' NORTHWEST OF THE NORTHWEST CORNER OF LOT 1, BLOCK 1, STONEGATE V
NAVD 1988 DATUM
ELEVATION=696.01

Notice:

PURSUANT TO SECTION 2.6.4 OF THE SUBDIVISION REGULATIONS FOR THE TULSA METROPOLITAN AREA (THE "SUBDIVISION REGULATIONS"), THE FINAL IMPROVEMENT PLANS SHALL HAVE BEEN APPROVED BY THE CITY OF TULSA ("CITY") PRIOR TO THE ISSUANCE OF A BUILDING PERMIT, AND THE CITY SHALL BE THE BENEFICIARY OF THE FOREGOING RESTRICTIVE COVENANT; PROVIDED HOWEVER, THAT NOTHING CONTAINED WITHIN THIS COVENANT SHALL PREVENT THE TULSA METROPOLITAN AREA PLANNING COMMISSION FROM AUTHORIZING AN ACCELERATED RELEASE OF A BUILDING PERMIT UNDER THE PROVISIONS OF SECTION 2.5 OF THE SUBDIVISION REGULATIONS

FINAL PLAT
ENDORSEMENT OF APPROVAL

Tulsa Metropolitan Area Planning Commission
Approval Date _____

_____ TMAPC/INCOG

_____ CITY ENGINEER

Council of the City of Tulsa, Oklahoma
Approval Date _____

_____ CHAIRMAN

_____ MAYOR

_____ ATTEST, CITY CLERK

_____ CITY ATTORNEY

The approval of this Final Plat will expire one year from the date of City Council approval if not filed in the Office of the County Clerk before that date.

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL, SIGNED AND SEALED DOCUMENT.

Preliminary Plat
Stonegate V
Sheet 1 of 2
Date Prepared: May 18, 2017

12.8

Conceptual Improvements Plan

Stonegate V

A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 25, TOWNSHIP 19 NORTH, RANGE 14 EAST,
CITY OF TULSA, TULSA COUNTY, OKLAHOMA

REFERENCE DRAWING ONLY
(SITE PLAN WITH UTILITIES
AND TOPOGRAPHY

Curve Table					
CURVE #	LENGTH	RADIUS	DELTA (Δ)	CHORD LENGTH	CHORD BEARING
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Owner/Developer:
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Certificate of Authorization No. 2421 Exp. June 30, 2019
6111 E. 32nd Place
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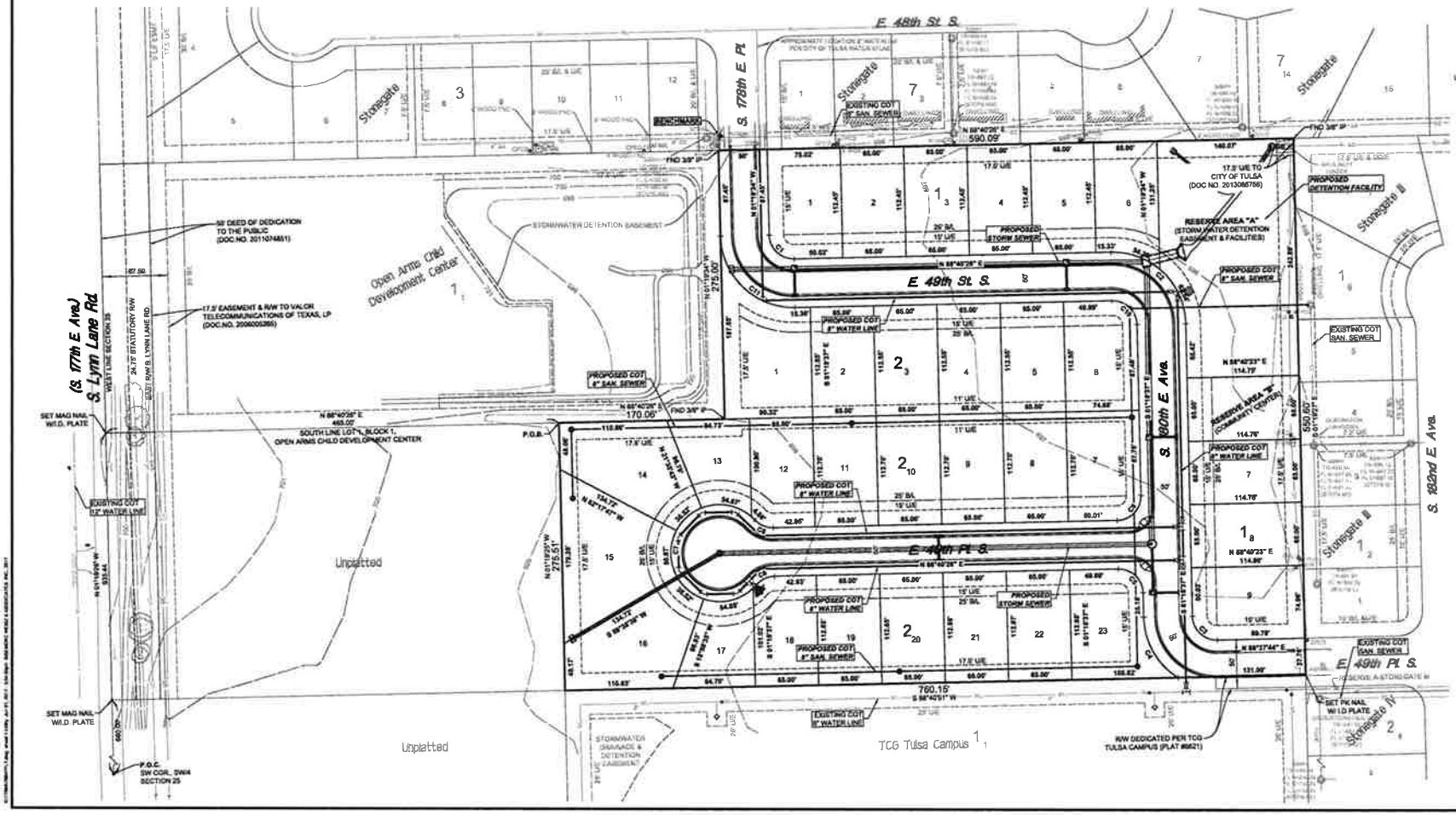
Phone: (918) 665-3600
E-mail: gweisz@sw-assoc.com

SCALE: 1"=50'

Location Map
SCALE: 1"=2000'



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- L.P. ESMT. = LANDSCAPE & FENCE EASEMENT
- ODR = OVERLAND DRAINAGE EASEMENT
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
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Monumentation:

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FINAL PLAT
ENDORSEMENT OF APPROVAL

Tulsa Metropolitan Area Planning Commission
Approval Date _____

_____ TMAPC/INCOG

_____ CITY ENGINEER

Council of the City of Tulsa, Oklahoma
Approval Date _____

_____ CHAIRMAN

_____ MAYOR

_____ ATTEST: CITY CLERK

_____ CITY ATTORNEY

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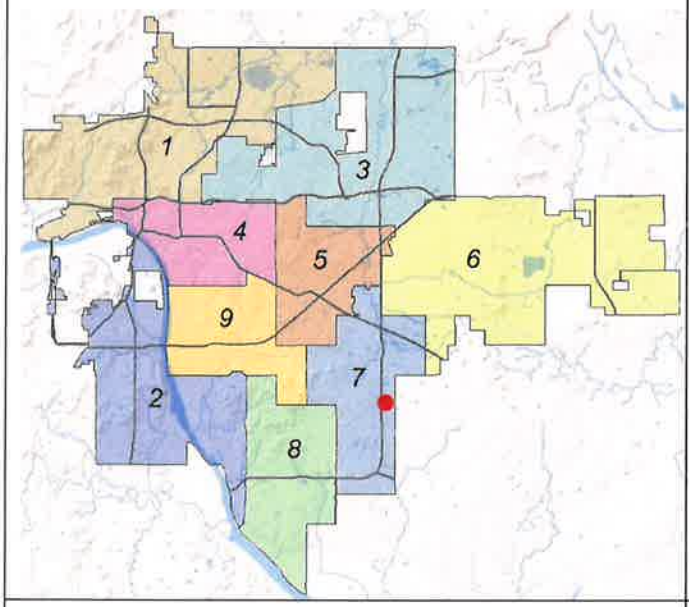
Preliminary Plat
Stonegate V
Sheet 1 of 2
Date Prepared: May 19, 2017

12.9

TMAPC Tulsa Metropolitan Area Planning Commission	**Case :** **Eastside Market III** **Hearing Date: July 5, 2017**
Case Report Prepared by: Nathan Foster	**Owner and Applicant Information:** *Applicant*: Judd Mullinix *Owner*: Target Corporation
Location Map: **(shown with City Council Districts)**  	**Applicant Proposal:** Preliminary Subdivision Plat 2 lots, 1 block, 14.86± acres *Location*: Northeast corner of East 71st Street South and Highway 169 *Proposed Use*: Commercial
Zoning: CO (Corridor District)/PUD-601	**Staff Recommendation:** Staff recommends **approval** of the Preliminary Plat
	City Council District: 7 *Councilor Name*: Anna America **County Commission District: 3** *Commissioner Name:* Ron Peters

EXHIBITS: Site Map, Aerial, Land Use, Growth & Stability, Preliminary Plat, Conceptual Improvements Plan

PRELIMINARY SUBDIVISION PLAT

Eastside Market III - (CD 7)
Northeast corner of East 71st Street South and Highway 169

This plat consists of 2 lots, 1 block on 14.865± acres.

The Technical Advisory Committee (TAC) met on June 15, 2017 and provided the following conditions:

1. **Zoning:** The property is zoned CO (Corridor District) with an approved Planned Unit Development (PUD-601). Site plan approval has been given for the existing retail store and the newly proposed fast food restaurant to be located on Lot 2.

2. **Addressing:** No comments.

3. **Transportation & Traffic:** Provide mutual access easement for Lot 2 and provide dimensions on the face of the plat.

4. **Sewer:** Perimeter utility easements are recommended at width of 17.5'. Provide 17.5' or approval from the City of Tulsa for lesser widths.

5. **Water:** Provide a water service line easement from the 20' existing waterline easement to Lot 2 Block 1.

6. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Label the plat location in the location map as "Site" or "Project Location". Ensure CA number is valid at time of final plat. CA number for both engineer and surveyor on preliminary plat expires June 30, 2017. Provide metes and bounds legal description for the plat. Graphically label the point of beginning (POB) and point of commencement (POC). City of Tulsa Engineering Services prefers to see the plat tied to a section corner, half-section, or quarter-section.

7. **Fire:** No comments.

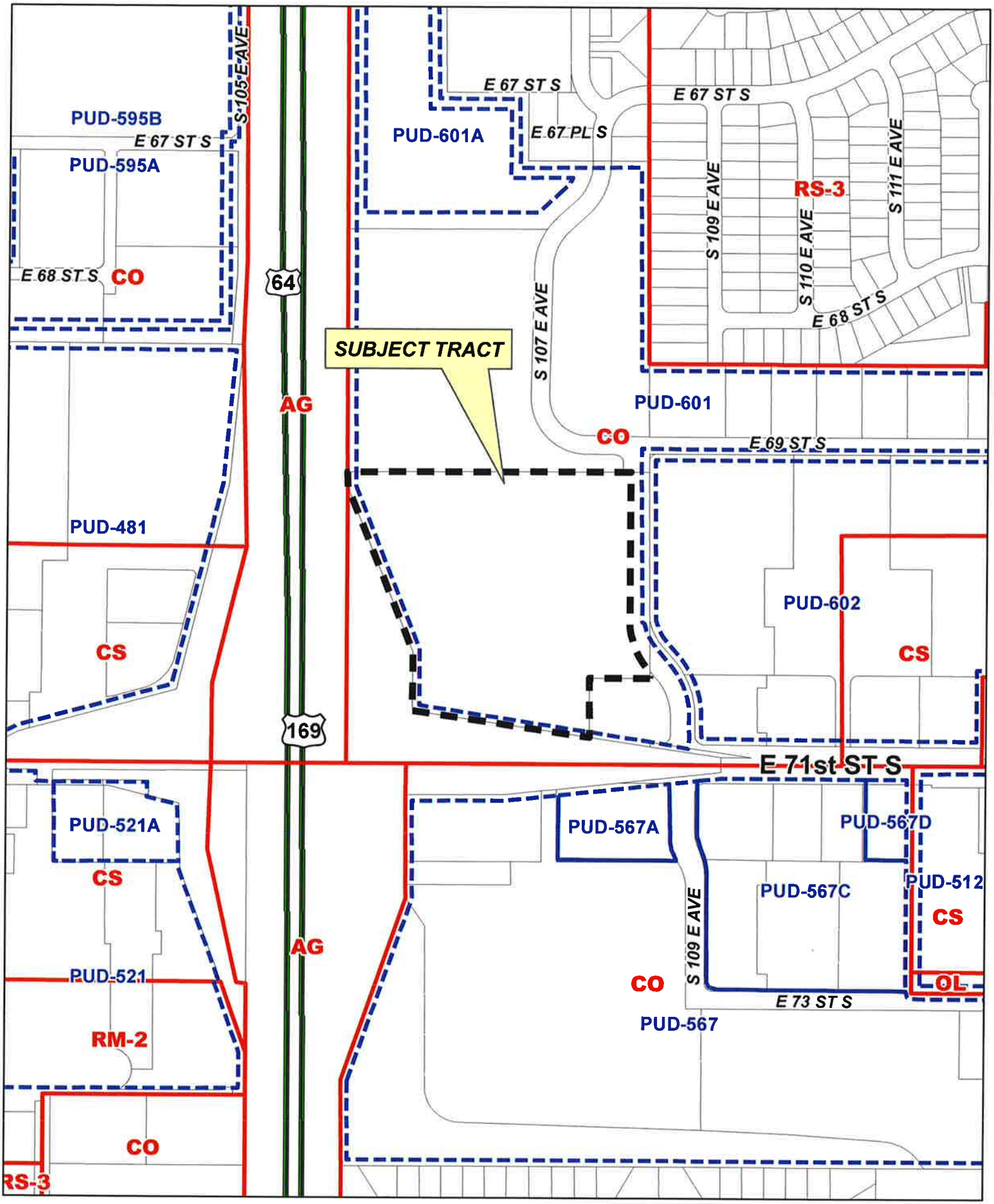
8. **Stormwater, Drainage, & Floodplain:** Clearly identify all public and private storm sewer systems and provide appropriate easements.

9. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Waivers of Subdivision Regulations:

1. None Requested

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.



Feet
0 200 400

EASTSIDE MARKET III

18-14 06

13.4

N

Feet
0 200 400

Subject Tract

EASTSIDE MARKET III

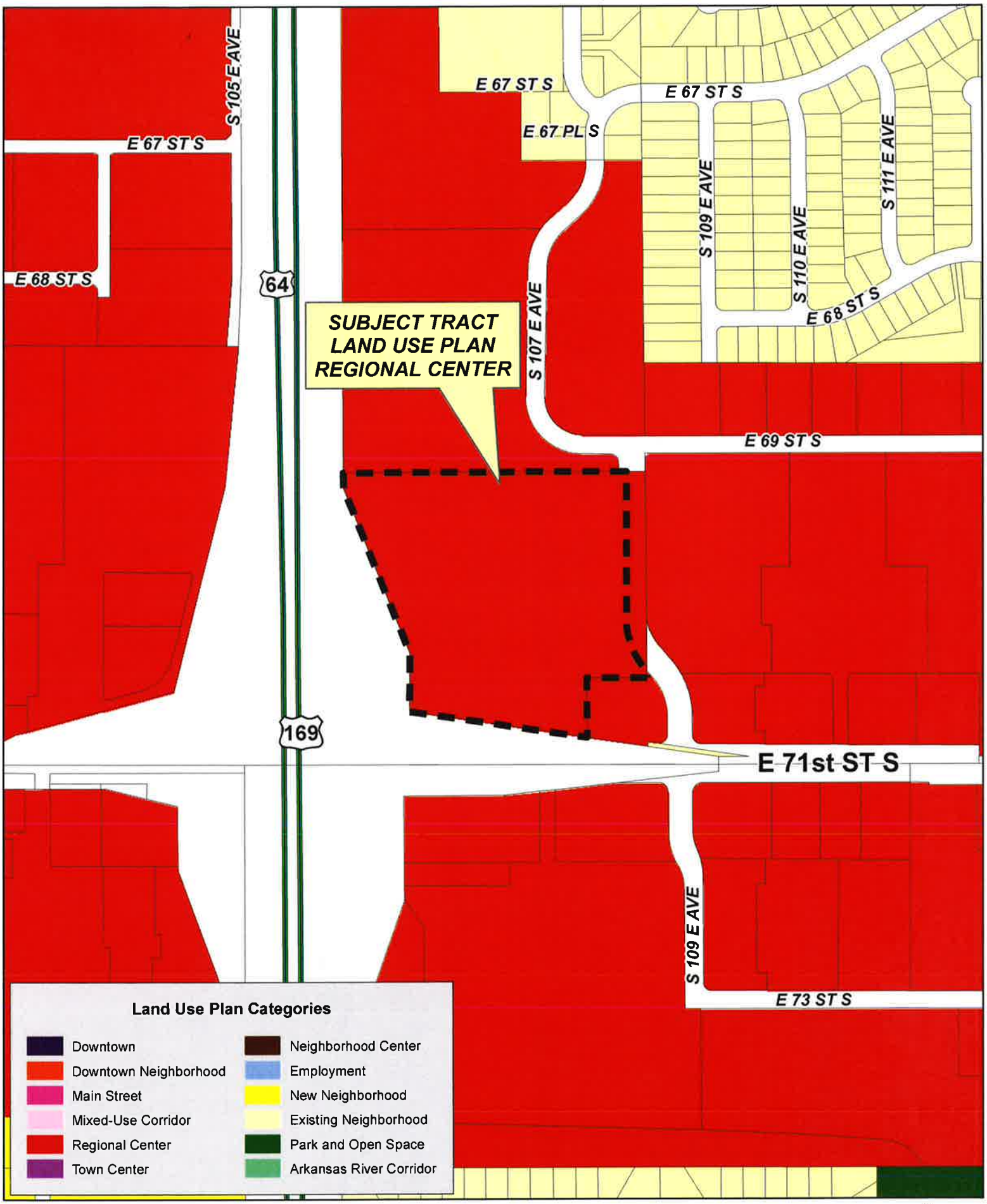
18-14 06

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

N

13.5



Feet
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EASTSIDE MARKET III

18-14 06

13.6

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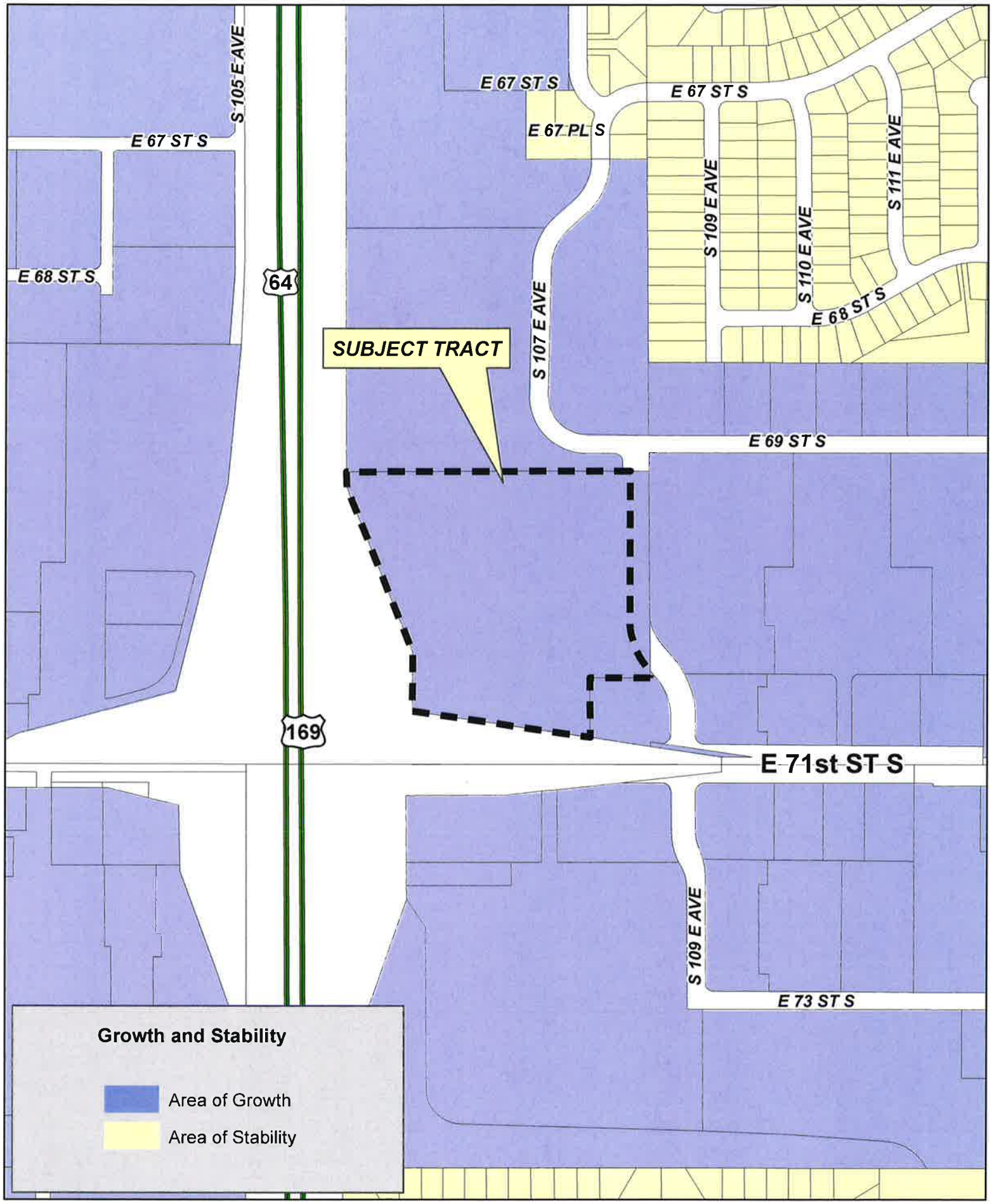


Feet
0 200 400

EASTSIDE MARKET III

18-14 06

13.7

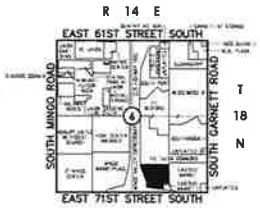
N

Preliminary Plat

PUD-601

Eastside Market III

PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW/4 SE/4) OF SECTION SIX (6)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST, A RESUBDIVISION OF LOT ONE (1), BLOCK ONE (1)
"EASTSIDE MARKET II", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA



Location Map

NORTH

Scale: 1" = 40'
Tanner Consulting

LEGEND

B/L	BUILDING LINE
BK PG	BOOK & PAGE
CB	CHORD BEARING
CD	CHORD DISTANCE
CL	CENTERLINE
Δ	DELTA ANGLE
DOC	DOCUMENT
EMT	EASEMENT
IPFYC	IRON PIN FOUND YELLOW CAP
IPSYC	IRON PIN SET YELLOW CAP
LNA	LIMITS OF NO ACCESS
PKNS	PK NAIL SET
R/W	RIGHT-OF-WAY
SEP INSTR	SEPARATE INSTRUMENT
U/E	UTILITY EASEMENT
9999	ADDRESS

SUBDIVISION CONTAINS:

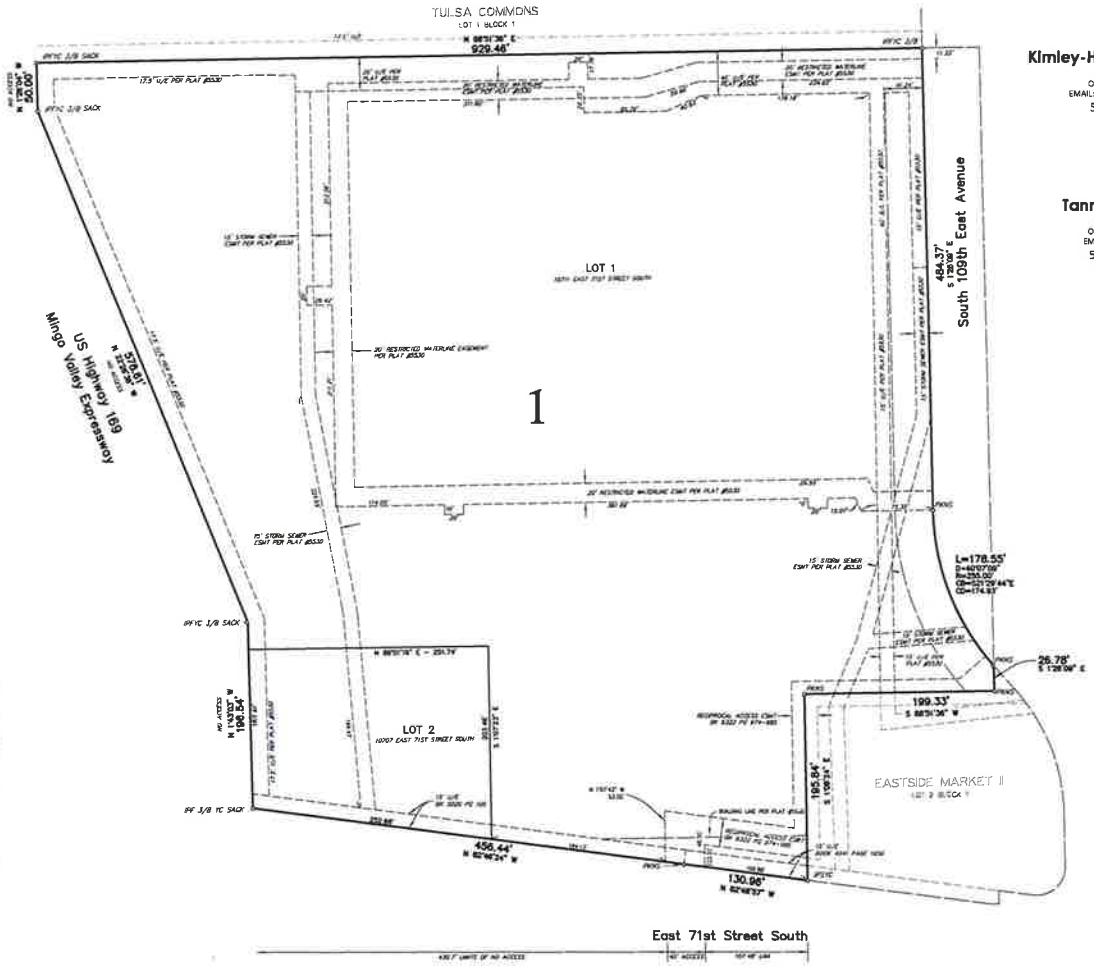
TWO (2) LOTS
IN ONE (1) BLOCK

GROSS SUBDIVISION AREA: 14.863 ACRES

Notes:

1. THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
2. ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER RLS 1435" UNLESS OTHERWISE NOTED.
3. THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
   (a) 3/8" IRON PIN WITH YELLOW PLASTIC CAP MARKED SACK FOUND AT THE NORTHWEST CORNER OF LOT 1, BLOCK 1, "EASTSIDE MARKET II";
   (b) 3/8" IRON PIN NORTHEAST CORNER OF LOT 1, BLOCK 1, "EASTSIDE MARKET II";
   THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 88°53'26" WEST.
4. ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
5. ACCESS AT THE TIME OF PLAT WAS PROVIDED BY EAST 71ST STREET SOUTH BY VIRTUE OF ACCESS EASEMENT GRANTED BY THIS PLAT.

DATE OF PREPARATION: May 24, 2017



OWNER:
Target Corporation
Attn: Property Administration
1000 Nicollet Mall
Minneapolis, MN 55403
Phone: (612) 761-4880

ENGINEER:
Kimley-Horn and Associates, Inc.
LAUREN NUFFER, P.E. NO. 29615
OK CA NO. 2740, EXPIRES 6/30/2017
EMAIL: LAUREN.NUFFER@KIMLEY-HORN.COM
5750 Genisis Ct., Ste. 200
Frisco, TX 75034
Phone: (972) 335-3580

SURVEYOR
Tanner Consulting, L.L.C.
DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2017
EMAIL: DAN@TANNERBATSHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929

FINAL PLAT
ENDORSEMENT OF APPROVAL

Tulsa Metropolitan Area Planning Commission

Approval Date:_____

TMAPC/INCOG

CITY ENGINEER

Council of the City of Tulsa, Oklahoma

Approval Date:_____

CHAIRMAN

MAYOR

ATTEST: CITY CLERK

CITY ATTORNEY

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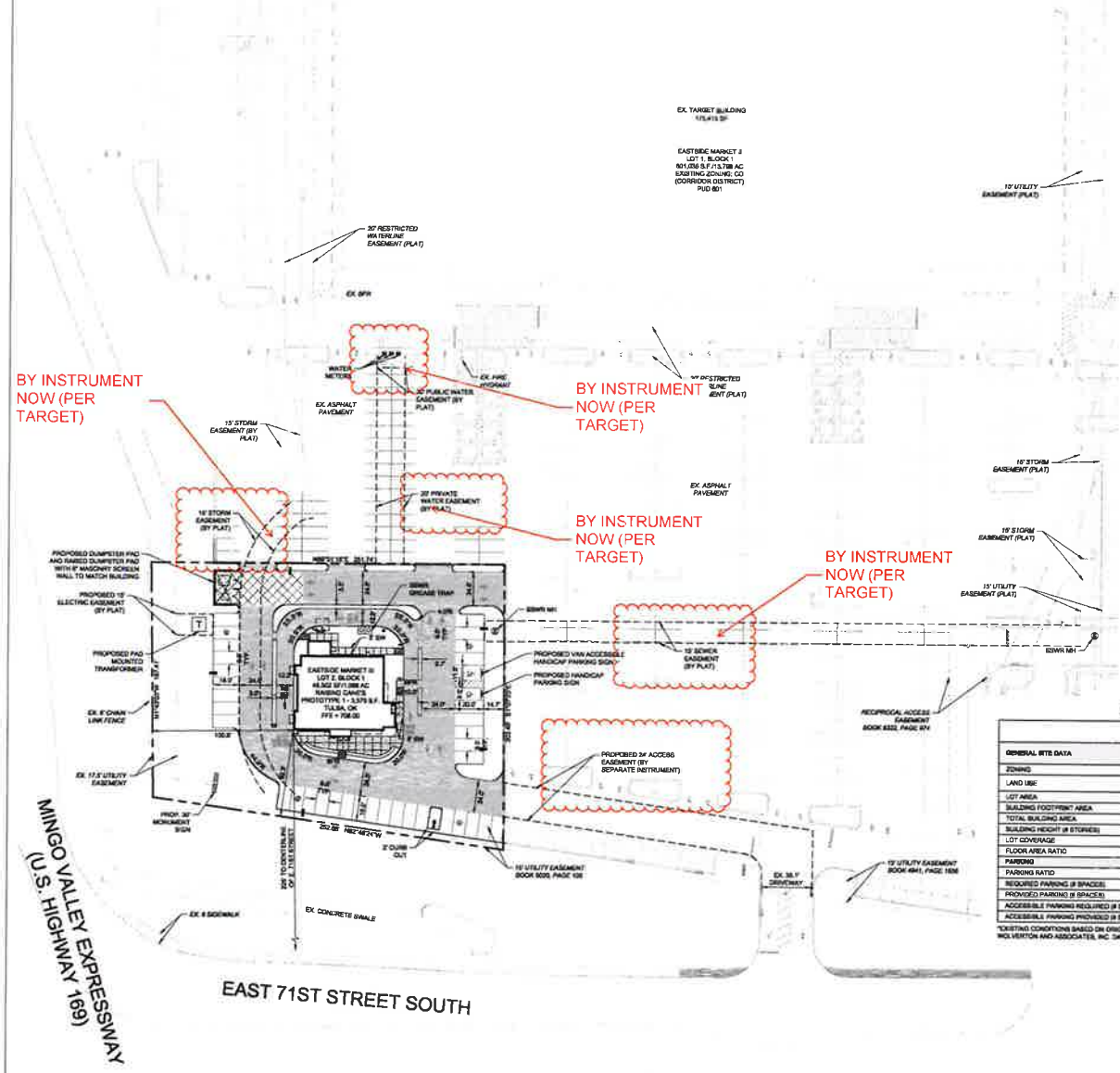
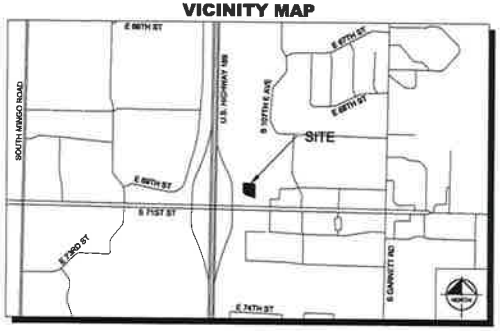


N

GRAPHIC SCALE IN FEET

1" = 40' @ 22X34

VICINITY MAP



DIMENSION NOTES

1. ALL CURB RADII ARE TO BE 10' OR 2' UNLESS OTHERWISE NOTED.
2. ALL DIMENSIONS ARE TO FACE OF CURB UNLESS OTHERWISE NOTED.
3. ALL CURBS SHALL BE 6" STANDARD EXCEPT WHERE OTHERWISE NOTED ON PLANS
4. REFERENCE LANDSCAPE PLANS FOR PROPOSED BUFFERS, SCREENING, AND PLANTING.

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- PROPOSED CONCRETE CURB
- EXISTING CURB
- (11) PROPOSED PARKING COUNT
- 2" ASPHALT PAVING
- 5" STANDARD DUTY CONCRETE PAVEMENT
- 6" MEDIUM DUTY CONCRETE PAVEMENT
- 7" HEAVY DUTY CONCRETE PAVEMENT
- STANDARD DUTY CONCRETE FOR SIDEWALKS

SITE DATA SUMMARY TABLE

GENERAL SITE DATA	EASTSIDE MARKET II LOT 2, BLOCK 1 RAISING CANE'S	EASTSIDE MARKET II LOT 1, BLOCK 1 PROPOSED TOTAL LOT LOT 1, BLOCK 1	EASTSIDE MARKET II LOT 1, BLOCK 1 EXISTING TOTAL LOT* LOT 1, BLOCK 1
ZONING	CO - COMMERCIAL CORRIDOR / PUD 801		
LAND USE	RESTAURANT W/ DRIVE THRU	RETAIL	RETAIL
LOT AREA	46,302 SF/1.07 AC	801,036 SF/18.40 AC	847,338 SF/19.47 AC
BUILDING FOOTPRINT AREA	3,575 SF	173,484 SF	173,484 SF
TOTAL BUILDING AREA	3,575 SF	172,484 SF	173,484 SF
BUILDING HEIGHT (# STORIES)	[illegible]	36' MAX (1 STORY)	36' MAX (1 STORY)
LOT COVERAGE	7.7%	20.8%	20.8%
FLOOR AREA RATIO	0.08 : 1	0.29 : 1	0.27 : 1
PARKING			
PARKING RATIO	6.5 SPACES / 1000 GFA	3.33 SPACES / 1000 SF	1 SPACE / 225 SF
REQUIRED PARKING (# SPACES)	24	578	772
PROVIDED PARKING (# SPACES)	37	753	850
ACCESSIBLE PARKING REQUIRED (# SPACES)	2	18	18
ACCESSIBLE PARKING PROVIDED (# SPACES)	1 REGULAR & 1 VAN	20	20

*EXISTING CONDITIONS BASED ON ORIGINAL SITE REQUIREMENTS FROM CITY OF TULSA ZONING CODE AND CITY APPROVED SITE PLAN BY WOLVERTON AND ASSOCIATES, INC. DATED 06-17-2021

DEVELOPER
RAISING CANES RESTAURANT, LLC
6800 BISHOP ROAD
PLANO, TX 75024
PH: 972-769-3348
CONTACT: ROBERT MONTGOMERY

ARCHITECT
CSRS, INC.
6767 PERKINS ROAD
SUITE 200
BATON ROUGE, LA 70808
PH. 225-761-3568
CONTACT: BURTON PERKINS

ENGINEER
Kimley»Horn
5750 GENESIS COURT
SUITE 200
FRISCO, TEXAS 75034
PH. (972) 335-3580
CONTACT: LAUREN NUFFER, P.E.
STATE OF OKLAHOMA
REGISTRATION NO. CA-2740

Raising Cane's Chicken Fingers
Restaurant Support Office
6800 Bishop Road, Plano, TX 75024
Tele: 972-769-3100 Fax: 972-769-3101

Prototype Issue Date:

Store:
RAISING CANE'S
10701 E. 71ST STREET
TULSA, OK 74133
Prototype 1
Store #270

Professional of Record:

Kimley»Horn

Engineer's Information:
Kimley»Horn
5750 GENESIS COURT, SUITE 200, FRISCO, TX 75034
PHONE: 972-335-3580 FAX: 972-335-3779
WWW.KIMLEY-HORN.COM
OKLAHOMA REGISTERED ENGINEERING FIRM CA-2740

Architect's Information:
CSRS
IMAGINE SHAPE DELIVER
6767 Perkins Road Suite 200 Baton Rouge, LA 70808
Telephone: 225 769-0546 Fax: 225 767-0060
www.csrsonline.com

Set Control Information: (ARCH use only)

#	Date	Description

TARGET SUBMITTAL

Sheet Revisions: (sheet specific per Designer)

#	Date	Description

Sheet Title:
INCOG SITE PLAN

IDP #
Date:
Project Number:
Drawn By:
Checked By:

Sheet Number:
GE03

13.9

TMAPC

Tulsa Metropolitan Area Planning Commission

Case Number: Z-7386
With optional development plan

Hearing Date: July 5, 2017
Previously heard at Planning Commission 5.3.2017 without optional development plan. Planning commission recommended approval with 8.0.0 vote.

Case Report Prepared by:

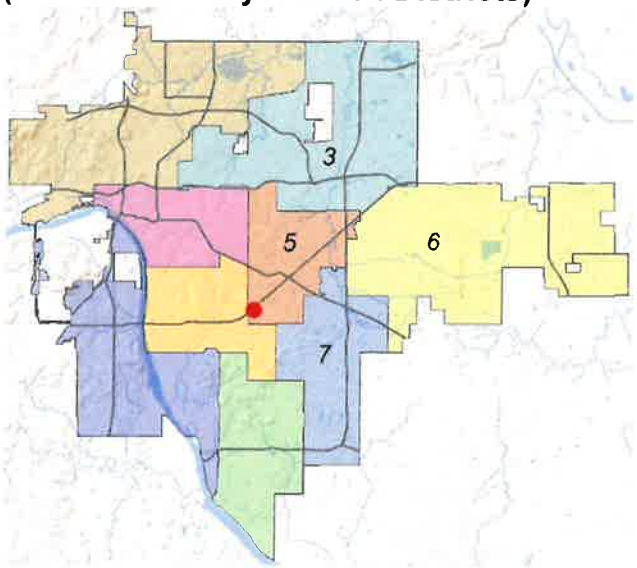
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Stuart Van De Wiele

Property Owner: FAVESTMENTS LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Self-storage

Concept summary: CH zoning required for required for the multi story climate controlled self storage facility being proposed for the site. The City Council requested an optional development plan. This submittal is intended to satisfy development concerns.

Tract Size: 1.43 ± acres

Location: 5154 E. Skelly Dr. S.

Zoning:

Existing Zoning: CG

Proposed Zoning: CH with optional development plan

Comprehensive Plan:

Land Use Map: Town Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval

Staff Data:

TRS: 9327
CZM: 48 Atlas: 384

City Council District: 5
Councilor Name: Karen Gilbert
County Commission District: 3
Commissioner Name: Ron Peters

14.1

SECTION I: Z-7386

DEVELOPMENT CONCEPT:

The Subject Property is located at 5154 East Skelly Drive and is currently zoned CG. On May 3, 2017, the Tulsa Metropolitan Area Planning Commission (the "TMAPC") voted 8-0-0 to recommend approval of a straight rezoning to CH. Subsequent to the original TMAPC hearing, the applicant met with both neighboring property owners and nearby residents. The applicant is presenting this Optional Development Plan for recommendation of approval by the TMAPC in order to formalize some of the more relevant design standards that were discussed at the May 3, 2017 TMAPC meeting as well as the subsequent neighborhood meeting. The Optional Development Plan is proposed to provide guidance and limitation on future development on the Subject Property and to lessen the perceived or potential impact of future development on adjacent and nearby commercial and residential areas.

The applicant plans to acquire the Subject Property to develop and construct a multi-story storage facility thereon (a conceptual rendering of which is shown below). The planned development will entail the construction of the self-storage facility featuring an enclosed climate-controlled storage building professionally designed and managed to provide clean and safe storage solutions. Use of the Subject Property as a self-storage facility is compatible not only with the existing CG zoning and the land use of the surrounding property, but also with the requested and pending CH zoning. The requested rezoning is required only to accommodate the size of the facility.

EXHIBITS:

INCOG Case map
INCOG Aerial (small scale)
INCOG Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
Tulsa Comprehensive Plan Areas of Stability and Growth Map
Applicant Exhibits:
None included

SECTION II: Optional Development Plan Standards
(Note: This optional development plan does not restrict any permitted uses in a CH zoning District)

A) Building Setbacks.

Building Setbacks (Southwesterly Property Line). To the extent the Subject Property is used primarily as a self-storage facility, the principal structure shall be constructed no closer than twenty feet (20') from the Southwesterly property line of the Subject Property. For purposes of clarity, the twenty foot (20') setback shall apply only to the principal structure and shall not apply to utilities, landscaping, lighting, drive aisles, parking areas, or fencing.

Other Setbacks. The remaining building setbacks shall be in accordance with the Tulsa Zoning Code.

B) Height Limitations. The maximum building height on any principal structure used for self-storage purposes on the Subject Property shall be three (3) stories.

C) Landscaping. To the extent the Subject Property is used primarily as a self-storage facility, the following standards shall apply in respect of landscaping:

Southwesterly Property Line. The Subject Property shall maintain not less than ten (10) trees located near or along the Southwesterly property line which shall have not less than a two inch (2") trunk diameter at the time of initial planting. The location of the trees described above shall be determined during Landscape Plan Review.

Other Landscaping Areas. The remainder of the Subject Property shall be landscaped in accordance with the Tulsa Zoning Code.

D) HVAC Equipment. To the extent the Subject Property is used primarily as a self-storage facility, the HVAC equipment shall not be located on the roof of the principal structure.

E) Overhead doors. To the extent the Subject Property is used primarily as a self-storage facility, overhead doors for vehicular access of any kind are prohibited along any wall facing the existing office tower adjacent to the southwest property line.

DETAILED STAFF RECOMMENDATION:

Z-7386 requesting CH zoning with is consistent with the land use vision of the comprehensive plan and,

Uses permitted by right in the CH zoning are considered non injurious to the surrounding property and,

CH zoning is primarily intended to accommodate high intensity commercial and related uses primarily in the core area of the City and encourage use of properties and existing buildings along older commercial corridors therefore,

Staff recommends Approval of Z-7386 to rezone property from CG to CH with the provisions of the optional development plan as defined in Section II above.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: CH zoning is consistent with the multi story vision supported in the Town Center Land Use designation and is adjacent to a multi story office building. The proposed self storage facility is a service use adjacent to I-44 and is not necessarily a use that is part of a pedestrian oriented center recognized in the Town Center land use designation. The storage facility is compatible with the automobile oriented development surrounding the property.

Land Use Vision:

Land Use Plan map designation: Town Center

Town Centers are medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

Areas of Stability and Growth designation: Area of Growth

The purpose of an Area of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are in close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

Transportation Vision:

Major Street and Highway Plan: East Skelly Drive and East 46th Street South are both Residential Collectors

Trail System Master Plan Considerations: East Skelly Drive and East 46th Street South are both part of the Tulsa North /South Linkage on-street trails system.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site previously contained a commercial use, however the structure has been removed. Parking area paving for the previous use remains on site as well as an existing billboard.

Environmental Considerations: None

Streets:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East Skelly Drive	Residential Collector	60 Feet	2
East 46th Street South	Residential Collector	60 Feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-2	N/A (I-44)	N/A (I-44)	I-44
South	OMH/SR	Town Center	Growth	Office/Church
East	CG/SR/OMH	Town Center	Growth	Bank/Church
West	RS-2/OMH	Town Center	Growth	Office/I-44

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 12926 dated August 29, 1973, established zoning for the subject property.

Subject Property:

BOA-21058 April 13, 2010: The Board of Adjustment **accepted** a *Verification of the spacing* requirement for an outdoor advertising sign of 1,200 ft. from another outdoor advertising sign on the same side of the highway (Section 1221.F.2) and a Verification of the spacing requirement for a digital outdoor advertising sign of 1,200 ft. from any other digital outdoor advertising sign facing the same traveled way, on property located at 5154 E. Skelly Dr., and is also known as the subject property.

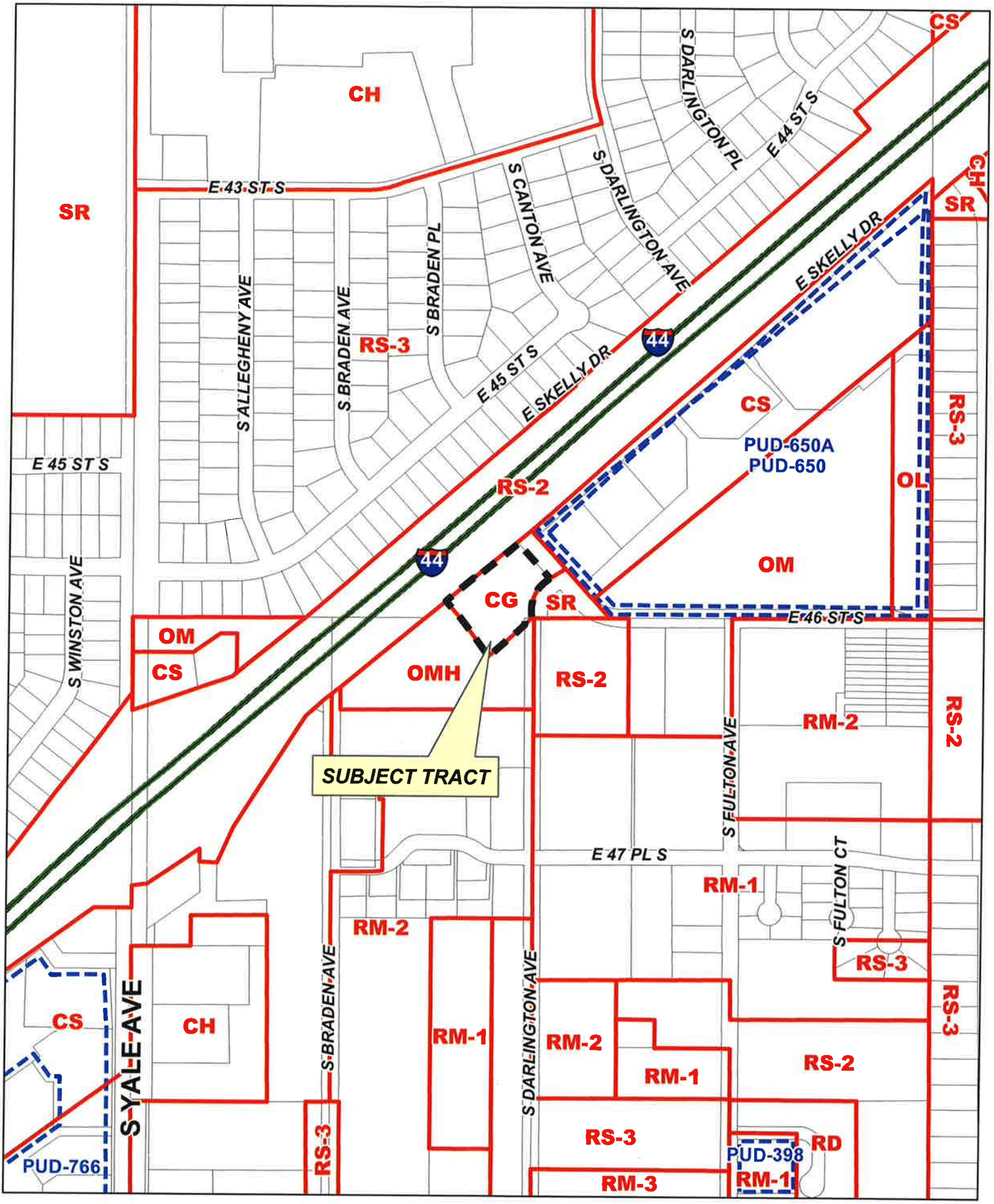
Z-4460 August 1973: All concurred in approval of a request for rezoning a tract of land from IR (SR) to CG, for commercial use, on property located at 5154 E. Skelly Dr., and is also known as the subject property.

Surrounding Property:

PUD-650-A March 2006: Staff and TMAPC recommended denial, however City Council **approved** a proposed *Major Amendment to PUD*-650, to open E. 46th St. as a through street between Darlington Ave. and Fulton Ave., providing that the circular turnaround or cul-de-sac on E. 46th St. S. immediately west of S. Fulton Ave. shall be removed and eastbound and westbound access on E. 46th St. between S. Hudson Ave. at E. 46th St. and E. Skelly Dre shall be restored and reconfigured, using a traffic chicane as presented to the City Council and recommended by the City of Tulsa Traffic Operations Division of the public Works and Development Department, on property located at E. 46th St., between S. Darlington Ave. and S. Fulton Ave.

Z-6814/PUD-650 October 2001: Staff recommended denial of a request to rezone the adjacent Midtown Village property from OM, OL and SR to CS; staff also recommended denial of the accompanying PUD that proposed a retail development on the property. TMAPC and City Council **approved** the request for the *rezoning* for CS zoning on the northwest 300' that fronts the Skelly By-pass frontage road. The OM and OL remained unchanged. TMAPC and City Council **approved** the *Planned Unit Development* subject to conditions as recommended by staff.

Z-6382 December 1992: All concurred in **approval** of a request for *rezoning* a 1± acre tract, from RM-1 to OM, located west of the southwest corner of E. 46th St. and S. Fulton Ave.



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Subject Tract

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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2010

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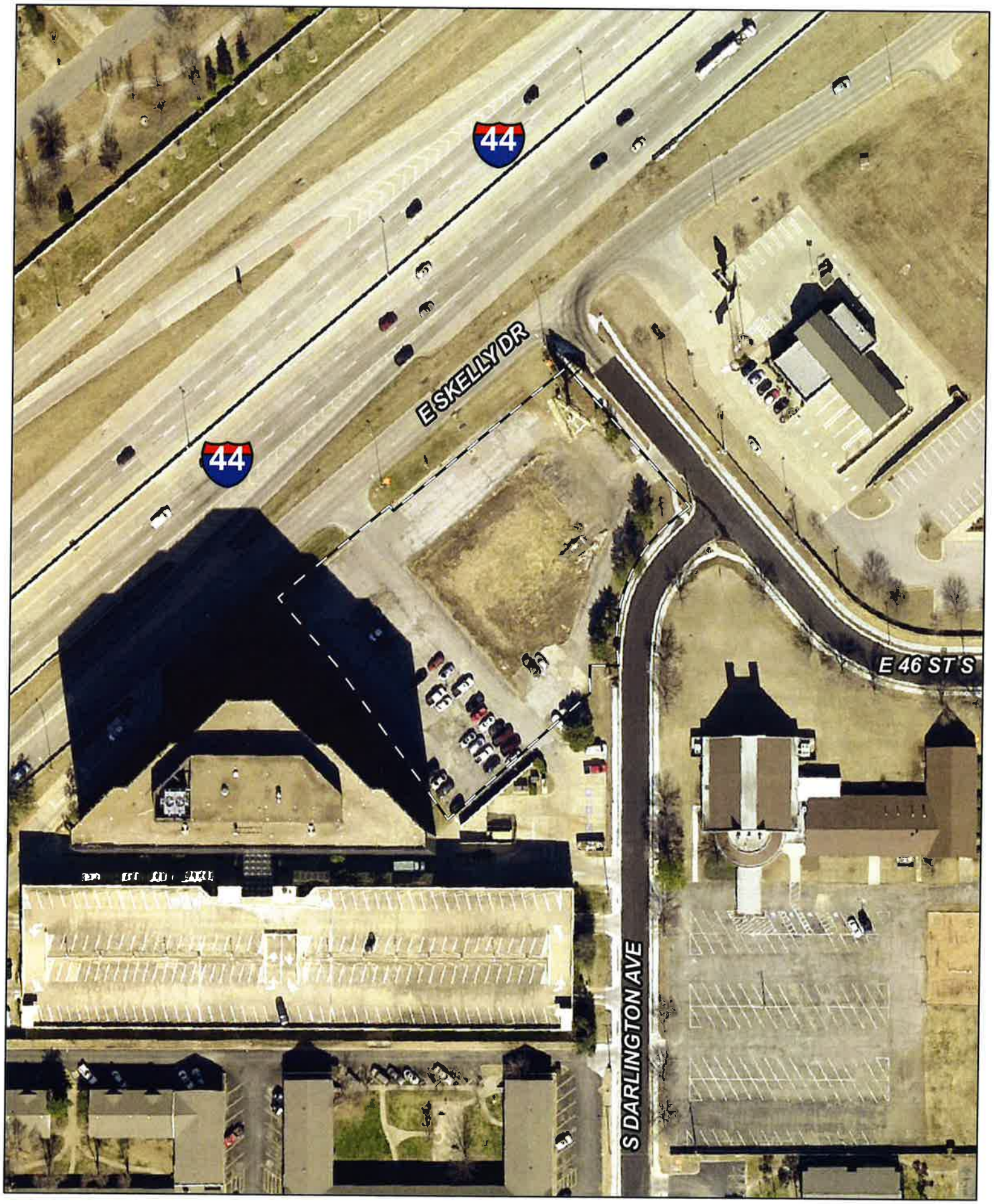

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Note: Graphic overlays may not precisely align with physical features on the ground

Aerial Photo Date: February 2016

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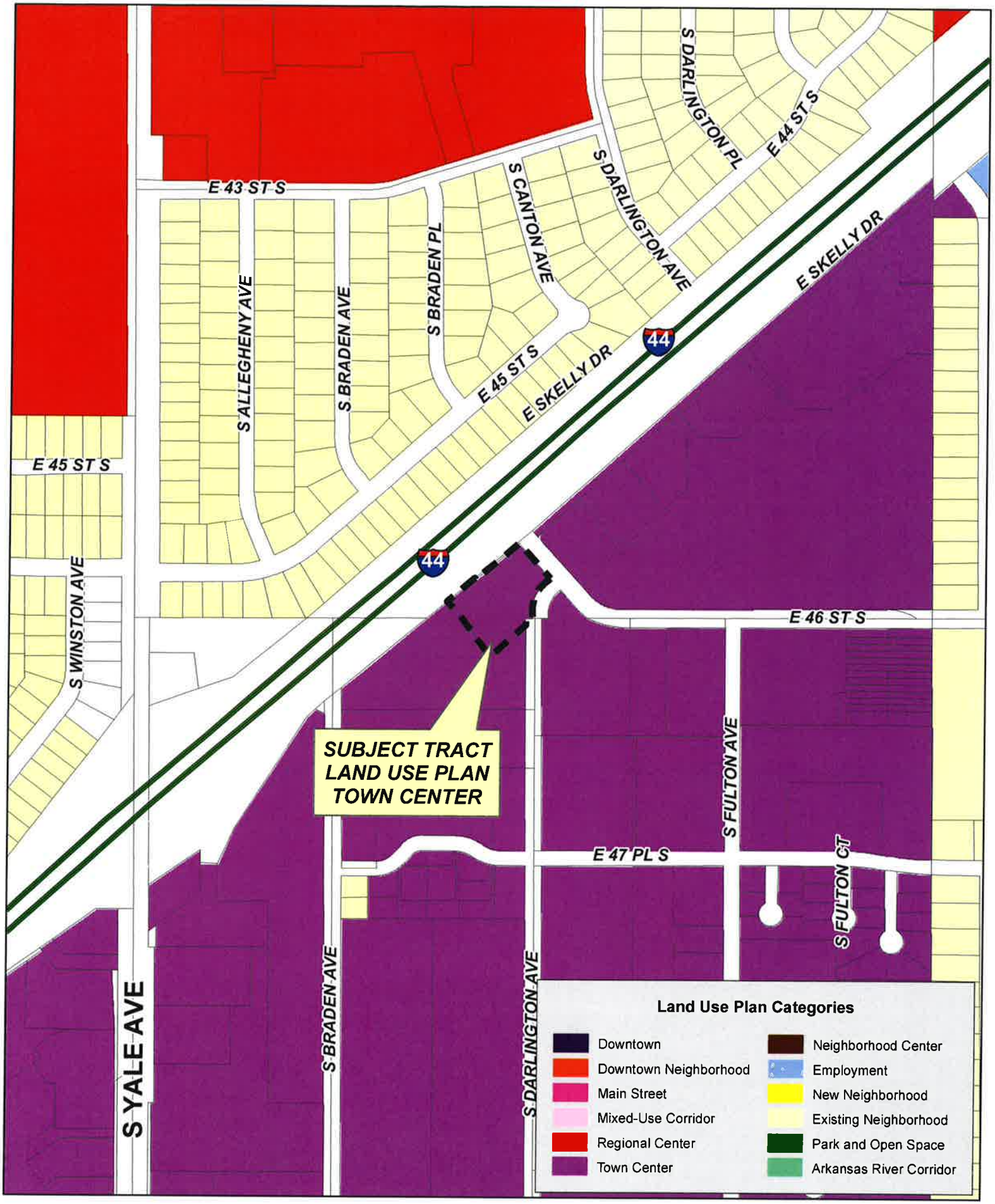

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Sawyer, Kim

Continuance
Z-7393

From: Wilkerson, Dwayne
Sent: Thursday, June 22, 2017 3:18 PM
To: Nathan Cross; Hoyt, Jay; Sawyer, Kim; Miller, Susan
Cc: annaamerica@tulsacouncil.org; Paul Brown; Johnnie Morland; Baugher, Mayo
Subject: RE: Z-7393 - Request for Continuance

Nathan,

Thanks for your written request for a continuance to the 8.2.2017 agenda.

Kim,

Please forward the applicants request for a continuance for this item to the Planning Commission. Staff supports the request.

Respectfully

INCOG
C. Dwayne Wilkerson
Assistant Director Land Development Services

2 West Second Street
Suite 800
Tulsa, OK 74103

918-579-9475
dwilkerson@incog.org

Celebrating 50 Years of Service to the Tulsa Region

From: Nathan Cross [mailto:ncross@riggsabney.com]
Sent: Thursday, June 22, 2017 2:13 PM
To: Wilkerson, Dwayne; Hoyt, Jay
Cc: annaamerica@tulsacouncil.org; Paul Brown; Johnnie Morland; Baugher, Mayo
Subject: Z-7393 - Request for Continuance

Dwayne/Jay –

Based on our need to further discuss our plans with the neighbors and Councilor America, my clients request that our application be continued from the 7/5/17 agenda to the 8/2/17 agenda.

Please do not hesitate to contact me with questions or concerns.

Nathan

Nathan Cross | ncross@riggsabney.com
Attorney
RIGGS ABNEY
NEAL TURPEN ORBISON LEWIS

15.1

TMAPC

Tulsa Metropolitan Area Planning Commission

Case Number: Z-7398
Includes an optional development plan
(Related to Z-7398 Plat Waiver and LS-21020)

Hearing Date: July 5, 2017

Case Report Prepared by:

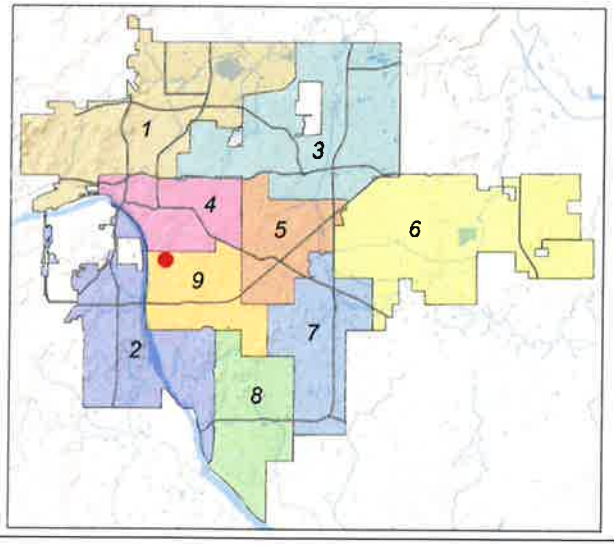
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Dale Williams

Property Owner: 34 PEORIA LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant/ parking

Proposed Use: Office and residential use

Concept summary: Rezoning for anticipated CH zoning district with optional development plan that primarily supports a single family residential lot and anticipated office building.

Tract Size: 0.51 ± acres

Location: East of northeast corner of E. 34th St. and S. Peoria Ave.

Zoning:

Existing Zoning: RS-3/PK

Proposed Zoning: CH with an optional development plan on Lot 11.

Comprehensive Plan:

Land Use Map: Main Street

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval of CH with or without the optional development plan. CH zoning is consistent with the anticipated land use designation in the Tulsa Comprehensive Plan and Brookside Infill Design Guidelines plan.

Staff Data:

TRS: 9319
CZM: 47 Atlas: 189

City Council District: 9

Councilor Name: Ben Kimbro

County Commission District: 2

Commissioner Name: Karen Keith

16.1

SECTION I: Z-7398

DEVELOPMENT CONCEPT:
The applicant intends to construct a single family home on the eastern portion of lot 11 and construct an office building on the western portion of lot 11. Both structures will orient to the street with parking in back interior court yard. This development layout creates a buffer between the commercial uses to the west and single family to the east in a way that is consistent with the Brookside Infill plan. This development plan is consistent with aspects of the infill plan identified in the in attached Appendix O.

Applicant's Request for Rezoning:
A change to CH zoning is being requested, however to meet with the guidelines outlined in the Brookside Infill Neighborhood Plan the applicant has elected to impose additional restrictions in the Oliver Addition Lot 11 Block 1 property through an Optional Development Plan.

EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
  - ALTA Survey
  - Brookside Infill Neighborhood Plan Appendix

DETAILED STAFF RECOMMENDATION:

SECTION II: Optional Development Plan Provisions

Use Categories not listed are prohibited. Z-7398 will conform to the provisions of the Tulsa Zoning Code for development in a CH district and its supplemental regulations except as further refined below.

Oliver Addition Lot 11 Block 1

A) Permitted Uses: (Use Categories, Subcategories and Specific uses as defined below)

- Residential Use
  - Household living
    - Detached House
      - Shall be allowed only after approval of a special exception by the Board of Adjustment. Note: No additional modification to the optional development plan will be required after approval of a special exception at the Board of Adjustment.
    - Townhouse
- Financial Services Use Category (excludes personal credit establishment)
- Lodging (Excluding campgrounds and RV parks)
- Office
  - Business or professional office
  - Medical, dental or health practitioner
- Parking, Non–accessory
- Studio, Artist or Instructional Service

16.2

Signage:

1) Except as prohibited below, all signage shall conform to the signage standards allowed in Office Zoning Districts..
    a. Wall signs are prohibited on the East and North side of any building.
    b. Dynamic displays are prohibited.

Lighting:

1) All light fixtures affixed to any structure within 25 feet of the R district to the east shall be mounted at a maximum height of 12 feet or less from the ground level and shall be pointed down and away from adjacent property lines.
2) No pole lighting will be allowed on the east half of said Lot 11.

Landscape and Screening:

The east property line shall be screened with a brick column fence similar to the standards identified in the Brookside Infill plan however the details of the fence will be approved as part of the required Landscape Plan for the optional development plan or as modified in the Alternative Compliance Landscape Plan.

Additional Design Standards:

1) Maximum building height shall not exceed 45 feet.
2) Minimum building setbacks from the front, side and rear yards shall be 5 feet from the property line. An exception for accessory buildings in the rear yard which shall have minimum set back from the property lines of 3 feet.
3) Developer will include a new sidewalk along 34th Street prior to receipt of any occupancy permit to help improve walkability of the Brookside area.

Staff recommends Approval of Z-7398 to rezone property from RS-3/PK to CH with an optional development plan.

Z-7398 requests a zoning change on the property from PK/RS-3 to CH with an optional development plan. The request is consistent with the Main Street land use designation of the Tulsa Comprehensive Plan and,

CH zoning with the optional development plan is consistent with the anticipated development pattern identified in the Brookside Infill Plan.

CH zoning with the optional development plan standards included in Section II is considered non injurious to the proximate properties therefore,

Staff recommends **Approval** of Z-7398 to rezone property from PK/RS-3 to CH with the optional development plan standards identified in Section II.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The requested zoning with the optional development plan is consistent with the Land Use Map of the Tulsa Comprehensive plan and is also consistent with the anticipated land use development identified in the Brookside Infill Design Guidelines.

Land Use Plan map designation: Main Street

Main Streets are 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.

Areas of Stability and Growth designation: Area of Growth
The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile."

Transportation Vision:

Major Street and Highway Plan: None that will be affected by the zoning change

Trail System Master Plan Considerations: None that will be affected by the requested zoning change.

Small Area Plan: Brookside Infill Plan (Crow Creek sub area)
The Crow Creek sub area recognizes this area as part of a village marketplace. It includes service, shopping, dining, entertainment, office, professional and other trades and activities. Preserving this mixture of use, activity, pedestrian scale, and character is vital component to preserving Brookside as an urban village. Business development patterns are somewhat mixed, but area development reflects a great accommodation and commitment to the pedestrian environment. The automobile is accommodated, but there remains a great demand for additional parking during certain periods of the business day, during evenings, weekends and festival events.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is an existing surface parking lot. The site is surrounded by surface parking on the north, south, and west. The east property is residentially zoned.

Environmental Considerations: None that would affect site development.

Streets:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes

East 34th Street	None	None	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3 and OL	Main Street	Growth	Surface Parking
East	RS-3	Existing Neighborhood	Stability	Storage / Single Family Residential
South	PK	Main Street	Growth	Surface parking
West	CH and RS-3	Main Street	Growth	Surface parking

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 19814 dated May 3, 2000 (PK); and 11823 dated June 26, 1970 (RS-3), established zoning for the subject property.

Subject Property:

Z-6756 May 2000: All concurred in **approval** of a request for *rezoning* a 14,000± square foot tract of land from RS-3 to PK, for parking use, on property located east of northeast corner E. 34th St. S. and S. Peoria Ave., and is also known as a part of the subject property.

BOA-18755 May 23, 2000: The Board of Adjustment **approved** a *Variance* of the parking area setback from 50 to 30 ft. from the centerline of E. 34th St.; a *Special Exception* to delete the screening requirement on the north and west boundaries of the property, from and RS-3 district; and a *Variance* of the requirement of off-street parking areas to be separated by landscaped are not less than 5 ft. in width from the north and west boundaries, per plan, on property located east of northeast corner of E. 34th St. and S. Peoria Ave., and also known as a part of the subject property.

BOA-18061 May 1998: The Board of Adjustment **approved** a *special exception* to modify the off-street parking and loading requirements that were a result of a change in use from commercial to restaurant use and a *variance* to permit the required parking to be located on a lot other than the lot containing the principal use. This is a part of the subject property and was approved for off-street parking in 1954.

BOA-2610 November 1954: The Board of Adjustment **approved** off-street parking in an R zoned district on the part of the subject tract zoned RS-3.

Surrounding Property:

Z-6436 April 1994: All concurred in **approval** of a request for *rezoning* two separate tracts from RS-3 to PK for off-street parking, located east of the southeast corner of East 34th Street South and South Peoria Avenue and south of subject property.

Z-6430 January 1994: All concurred in **approval** of a request for *rezoning* from RS-3 to PK, on a lot located east of the southeast corner of East 34th Street South and South Peoria Avenue from RS-3 and south of subject property.

BOA-12967 January 1984: The Board of Adjustment **approved** a request for a *special exception* to permit public parking on a lot maintained and abutting the bank for employee parking. The property is abutting north of the subject property that is zoned PK.

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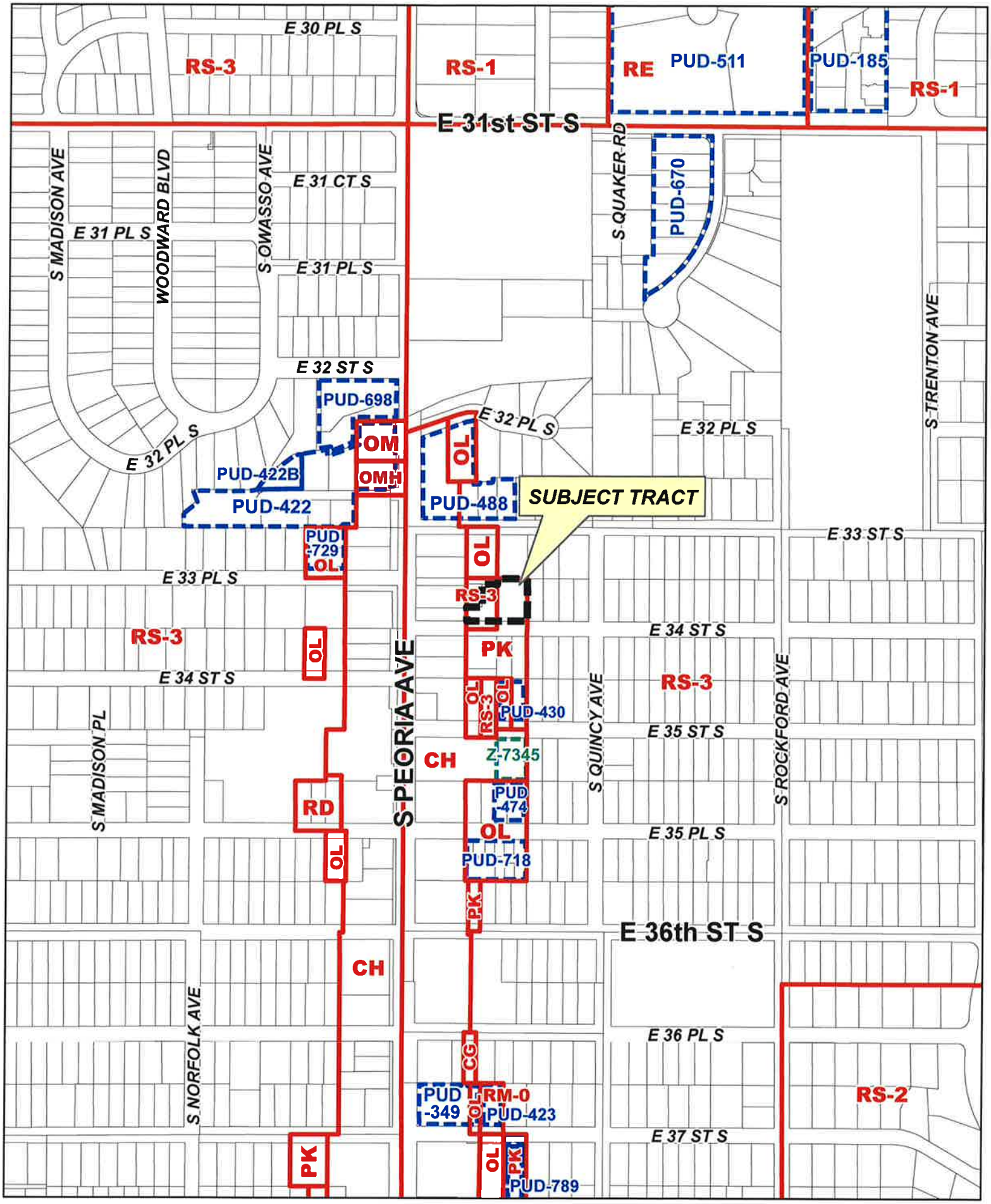

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Z-7398
with Optional
Development Plan

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Subject Tract

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Z-7398 with Optional Development Plan

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February

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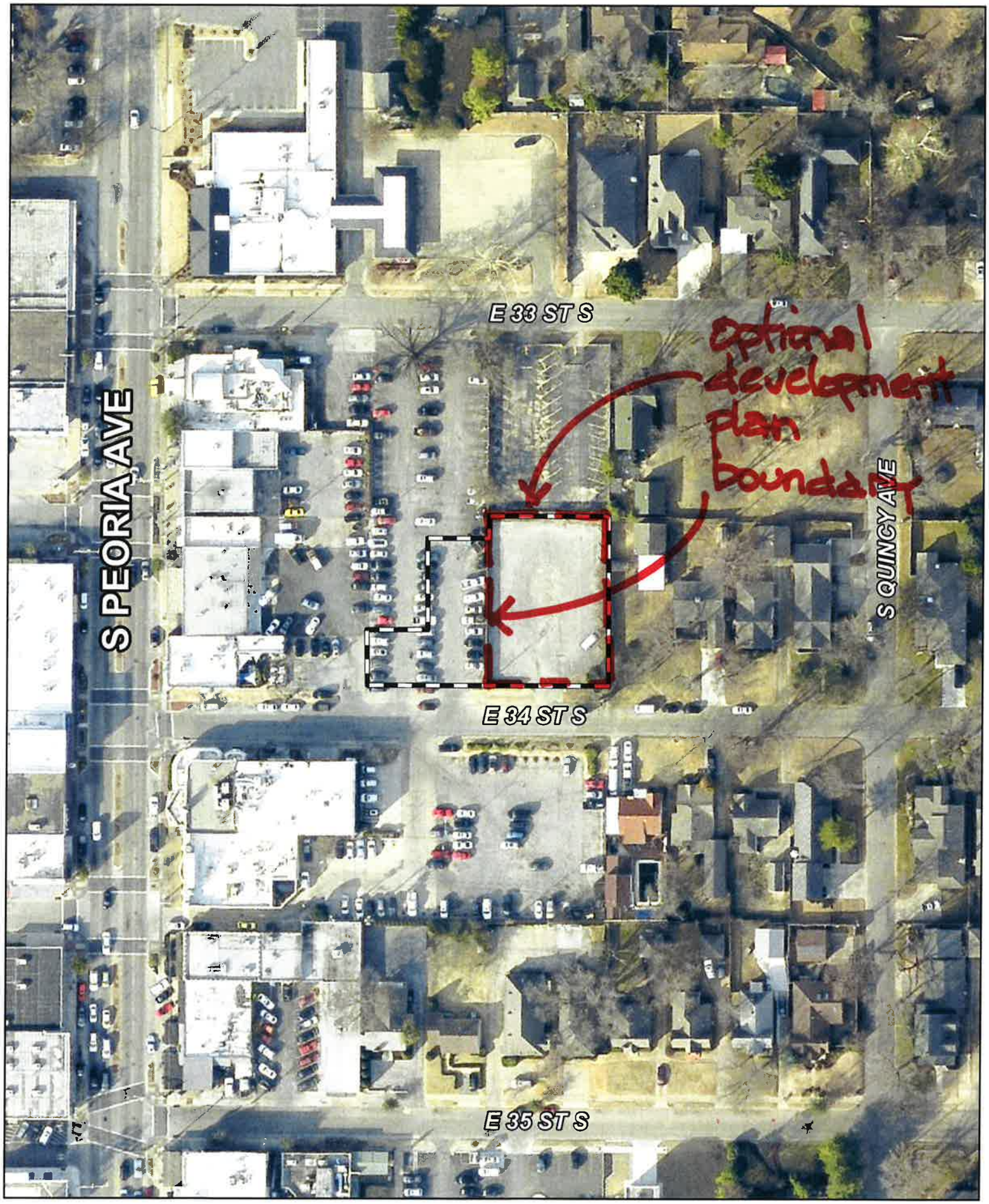

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Subject Tract

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Z-7398 with Optional Development Plan

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

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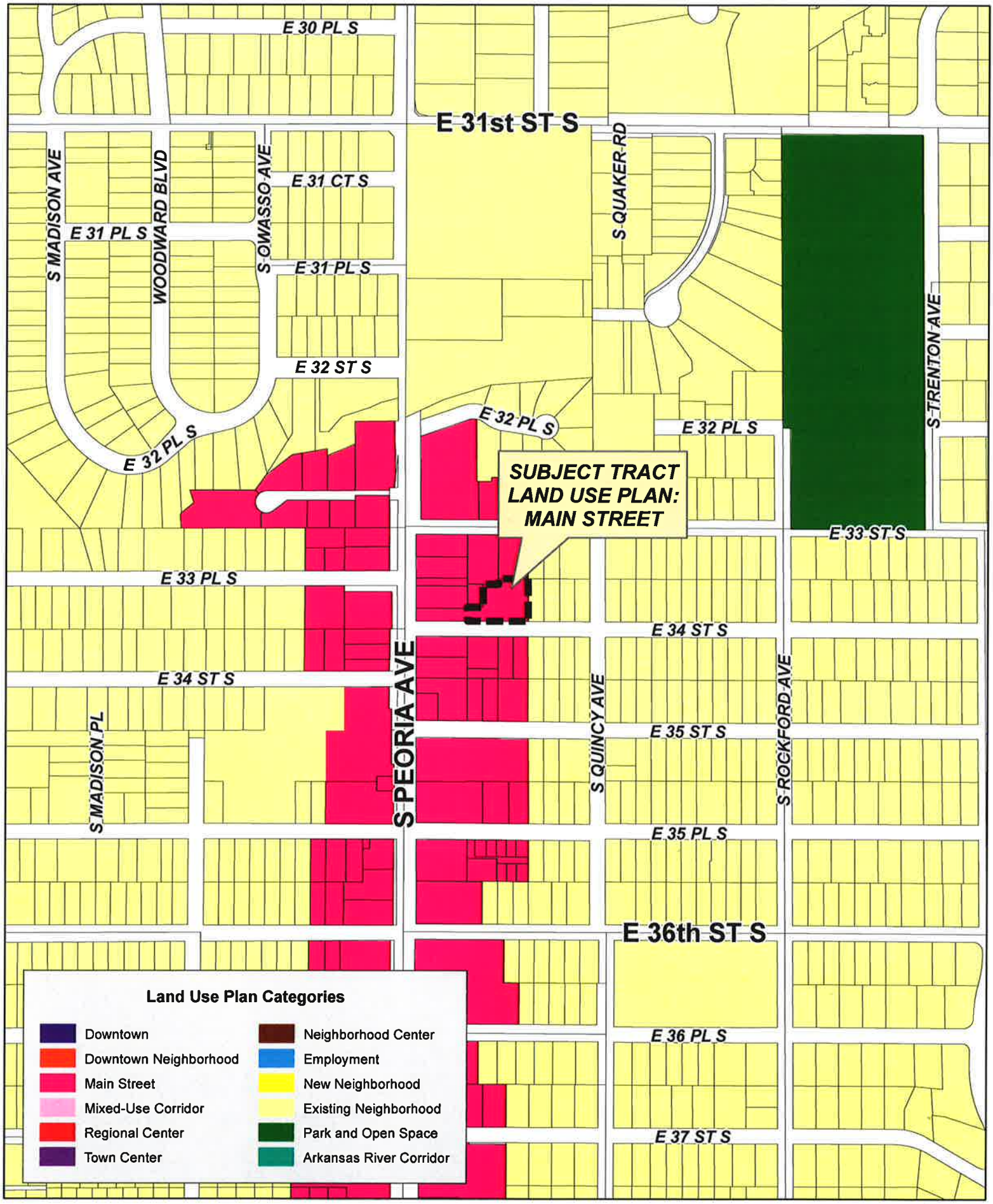

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Z-7398
with Optional
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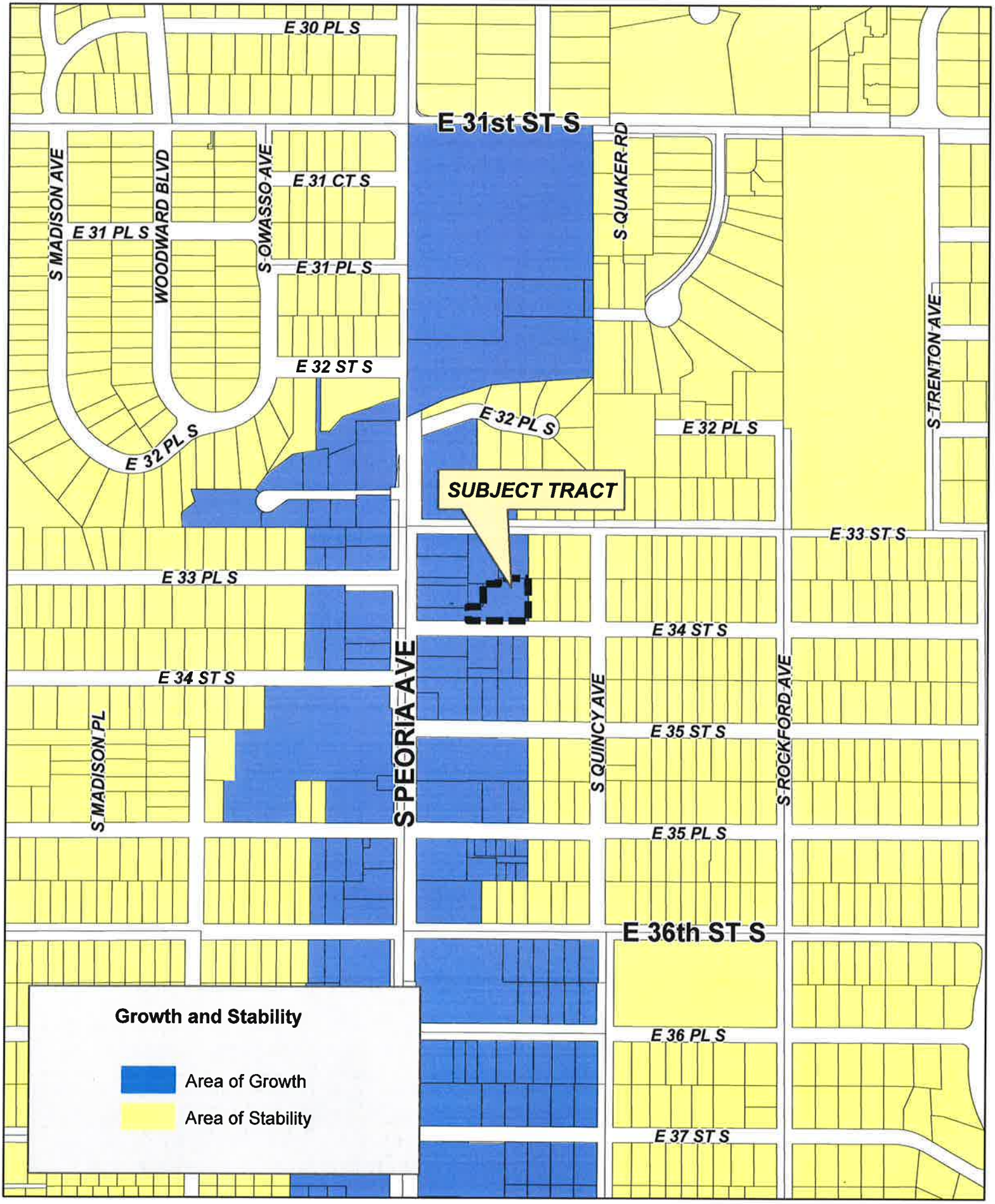

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Z-7398
with Optional
Development Plan

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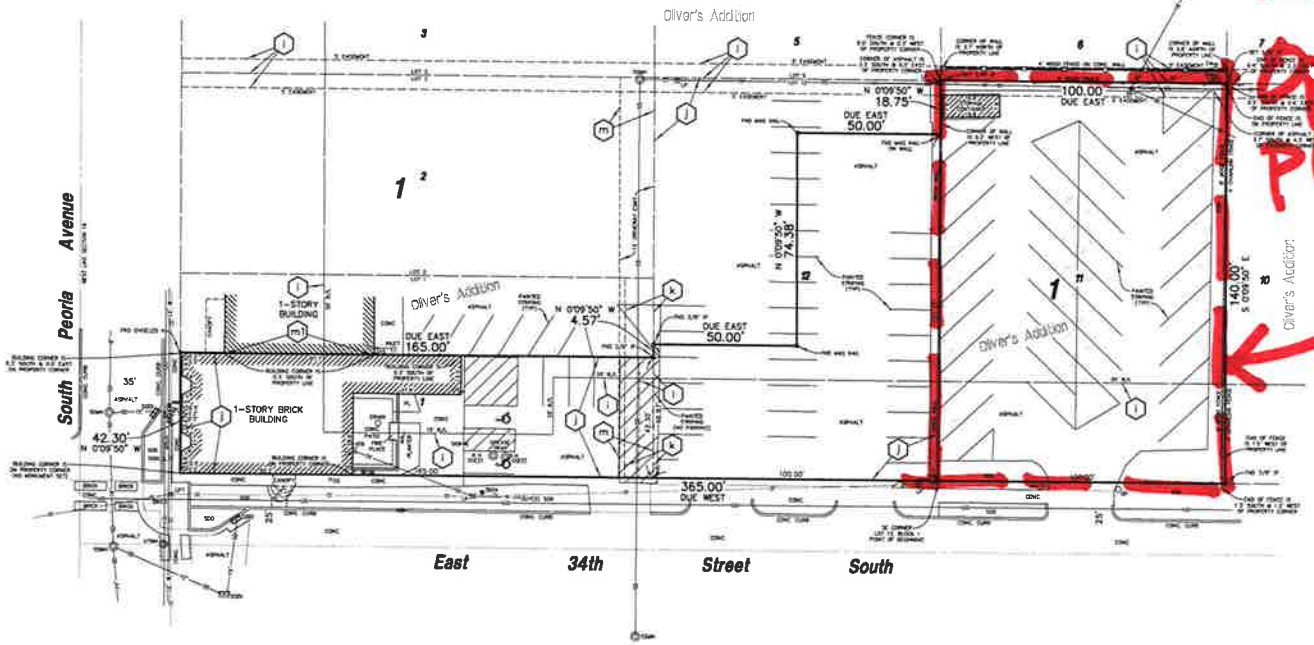
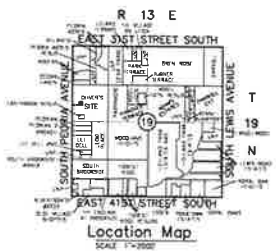
Lot 11, Block 1
Optional Development Plan boundary





ALTA/ACSM Land Title Survey
of
All of Lot 11 and Part of Lots 1 & 12, Block 1
Oliver's Addition
City of Tulsa, Tulsa County, Oklahoma

Legend

ACC	ACCESS	OE	OVERHEAD ELECTRIC
A/C	AIR CONDITIONER	OT	OVERHEAD TELEPHONE
AS	AUTO SPRINKLER	OU	OVERHEAD UTILITIES
BLDG	BUILDING	PP	POWER POLE
B/L	BUILDING SETBACK LINE	PPT	POWER POLE W/ TRANSFORMER
BW	BOTTOM OF WALL	PVC	POLYVINYL CHLORIDE PIPE
CA	CENTRAL ANGLE	RCB	REINFORCED CONCRETE BOX
CB	CHORD BEARING	RCP	REINFORCED CONCRETE PIPE
CD	CHORD DISTANCE	RR	RAILROAD
CGMP	CORRUGATED METAL PIPE	R/W	RIGHT-OF-WAY
CL	CENTERLINE	SC	SUPPORT COLUMN
CO	SEWER CLEAN-OUT	SD	STORM DRAIN
CONC	CONCRETE	SDMH	STORM DRAIN MANHOLE
CPED	CABLE TELEVISION PEDESTAL	SGDI	SINGLE GRATE DROP INLET
DGDI	DOUBLE GRATE DROP INLET	SPHD	SPRINKLER HEAD
DS	DOWNSPOUT	SS	SANITARY SEWER
EB	ELECTRIC BOX	SSLH	SANITARY SEWER LAMPHOLE
EM	ELECTRIC METER	SSMH	SANITARY SEWER MANHOLE
EPED	ELECTRIC PEDESTAL	TC	TOP OF CURB
ESMT	EASEMENT	TG	TOP OF INLET GRATE
FF	FINISH FLOOR	TGDI	TRIPLE GRATE DROP INLET
FH	FIRE HYDRANT	TH	TOP OF HEADWALL
FL	FLOWLINE (INVERT)	TP	TOP OF PAVING
FNC	FENCE	TPED	TELEPHONE PEDESTAL
FND	FOUND	TR	TOP OF MANHOLE RIM
FP	FLAGPOLE	TSMH	TRAFFIC SIGNAL MANHOLE
G	GUTTER	TRSL	TRAFFIC SIGNAL
GL	GROUND LIGHT	TBOX	EZ-TEL BOX
GM	GAS METER	TYP	TYPICAL
GP	GUARD POST	UC	UNDERGROUND CABLE
GR	GAS RISER	UG	UNDERGROUND GAS LINE
GUY	GUY DOWN	UE	UNDERGROUND ELECTRIC
GV	GAS VALVE	U/E	UTILITY EASEMENT
ICV	IRRIGATION CONTROL VALVE	UGM	UNDERGROUND LINE MARKER
IP	IRON PIN	UT	UNDERGROUND TELEPHONE
LNA	LIMITS OF NO ACCESS	UTMH	UTILITY MANHOLE
LP	LIGHT POLE	W	WATERLINE
LPT	LIGHT POLE W/ TRANSFORMER	WM	WATER METER
MB	MAIL BOX	WMH	WATER MANHOLE
ML	METAL LID	WV	WATER VALVE
MW	MONITOR WELL	WS	WATER SPIGOT
OC	OVERHEAD CABLE	XFMR	TRANSFORMER

Schedule B-II Exceptions

i. COVENANTS, CONDITIONS, RESTRICTIONS AND BUILDING SETBACK LINES AND EASEMENTS AS CREATED BY THE PLAT NO. 693 AND CERTIFICATE OF DEDICATION OLIVERS ADDITION, FILED MAY 23, 1924. (ALL OF THE PROPERTY DESCRIBED HEREON IS SUBJECT TO CERTIFICATE OF DEDICATION. BUILDING SETBACK LINES AND EASEMENTS AFFECT THE SUBJECT PROPERTY AS SHOWN HEREON.)

j. TERMS, CONDITIONS AND PROVISIONS OF TIE AGREEMENT BETWEEN BROOKTOO PROPERTIES, L.L.C. AND THE CITY OF TULSA, RECORDED AUGUST 27, 1998 IN BOOK 6098 AT PAGE 1047. (A PORTION OF THE PROPERTY DESCRIBED HEREON IS SUBJECT TO SAID AGREEMENT AS SHOWN HEREON.)

k. TERMS, CONDITIONS AND PROVISIONS OF SEWER EASEMENT IN FAVOR OF THE CITY OF TULSA, FILED APRIL 26, 1930 IN BOOK 911 AT PAGE 290. (SAID EASEMENT IS 10 FEET IN WIDTH AND AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON.)

l. TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY EASEMENT IN FAVOR OF PUBLIC SERVICE COMPANY OF OKLAHOMA, FILED SEPTEMBER 11, 1951 IN BOOK 2231 AT PAGE 107. (SAID EASEMENT IS 5 FEET IN WIDTH AND AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON.)

m. TERMS, CONDITIONS AND PROVISIONS OF A RESERVATION OF EASEMENT AND PARTY WALL DESCRIBED IN WARRANTY DEED, FILED FEBRUARY 21, 1947 IN BOOK 1753 AT PAGE 475; DRIVEWAY EASEMENT FILED JULY 30, 1951 IN BOOK 2218 AT PAGE 574; RESERVATION OF EASEMENT AND PARTY WALL DESCRIBED IN WARRANTY DEED FILED FEBRUARY 25, 1947 IN BOOK 1784 AT PAGE 382. (SAID EASEMENT AFFECTS THE SUBJECT PROPERTY AS SHOWN HEREON. PARTY WALL AGREEMENT AFFECTS THE SUBJECT PROPERTY AND IS LABELED AS "m1" AND SHOWN HEREON.)

Zoning Information

CURRENT ZONING CLASSIFICATION (CH) COMMERCIAL HIGH INTENSITY DISTRICT

BUILDING SETBACKS: NA

FLOOR SPACE AREA RESTRICTIONS: NA

HEIGHT RESTRICTIONS: NA

Legal Description

THE SOUTH 42.3 FEET OF LOT ONE (1), BLOCK ONE (1), AND ALL OF LOT ELEVEN (11), BLOCK ONE (1), OLIVER'S ADDITION, TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 693.

AND

A PART OF LOT TWELVE (12), BLOCK ONE (1), OLIVER'S ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 693, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT THE SOUTHEAST CORNER OF LOT 12, BLOCK 1, OLIVER'S ADDITION, THENCE WESTERLY ALONG THE SOUTH LINE OF LOT 12 A DISTANCE OF 100 FEET TO A POINT, SAID POINT BEING THE SOUTHWEST CORNER OF LOT 12; THENCE NORTHERLY ALONG THE WEST LINE OF LOT 12 A DISTANCE OF 46.87 FEET TO A POINT; THENCE EASTERLY AND PARALLEL WITH THE SOUTH LINE OF LOT 12 A DISTANCE OF 50.00 FEET TO A POINT; THENCE NORTHERLY AND PARALLEL WITH THE EAST LINE OF LOT 12 A DISTANCE OF 74.35 FEET TO A POINT; THENCE EASTERLY AND PARALLEL WITH THE SOUTH LINE OF LOT 12 A DISTANCE OF 50.00 FEET TO A POINT ON THE EAST LINE OF LOT 12; THENCE SOUTHERLY ALONG THE EAST LINE OF LOT 12 A DISTANCE OF 121.25 FEET TO THE POINT OF BEGINNING

Miscellaneous Notes

A. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN. CALL "OKIE" (1-800-522-6543) BEFORE DIGGING! (WE DO NOT CERTIFY TO THE EXISTENCE OR LOCATION OF UNDERGROUND UTILITIES.)

B. THE PROPERTY DESCRIBED HEREON CONTAINS 0.675 ACRES OR 29,386 SQ. FT.

C. THE BEARING BASE FOR THIS SURVEY IS ASSUMED USING THE SOUTH LINE OF BLOCK 1 AS DUE EAST/WEST.

D. THE PROPERTY DESCRIBED HEREON CONTAINS A TOTAL OF 54 STRIPED PARKING SPACES 2 OF WHICH ARE DESIGNATED AS HANDICAPPED.

E. THE PROPERTY DESCRIBED HEREON DOES NOT LIE WITHIN THE 100-YEAR FLOODPLAIN ACCORDING TO THE REGULATORY FLOODPLAIN MAP ATLAS FOR THE CITY OF TULSA, DATED MAY 17, 2013.

F. WATERLINE SHOWN HEREON IS PER CITY OF TULSA ATLAS AND IS SHOWN IN AN APPROXIMATE LOCATION HEREON.

G. GAS LINES SHOWN HEREON ARE PER OKLAHOMA NATURAL GAS COMPANY ATLAS AND IS SHOWN IN AN APPROXIMATE LOCATION HEREON

H. ALL EASEMENTS AND RIGHTS OF WAY CONTAINED IN OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE, WITH AN EFFECTIVE DATE OF APRIL 28, 2015, ARE SHOWN OR NOTED HEREON

Surveyor's Certification

WE, SISEMORE WEISZ & ASSOCIATES, INC DO HEREBY CERTIFY TO:

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
INVESTMENT REAL ESTATE, LLC
SECURE TITLE & ESCROW, LLC

THAT: (I) THIS SURVEY IS TRUE AND ACCURATE, WAS MADE ON-THE-GROUND AS PER THE FIELD NOTES SHOWN HEREON, ACCURATELY SHOWS THE BOUNDARY LINES AND DIMENSIONS OF LAND INDICATED HEREON, ACCURATELY SHOWS THE LOCATION OF ALL BUILDINGS AND STRUCTURES, AND ACCURATELY SHOWS THE LOCATION OF ALL IMPROVEMENTS SHOWN HEREON, ACCURATELY SHOWS THE LOCATION AND DIMENSION OF ALL EASEMENTS, RIGHTS-OF-WAY AND OTHER MATTERS OF RECORD OF WHICH THE UNDERSIGNED HAS BEEN ADVISED AFFECTING THE SUBJECT PROPERTY ACCORDING TO THE LEGAL DESCRIPTION OF SUCH EASEMENTS (WITH INSTRUMENT, BOOK AND PAGE NUMBER INDICATED). (II) EXCEPT AS SHOWN, THERE ARE NO EASEMENTS OR RIGHTS-OF-WAY OF WHICH THE UNDERSIGNED HAS BEEN ADVISED AFFECTING THE SUBJECT PROPERTY, THERE ARE NO ENCROACHMENTS OR PROTRUSIONS ONTO ADJOINING PREMISES, STREETS OR ALLEYS BY ANY BUILDINGS OR VISIBLE IMPROVEMENTS ON THE SUBJECT PROPERTY, THERE ARE NO ENCROACHMENTS ON THE SUBJECT PROPERTY BY BUILDINGS OR VISIBLE IMPROVEMENTS SITUATED ON ADJOINING PREMISES. (III) WE HAVE EXAMINED A MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, TULSA COUNTY, OKLAHOMA AND INCORPORATED AREAS, MAP NO. 40143C0351L, MAP REVISED: OCTOBER 16, 2012, WHICH SHOWS THE ENTIRE PORTION OF THE PROPERTY DESCRIBED HEREON AS LOCATED IN ZONE (X) WHICH IS CLASSIFIED AS AREAS DETERMINED TO BE OUTSIDE THE 500-YEAR FLOODPLAIN. (IV) WE FURTHER STATE THAT THIS MAP OR PLAT OF SURVEY AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM, & NSPS IN 2011, AND INCLUDES ITEMS 1, 3, 4, 7a, 8, 9 11a, 13 AND 16, OF TABLE A THEREOF. AND THE SURVEY MEASUREMENTS WERE MADE IN ACCORDANCE WITH THE "MINIMUM ANGLE, DISTANCE, AND CLOSURE REQUIREMENTS FOR SURVEY MEASUREMENTS WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS."

THIS PLAT OF SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS, AS ADOPTED BY THE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

DATE OF LAST FIELD VISIT: MAY 7, 2015

WITNESS MY HAND AND SEAL THIS 20TH DAY OF MAY, 2015

REGISTERED PROFESSIONAL LAND SURVEYOR DEAN ROBINSON 1146 OKLAHOMA

SISEMORE WEISZ & ASSOCIATES, INC

BY: _____

DEAN ROBINSON
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1146
EMAIL: drobinson@sw-assoc.com

REVISIONS	BY	DATE

Sisemore Weisz & Associates, Inc.

FILE	1813.1900	SURVEY BY: DCH	DATE 5/7/2015
DRGCK	17628.01	DRAWN BY: JSF	SCALE 1"=20'
BOOK	1335/91	CHECKED BY: EDR	SHEET 1 OF 1

7.12

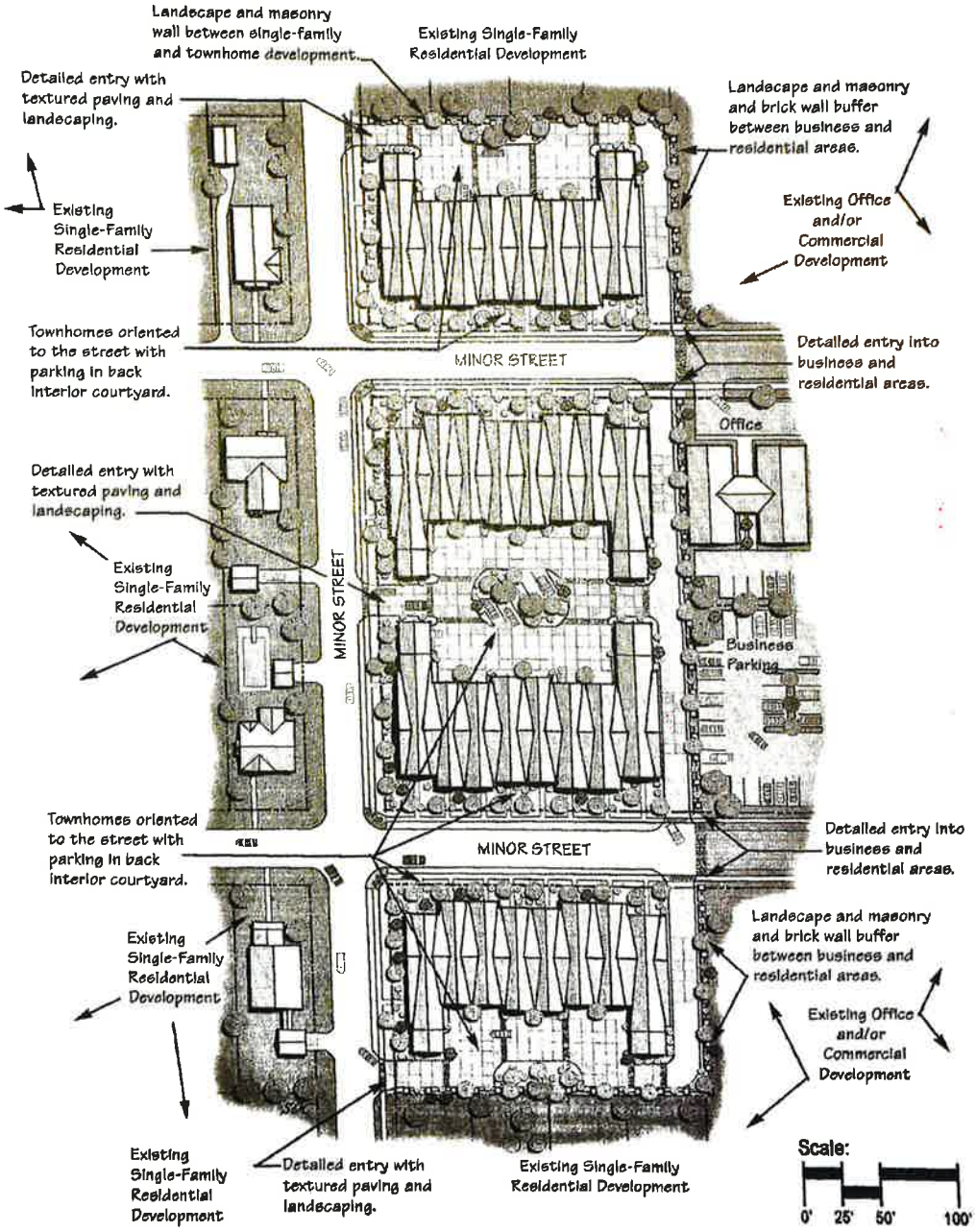
APPENDIX O

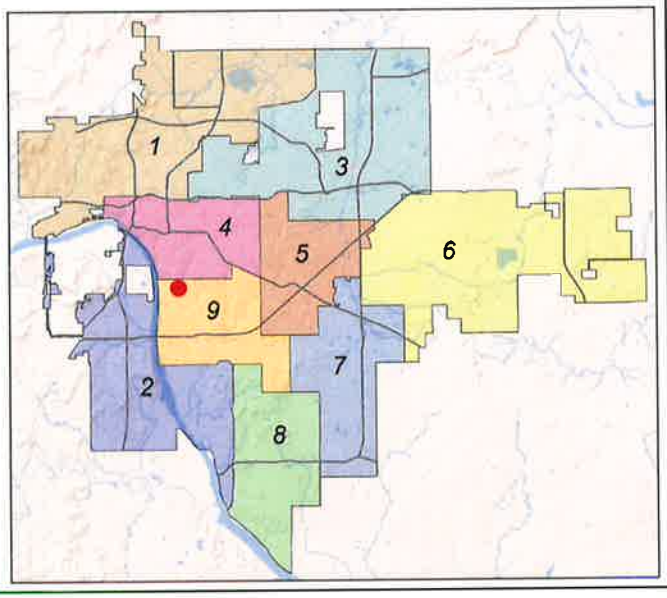
EXHIBIT 0-1

APPENDIX O

CONCEPTUAL RESIDENTIAL INFILL DEVELOPMENT

High quality townhome development replaces lower value single-family homes. Project provides pedestrian scale features, added urban amenities, design elements reflective of area architecture, efficient use of existing infrastucture, a distinctive living environment, increased property values, and expansion of market income in the Brookside area.



TMAPC Tulsa Metropolitan Area Planning Commission	**Case :** **Z-7398 Plat Waiver** (Related to Z-7398 rezoning and LS-21020) **Hearing Date: July 5, 2017**
Case Report Prepared by: Nathan Foster	**Owner and Applicant Information:** *Applicant*: Dale Williams *Owner*: 34 Peoria LLC
Location Map: **(shown with City Council Districts)**  	**Applicant Proposal:** Plat Waiver *Location*: East of the northeast corner of East 34th Street South and South Peoria Avenue
Zoning: *Existing:* RS-3, PK *Proposed:* CH with an optional development plan	**Staff Recommendation:** Staff recommends **approval** of the plat waiver with conditions
	City Council District: 9 *Councilor Name*: Ben Kimbro **County Commission District: 2** *Commissioner Name:* Karen Keith

EXHIBITS: Applicant Submittal

PLAT WAIVER

Z-7398 – (CD 9)
East of the northeast corner of East 34th Street South and South Peoria Avenue

The platting requirement for this property is being triggered by a rezoning request (Z-7398). The property owner is requesting a rezoning from RS-3/PK to CH to permit office and residential uses in conjunction with an optional development plan.

The Technical Advisory Committee met on June 1, 2017 and the following items were determined:

1. The property was previously platted as part of the Oliver Addition plat.
2. All required right-of-way has been dedicated and is in place.
3. Utilities are all in place on the site. Existing sanitary sewer line is currently not within an easement.

Staff recommends **approval** of the plat waiver with the following conditions:

1. Approved optional development plan standards should be drafted in a recordable format and filed of record on the property with the Tulsa County Clerk.
2. Locate the existing 8" sanitary sewer line on the north property line and place it in an 11' easement.

Z-7398

TULSA METROPOLITAN AREA PLANNING COMMISSION

INCOG - 2 West 2nd Street, Suite 800 - Tulsa, Oklahoma 74103 - (918) 584-7526 - FAX (918) 583-1024 www.tmapc.org

[X] PLAT WAIVER [ ] *ACCELERATED RELEASE OF BUILDING PERMIT*

APPLICATION INFORMATION

RECEIVED BY: ZW DATE FILED: 05/18/17 TAC DATE: 6/1/17 TMAPC DATE: 07/05/17

ZONING REFERENCE CASE: Z-7398 w/optional dev plan (attached) BOA REFERENCE CASE: N/A

TMAPC DATE (IF PENDING): 7/15/17 PROPOSED ZONING: CH w/ODP BOA DATE (IF PENDING): N/A

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

*PLAT NAME: N/A *APPROVAL DATE: _____ *ANTICIPATED APPROVAL DATE: _____

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: E OF THE NE/C E 34TH ST & S PEORIA AVE

LEGAL DESCRIPTION: OLIVER ADDITION LOT 11 AND PORTION OF LOT 12 BLOCK 1
FULL LEGAL ATTACHED

PRESENT ZONING LOT 11 PK LOT 12 RS3 T-R-S 9319 CZM 47 ATLAS 189 CD 9

INFORMATION ABOUT YOUR PROPOSAL

REASON FOR PLAT WAIVER APPLICATION: LAND HAS BEEN PLATED.

*EXTRAORDINARY OR EXCEPTIONAL CIRCUMSTANCES THAT JUSTIFY ACCELERATED RELEASE OF A BUILDING PERMIT:
N/A

*BENEFITS AND PROTECTIONS TO THE CITY IF THE BUILDING PERMIT IS RELEASED PRIOR TO FILING THE FINAL PLAT:
N/A

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME DALE WILLIAMS	NAME 34 PEORIA LLC
ADDRESS 1133 E 33RD PL	ADDRESS 1133 E 33RD PL
CITY, ST, ZIP TULSA OK 74105	CITY, ST, ZIP TULSA OK 74105
DAYTIME PHONE 954 294 5858	DAYTIME PHONE 954 294 5858
EMAIL DALE@IVPROP.COM	EMAIL DALE@IVPROP.COM
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.	
SIGNATURE & DATE: 5/18/17	

DOES OWNER CONSENT TO THIS APPLICATION [X]Y [ ]N. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? MEMBER of LLC

APPLICATION FEES

TOTAL DUE:	$ 250.00	RECEIPT NUMBER: 229329

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

DISPOSITION

TMAPC ACTION: [ ] APPROVED [ ] DENIED DATE: _____ CONDITIONS: _____

17.3

REVISED 4/8/2015

NOTE: ***THIS FORM ACCOMPANIES PLAT WAIVER APPLICATIONS ONLY, NOT USED FOR ACCELERATED RELEASE REQUESTS.***

TMAPC POLICY ON PLAT WAIVERS:

(This form will be completed by staff from information provided by the Technical Advisory Committee.)

It shall be the policy of the Tulsa Metropolitan Area Planning Commission that all requests for plat waivers shall be evaluated by the staff and by the Technical Advisory Committee based on the following list. After such evaluation, TMAPC Staff shall make a recommendation to the TMAPC as to the merits of the plat waiver request accompanied by the answers to these questions:

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

	YES	NO
1) Has property previously been platted?	[X]	[ ]
2) Are there restrictive covenants contained in a previously filed plat?	[X]	[ ]
3) Is property adequately described by surrounding platted properties or street R/W?	[X]	[ ]

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

4) Is right-of-way dedication required to comply with Major Street and Highway Plan?	[ ]	[X]
5) Will any restrictive covenants be filed by separate instrument?	[ ]	[X]
6) Infrastructure requirements		
a) Water		
i) Is a main line water extension required?	[ ]	[X]
ii) Is an internal system or fire line required?	[ ]	[X]
iii) Are additional easements required?	[ ]	[X]
b) Sanitary Sewer		
i) Is a main line extension required?	[ ]	[X]
ii) Is an internal system required?	[ ]	[X]
iii) Are additional easements required?	[ ]	[X]
c) Storm Sewer		
i) Is a P.F.P.I. required?	[ ]	[X]
ii) Is an Overland Drainage Easement required?	[ ]	[X]
iii) Is on-site detention required?	[ ]	[X]
iv) Are additional easements required?	[ ]	[X]
7) Floodplain		
a) Does the property contain a City of Tulsa (Regulatory) Floodplain?	[ ]	[X]
b) Does the property contain a F.E.M.A. (Federal) Floodplain?	[ ]	[X]
8) Change of Access		
a) Are revisions to existing access locations necessary?	[ ]	[X]
9) Is the property in a P.U.D.?	[ ]	[X]
a) If yes, was plat recorded for the original P.U.D.?	[ ]	[ ]
10) Is this a Major Amendment to a P.U.D.?	[ ]	[X]
a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?	[ ]	[ ]

NOTE:

If, after consideration of the above criteria, a plat waiver is granted on *unplatted* properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office by the applicant.

17.4

TMAPC

Tulsa Metropolitan Area Planning Commission

Case Number: Z-7399
(Related to Z-7399 Plat Waiver)

Hearing Date: July 5, 2017

Case Report Prepared by:

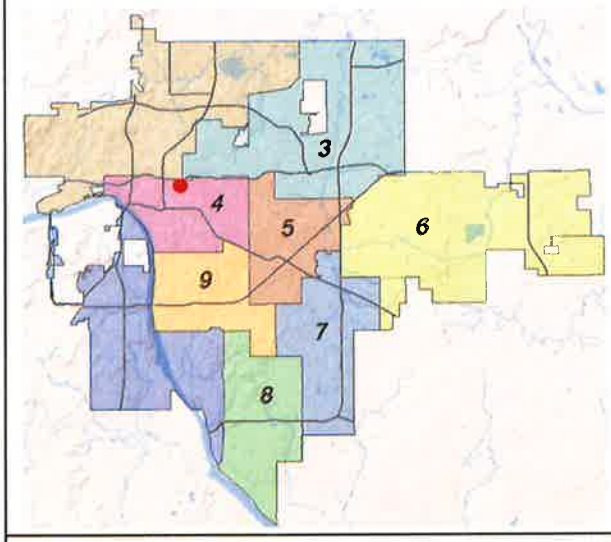
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: KKT Architects, Inc./ Nicole Watts

Property Owner: HICKORY HOUSE PROPERTIES LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Parking lot

Concept summary: Rezoning to support future expansion opportunities of an existing mixed use building immediately west of this site. The current request is for OL zoning which allows non accessory parking among other uses.

Tract Size: 0.37 ± acres

Location: East of northeast corner of E. 4th St. and S. Trenton Ave.

Zoning:

Existing Zoning: RM-1

Proposed Zoning: OL

Comprehensive Plan:

Land Use Map: Employment

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9306
CZM: 37 Atlas: 9

City Council District: 4

Councilor Name: Blake Ewing

County Commission District: 2

Commissioner Name: Karen Keith

18.1

SECTION I: Z-7399

DEVELOPMENT CONCEPT: The applicant plans for a surface parking lot at this location to support redevelopment of property immediately west of this site. OL zoning will allow future building expansion and non accessory parking.

EXHIBITS:

INCOG Case map
INCOG Aerial (small scale)
INCOG Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
Tulsa Comprehensive Plan Areas of Stability and Growth Map
Applicant Exhibits: None

DETAILED STAFF RECOMMENDATION:

Z-7399 is a request for OL zoning which is consistent the Employment Land use designation in the comprehensive plan and,

OL zoning is consistent with the anticipated future development pattern at this area and,

OL zoning also provides some level of screening and transition adjacent to existing single family residential property and is considered non-injurious to the abutting residential property owners therefore,

Staff recommends Approval of Z-7399 to rezone property from RM-1 to OL.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The requested OL zoning is consistent with the Tulsa Comprehensive Plan land use vision and the 6th Street Infill Plan land use recommendations.

Land Use Vision:

Land Use Plan map designation: Employment
Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

Areas of Stability and Growth designation: Area of Growth
The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter

auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile."

Transportation Vision:

Major Street and Highway Plan: None that affect this site

Trail System Master Plan Considerations: None that would be affected by site development:

Small Area Plan:

6th Street Infill Plan: (Adopted January 5, 2006 and amended April 3rd 2014)
The 6th street infill recognizes the potential for redevelopment of this entire area however this specific site continues to be recognized as a Manufacturing Warehousing industrial area in the Plan.
From small workshops to medium sized manufacturing operations, the 6th Street neighborhood has dozens of business providing employment to thousands of Tulsans. Outside of the proposed infill corridors business owners are encouraged to upgrade facilities in step with other neighborhood improvements, but special design guidelines are not recommended except along key corridors. 4th Street is not one of those corridors.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently vacant with no significant re-development challenges.

Street View from SE corner looking northwest: (See next page)

Environmental Considerations: None that would affect site re-development

Streets:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 4th Street	none	50 feet	2

Utilities:
The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	CH	Mixed Use Corridor	Growth	Electric Supply Company
East	RM-1	Employment	Growth	Single Family Residential
South	RM-1 and IL	Employment	Growth	Vacant
West	CH	Employment	Growth	Warehouse and sculpture studio

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11815 dated June 26, 1970, established zoning for the subject property.

Subject Property:

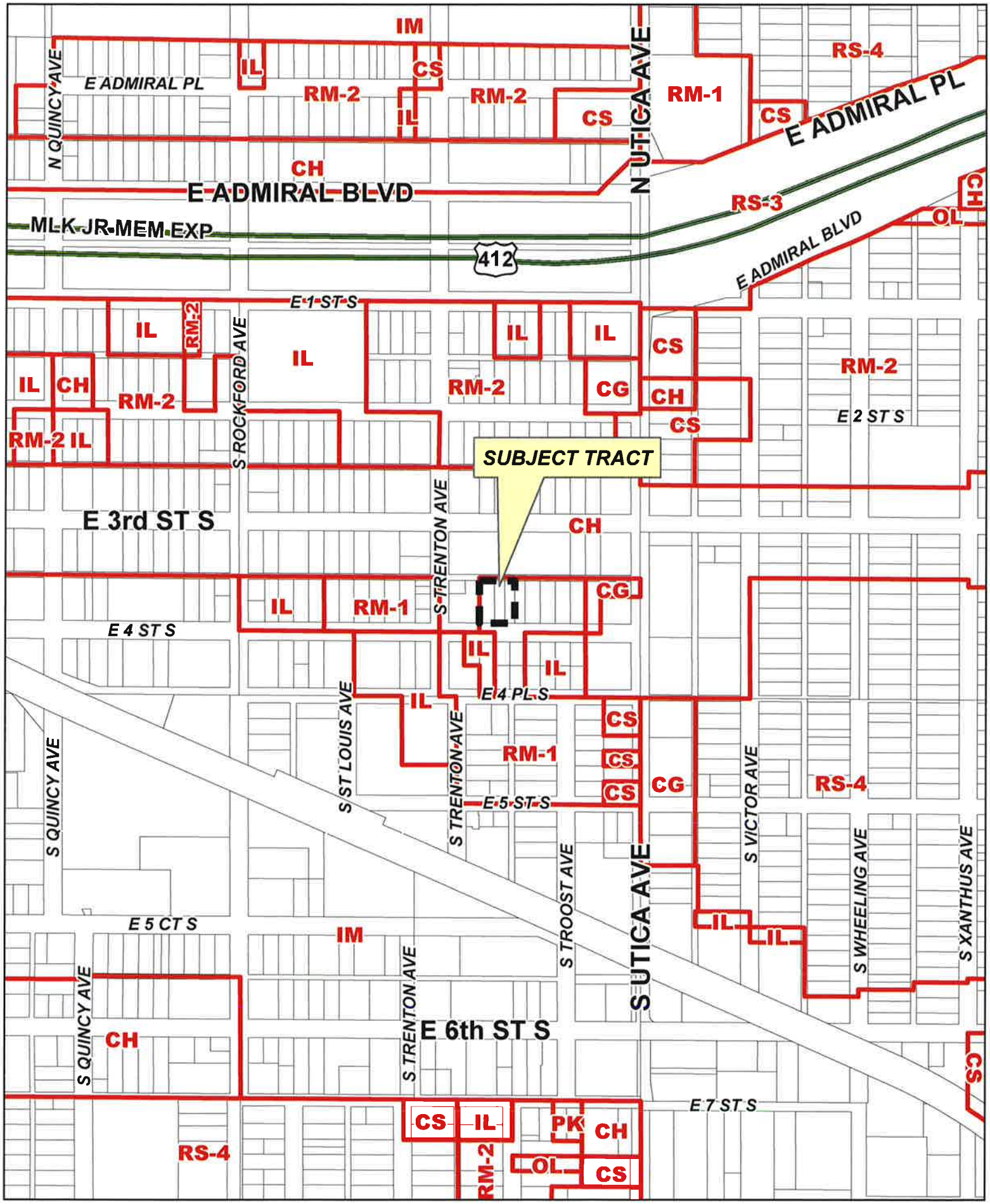
No relevant history.

Surrounding Property:

Z-7134 July 2009: All concurred in **approval** of a request for *rezoning* a 19,375± square foot tract of land from RM-1 to IL for off-street parking, on property located west of S. Utica Ave. between E. 4th St. and E.t 4th Pl.

Z-6855 July 2002: A request to *rezone* 3 lots from RM-1 to CH zoning for a machine shop was filed for property located on the southwest corner of East 4th Place and South Trenton. Staff recommended approval of CH zoning for the north 50' of the two lots fronting Utica and CG zoning for the remaining lot on the west. City Council **approved** CG zoning on all three lots.

7/5/2017 1:30 PM



Feet
0 200 400

Z-7399

19-13 06

18.6

N

Feet
0 200 400

Subject Tract

Z-7399

19-13 06

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

18.7

N

Feet
0 50 100

Subject Tract

Z-7399

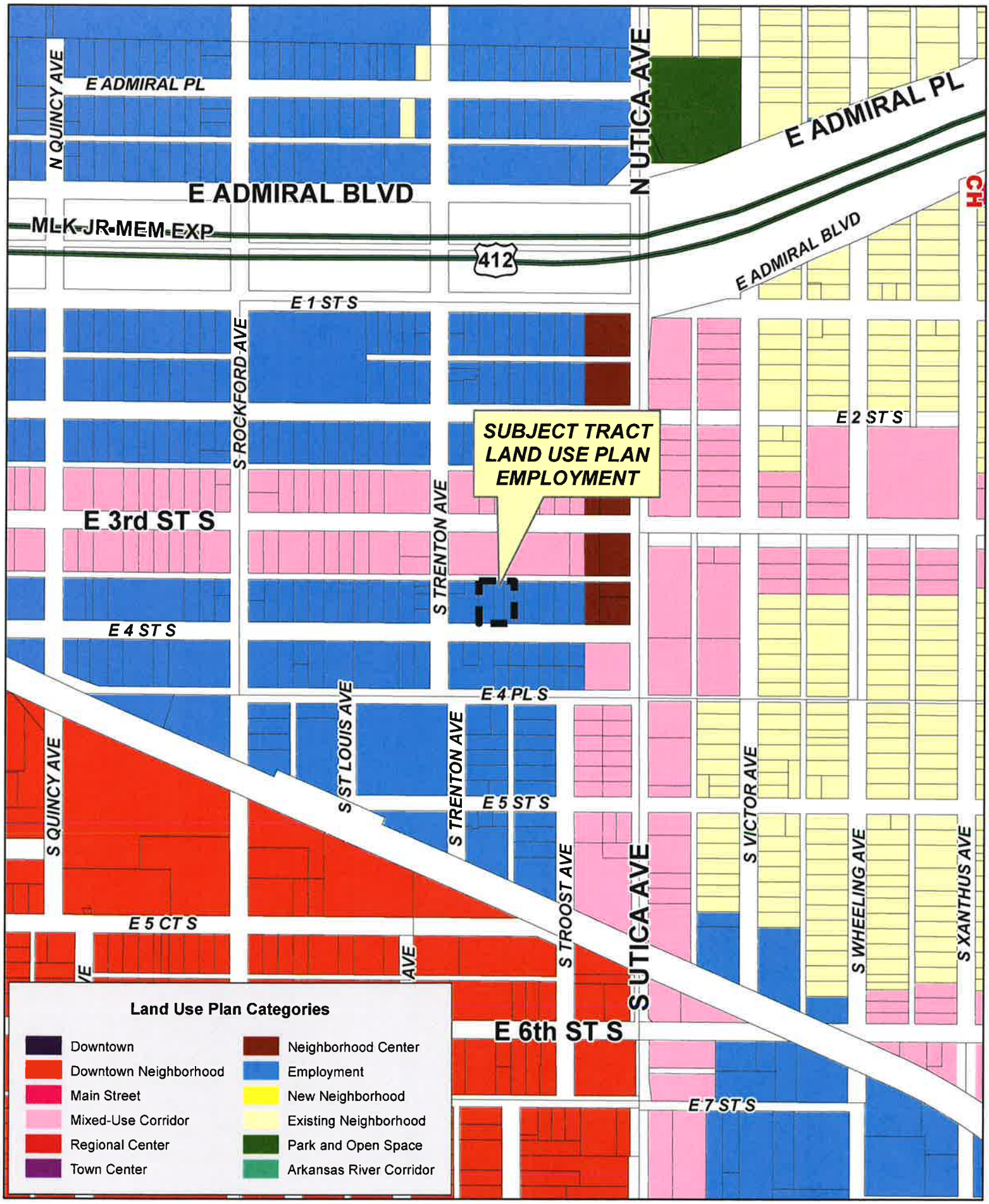
19-13 06

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

18.8

N



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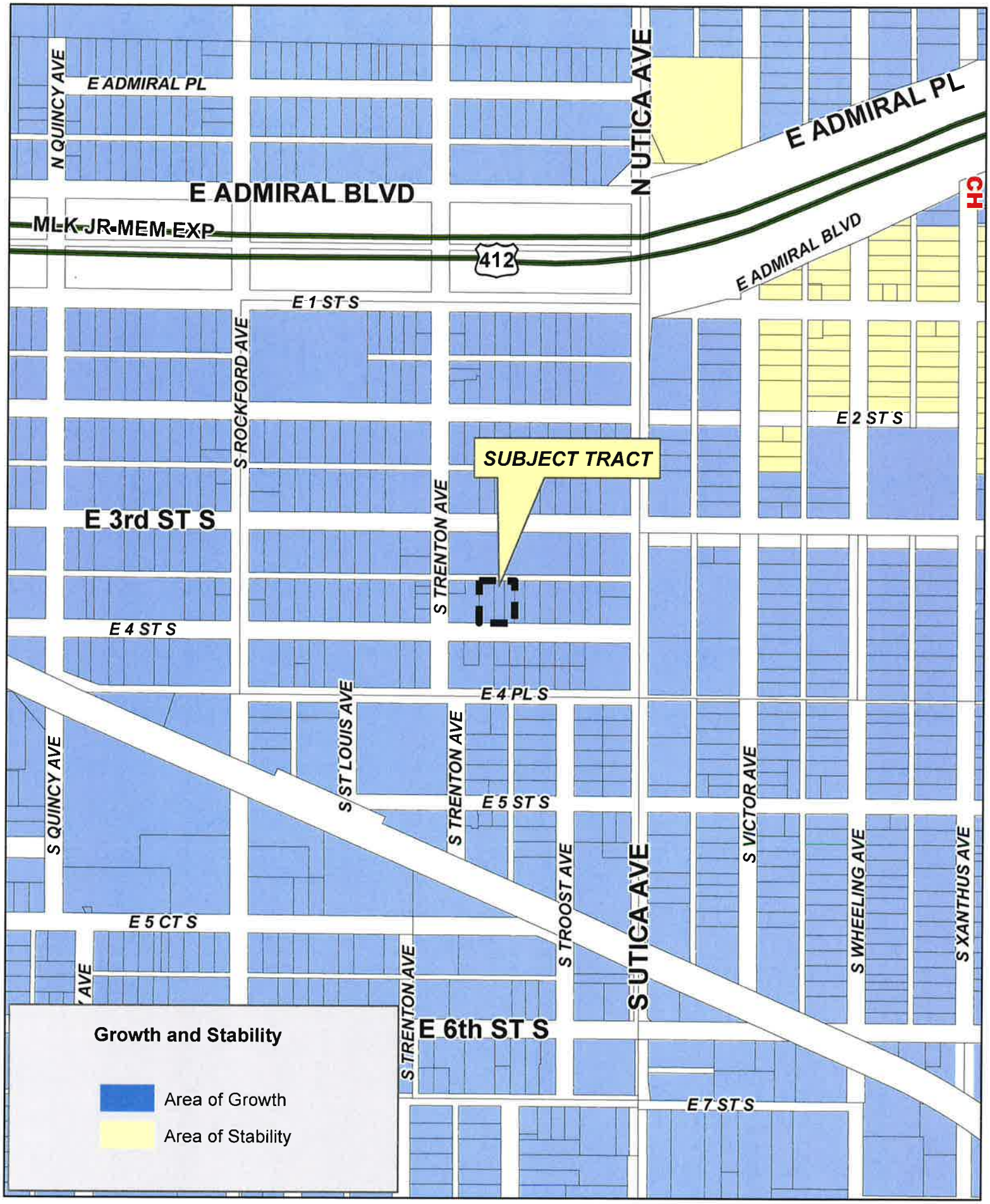
Z-7399

19-13 06

18.9

N

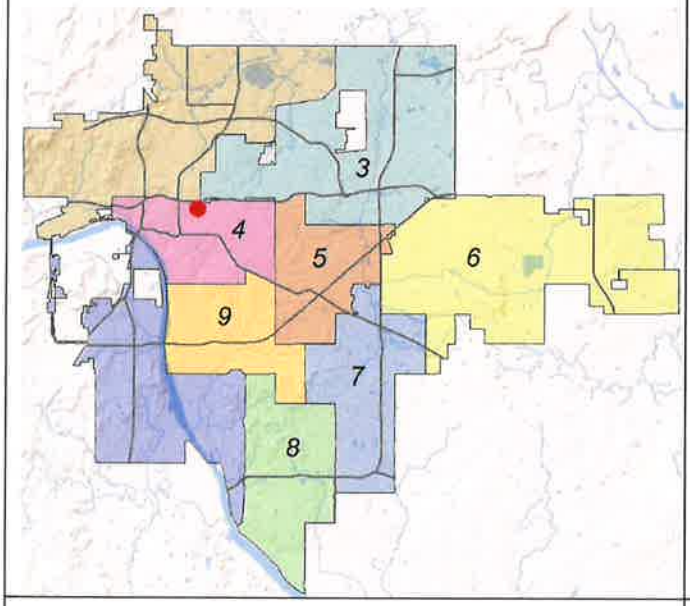


Feet
0 200 400

Z-7399

19-13 06

18.10

TMAPC Tulsa Metropolitan Area Planning Commission	**Case : Z-7399 Plat Waiver** (Related to Z-7399 rezoning request) **Hearing Date: July 5, 2017**
Case Report Prepared by: Nathan Foster	**Owner and Applicant Information:** *Applicant*: Nicole Watts, KKT Architects *Owner*: Hickory House Properties, LLC
Location Map: **(shown with City Council Districts)**  	**Applicant Proposal:** Plat Waiver *Location*: East of the northeast corner of East 4th Street South and South Trenton Avenue
Zoning: *Present: RM-1* *Proposed: OL*	**Staff Recommendation:** Staff recommends **approval** of the Plat Waiver
	City Council District: 4 *Councilor Name*: Blake Ewing **County Commission District: 2** *Commissioner Name:* Karen Keith

EXHIBITS: Applicant Submittal

19.1

PLAT WAIVER

Z-7399 – (CD 4)
East of the northeast corner of East 4th Street South and South Trenton Avenue

The platting requirement for this property is being triggered by a rezoning request (Z-7399). The property owner is requesting a rezoning from RM-1 to OL to permit the use of the property as a surface parking lot to support nearby businesses.

The Technical Advisory Committee met on June 15, 2017 and the following items were determined:

1. The property was previously platted as part of the Midway Addition plat.
2. All required right-of-way has been dedicated and is in place.
3. Necessary easements and utilities are all in place and no additional easements will be needed at this time.

Staff recommends **approval** of the plat waiver.

TULSA METROPOLITAN AREA PLANNING COMMISSION

INCOG - 2 West 2nd Street, Suite 800 - Tulsa, Oklahoma 74103 - (918) 584-7526 - FAX (918) 583-1024 www.tmapc.org

[X] PLAT WAIVER [ ] *ACCELERATED RELEASE OF BUILDING PERMIT*

APPLICATION INFORMATION

RECEIVED BY: MA DATE FILED: 5/23/17 TAC DATE: 6/15/17 TMAPC DATE: July 5, 2017

ZONING REFERENCE CASE: Z-7399 BOA REFERENCE CASE: n/a

TMAPC DATE (IF PENDING): 7/5/17 PROPOSED ZONING: OL BOA DATE (IF PENDING): n/a

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

*PLAT NAME: *APPROVAL DATE: *ANTICIPATED APPROVAL DATE:

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 1609 E. 4th Street

LEGAL DESCRIPTION: See Attached

PRESENT ZONING OL T-R-S 19/13/16 CZM 37 ATLAS CD 4

INFORMATION ABOUT YOUR PROPOSAL

REASON FOR PLAT WAIVER APPLICATION: Property has been rezoned. Property has already been platted, all ROW has been dedicated and all utilities are present & in easements

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

*BENEFITS AND PROTECTIONS TO THE CITY IF THE BUILDING PERMIT IS RELEASED PRIOR TO FILING THE FINAL PLAT:

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME Nicole Watts - KKT Architects, Inc.	NAME Hickory House Properties, LLC
ADDRESS 2200 S. Utica Place #200	ADDRESS 4752 E. 114th Street
CITY, ST, ZIP Tulsa, Ok 74114	CITY, ST, ZIP Tulsa, Ok 74137
DAYTIME PHONE 918. 744.4270	DAYTIME PHONE 918.521.4678
EMAIL nicole.watts@kktarchitects.com	EMAIL teresaknox918@gmail.com
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.	
SIGNATURE & DATE: Nicole Watts	5.23.2017

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

APPLICATION FEES		
TOTAL DUE:	$ 250.00	RECEIPT NUMBER: 229341

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

DISPOSITION

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

19.3

REVISED 11/3/2015

NOTE: ***THIS FORM ACCOMPANIES PLAT WAIVER APPLICATIONS ONLY, NOT USED FOR ACCELERATED RELEASE REQUESTS.***

TMAPC POLICY ON PLAT WAIVERS:

(This form is to be completed by applicant.)

It shall be the policy of the Tulsa Metropolitan Area Planning Commission that all requests for plat waivers shall be evaluated by the staff and by the Technical Advisory Committee based on the following list. After such evaluation, TMAPC Staff shall make a recommendation to the TMAPC as to the merits of the plat waiver request accompanied by the answers to these questions:

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

	YES	NO
1) Has property previously been platted?	X	[ ]
2) Are there restrictive covenants contained in a previously filed plat?	X	[ ]
3) Is property adequately described by surrounding platted properties or street R/W?	X	[ ]

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

4) Is right-of-way dedication required to comply with Major Street and Highway Plan?	[ ]	X
5) Will any restrictive covenants be filed by separate instrument?	[ ]	X
6) Infrastructure requirements		
a) Water		
i) Is a main line water extension required?	[ ]	X
ii) Is an internal system or fire line required?	[ ]	X
iii) Are additional easements required?	[ ]	X
b) Sanitary Sewer		
i) Is a main line extension required?	[ ]	X
ii) Is an internal system required?	[ ]	X
iii) Are additional easements required?	[ ]	X
c) Storm Sewer		
i) Is a P.F.P.I. required?	[ ]	X
ii) Is an Overland Drainage Easement required?	[ ]	X
iii) Is on-site detention required?	[ ]	X
iv) Are additional easements required?	[ ]	X
7) Floodplain		
a) Does the property contain a City of Tulsa (Regulatory) Floodplain?	[ ]	X
b) Does the property contain a F.E.M.A. (Federal) Floodplain?	[ ]	X
8) Change of Access		
a) Are revisions to existing access locations necessary?	[ ]	X
9) Is the property in a P.U.D.?	[ ]	X
a) If yes, was plat recorded for the original P.U.D.?	[ ]	[ ]
10) Is this a Major Amendment to a P.U.D.?	[ ]	X
a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?	[ ]	[ ]

NOTE:

If, after consideration of the above criteria, a plat waiver is granted on *unplatted* properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office by the applicant.

19.4

Plat Waiver Legal Description

Lot 15, Block 6, Midway Addition

And

West 33.33' Lot 16, Block 6, Midway Addition

And

East 16.67' Lot 16, Block 6, Midway Addition

And

West 16.67' Lot 17, Block 6, Midway Addition

TMAPC

Tulsa Metropolitan Area Planning Commission

Case Number: **Z-7400**
with an optional development plan

Hearing Date: July 5, 2017

Case Report Prepared by:

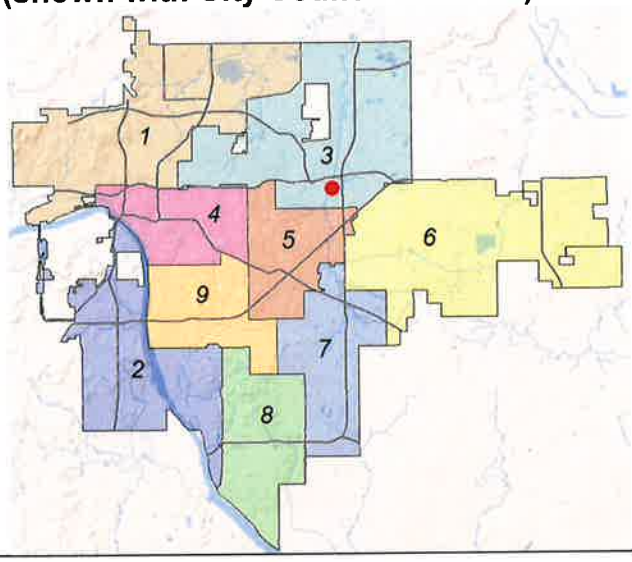
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: AAB Engineering, LLC/ Jarrod Sanders

Property Owner: 66 MINGO LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Vehicle sales and service

Concept summary: Rezoning request for CG zoning with optional development plan. Multiple uses permitted.

Tract Size: 18.91 ± acres

Location: Southeast corner of S. Mingo Rd. and E. Admiral Pl.

Zoning:

Existing Zoning: OL/CS

Proposed Zoning: CG with an optional development plan

Comprehensive Plan:

Land Use Map, Neighborhood Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval for CG zoning with an optional development plan.

Staff Data:

TRS: 9406
CZM: 39 Atlas: 636/637

City Council District: **3**

Councilor Name: David Patrick

County Commission District: **2**

Commissioner Name: Karen Keith

20.1

SECTION I: Z-7400

APPLICANT DEVELOPMENT CONCEPT:
Zoning Application Z-7400 is a rezoning request from CS and OL to CG with an optional development plan for the property located on the southeast corner of Mingo Road and East Admiral Place. The OL portion of the zoning is a small buffer zoning that was historically used to separate commercial and residential uses. Historically these tracts would have been overlaid with a PUD so perimeter treatments could be more thoroughly vetted. CG zoning is requested to allow many of the automotive allied uses on this tract.

EXHIBITS:

INCOG Case map
INCOG Aerial
Tulsa Comprehensive Plan Land Use Map
Tulsa Comprehensive Plan Areas of Stability and Growth Map
Applicant Exhibits: (none included)

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS

Z-7397 with the optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in a CG zoning district and its supplemental regulations except as further refined below. All uses categories, subcategories or specific uses outside of the permitted uses defined below are prohibited.

PERMITTED USE CATEGORIES

A) PUBLIC, CIVIC, AND INSTITUTIONAL
- College or University
- Library or Cultural Exhibit
- Parks and recreation
- Religious Assembly
- Safety Service

B) COMMERCIAL
- Animal Service (includes all specific uses)
- Assembly and entertainment
  - Other indoor
    - (small up to 250 person capacity)
- Broadcast or Recording Studio
- Commercial Service (includes all permitted specific uses)
- Financial Services (includes all specific uses)
- Funeral or Mortuary Service
- Office (includes all specific uses)
- Parking, Non-accessory
- Restaurants and Bars (includes all permitted specific uses)
- Retail Sales (includes all specific uses)
- Studio, Artist, or Instructional Service
- Trade School
- Vehicle Sales and Service
  - Fueling Station
  - Commercial vehicle repair/maintenance
  - Commercial vehicle sales and rentals
  - Personal vehicle repair and maintenance
  - Personal vehicle rentals (Vehicle sales prohibited)
  - Vehicle body and paint finishing shop

C) WHOLESALE, DISTRIBUTION AND STORAGE

Equipment and Materials Storage, Outdoor
Warehouse
Wholesale Sales and Distribution

D) OTHER

Drive-in or Drive-through Facility (as a component of an allowed principal use)

SIGNAGE:

On-premise freestanding signs:

Two double-faced signs, with a maximum display surface area of sixty four square feet (64 SF) per side and a maximum height of five feet (15 FT) will be permitted. One sign will be allowed along East Admiral Place. One sign allowed along South Mingo Road.

Signage shall be monument style signs. Pole signs are prohibited.

All signs shall be lit by either a constant external light source or a constant internal light source.

Wall Signage:

Wall signage is prohibited on any East or South facing wall.

Dynamic Display:

No Dynamic Display sign is permitted within 250 feet of the west right of way line of South 101st East Avenue.

No Dynamic Display sign is permitted along South Mingo Road.

LANDSCAPING AND SCREENING:

A landscape berm shall be provided at any point where parking or vehicular access is within 60 feet of a single family residence. The berm height will be measured from the top of curb and will not be less than three feet in heights. In addition to the berm a 6' screening fence will be provided between the top of berm and lot line in order to further shield the homes. One tree shall be planted and maintained for each 20 linear foot of fence and shall be located on the top of the landscape berm.

All trash and mechanical areas shall be screened from public view any person standing at ground level by a masonry screening wall. A mesh door with minimum opacity of 95% shall be allowed on enclosure doors. The trash enclosure shall not be within 200 feet of any residentially zoned lot.

Vehicular Access:

No vehicular access will be permitted on South Mingo Road within the southern 175 feet of the property.

DETAILED STAFF RECOMMENDATION:

The specific anticipated vehicular use is not consistent with the Neighborhood Center land use; however, CG zoning with the optional development plan identified in Section II is consistent with the Neighborhood Center Vision and,

CG zoning with the optional development plan is considered non-injurious to the surrounding property owners and,

CG zoning with the optional development plan is consistent with the anticipated future development pattern in this area therefore,

Staff recommends Approval of Z-7400 to rezone property from OL/ CS to CG with the optional development plan.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

> *Staff Summary: The specific use expected with this application is not consistent with the Neighborhood Center vision of the Comprehensive plan. The Neighborhood Center land use designated could be accomplished in the future within the CG Zoning designation.*

Land Use Vision:

Land Use Plan map designation: Neighborhood Center
Neighborhood Centers are small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.

Areas of Stability and Growth designation: Area of Growth
The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile."

Transportation Vision:

Major Street and Highway Plan: None that affect site development

Trail System Master Plan Considerations: None. An existing trail system is on the north and west bank of Mingo Creek. Access to that trail system is not practical from this site except further south from South Mingo Road. Sidewalk construction along South Mingo will help provide future access opportunities.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is a large undeveloped property that has limited access opportunities on South Mingo and East Admiral Place. The northwest boundary of the property is defined by Mingo Creek and its floodplain.

Environmental Considerations: None except the Mingo Creek Floodplain may affect site development along the northwestern edge of the request.

Streets:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
South Mingo Road	Secondary Arterial	100 feet	4 transitioning to 2 further south
East Admiral Place	Secondary Arterial	100 feet	5

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	CG and CS	Town Center	Growth	
East	CS, RM-1 and RS-3	Neighborhood Center and Existing Neighborhood	Stability	Single Family Residential and Vacant
South	RS-3	Existing Neighborhood	Stability	Single Family Residential
West	CS, RS-3 and RM-2	Existing Neighborhood, Park and Open Space	Stability	Multi family and mobile home sales, RV sales across Mingo creek

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 12839 dated June 6, 1973, established zoning for the subject property.

Subject Property:

Z-4368 June 1973: All concurred in **approval** of a request for *rezoning* a tract of land from RS-3/ CS to OL/CS, creating the current zoning on subject property, located south and east of the southeast corner of S. Mingo Rd. and E. Admiral Pl.

Surrounding Property:

BOA-20680 May 13, 2008: The Board of Adjustment **approved** a *Special Exception* to permit an electrical contracting service in a CS district, per plan submitted, on property located at 9702 E. Admiral Pl. and abutting northwest of subject property.

Z-6648 August 1998: All concurred in **approval** of a request for *rezoning* a 26± acre tract of land from CS to CG, on property located east of the northeast corner of E. Admiral Pl. and N. Mingo Rd. and north of subject tract.

Z-6437 May 1994: All concurred in **approval** of a request to *rezone* a 9.7± acre tract, from CS to CG for truck sales, located on the northeast corner of E. Admiral Pl. and S. Mingo R. and north of the subject tract.

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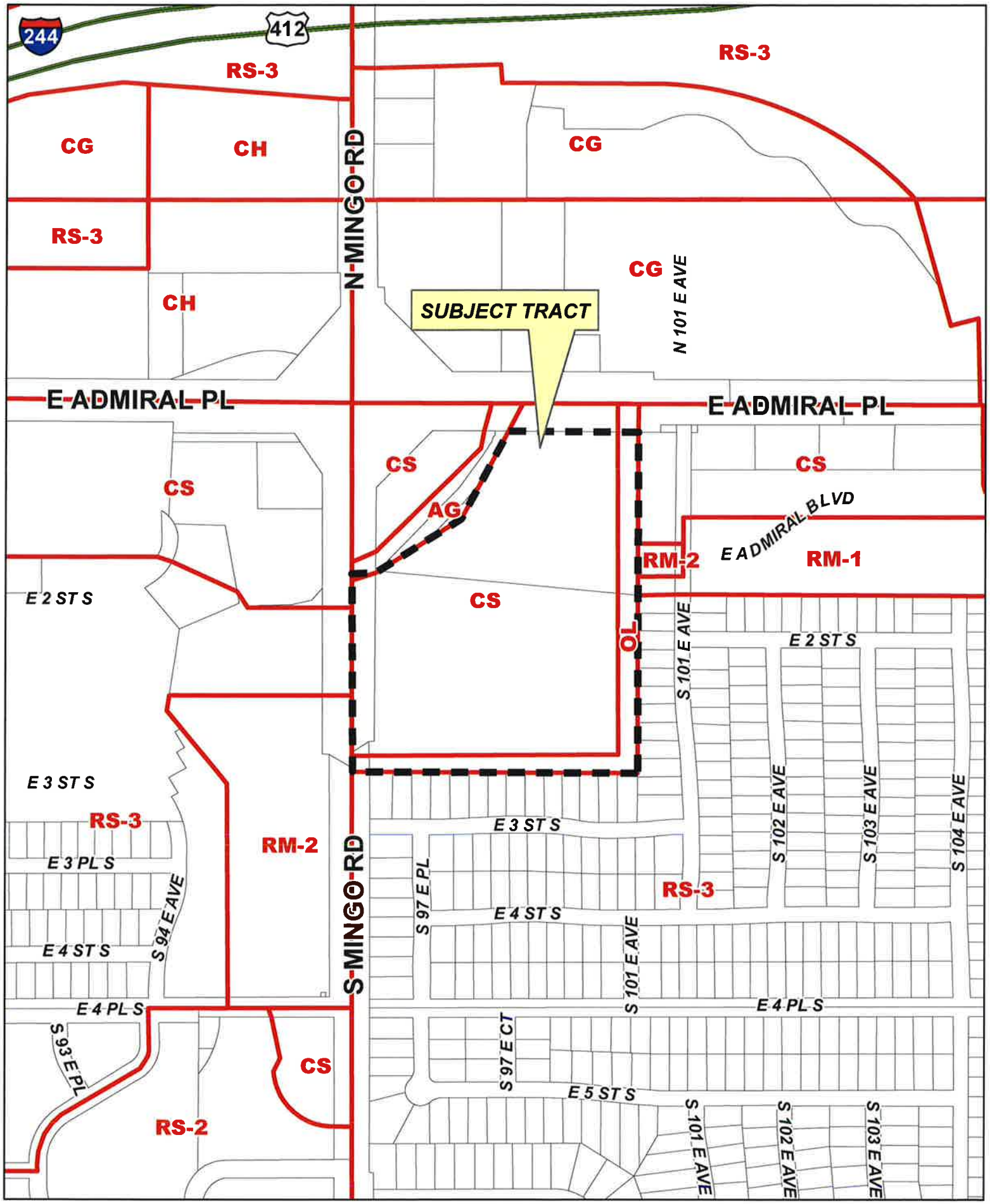

Feet
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19-14 06

Z-7400
with Optional
Developement Plan

20.7

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Subject Tract

19-14 06

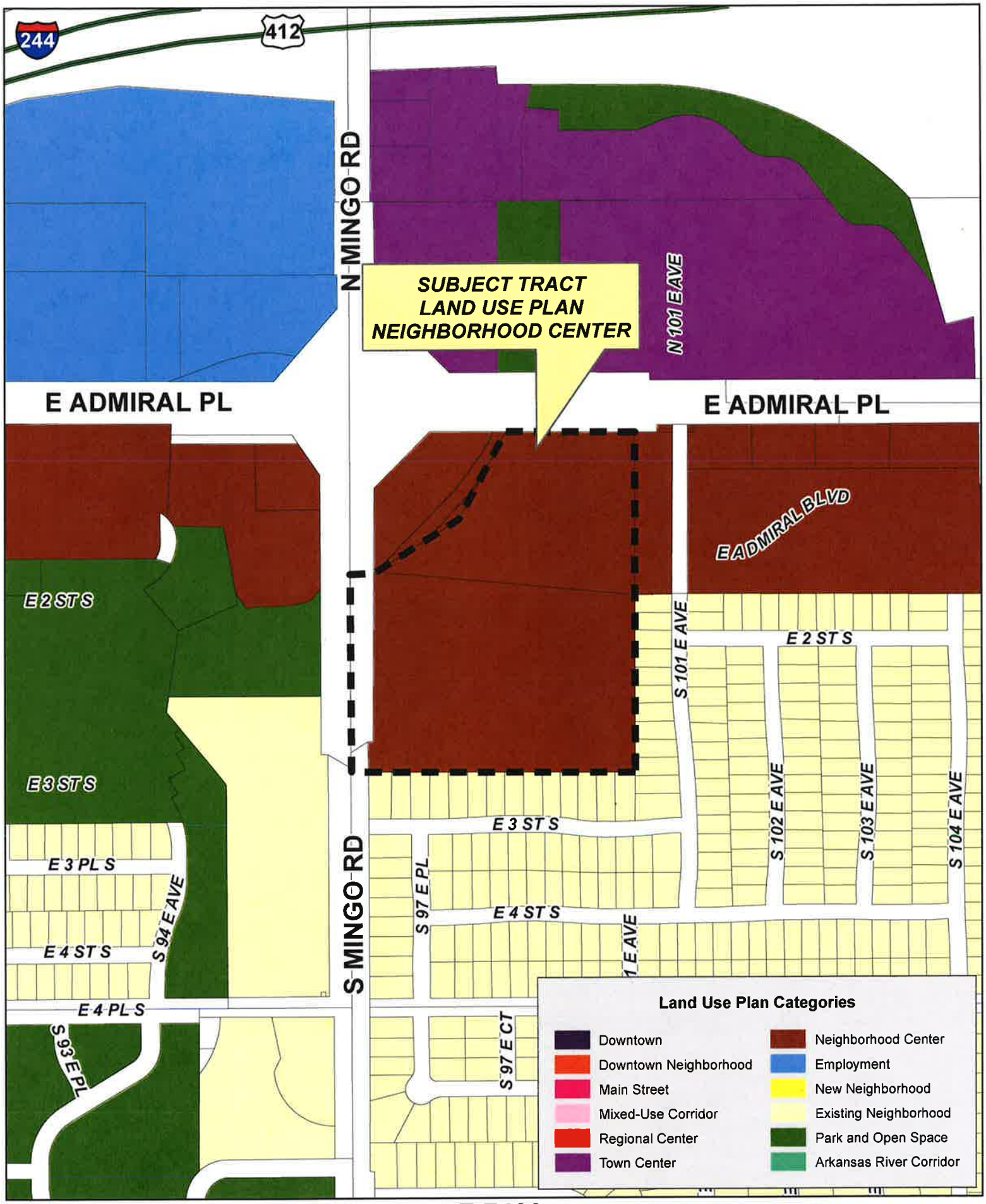
Z-7400 with Optional Developement Plan

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

N

20.8



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19-14 06

Z-7400
with Optional
Developement Plan

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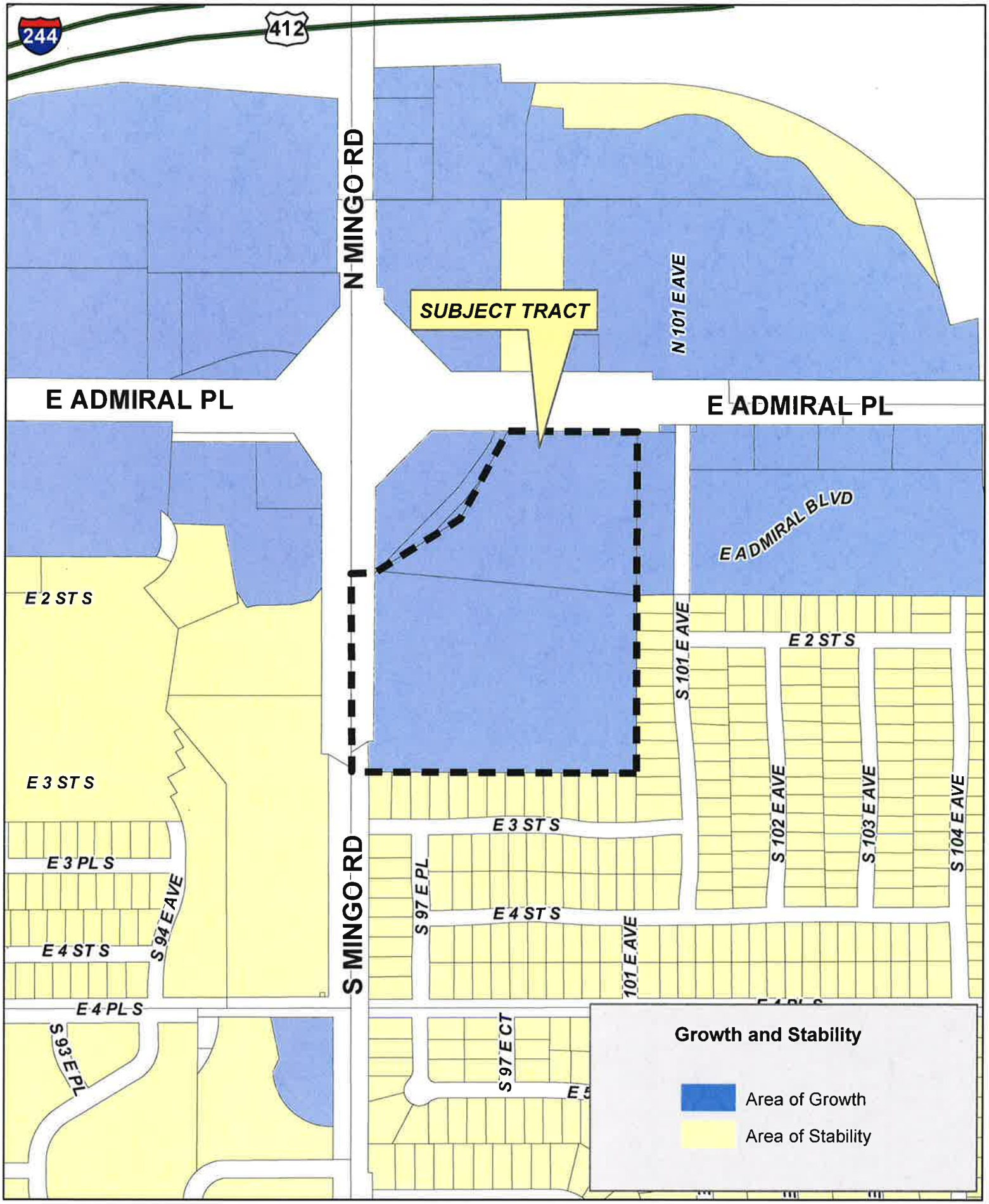
N



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19-14 06

Z-7400
with Optional
Developement Plan

20.10

N

TMAPC

Tulsa Metropolitan Area Planning Commission

Case Number: **CZ-460**
Related to PUD-846

Hearing Date: **July 5, 2017**

Case Report Prepared by:

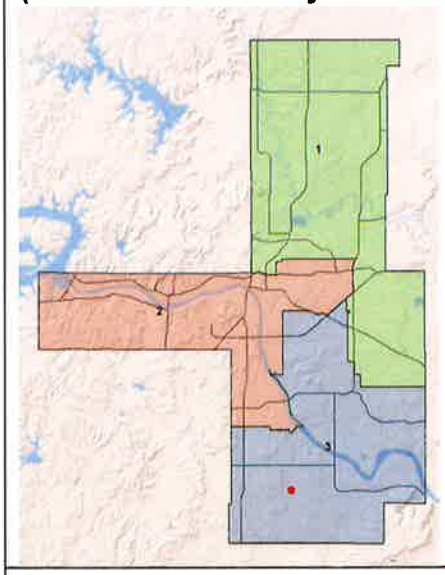
Jay Hoyt

Owner and Applicant Information:

Applicant: Ryan McCarty

Property Owner: DESHON APARTMENTS LLC

Location Map:
(shown with County Commission Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Single-family subdivision

Concept summary: Rezone from AG to RE to permit a single-family subdivision

Tract Size: 30 ± acres

Location: West of northwest corner of E. 171st St. S. and S. Harvard Ave.

Zoning:

Existing Zoning: AG

Proposed Zoning: RE

Comprehensive Plan:

Land Use Map:

Stability and Growth Map:

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 7329
CZM: 66 Atlas: 0

County Commission District: **3**

Commissioner Name: Ron Peters

21.1

SECTION I: CZ-460

DEVELOPMENT CONCEPT: Rezone from AG to RE to permit a single-family subdivision. The subdivision will be gated, with private streets. A new Planned Unit Development, PUD-846, is also proposed to accompany this zoning request.

EXHIBITS:

INCOG Case map
INCOG Aerial

DETAILED STAFF RECOMMENDATION:

CZ-460 is non injurious to the existing proximate properties and;

CZ-460 is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-460 to rezone property from AG to RE.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This area is outside of the City of Tulsa Comprehensive Plan area.

Land Use Vision:

Land Use Plan map designation: N/A

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: East 171st St S is designated as a Primary Arterial

Trail System Master Plan Considerations: None

Small Area Plan: N/A

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently vacant with no structures evident on site. A large pond exists in the northeast corner of the site.

Environmental Considerations: None

Streets:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 171st Street South	Primary Arterial	120 feet	2

Utilities:

The subject tract has municipal water available. A septic system will be required for each lot.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	N/A	N/A	Vacant
South	AG	N/A	N/A	Vacant/Single-Family
East	AG	N/A	N/A	Agricultural/Single-Family
West	AG	N/A	N/A	Single-Family

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 98254 dated September 15, 1980, established zoning for the subject property.

Subject Property:

No relevant history.

Surrounding Property:

CZ-387/ PUD-745 October 2007: All concurred in approval of a request for rezoning a 80± acre tract of land from AG to RS, for single-family development, on property located west of southwest corner of East 171st Street South and South Lewis Avenue.

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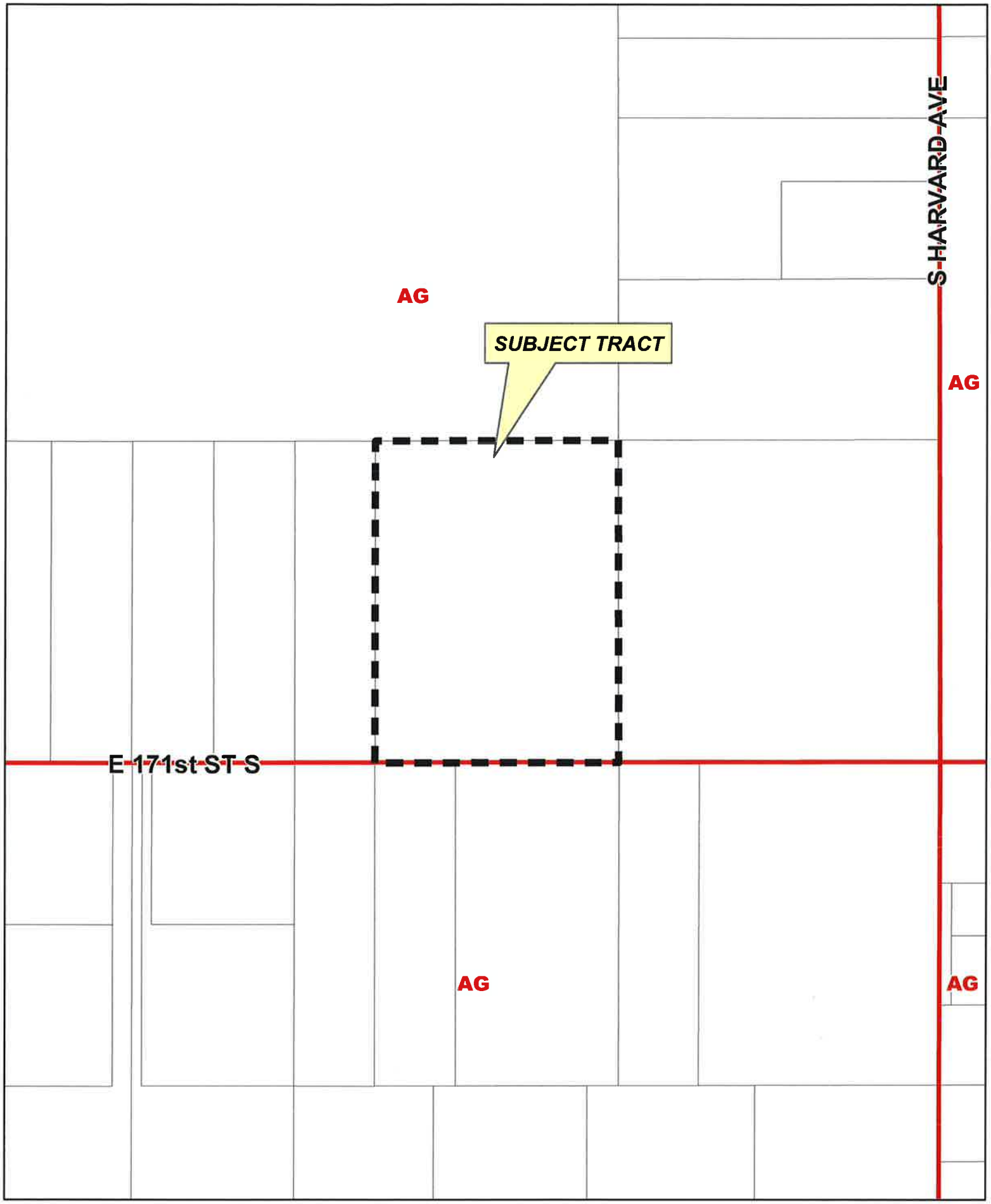
21.3



Feet
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CZ-460

17-13 29

21.4

N

Feet
0 250 500

Subject Tract

CZ-460

17-13 29

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

N

215

TMAPC

Tulsa Metropolitan Area Planning Commission

Case Number: PUD-846
Related to CZ-460

Hearing Date: July 5, 2017

Case Report Prepared by:

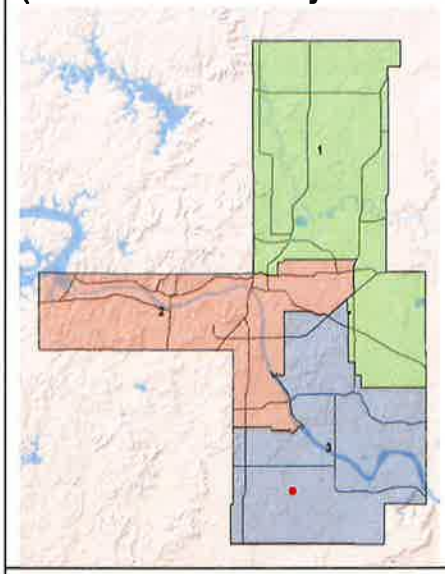
Jay Hoyt

Owner and Applicant Information:

Applicant: Ryan McCarty

Property Owner: DESHON APARTMENTS LLC

Location Map:
(shown with County Commission Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Single-family subdivision

Concept summary: Rezone to RE with PUD to permit single-family subdivision

Tract Size: 30 ± acres

Location: West of northwest corner of E. 171st St. S. and S. Harvard Ave.

Zoning:

Existing Zoning: AG

Proposed Zoning: RE/ PUD-846

Comprehensive Plan:

Land Use Map: N/A

Stability and Growth Map: N/A

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 7329
CZM: 66 Atlas: 0

County Commission District: 3

Commissioner Name: Ron Peters

REVISED 6/28/2017

SECTION I: PUD-846

DEVELOPMENT CONCEPT: New planned unit development, in conjunction with rezoning case CZ-460 (AG to RE) to permit a single-family subdivision. The subdivision will be gated, with private streets.

EXHIBITS:

- INCOG Case map
- INCOG Aerial
- Applicant Exhibits:
  - Development Concept
  - Exhibit A – Concept Plat
  - Exhibit B – Aerial Photography
  - Exhibit C – Site Topography

PUD-846 DEVELOPMENT STANDARDS:

Land Area: 30.0 Acres

Permitted Uses: All uses allowed by right in the RE zoning district specifically Use Unit 6 – Single Family Dwelling and customary facilities and amenities.

Residential lot density calculation:

Maximum dwelling units allowed (1,306,800 / 26,250 square feet):	49
Dwelling units (residential lots) proposed:	9

Minimum lot width:	150 feet
Minimum lot area:	22,500 square feet
Minimum land area per dwelling unit:	26,250 square feet
Maximum structure height:	40 feet
Off-Street Parking:	Two (2) enclosed off-street parking spaces per dwelling unit
Front yard abutting a private street reserve area:	50 feet
Rear yard:	25 feet
Side yard:	25 feet

No residence shall be built nearer than twenty-five (25) feet to any side lot on one side, and twenty-five (25) feet on the other side, thus requiring a combined total of at least fifty (50) feet between the residences.

All other yards abutting an arterial street:	100 feet from the centerline of E. 171st Street S.
Minimum Dwelling Size:	2,900 square feet of finished heated living area

VEHICULAR ACCESS AND CIRCULATION:

The subject tract shall be accessed from East 171st Street South along the south side of the property. Interior vehicular access shall be derived from a single gated private street (24 feet in width) extending north from East 171st Street South to a cul-de-sac with a pavement diameter of 96 feet. The entirety of the street system and gated entry located within the reserve area will be owned and maintained by the Sleepy Hollow Estates Homeowners' Association. Tulsa County shall have no responsibility regarding the maintenance of this street. The paving materials of the private street shall be of a quality and thickness as set forth by Tulsa County Engineering Design Standards and as described below:

8-inches treated subgrade
8-inches aggregate base
2-inches Type A asphaltic concrete
1 ½-inches Type B asphaltic concrete

There are no plans for future residential street connections to this property.

PEDESTRIAN ACCESS: Pedestrian access is not shown. Sidewalks do not exist along East 171st St. S. in the area of the subject lot. Due to the existing conditions and design of this property (bar ditches, no curb and gutter, etc.), a sidewalk waiver is requested for this development. A walking path is planned near Reserve Area 'A'.

PLATTING REQUIRMENT: No building permit shall be issued until the area comprising the Planned Unit Development has been included within a subdivision plat submitted to and approved by the Tulsa Metropolitan Area Planning Commission (TMAPC) and the Tulsa County Board of County Commissioners and duly filed of record. The required subdivision plat shall include covenants of record implementing the development standards of the approved Planned Unit Development and the Tulsa Metropolitan Area Planning Commission (TMAPC) shall be a beneficiary thereof.

EXPECTED SCHEDULE OF DEVELOPMENT: Sleepy Hollow Estates anticipated construction schedule begins in the fall of 2017 and is expected to be complete and ready for lot sales in the summer of 2018.

NEIGHBORHOOD IDENTIFICATION SIGN: Two entry identification signs shall be permitted with a maximum of 64 square feet of display signage surface. Additional signage for amenities will be allowed with a maximum of 16 square feet.

DETAILED STAFF RECOMMENDATION:

PUD-846 is non injurious to the existing proximate properties and;

PUD-846 is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of PUD-846 as outlined in Section I above.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: *This area is outside of the City of Tulsa Comprehensive Plan area.*

Land Use Vision:

Land Use Plan map designation: N/A

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: East 171st St S is designated as a Primary Arterial

Trail System Master Plan Considerations: None

Small Area Plan: N/A

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is currently vacant with no structures evident on site. A large pond exists in the northwest corner of the site.*

Environmental Considerations: None

Streets:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 171st Street South	Primary Arterial	120 feet	2

Utilities:

The subject tract has municipal water available. A septic system will be required for each lot.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	N/A	N/A	Vacant
South	AG	N/A	N/A	Vacant/Single-Family
East	AG	N/A	N/A	Agricultural/Single-Family
West	AG	N/A	N/A	Single-Family

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 98254 dated September 15, 1980, established zoning for the subject property.

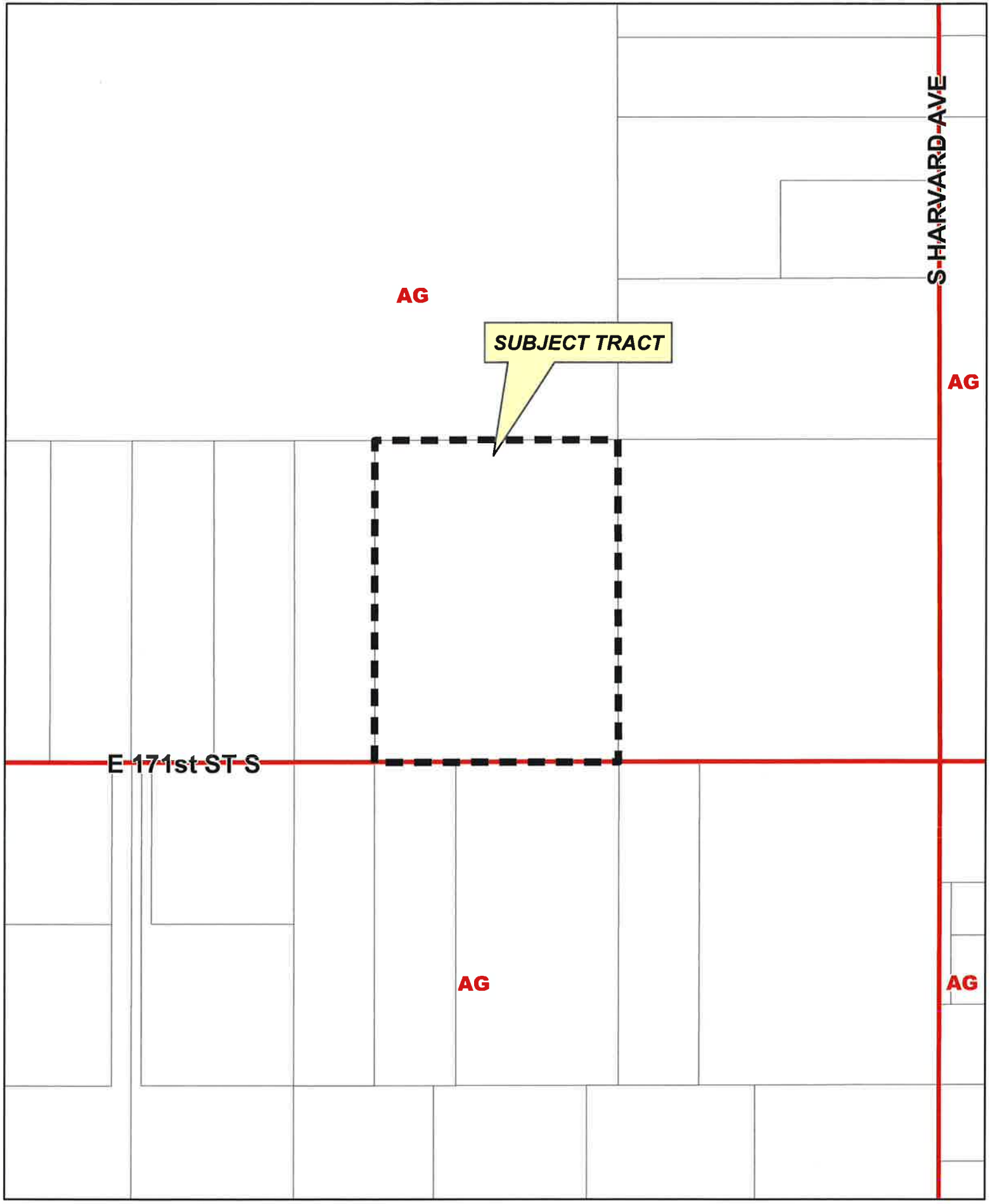
Subject Property:

No relevant history.

Surrounding Property:

CZ-387/ PUD-745 October 2007: All concurred in approval of a request for rezoning a 80± acre tract of land from AG to RS, for single-family development, on property located west of southwest corner of East 171st Street South and South Lewis Avenue.

7/5/2017 1:30 PM



Feet
0 250 500

PUD-846

17-13 29

22.6

N

Feet
0 250 500

Subject Tract

PUD-846

17-13 29

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

22.7

N

Sleepy Hollow Estates Planned Unit Development

May 24, 2017

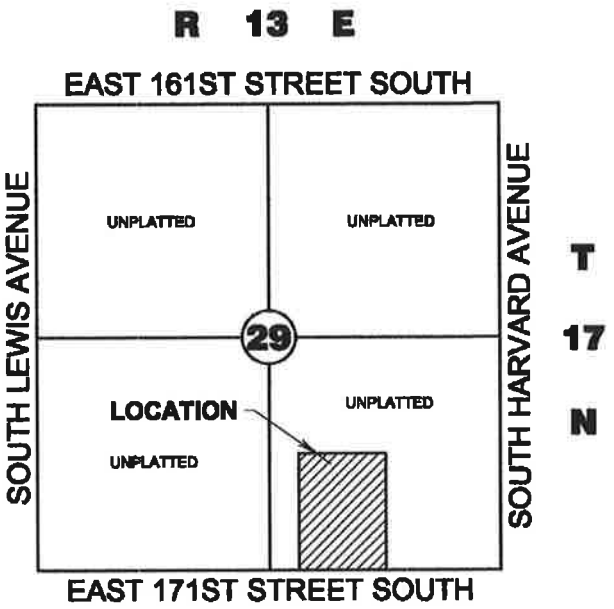
RE (Residential Single-Family, Estate District) – Single Family Residential Subdivision

Prepared By:

Select Design
Ryan McCarty
11063D South Memorial Drive #351
Tulsa, OK 74133
Phone: (918) 798-8356
ryan@selectdesignok.com

Prepared for:

Avery LLC
1723 East 137th Street
Bixby, OK 74008
Phone: (918) 633-9749
savery@cox.net



Development Concept

Sleepy Hollow Estates is a single-family development on a 30-acre tract of presently undeveloped land in Tulsa County, Oklahoma. The project is located on the north side of East 171st Street South approximately quarter-mile west of South Harvard Avenue and is currently surrounded by unplatted property (AG zoning). This Planned Unit Development is an overlay covering the RE zoning district and will follow RE dimensional and density standards with a few notable exceptions.

A homeowners' association will be formed for the neighborhood and homeowners' dues established for the maintenance of the neighborhood and amenities. Covenants for the neighborhood have been prepared to set forth minimum dwelling sizes, percent of masonry, and other criteria which establish and maintain a quality development.

Sleepy Hollow Estates will be a professionally planned neighborhood with a landscaped entry and recreational areas. Plans for the neighborhood include a gated private street, security camera system, walking trail, fire pit and fountains.

Sleepy Hollow Estates

Residential Subdivision

Tulsa County, Oklahoma

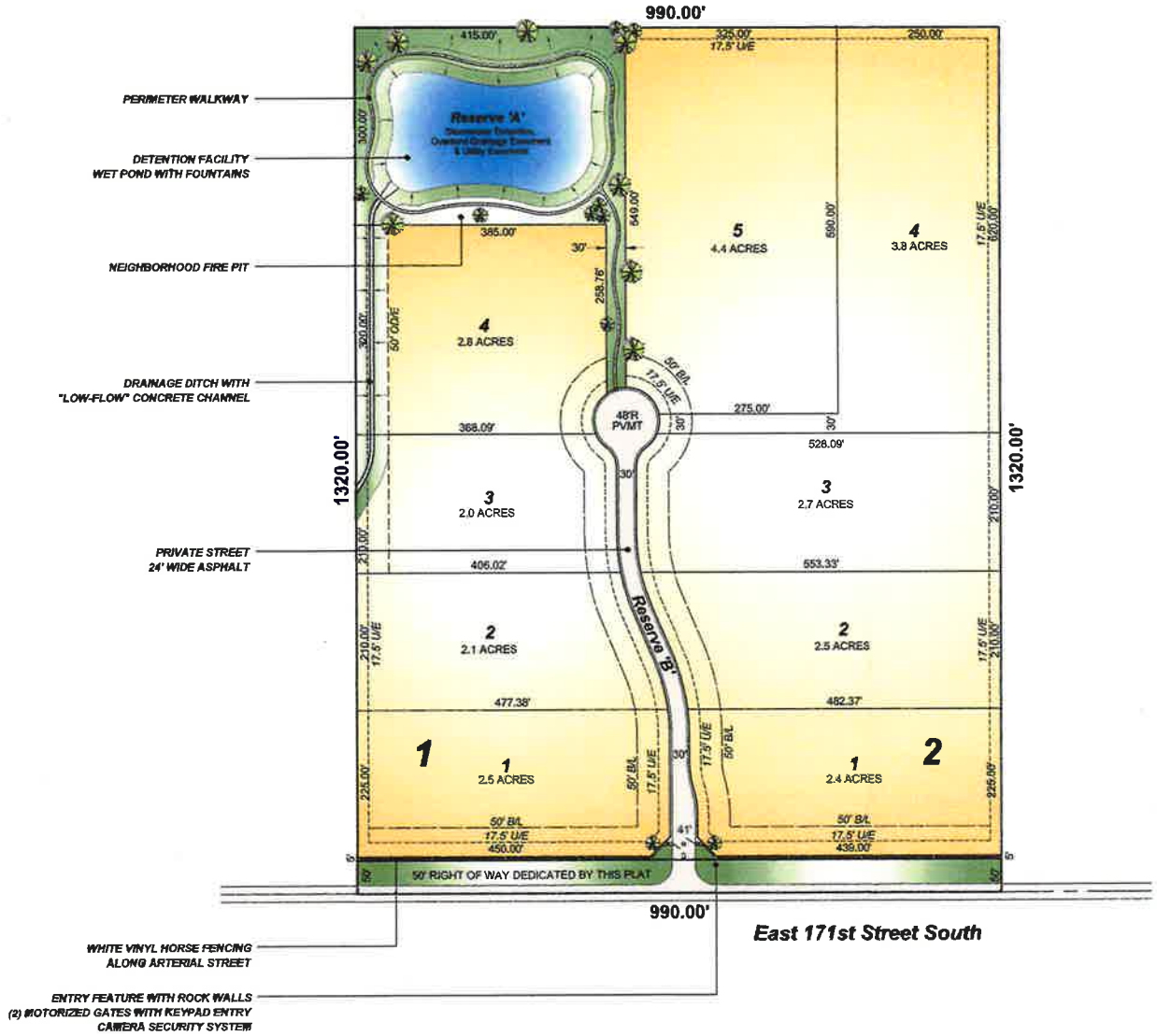


EXHIBIT 'A'

CONCEPT PLAT

Select design
DEVELOPMENT ANALYSIS
PROJECT MANAGEMENT
DRAFTING & DESIGN
11653D S Memorial Dr #351
Tulsa, Oklahoma 74133
Phone: (918) 786-8559

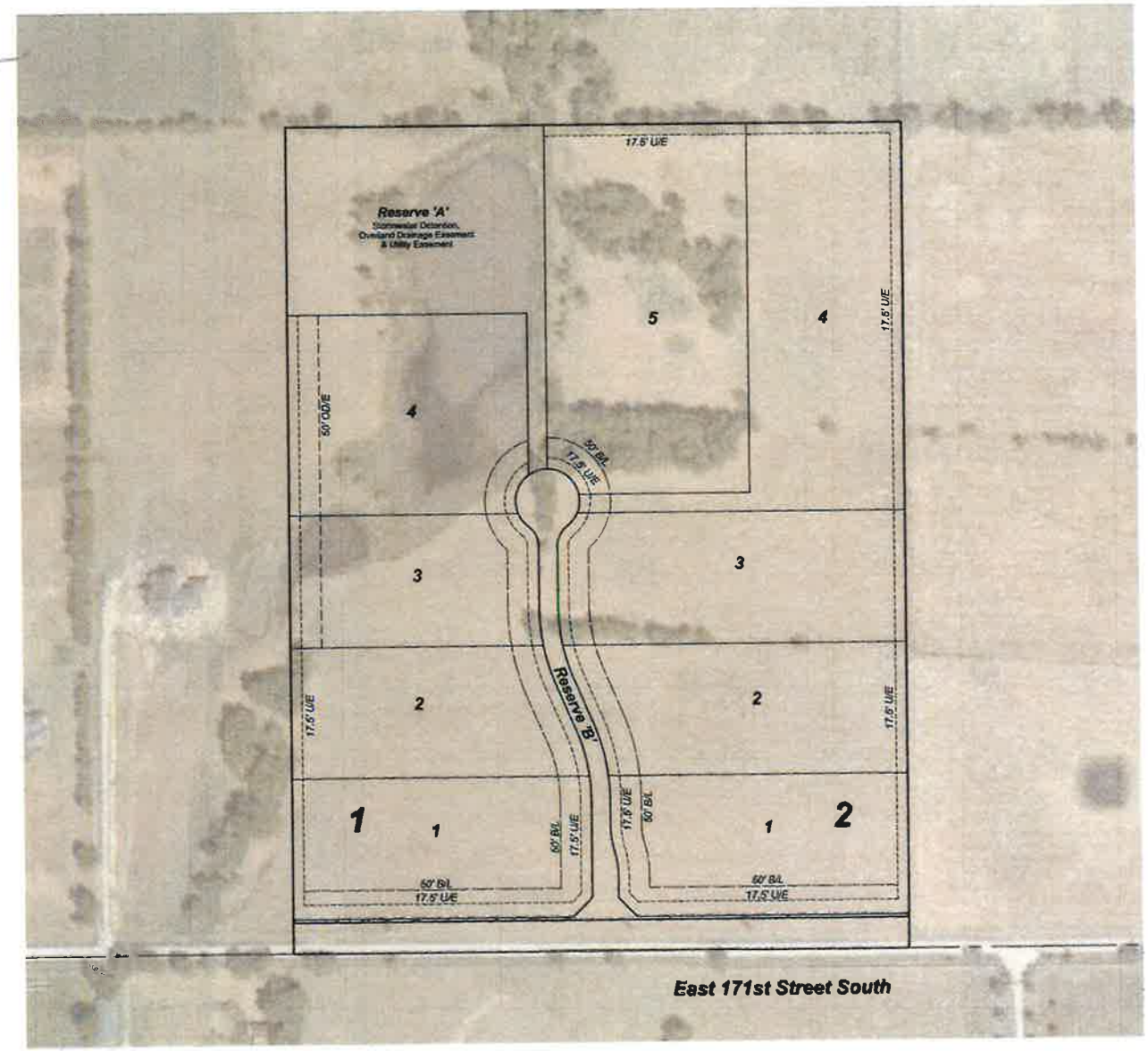
DATE PREPARED: May 23, 2017

3.22

Sleepy Hollow Estates

Residential Subdivision

Tulsa County, Oklahoma



N

Scale: 1" = 50'

EXHIBIT 'B'

AERIAL PHOTOGRAPHY

Select design

DEVELOPMENT ANALYSIS
PROJECT MANAGEMENT
DRAFTING & DESIGN

11030 S Memorial Dr #201
Tulsa, Oklahoma 74133
Phone: (918) 799-4306

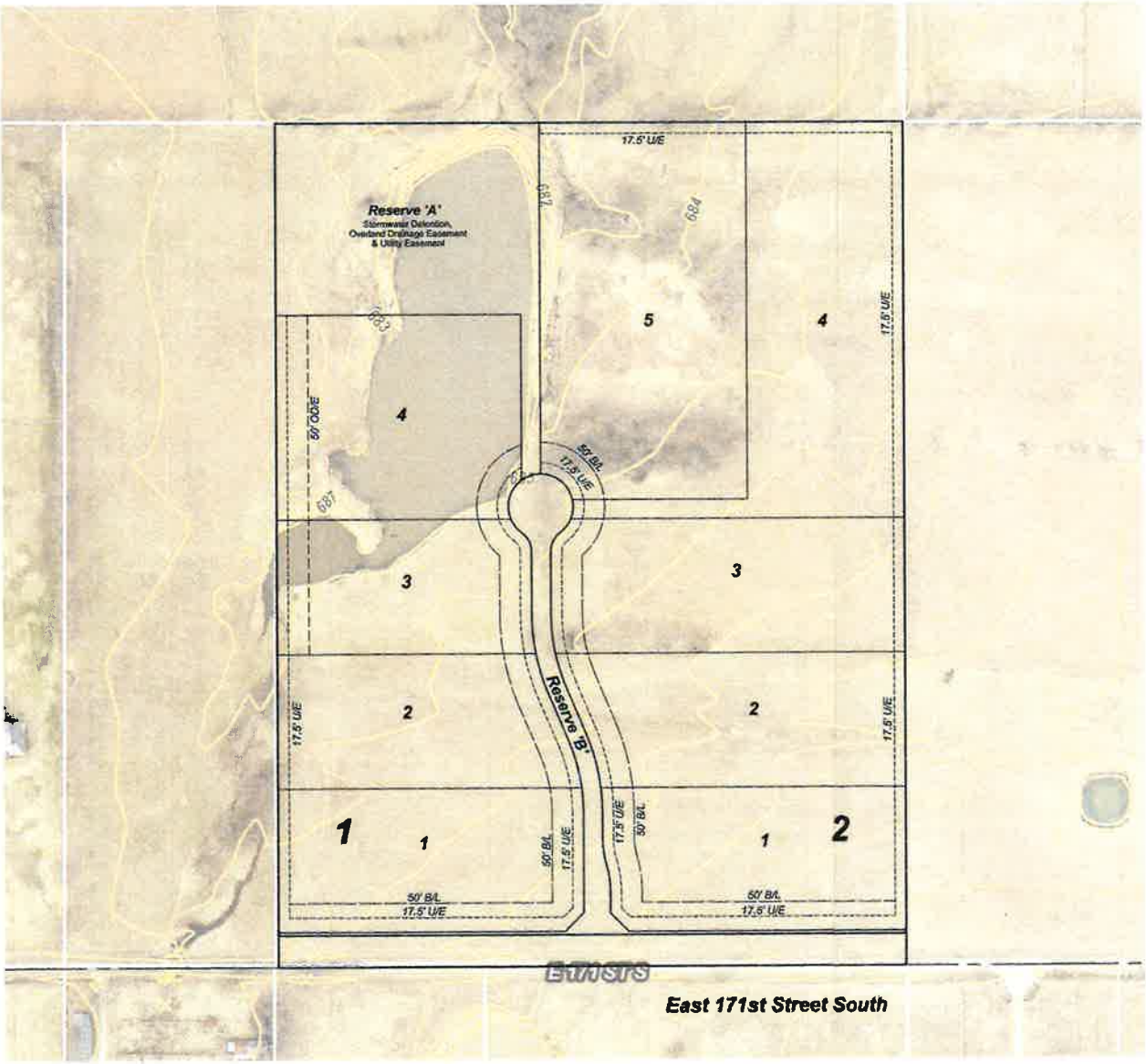
DATE PREPARED: May 23, 2017

22.10

Sleepy Hollow Estates

Residential Subdivision

Tulsa County, Oklahoma



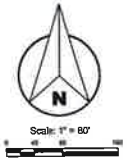


EXHIBIT 'C'

SITE TOPOGRAPHY

Select design

DEVELOPMENT ANALYSIS
PROJECT MANAGEMENT
DRAFTING & DESIGN

11002D S Memorial Dr #351
Tulsa, Oklahoma 74133
Phone: (918) 706-8356

DATE PREPARED: May 23, 2017

22.11

TMAPC

Tulsa Metropolitan Area Planning Commission

Case Number: **Z-7401**

Hearing Date: July 5, 2017

Case Report Prepared by:

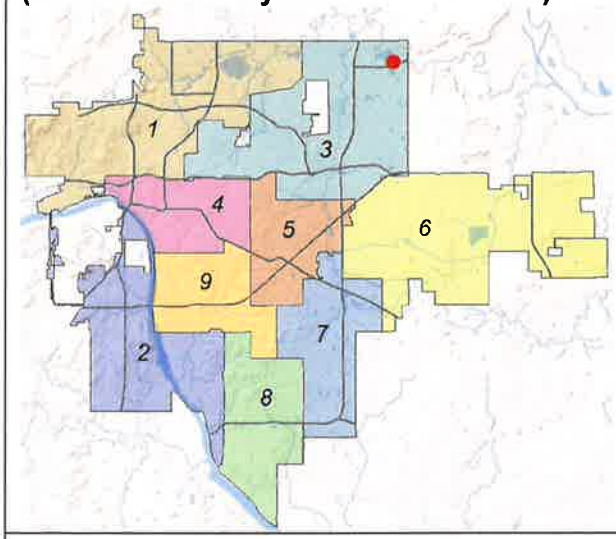
Jay Hoyt

Owner and Applicant Information:

Applicant: KKT Architects, Inc./ Nicole Watts

Property Owner: TULSA ASPHALT LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Industrial

Proposed Use: Industrial

Concept summary: Rezone tract from AG to IH to permit Industrial use.

Tract Size: 10 ± acres

Location: East of northeast corner of E. 46th St. N. and N. 129th E. Ave.

Zoning:

Existing Zoning: AG

Proposed Zoning: IH

Comprehensive Plan:

Land Use Map: Employment

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 409
CZM: 24 Atlas: 0

City Council District: **3**

Councilor Name: David Patrick

County Commission District: **1**

Commissioner Name: John Smaligo

23.1

REVISED 6/29/2017

SECTION I: Z-7401

DEVELOPMENT CONCEPT: Rezone subject tract from AG to IH to permit Industrial uses. The tract is surrounded by industrial uses and is currently utilized for industrial uses related to asphalt production.

EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
  - Legal Description
  - Rezoning Exhibit A

DETAILED STAFF RECOMMENDATION:

IH zoning is consistent with the Employment and the Area of Growth land use designations identified in the Tulsa Comprehensive Plan and,

IH zoning is non-injurious to the surrounding property and

IH zoning is consistent with the expected development pattern in the area therefore,

Staff recommends Approval of Z-7401 to rezone property from AG to IH.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject tract is located within an Employment Land Use. Industrial use would be compatible with the Employment Land Use.

Land Use Vision:

Land Use Plan map designation: Employment

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

Areas of Stability and Growth designation: Area of Growth

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

Transportation Vision:

Major Street and Highway Plan: East 46th Street North is a Primary Arterial

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently utilized as part of a larger asphalt production facility.

Environmental Considerations: The western portion of the tract currently contains an area within the 100 year floodplain. The applicant will need to work with the City of Tulsa to mitigate any issues relating to the floodplain before developing within it.

Parcels - Tulsa County

Tulsa County Levee Protected Area

Tulsa County Floodway (2016 Update)

Tulsa County 100 Year Floodplain (2016 update)

Tulsa County 500 Year Floodplain (2016 update)

Streets:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 46th Street North	Primary Arterial	120 feet	2

Utilities:

The subject tract does not have municipal water and sewer available. A waterline extension would be required to provide water to the site. A sewer line extension or septic system would be required for sewer services, if required.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	AG	Employment	Growth	Industrial
South	IM	Employment	Growth	Industrial
East	IH	Employment	Growth	Industrial
West	IM	Employment	Growth	Industrial

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11804 dated June 26, 1970, established zoning for the subject property.

Subject Property:

No relevant history.

Surrounding Property:

Z-7385 June 2017: All concurred in **approval** of a request for *rezoning* a 97± acre tract of land from AG to IM for industrial use, on property located northeast corner of E. 46th St. N. and Highway 169. City Council approved this application on June 21, 2017 and is pending an ordinance to be published.

Z-7203 May 2012: All concurred in **approval** of a request for *rezoning* a 13± acre tract of land from AG/RMH to IM for aviation use, on property located south and east of the southeast corner of N. Mingo Rd. and E. 46th St. N., and west and south of subject property.

Z-6837 October 2001: All concurred in **approval** of a request for *rezoning* a 155± acre tract of land from AG to IM and IH, for industrial use, on property located at the southeast corner of E. 46th St. N. and Highway 169 and is southwest of subject property.

BOA-20848 January 2009: The Board of Adjustment **approved** a *Special Exception* to permit a Sanitary Landfill (Use Unit 2) in an IH district, on property located at 13720 E. 46th St. N.

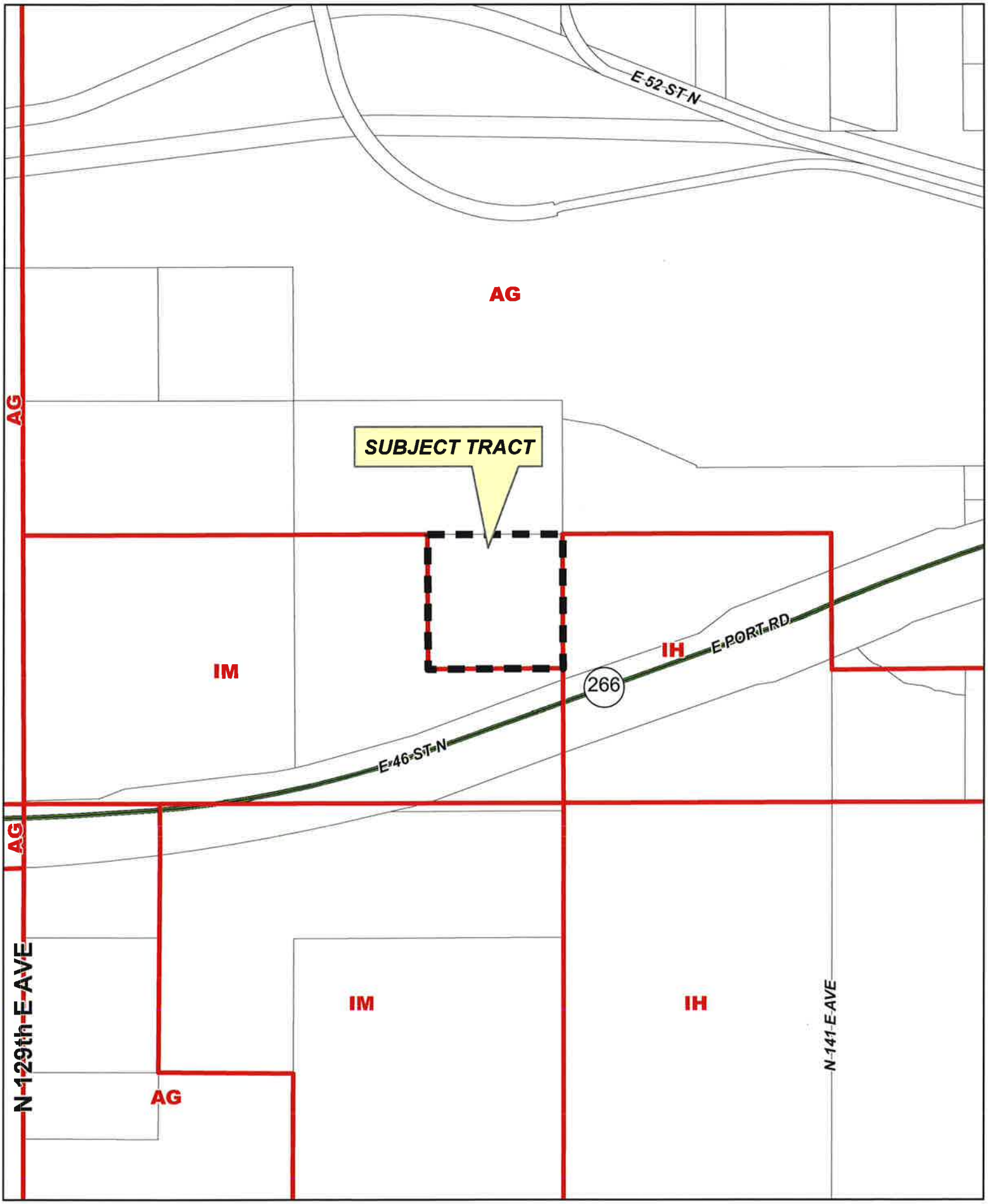
BOA-18611 December 14, 1999: The Board of Adjustment **approved** a *Special Exception* to permit limestone mining in an IM and AG district, on property located north of E. 46th St. N. and N. 129th E. Ave. and *abutting west of subject property.*

BOA-18291 January 26, 1999: The Board of Adjustment **approved** a *Special Exception* to permit mining/mineral processing in IM and AG Districts; and a *Special Exception* for cement, lime, gypsum, plaster of paris, asphalt manufacturing and paving plants and mining and mineral processing, on property located at E. 36th St. N., extending up just north of E. 46th St. N. and N. 129th E. Ave.

BOA-17962 March 10, 1998: The Board of Adjustment **approved** a *Special Exception* to permit a solid waste recycling and disposal facility; located on east of the southeast corner of Highway 169 and E. 46th St. N., and southeast of the subject property.

BOA-11952 May 13, 1982: The Board of Adjustment **approved** a *Special Exception* to permit a limestone quarry and related processing in an IH district, on property located at the northeast corner of Port Catoosa Rd. and N. 129th E. Ave. and *abutting east of subject property.*

BOA-9332 January 20, 1977: The Board of Adjustment **approved** a *Special Exception* for permission to conduct limestone quarrying operations in an IH district as presented with the stipulation that this approval is not to be interpreted as authorizing any activity which may be in violation of any other Ordinances of the City of Tulsa; located at 46th St. N. and 145th E. Ave. (abutting to the east)



Feet
0 300 600

Z-7401

20-14 09

23.6

N

Feet
0 300 600

Subject Tract

Z-7401

20-14 09

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

N

Feet
0 50 100

Subject Tract

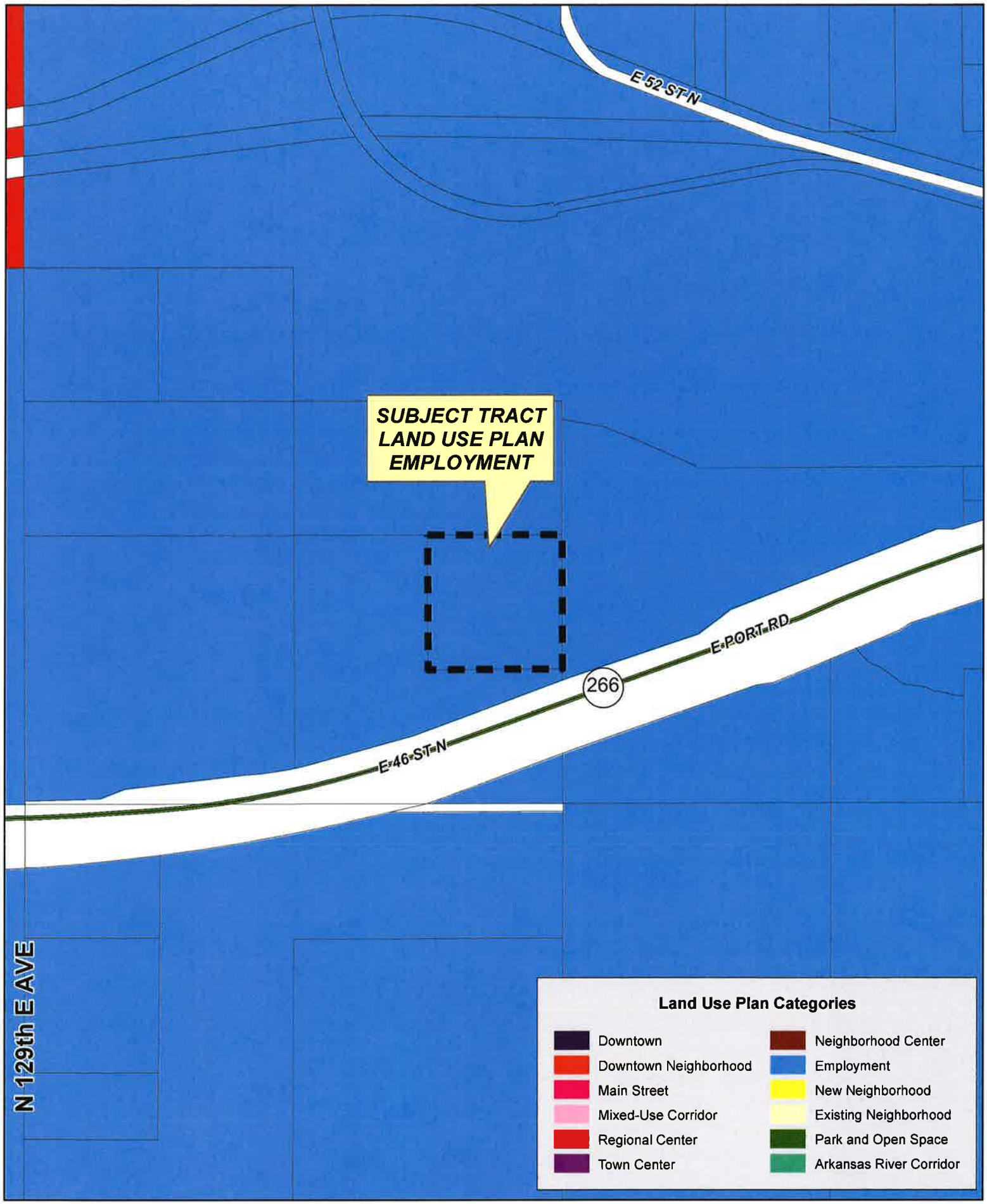
Z-7401

20-14 09

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

N



Feet
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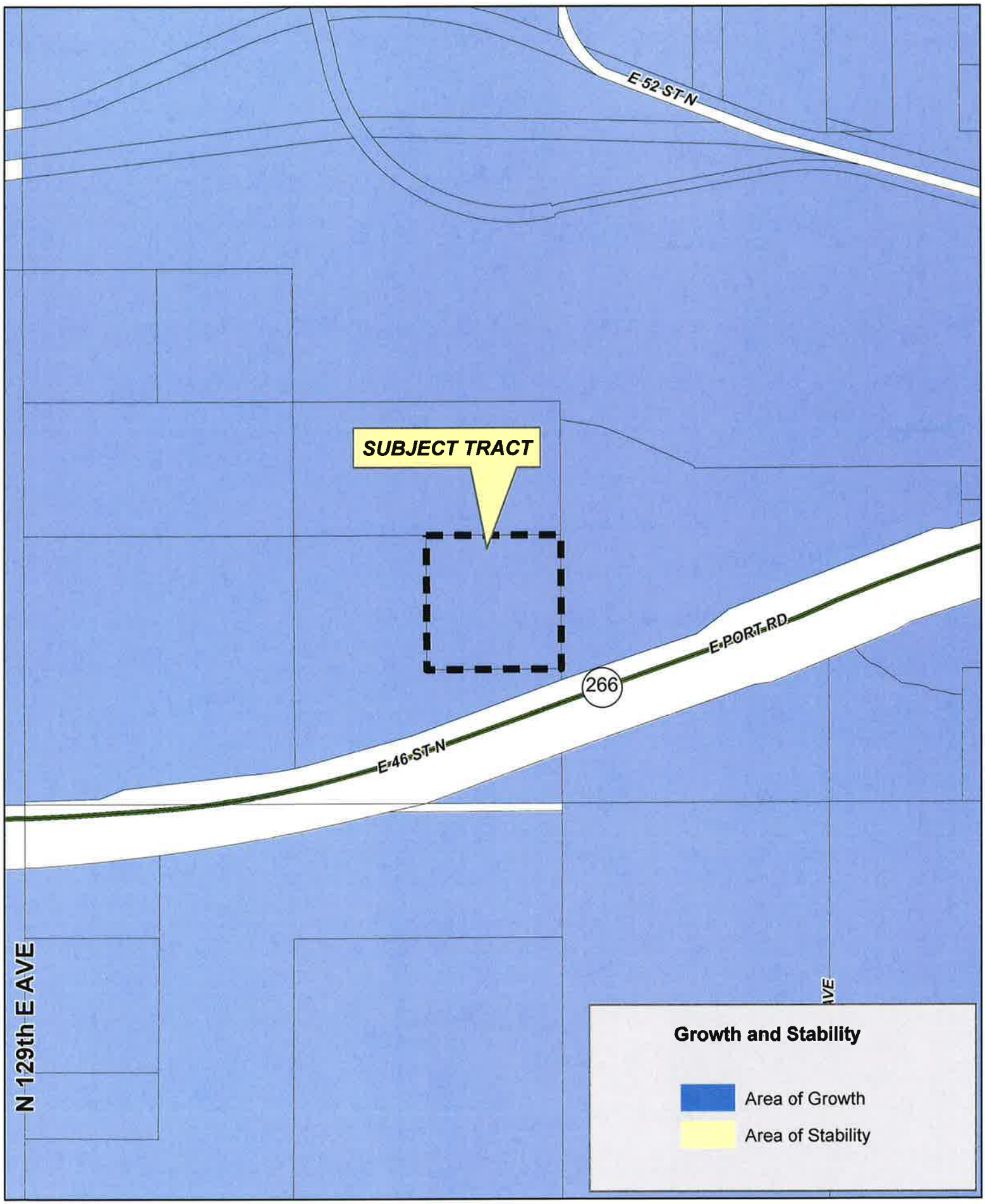
Z-7401

20-14 09

23.9

N



Feet
0 300 600

Z-7401

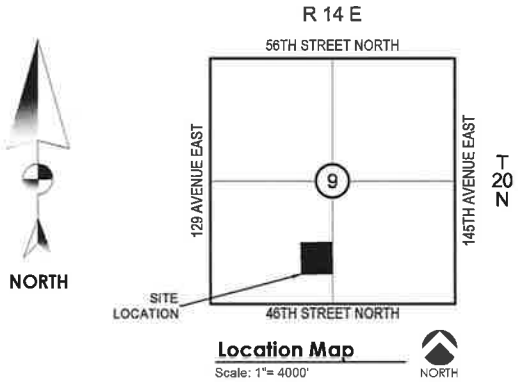
20-14 09

23.10

N

LEGAL DESCRIPTION:

THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER (NE/4, SE/4, SW/4) OF SECTION NINE (9), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF. CONTAINING 435,600 SQUARE FEET (10.00 ACRES) MORE OR LESS.



KKT
ARCHITECTURE \ INTERIORS \ ENGINEERING

KKT ARCHITECTS, INC.
2200 SOUTH UTICA PLACE, SUITE 200
TULSA, OKLAHOMA 74114
[P] 918.744.4270 \ [F] 918.744.7849
WWW.KKTARCHITECTS.COM

CERTIFICATE OF AUTHORIZATION
NO. CA 5305 EXP. 06/30/2017

BEFORE YOU DIG

ALL CONSTRUCTION TO BE IN STRICT ACCORDANCE WITH CURRENT CITY OF TULSA STANDARDS AND SPECIFICATIONS (INCLUDING O.D.O.T. 2009 EDITION)

BECCO

TULSA,
OKLAHOMA

REGISTERED PROFESSIONAL ENGINEER
A. NICOLE WATTS
OKLAHOMA

5.24.2017

HORT SCALE	=	1"=400'
VERT SCALE	=	-
ATLAS PAGE NO.	=	-
MANAGER	=	ANW
DRAWN BY	=	TBW
DATE	=	5/24/2017

REZONING
EXHIBIT A

C01
OF 1

23.12

TMAPC

Tulsa Metropolitan Area Planning Commission

Case Number: Z-7402
(Related to PUD-379-D and Z-7402 Plat Waiver)

Hearing Date: July 5, 2017

Case Report Prepared by:

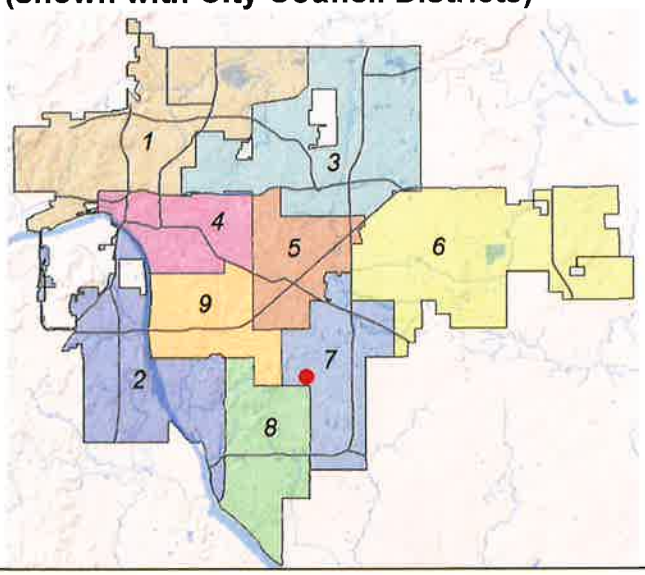
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Nicole Watts

Property Owner: Village at Woodland Hills

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Commercial

Proposed Use: Commercial

Concept summary: Rezoning and PUD amendment to reference current zoning code requirements for site development. Add CG zoning to allow a tasting room and brew pub in the shopping center.

Tract Size: 21.15 ± acres

Location: South of the southwest corner of E. 66th St. S. and S. Memorial Dr.

Zoning:

Existing Zoning: PK/ CS/ PUD-379

Proposed Zoning: CS/ CG/ PUD-379-D

Comprehensive Plan:

Land Use Map: Regional Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 8302
CZM: 53 Atlas: 999/876

City Council District: 7

Councilor Name: Anna America

County Commission District: 3

Commissioner Name: Ron Peters

SECTION I: Z-7402

DEVELOPMENT CONCEPT: CG zoning is requested to support a microbrewery business. CS is required to remove the non conforming status of the allowed uses where PK zoning was originally the only underlying zoning. CG zoning alone allows some uses that have never been considered an appropriate use at this location. The PUD limits objectionable uses that could be allowed in a CG district and also reflects changes that have been made in previous minor and major amendments.

EXHIBITS:

INCOG Case map
INCOG Aerial (small scale)
INCOG Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
Tulsa Comprehensive Plan Areas of Stability and Growth Map
Applicant Exhibits:
Rezoning Exhibit

DETAILED STAFF RECOMMENDATION:

Z-7402 with the concurrent PUD 379-D is consistent with the Regional Center land use vision of the Comprehensive Plan and,

Z-7402 with the concurrent PUD 379-D is consistent with the anticipated future development and redevelopment of this site anticipating a higher density than was allowed previously and,

Z-7402 with the concurrent PUD 379-D will require a higher level of site design standards required by the Tulsa Zoning Code at the time of redevelopment and,

Z-7402 with the concurrent PUD 379-D is consistent with the PUD provisions of the Tulsa Zoning Code.

Z-7402 with the concurrent PUD 379-D is considered non injurious to the surrounding and abutting property owners therefore,

Staff recommends **Approval** of Z-7402 but only with concurrent approval of PUD-379-D to rezone property from PK/CS/ PUD-379 to CS/ CG/ PUD-379-D.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The PUD is consistent with the provisions of the Tulsa Comprehensive Plan and supports Regional Center redevelopment opportunities.

Land Use Vision:

Land Use Plan map designation: Regional Center
Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile

parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

Areas of Stability and Growth designation: Area of Growth
The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile."

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

> *Staff Summary: The site is an underutilized strip shopping center that was previously developed in 1984.*

Environmental Considerations: None that affect site development

Streets:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
South Memorial Avenue	Primary Arterial Commuter Corridor overlay	120	6

Utilities:

The subject tract has municipal water and sewer available.

24.3

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3 / PUD-187	Existing Neighborhood	Area of Growth	Multi Family and open space
East	CS, OL, OM	Regional Center	Area of Growth	Commercial
South	CS	Regional Center	Area of Growth	Commercial
West	RS-3	Existing Neighborhood	Area of Stability	Single Family Residential

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 22111 dated August 25, 2009 (PUD-379-C); and 16243 dated January 8, 1985 (PK, CS, PUD-379), established zoning for the subject property.

Subject Property:

PUD-379-C August 2009: All concurred in **approval** of a proposed *Major Amendment to PUD* on a 5.95± acre tract of land to add bar use (Use Unit 12a) to permitted uses, on property located south of the southwest corner of South Memorial Drive and East 66th Street South.

BOA-20936 July 14, 2009: The Board of Adjustment **approved** a *Variance* of the required parking requirement for a mixed-use commercial building in a PK district / PUD from 535 to 391 parking spaces; and a *Special Exception* to permit an Adult Entertainment Establishment (bar) on a lot within 150 ft. of an R zoned land; and **accepted** a *Verification of the spacing requirement* for an Adult Entertainment Establishment of 50 ft. from an R district and 300 ft. from a public park, school, church, and another Adult Entertainment Establishment; all to permit an Adult Entertainment Establishment (bar) in the existing commercial building in the PK district / PUD, on property located at 6612 S. Memorial Dr. and also known as a part of the subject property.

PUD-379-B May 2008: All concurred in **approval** of a proposed *Major Amendment to PUD* a 5.95± acre tract of land to add restaurant use (Use Unit 12) as a permitted use on property located south of southwest corner of South Memorial Drive and East 66th Street South and also known as the subject property.

PUD-379-6 July 11, 2007: The Planning Commission approved a Minor Amendment to PUD-379 to increase the number of ground signs permitted from two to three; and to increase the maximum allowable (aggregate) display surface area for ground signs from 480 square feet to 552 square feet; and increasing permitted display surface area for wall signs from one and one-half square feet per lineal foot of building wall to two square feet per lineal foot of building wall in conjunction with remodeling and reuse of the former Mervyn's retail store on subject property.

PUD-379-5 April 4, 2007: The Planning Commission approved a Minor Amendment to reduce the parking requirement from 448 to 391, as approved by the Board of Adjustment (BOA-20452) on March 13, 2007; and increasing permitted building height from 30 feet to 40 feet to accommodate proposed changes to the building's façade, associated with reuse of the former Mervyn's store as a gym and retail space.

BOA-20491 May 8, 2007: The Board of Adjustment approved a Special Exception to reduce parking requirements 10% for a mixed use commercial center on property located and abutting the subject

property. A Minor Amendment was done to the PUD to reflect the Boards decision as case number: PUD-379-7/PUD-379-A-8.

BOA-20452 March 13, 2007: The Board of Adjustment approved a *Variance* of the parking requirement from 448 to 391; finding the requirement of one parking space to 200 sq. ft. is excessive in this case; and the applicant has cross-parking agreements with other areas in the center; located at 6612 S. Memorial Drive and also known as the subject property.

Z-6011/PUD-379 December 1984: A request for rezoning and a Planned Unit Development on a 33± acre tract of land from CS/RS-3/OL/AG to CS/RM-2/PUD for commercial development was approved by the TMAPC recommending CS and PK instead of RM-2, for retail development, located and also known as the subject property. The request also abandoned the original PUD-209 that was approved for the property.

Surrounding Property:

Z-6113/ PUD-379-A July 1986: All concurred in **approval** of a request for *rezoning* and of a proposed *Major Amendment to PUD*-379 on a 32.9± acre tract of land from PK to CS to add commercial property to the existing development, therefore changing the development standards, located within the original PUD-379.

BOA-15258 September 28, 1989: The Board of Adjustment approved a Variance to permit a projecting roof and flashing sign as a part of a motion picture theater marquee within a PUD; per sign plan submitted, on property located at 6800 S. Memorial Dr.

PUD-187 August 1976: All concurred in approval of a proposed Planned Unit Development 165.5± acre tract of land for single-family, duplexes, multi-family, tennis club expansion and park/detention facilities with a total of 863 dwelling units on property located between East 61st Street South and East 71st Street South and between South Memorial Drive and South Sheridan Road; and abutting north and west of subject property.

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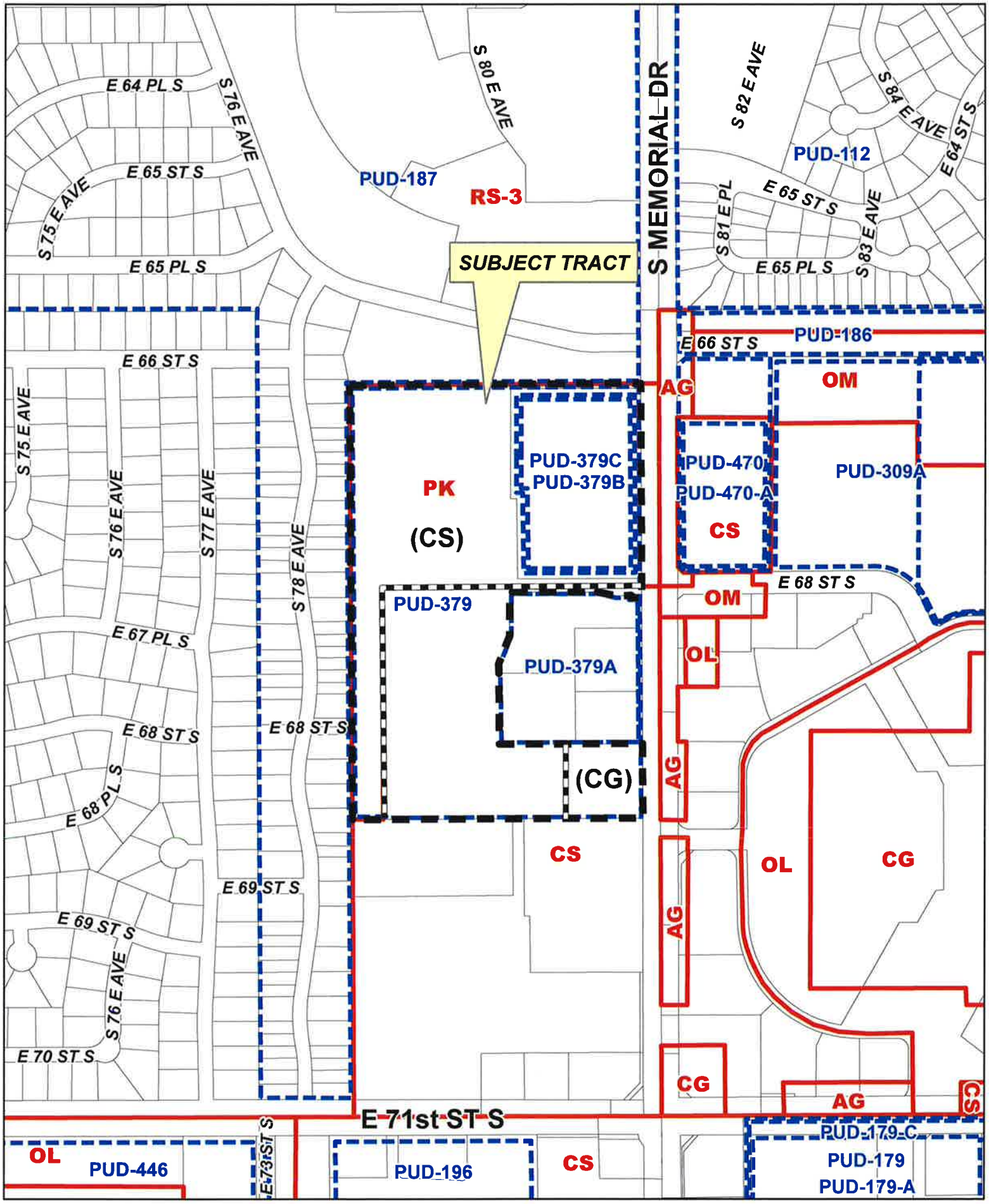

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Z-7402

18-13 02

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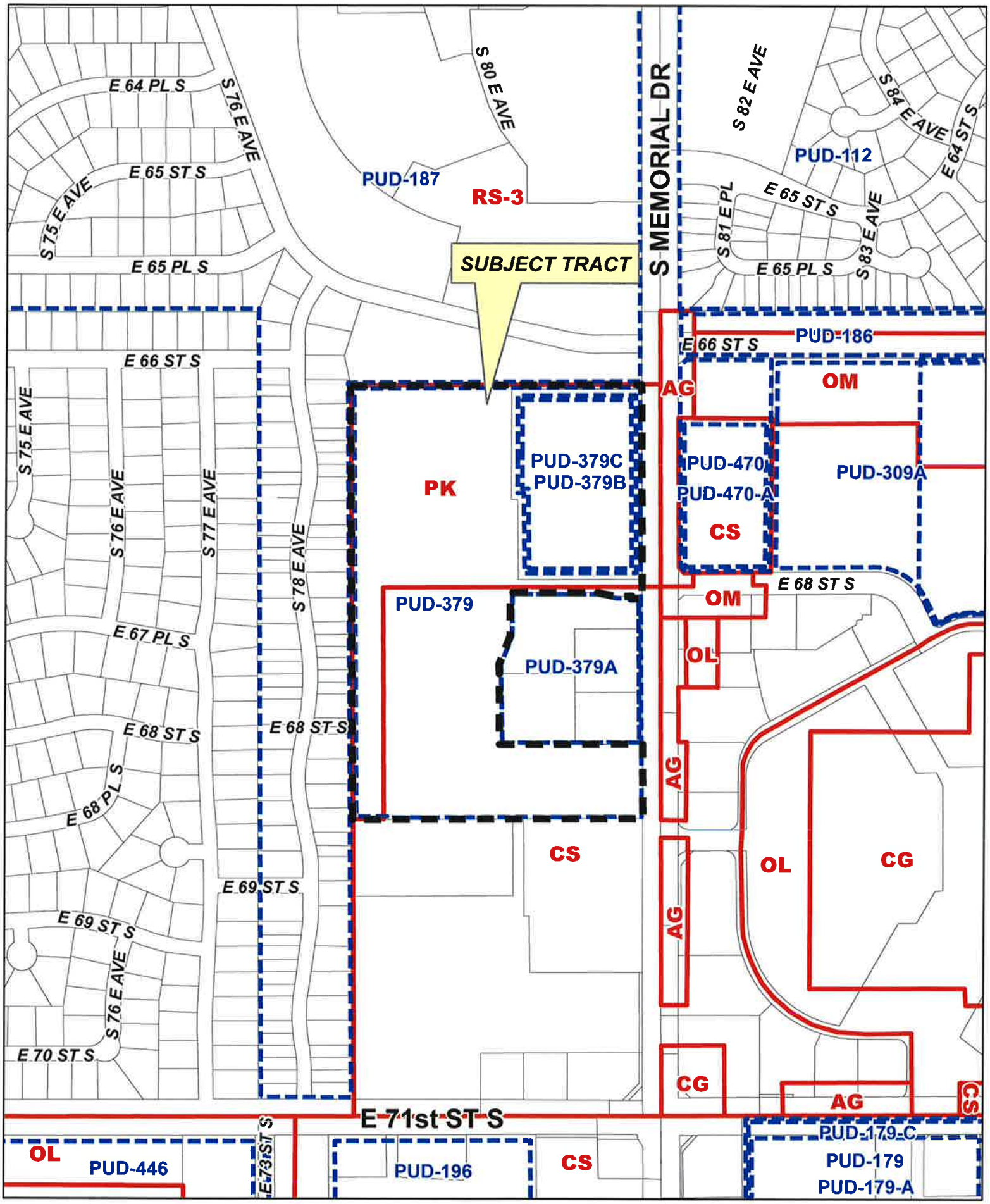

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Z-7402

18-13 02

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Subject Tract

Z-7402

18-13 02

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

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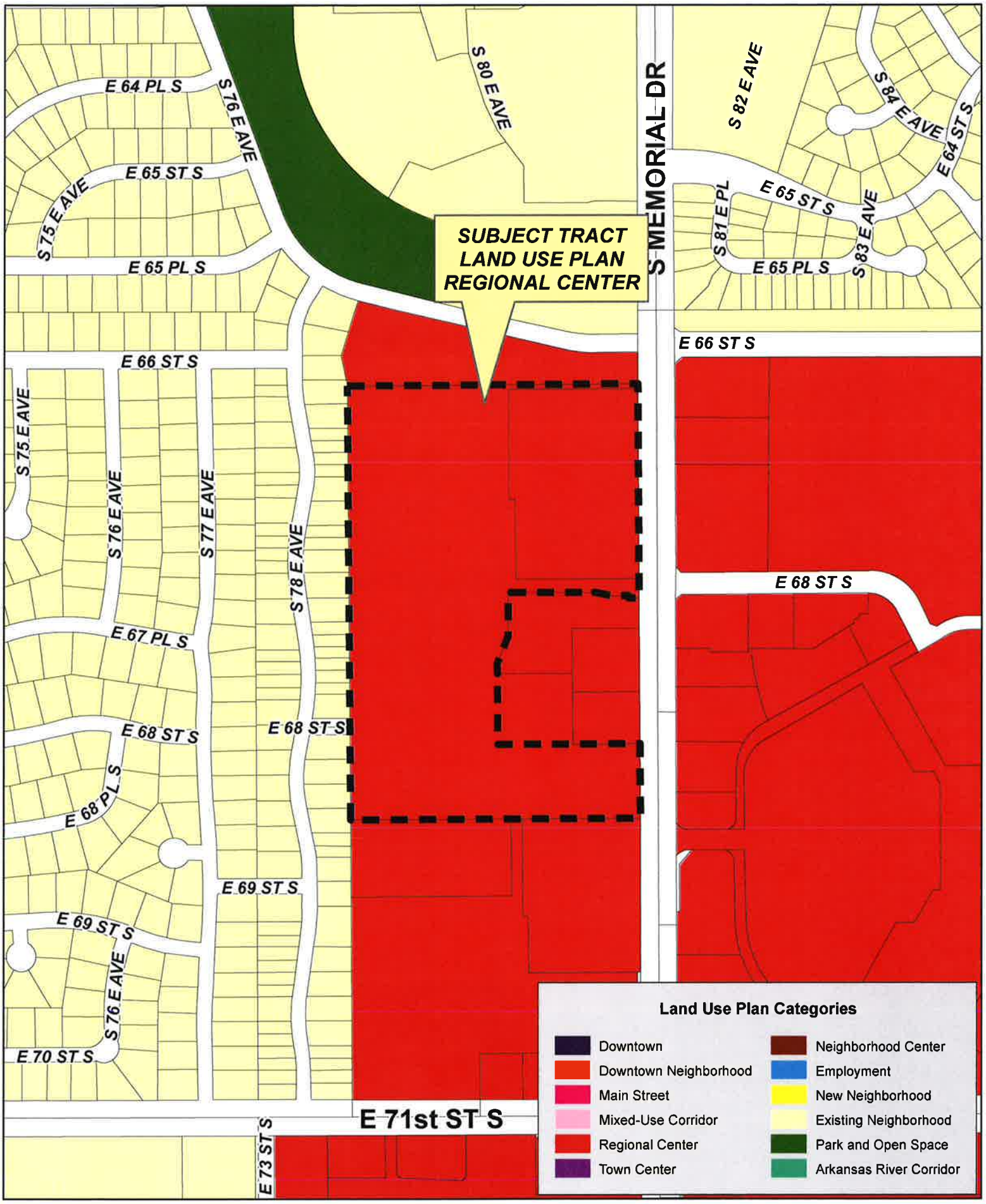

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Z-7402

18-13 02

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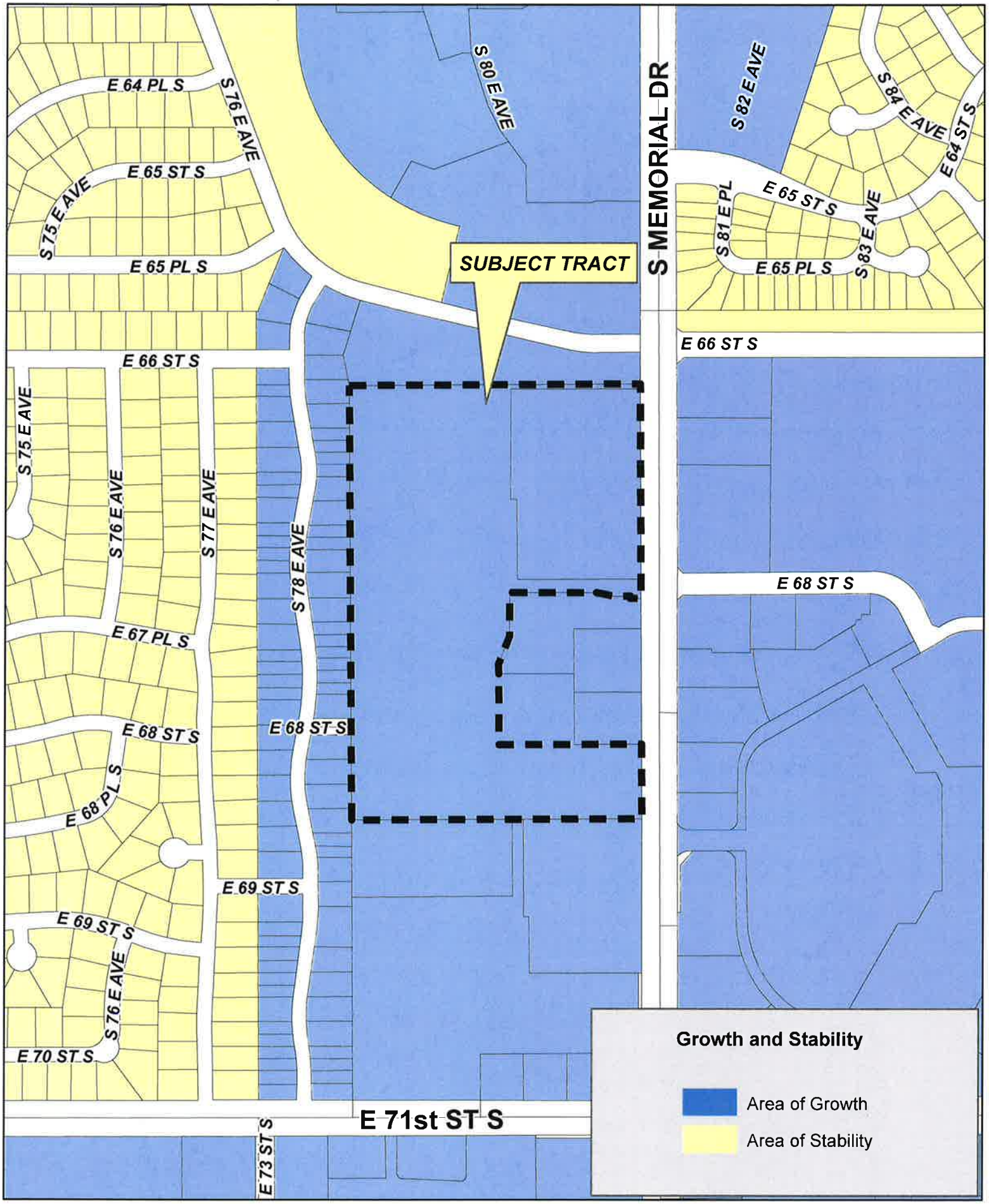

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Z-7402

18-13 02

24.10

N

CG ZONING LEGAL DESCRIPTION

THE EAST 250' OF THE SOUTH 248.44' OF LOT ONE (1) BLOCK ONE (1) THE VILLAGE AT WOODLAND HILLS

CS ZONING LEGAL DESCRIPTION

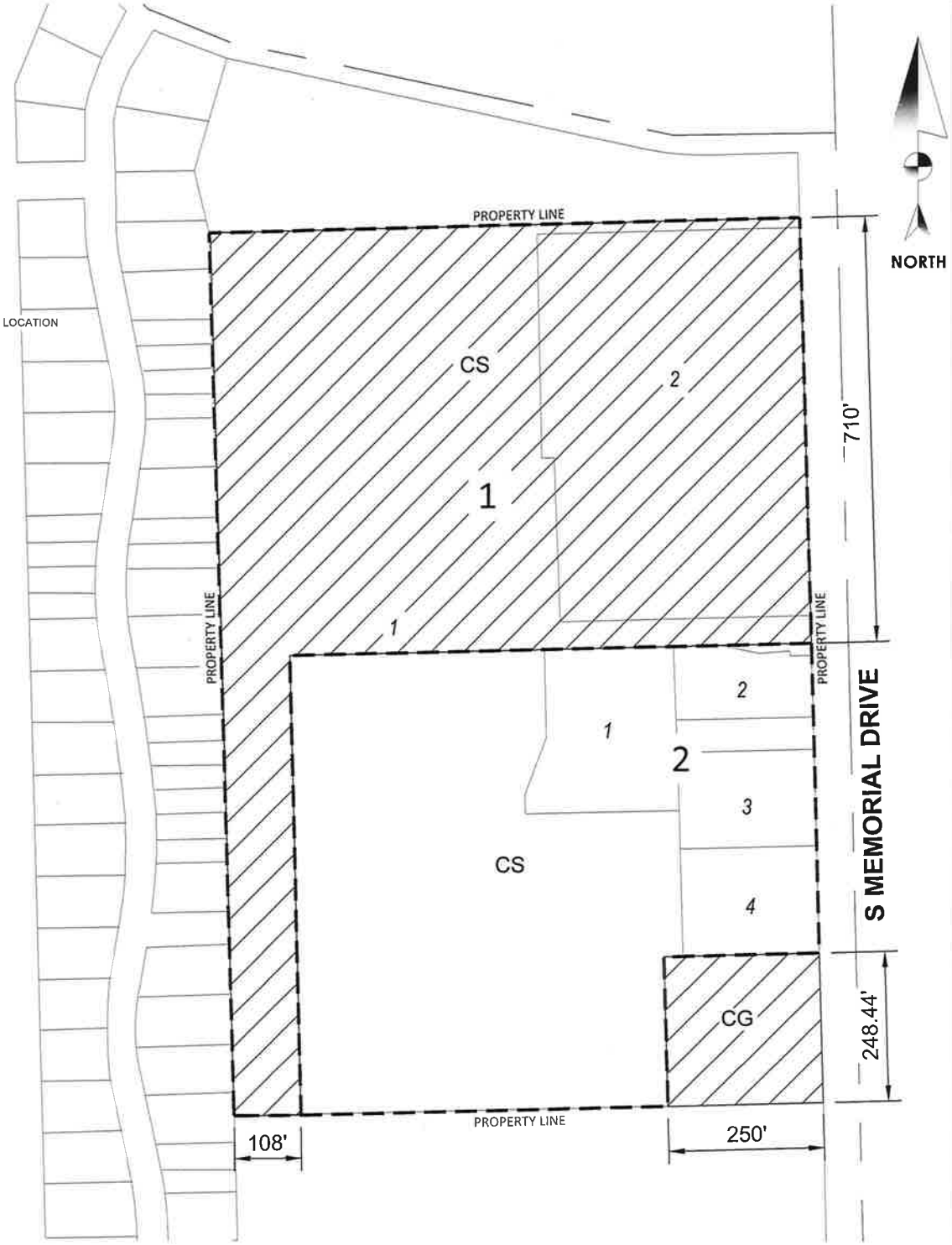
THE WEST 108' OF THE SOUTH 710' OF LOT ONE (1) BLOCK ONE (1) THE VILLAGE AT WOODLAND HILLS

AND

THE NORTH 710' OF LOT ONE (1) BLOCK ONE (1) THE VILLAGE AT WOODLAND HILLS

AND

LOT TWO (2) BLOCK ONE (1) THE VILLAGE AT WOODLAND HILLS



KKT
ARCHITECTURE \ INTERIORS \ ENGINEERING

KKT ARCHITECTS, INC.
2200 SOUTH UTICA PLACE, SUITE 200
TULSA, OKLAHOMA 74114
[P] 918.744.4270 \ [F] 918.744.7849
WWW.KKTARCHITECTS.COM

CERTIFICATE OF AUTHORIZATION
NO. CA 5305 EXP. 06/30/2017

BEFORE YOU DIG

ALL CONSTRUCTION TO BE IN STRICT ACCORDANCE WITH CURRENT CITY OF TULSA STANDARDS AND SPECIFICATIONS (INCLUDING O.D.O.T. 2009 EDITION)

HIGH GRAVITY

PUD 379

TULSA, OK

REGISTERED PROFESSIONAL ENGINEER
A. NICOLE HATZ
21511
OKLAHOMA
5.24.2017

SCALE	:	1"=250'
ATLAS PAGE NO.	:	
MANAGER	:	
DRAWN BY	:	
DATE	:	5/15/2017

REZONING EXHIBIT

C01

24.12

TMAPC

Tulsa Metropolitan Area Planning Commission

Case Number: PUD-379-D
(Related to Z-7402 and Z-7402 Plat Waiver)

Hearing Date: July 5, 2017

Case Report Prepared by:

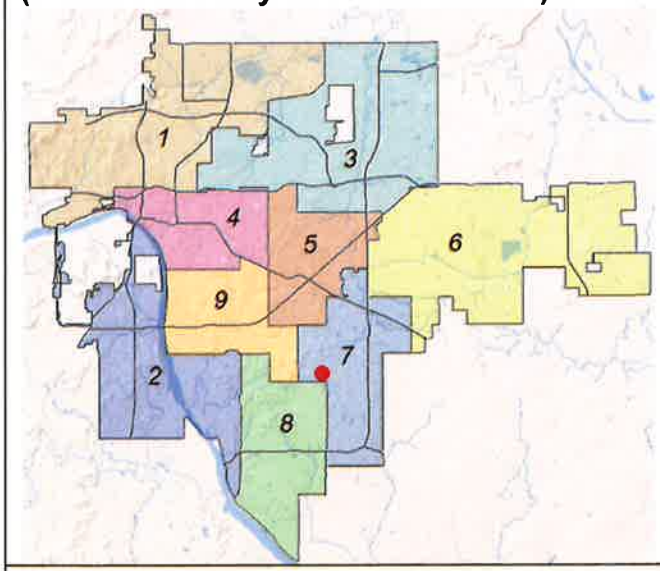
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Nicole Watts

Property Owner: Village at Woodland Hills

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Commercial

Proposed Use: Commercial

Concept summary: Rezoning and PUD amendment to reference current zoning code requirements for site development. Add CG zoning to allow a tasting room and brew pub in the shopping center.

Tract Size: 21.15 ± acres

Location: South of the southwest corner of E. 66th St. S. and S. Memorial Dr.

Zoning:

Existing Zoning: PK/ CS/ PUD-379

Proposed Zoning: CS/ CG/ PUD-379-D

Comprehensive Plan:

Land Use Map: Regional Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 8302
CZM: 53 Atlas: 999/876

City Council District: 7

Councilor Name: Anna America

County Commission District: 3

Commissioner Name: Ron Peters

25.1

SECTION I: PUD-379-D

DEVELOPMENT CONCEPT: The PUD shall be governed by the Tulsa Zoning Code effective July 11, 2017 or as amended. Underlying zoning modifications are required to support the microbrewery uses identified in development area A

EXHIBITS:

INCOG Case map
INCOG Aerial (small scale)
INCOG Aerial (large scale)
Tulsa Comprehensive Plan Land Use Map
Tulsa Comprehensive Plan Areas of Stability and Growth Map

SECTION II: PUD-379-D Development Standards

PUD-379-D shall conform to the provisions of the Tulsa Zoning Code for development in a CG zoning district and its supplemental regulations except as defined below. All uses categories, subcategories or specific uses outside the permitted uses defined are prohibited. The PUD is separated into two development areas that reflect the two of the previous major amendments.

Tract Size **21.15+/- Acres (Both Development Areas)**

Development area A (Formerly part of PUD 379, Lot 1, Block 1) (19.90 +/- acres)

Development Area B (Formerly PUD 379 B and C, Lot 2 Block 1) (5.95 +/- acres)

Permitted uses for Both Development Areas:
Uses shall include permitted uses and those allowed by special exception as outlined below:

1) Residential
    - Townhouse
2) Public, Civic and Institutional
    - College or University
    - Hospital
    - Library or Cultural Exhibit
    - Parks and recreation
    - Religious Assembly
    - Safety Service
    - School
    - Minor Utilities and Public Service Facility
    - Wireless Communication Facility (Includes all specific uses)
3) Commercial
    - Animal Service (Includes all specific uses)
    - Small indoor assembly and entertainment
    - Broadcast or Recording Studio
    - Commercial Service (Includes all specific uses)
    - Financial Services (includes all specific uses)
    - Funeral or Mortuary Service
    - Lodging
        - Hotel/Motel only
    - Office (Includes all specific uses)
    - Restaurants and Bars

Restaurant
Bar
Brewpub
Retail Sales (includes all specific uses)
Studio, Artist or Instructional Service
Trade School

4) Industrial
   Low-impact Manufacturing and industry limited to:
   Microbrewery with a tasting room: (Limited to less than 10,000 barrels of beer and malt beverages per calendar year).
   Micro distillery with a tasting room: (Limited to no more than 30,000 proof gallons per calendar year.)

5) Agricultural
   Community Garden
   Farm, Market or Community Supported

DEVELOPMENT AREA A

Maximum floor Area Ratio	**0.50**
Maximum building Height: To top of the parapet)	
Within 125 feet of the West Boundary	22 feet
More than 125 feet from the West Boundary	50 feet
Architectural elements maximum height	60 feet when more than 125 feet from the west lot line.
Minimum Setbacks:	
From West Boundary	85 feet
From South Boundary	20 feet
From North Boundary	35 feet
From East Boundary	25 feet

Off street parking:

Vehicular and bicycle parking shall be provided as required by the applicable use classification in a CG district however no parking is required for the first 5000 square feet of any use.

Landscaping
(Additional landscape requirements beyond minimum standards defined in Zoning Code)

Minimum 25 foot wide landscape edge along the west boundary (Minimum of one 2" caliper tree for every 20 linear foot of boundary)

Minimum 25 foot wide landscape edge along the east boundary (Minimum of one 2" caliper tree for every 50 linear foot of frontage)

Architecture:

Architectural materials on the rear of any building shall be similar to the front and of the same materials

Light:

No light in excess of 6 feet above ground level on the west side of the buildings

All lighting shall be pointed down and away from residential uses.

No light fixture may exceed 24 feet in height. Additionally No light within 300 feet of the west boundary can exceed the height of the building closest to the fixture.

Trash receptacles and loading docks:

All trash receptacles and loading docks shall be screened from ground level from properties from the west and north with masonry screening.

Signage

Only as allowed by right in a CS zoning District but limited to 2.0 square feet of display surface area for each lineal foot of building wall to which the sign is attached.

Permit a projecting, roof and flashing sign as part of a motion picture theatre marquee

Permit motion picture theatre signage which is consistent and compatible with the architectural theme of the shopping center and the architectural design of the motion picture theater space.

Flashing signs, changeable copy signs, running light or twinkle signs animated signs, revolving or rotating signs or signs with movement shall be prohibited.

Dynamic Display signs are prohibited

The maximum ground sign height cannot exceed 25 feet

Wall signs on the west wall of any building are prohibited when within 200 feet of the west boundary.

DEVELOPMENT AREA B:

Maximum floor Area Ratio	**0.50**
Minimum Lot area	0.5acres
Minimum lot width	100 feet
Maximum building Height: To top of the parapet)	50 feet
Architectural elements maximum height	60 feet
Minimum Setbacks:	
From West Boundary	0 feet
From South Boundary	20 feet
From North Boundary	35 feet
From East Boundary	25 feet

Off street parking:

Vehicular and bicycle parking shall be provided as required by the applicable use classification in a CS district however no parking is required for the first 5000 square feet of any use.

Landscaping

(Additional landscape requirements beyond minimum standards defined in Zoning Code)

Minimum 25 foot wide landscape edge along the east boundary (Minimum of one 2" caliper tree for every 50 linear foot of frontage)

Architecture:

Architectural materials on the rear of any building shall be similar to the front and of the same materials

Light:

All lighting shall be pointed down and away from residential uses.
No light fixture may exceed 24 feet in height.

Trash receptacles and loading docks:
All trash receptacles and loading docks shall be screened from ground level from properties from the west and north with masonry screening.

Signage
Only as allowed by right in a CS zoning District but limited to 2.0 square feet of display surface area for each lineal foot of building wall to which the sign is attached.

Permit a projecting, roof and flashing sign as part of a motion picture theatre marquee

Permit motion picture theatre signage which is consistent and compatible with the architectural theme of the shopping center and the architectural design of the motion picture theater space.

Flashing signs, changeable copy signs, running light or twinkle signs animated signs, revolving or rotating signs or signs with movement shall be prohibited.

Dynamic Display signs are prohibited

The maximum ground sign height cannot exceed 28 feet

Wall signs on the west wall of any building are prohibited when within 200 feet of the west boundary.

Wall signs on the north wall of any building are prohibited when within 400 feet of the north boundary.

DETAILED STAFF RECOMMENDATION:
PUD 379-D is consistent with the Regional Center land use vision of the Comprehensive Plan and,

PUD 379-D is consistent with the anticipated future development and redevelopment of this site anticipating a higher density than was allowed previously and,

PUD 379-D will require a higher level of site design standards required by the Tulsa Zoning Code at the time of redevelopment and,

PUD 379-D is consistent with the PUD provisions of the Tulsa Zoning Code.

PUD 379-D is considered non injurious to the surrounding and abutting property owners therefore,

Staff recommends **Approval** of PUD-379-D to rezone property from PK/CS/ PUD-379 to CS/ CG/ PUD-379-D.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The PUD is consistent with the provisions of the Tulsa Comprehensive Plan and supports Regional Center redevelopment opportunities.

Land Use Vision:

Land Use Plan map designation: Regional Center
Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

Areas of Stability and Growth designation: Area of Growth
The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile."

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is an underutilized strip shopping center that was previously developed in 1984.

Environmental Considerations: None that affect site development

Streets:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
South Memorial Avenue	Primary Arterial	120	6

	Commuter Corridor overlay		

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3 / PUD-187	Existing Neighborhood	Area of Growth	Multi Family and open space
East	CS, OL, OM	Regional Center	Area of Growth	Commercial
South	CS	Regional Center	Area of Growth	Commercial
West	RS-3	Existing Neighborhood	Area of Stability	Single Family Residential

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 22111 dated August 25, 2009 (PUD-379-C); and 16243 dated January 8, 1985 (PK, CS, PUD-379), established zoning for the subject property.

Subject Property:

PUD-379-C August 2009: All concurred in **approval** of a proposed *Major Amendment to PUD* on a 5.95± acre tract of land to add bar use (Use Unit 12a) to permitted uses, on property located south of the southwest corner of South Memorial Drive and East 66th Street South.

BOA-20936 July 14, 2009: The Board of Adjustment **approved** a *Variance* of the required parking requirement for a mixed-use commercial building in a PK district / PUD from 535 to 391 parking spaces; and a *Special Exception* to permit an Adult Entertainment Establishment (bar) on a lot within 150 ft. of an R zoned land; and **accepted** a *Verification of the spacing requirement* for an Adult Entertainment Establishment of 50 ft. from an R district and 300 ft. from a public park, school, church, and another Adult Entertainment Establishment; all to permit an Adult Entertainment Establishment (bar) in the existing commercial building in the PK district / PUD, on property located at 6612 S. Memorial Dr. and also known as a part of the subject property.

PUD-379-B May 2008: All concurred in **approval** of a proposed *Major Amendment to PUD* a 5.95± acre tract of land to add restaurant use (Use Unit 12) as a permitted use on property located south of southwest corner of South Memorial Drive and East 66th Street South and also known as the subject property.

PUD-379-6 July 11, 2007: The Planning Commission approved a Minor Amendment to PUD-379 to increase the number of ground signs permitted from two to three; and to increase the maximum allowable (aggregate) display surface area for ground signs from 480 square feet to 552 square feet; and increasing permitted display surface area for wall signs from one and one-half square feet per lineal foot of building wall to two square feet per lineal foot of building wall in conjunction with remodeling and reuse of the former Mervyn's retail store on subject property.

PUD-379-5 April 4, 2007: The Planning Commission approved a Minor Amendment to reduce the parking requirement from 448 to 391, as approved by the Board of Adjustment (BOA-20452) on March 13, 2007; and increasing permitted building height from 30 feet to 40 feet to accommodate proposed changes to the building's façade, associated with reuse of the former Mervyn's store as a gym and retail space.

BOA-20491 May 8, 2007: The Board of Adjustment approved a Special Exception to reduce parking requirements 10% for a mixed use commercial center on property located and abutting the subject property. A Minor Amendment was done to the PUD to reflect the Boards decision as case number: PUD-379-7/PUD-379-A-8.

BOA-20452 March 13, 2007: The Board of Adjustment approved a *Variance* of the parking requirement from 448 to 391; finding the requirement of one parking space to 200 sq. ft. is excessive in this case; and the applicant has cross-parking agreements with other areas in the center; located at 6612 S. Memorial Drive and also known as the subject property.

Z-6011/PUD-379 December 1984: A request for rezoning and a Planned Unit Development on a 33± acre tract of land from CS/RS-3/OL/AG to CS/RM-2/PUD for commercial development was approved by the TMAPC recommending CS and PK instead of RM-2, for retail development, located and also known as the subject property. The request also abandoned the original PUD-209 that was approved for the property.

Surrounding Property:

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BOA-15258 September 28, 1989: The Board of Adjustment approved a Variance to permit a projecting roof and flashing sign as a part of a motion picture theater marquee within a PUD; per sign plan submitted, on property located at 6800 S. Memorial Dr.

PUD-187 August 1976: All concurred in approval of a proposed Planned Unit Development 165.5± acre tract of land for single-family, duplexes, multi-family, tennis club expansion and park/detention facilities with a total of 863 dwelling units on property located between East 61st Street South and East 71st Street South and between South Memorial Drive and South Sheridan Road; and abutting north and west of subject property.

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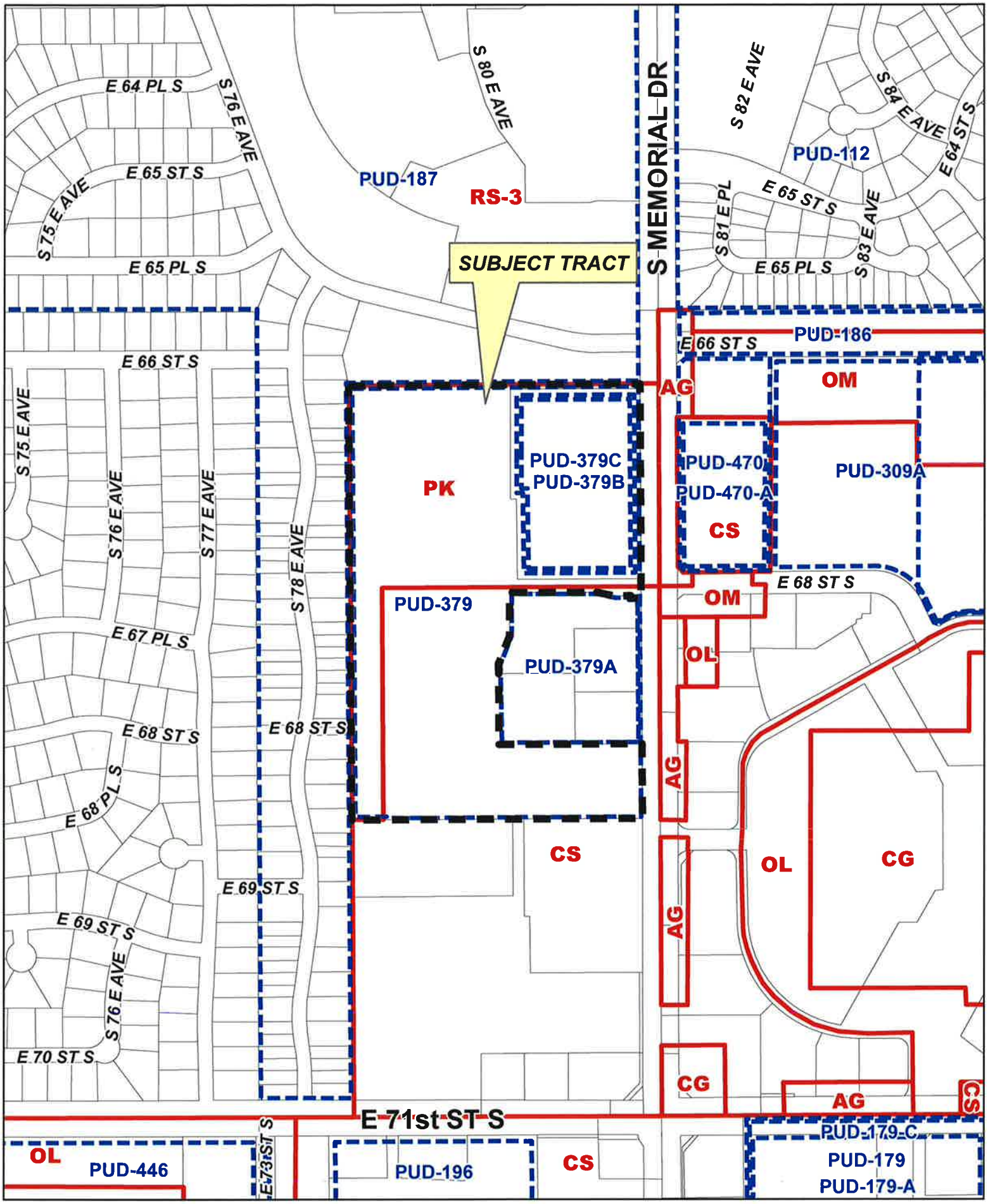

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PUD-379-D

18-13 02

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Feet
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Subject Tract

Z-7402/ PUD-379-D

18-13 02

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

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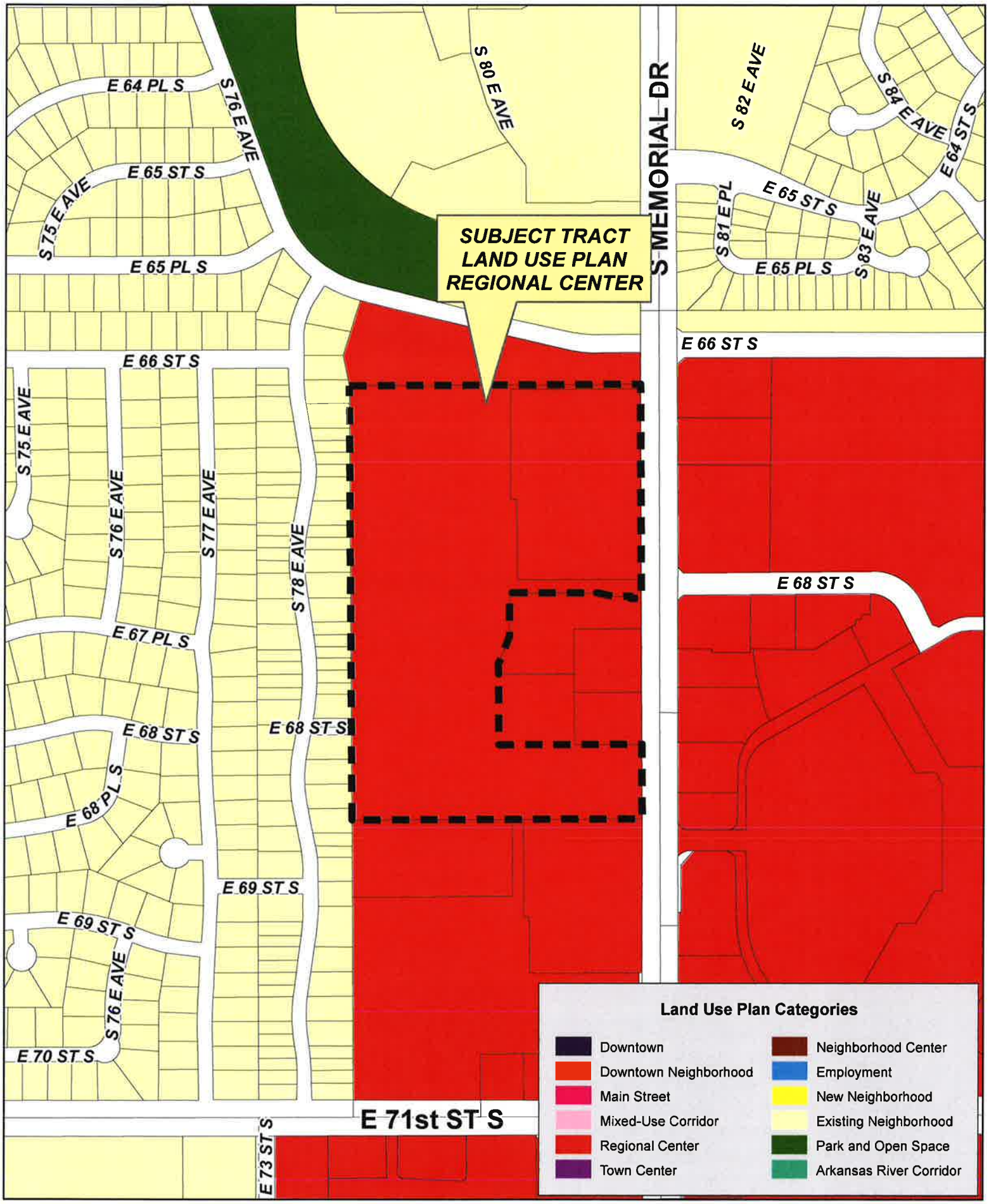
25.10



PUD-379-D

18-13 02

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PUD-379-D

18-13 02

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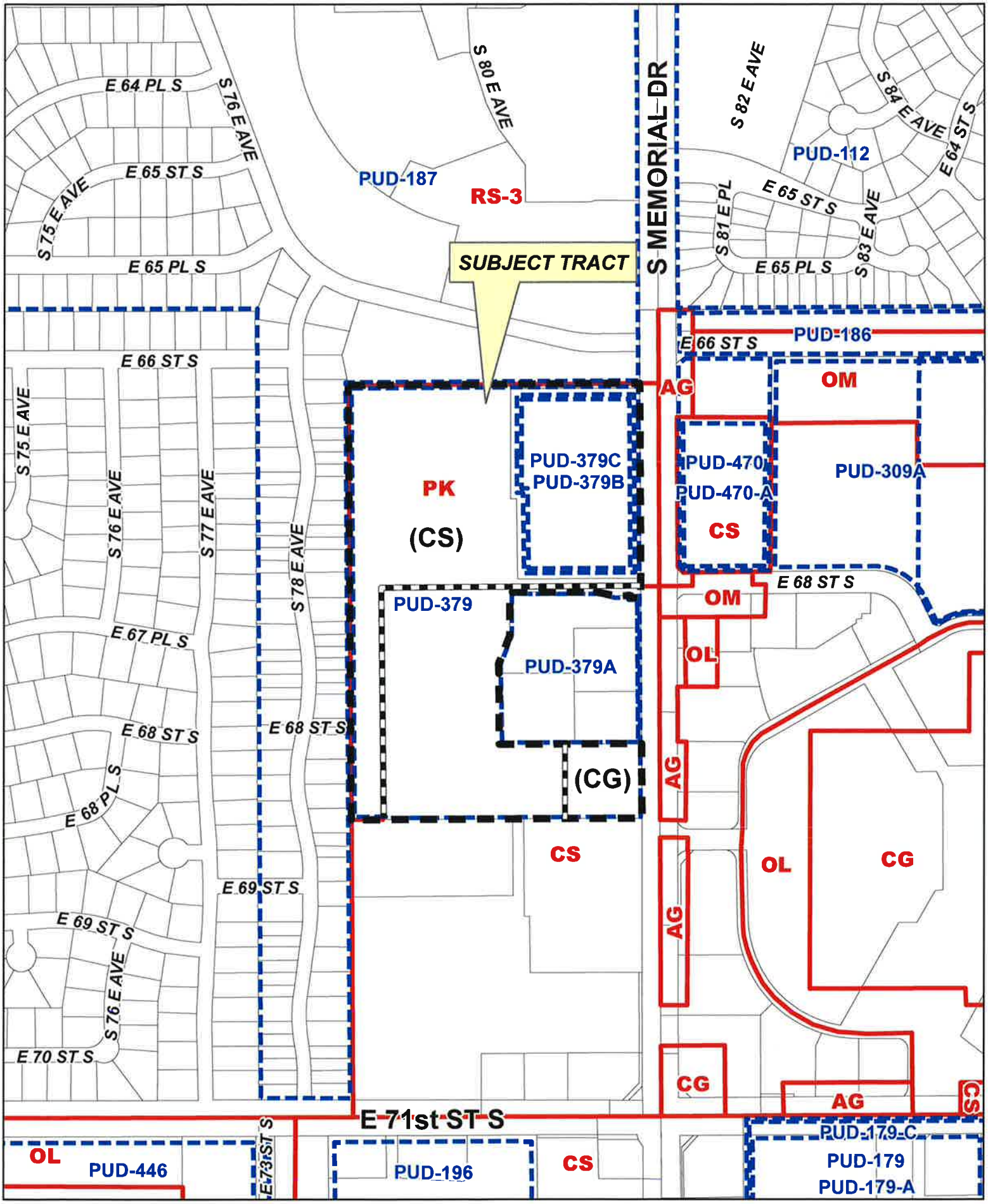

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Z-7402/
PUD-379-D

18-13 02

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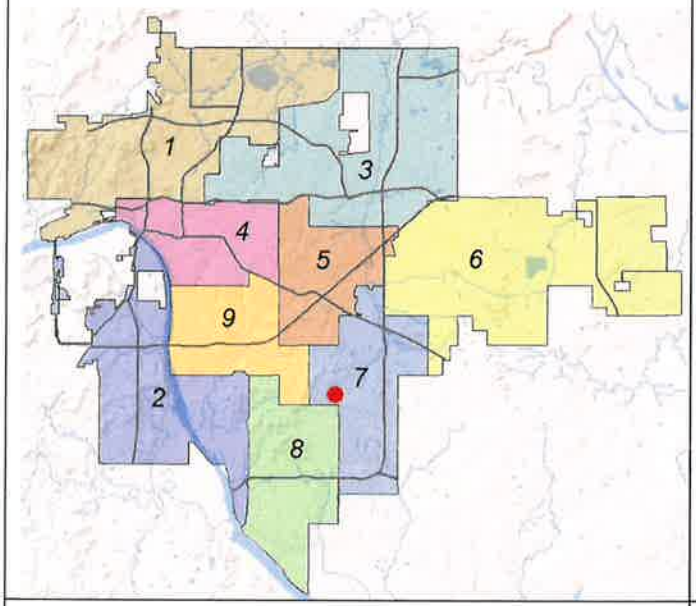
TMAPC Tulsa Metropolitan Area Planning Commission	**Case :** **Z-7402/PUD-379-D Plat Waiver** (Related to Z-7402 & PUD-379-D Zoning Requests) **Hearing Date: July 5, 2017**
Case Report Prepared by: Nathan Foster	**Owner and Applicant Information**: *Applicant*: Nicole Watts, KKT Architects *Owner*: The Village at Woodland Hills, LLC
Location Map: **(shown with City Council Districts)**  	**Applicant Proposal:** Plat Waiver *Location*: South of the southwest corner of East 66th Street South and South Memorial Drive
Zoning: *Present: CS, PK, PUD-379* *Proposed: CS, CG, PK, PUD-379-D*	**Staff Recommendation:** Staff recommends **approval** of the Plat Waiver
	City Council District: 7 *Councilor Name*: Anna America **County Commission District: 3** *Commissioner Name:* Ron Peters

EXHIBITS: Applicant Submittal

26.1

PLAT WAIVER

Z-7402/PUD-379-D – (CD 7)
South of the southwest corner of East 66th Street South and South Memorial Drive

The platting requirement for this property is being triggered by a rezoning request (Z-7402) and a major amendment to a previously approved Planned Unit Development (PUD-379-D). The major amendment and rezoning are sought to accommodate the addition of a microbrewery and microdistillery to a previously established shopping center. No additional buildings are proposed.

The Technical Advisory Committee met on June 15, 2017 and the following items were determined:

1. The property was previously platted as Block 1 of The Village at Woodland Hills when the original PUD-379 was approved. It is recommended that the applicant amend the existing deed of dedication to reflect previous and proposed amendments to development standards.
2. All required right-of-way has been dedicated and is in place.
3. Necessary easements and utilities are all in place and no additional easements will be needed at this time.

Staff recommends **approval** of the plat waiver.

26.2

Z-7402

TULSA METROPOLITAN AREA PLANNING COMMISSION

INCOG - 2 West 2nd Street, Suite 800 - Tulsa, Oklahoma 74103 - (918) 584-7526 - FAX (918) 583-1024 www.tmapc.org

[X] PLAT WAIVER [ ] *ACCELERATED RELEASE OF BUILDING PERMIT*

APPLICATION INFORMATION

RECEIVED BY: NT DATE FILED: 5/25/17 TAC DATE: 6/15/17 TMAPC DATE: 7/5/17

ZONING REFERENCE CASE: Z-7402 / PUD-379-D BOA REFERENCE CASE: N/A

TMAPC DATE (IF PENDING): 7/5/17 PROPOSED ZONING: CS, CG PUD-379-D BOA DATE (IF PENDING):

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

*PLAT NAME: N/A *APPROVAL DATE: *ANTICIPATED APPROVAL DATE:

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: 6608 S. Memorial Drive

LEGAL DESCRIPTION: See attached

PRESENT ZONING PUD 379/CS/CG T-R-S 18/13/2 CZM ATLAS CD

INFORMATION ABOUT YOUR PROPOSAL

REASON FOR PLAT WAIVER APPLICATION: A tract was zoned to CG & CS for use only. All infastructure is to site and all ROW is dedicated as needed.

*EXTRAORDINARY OR EXCEPTIONAL CIRCUMSTANCES THAT JUSTIFY ACCELERATED RELEASE OF A BUILDING PERMIT: N/A

*BENEFITS AND PROTECTIONS TO THE CITY IF THE BUILDING PERMIT IS RELEASED PRIOR TO FILING THE FINAL PLAT: N/A

APPLICANT INFORMATION		PROPERTY OWNER INFORMATION	
NAME	Nicole Watts - KKT Architects, Inc	NAME	Village at Woodland Hills Partners, LLC
ADDRESS	2200 S. Utica Place #200	ADDRESS	c/o Pro Realty PO Box 54469
CITY, ST, ZIP	Tulsa, OK 74114	CITY, ST, ZIP	Oklahoma City, OK 73154
DAYTIME PHONE	918.744.4270	DAYTIME PHONE	
EMAIL	nicole.watts@kktarchitects.com	EMAIL	

I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.

SIGNATURE & DATE: Nicole Watts 5.23.2017

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

APPLICATION FEES

TOTAL DUE:	$ 250.00	RECEIPT NUMBER: 229360

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

DISPOSITION

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

26.3

REVISED 11/3/2015

NOTE: ***THIS FORM ACCOMPANIES PLAT WAIVER APPLICATIONS ONLY, NOT USED FOR ACCELERATED RELEASE REQUESTS.***

TMAPC POLICY ON PLAT WAIVERS:

(This form is to be completed by applicant.)

It shall be the policy of the Tulsa Metropolitan Area Planning Commission that all requests for plat waivers shall be evaluated by the staff and by the Technical Advisory Committee based on the following list. After such evaluation, TMAPC Staff shall make a recommendation to the TMAPC as to the merits of the plat waiver request accompanied by the answers to these questions:

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

	YES	NO
1) Has property previously been platted?	[X]	[ ]
2) Are there restrictive covenants contained in a previously filed plat?	[X]	[ ]
3) Is property adequately described by surrounding platted properties or street R/W?	[X]	[ ]

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

4) Is right-of-way dedication required to comply with Major Street and Highway Plan?	[ ]	[X]
5) Will any restrictive covenants be filed by separate instrument?	[ ]	[X]
6) Infrastructure requirements		
a) Water		
i) Is a main line water extension required?	[ ]	[X]
ii) Is an internal system or fire line required?	[ ]	[X]
iii) Are additional easements required?	[ ]	[X]
b) Sanitary Sewer		
i) Is a main line extension required?	[ ]	[X]
ii) Is an internal system required?	[ ]	[X]
iii) Are additional easements required?	[ ]	[X]
c) Storm Sewer		
i) Is a P.F.P.I. required?	[ ]	[X]
ii) Is an Overland Drainage Easement required?	[ ]	[X]
iii) Is on-site detention required?	[ ]	[X]
iv) Are additional easements required?	[ ]	[X]
7) Floodplain		
a) Does the property contain a City of Tulsa (Regulatory) Floodplain?	[ ]	[X]
b) Does the property contain a F.E.M.A. (Federal) Floodplain?	[ ]	[X]
8) Change of Access		
a) Are revisions to existing access locations necessary?	[ ]	[X]
9) Is the property in a P.U.D.?	[X]	[ ]
a) If yes, was plat recorded for the original P.U.D.?	[X]	[ ]
10) Is this a Major Amendment to a P.U.D.?	[X]	[ ]
a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?	[ ]	[X]

NOTE:

If, after consideration of the above criteria, a plat waiver is granted on *unplatted* properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office by the applicant.

26.4