

TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2765

March 7, 2018, 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:

Work session Report:

Director's Report:

1. Minutes of February 21, 2018, Meeting No. 2764

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. **Garnett Village** (CD 6) Change of Access, Location: East of the southeast corner of East 31st Street South and South Garnett Road
3. **Leinbach Apartments Stuart Tract** (CD 6) Reinstatement of Preliminary Plat, Location: East of the southeast corner of East 51st Street South and South 129th East Avenue
4. **LS-21112** (Lot-Split) (County) – Location: Northwest corner of East 96th Street North and North Harvard Avenue
5. **LC-983** (Lot-Combination) (CD 2) – Location: East of the southeast corner of South 38th West Avenue and West 52nd Place South
6. **LC-984** (Lot-Combination) (CD 8) – Location: North of the Northwest corner of South Toledo Avenue and East 120th Street South
7. **LC-985** (Lot-Combination) (CD 3) – Location: South of the southeast corner of North Braden Avenue and East Pine Street
8. **LC-986** (Lot-Combination) (County) – Location: South of the Southeast corner of East 76th Street North and North 117th East Avenue (Related to LS-21113)
9. **LS-21113** (Lot-Split) (County) – Location: South of the Southeast corner of East 76th Street North and North 117th East Avenue (Related to LC-986)
10. **LC-987** (Lot-Combination) (CD 9) – Location: North of the northwest corner of South Columbia Place and East 41st Street South

11. **LC-988** (Lot-Combination) (CD 4) – Location: East of the northeast corner of East 26th Street South and South Peoria Avenue
12. **LC-989** (Lot-Combination) (CD 4) – Location: Northwest corner of East Archer Street and North Elgin Avenue
13. **LS-21116** (Lot-Split) (CD 1) – Location: Northwest corner of East Latimer Street and North Boston Avenue (Related to LC-992, LS-21117)
14. **LS-21117** (Lot-Split) (CD 1) – Location: Northwest corner of East Latimer Street and North Boston Avenue (Related to LC-990, LC-992, LC-994, LS-21116, LS-21118)
15. **LS-21118** (Lot-Split) (CD 1) – Location: Northwest corner of East Latimer Street and North Boston Avenue (Related to LC-990, LC-994, LS-21117, LS-21118)
16. **LC-990** (Lot-Combination) (CD 1) – Location: Northwest corner of East Latimer Street and North Boston Avenue (Related to LS-21117, LS-21118)
17. **LC-991** (Lot-Combination) (CD 1) – Location: Northwest corner of East Latimer Street and North Boston Avenue
18. **LC-992** (Lot-Combination) (CD 1) – Location: Northwest corner of East Latimer Street and North Boston Avenue (Related to LS-21116, LS-21117)
19. **LC-994** (Lot-Combination) (CD 1) – Location: Northwest corner of East Latimer Street and North Boston Avenue (Related to LS-21117, LS-21118)
20. **LS-21119** (Lot-Split) (CD 9) – Location: Northwest corner of East 39th Street and South St. Louis Avenue
21. **PUD-537-2** (CD 6) Location: Northeast corner of East 5th Street and South 129th East Avenue requesting a **PUD Minor Amendment** to add Commercial Vehicle Repair/Maintenance and Fueling Station and revise setbacks
22. **PUD-628-C-3** (CD 7) Location: East of the northeast corner of South Mingo Road and The Creek Turnpike requesting a **PUD Minor Amendment** to establish setback for a ground sign

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

PUBLIC HEARINGS:

23. **Z-7420, PUD-360-F Plat Waiver** (CD 8) Location: Northwest corner of East 91st Street South and South Memorial Drive
24. **PUD-531-B/CO-7 Mark Capron** (CD 7) Location: North of the northeast corner of East 81st Street South and South Mingo Road requesting **PUD Major Amendment** to increase floor area and building height (Related to 531-B Plat Waiver)

25. **PUD-531-B/CO-7 Plat Waiver** (CD 7) Location: North of the northeast corner of East 81st Street South and South Mingo Road (Related to 531-B Major Amendment)
26. **Z-7387 Plat Waiver** (CD 9) Location: Northwest corner of East 32nd Street South and South Louisville Avenue
27. **South Tulsa County Maintenance Center** (County) Minor Subdivision Plat, Location: Northeast corner of East 171st Street South and South Yale Avenue
28. **Delaware Park** (CD 8) Preliminary Plat, Location: South of the southeast corner of East 115th Street South and South Delaware Avenue
29. **Reserve at Prairie Hill** (CD 6) Preliminary Plat, Location: West of the northwest corner of East 31st Street South and South 177th East Avenue
30. **LS-21114** (Lot-Split) (County) – Location: East of the southeast corner of East 161st Street South and South Harvard Avenue
31. **CZ-470 Thomas Barclay** (CD 3) Location: Northwest corner of West 41st Street South and South 51st West Avenue requesting rezoning from **RS to CS**
32. **Z-7424 Chris Hopper** (CD 3) Location: West of the northwest corner of East Archer Street and South Hudson Avenue requesting rezoning from **RS-3 to IM**
33. **Z-7431 Alan Betchan** (CD 9) Location: East of the northeast corner of Riverside Drive and East 38th Place South requesting rezoning from **RS-3 to RM-2**
34. **Z-7432 Janelle Moore** (CD 2) Location: South of the southwest corner of South Elwood Avenue and West 71st Street South requesting rezoning from **AG to RS- 3**
35. **Z-7433 Tulsa City Council/Tanner Consulting** (CD 2) Location: Southeast corner of East 71st Street South and South Trenton Avenue requesting rezoning from **CS, OL, PUD-304 to MX3-V-55** (Related to PUD-304-A)
36. **PUD-304-A Tulsa City Council/Tanner Consulting** (CD 2) Location: Southeast corner of East 71st Street South and South Trenton Avenue requesting **to Abandon PUD-304** (Related to Z-7433)
37. **Z-7434 Tulsa City Council/Tanner Consulting** (CD 2) Location: South of the southeast corner of East 71st Street South and South Trenton Avenue requesting rezoning from **OL, RM-1, PUD-128-C to MX3-V-55** (Related to PUD-128-J)
38. **PUD-128-J Tulsa City Council/Tanner Consulting** (CD 2) Location: Southeast corner of East 71st Street South and South Trenton Avenue requesting **to Abandon PUD-128-C** (Related to Z-7434)

OTHER BUSINESS

39. Commissioners' Comments

ADJOURN

CD = Council District

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

Visit our website at www.tmapc.org

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.



Tulsa Metropolitan Area
Planning Commission

Case : Garnett Village – Change of
Access

Hearing Date: March 7, 2018

Case Report Prepared by:

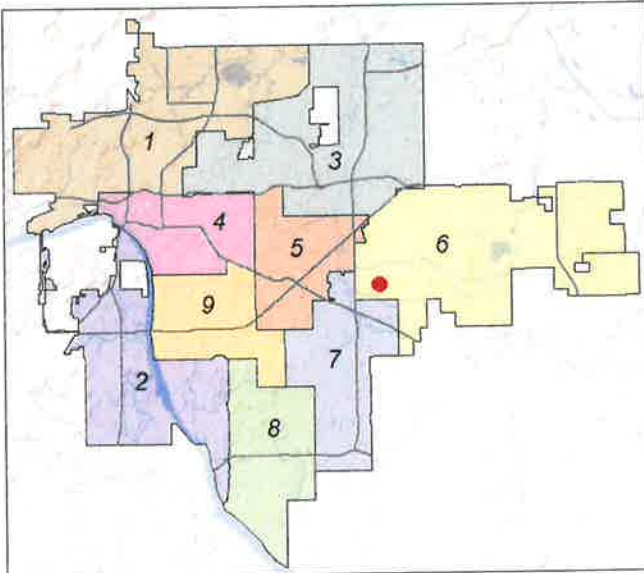
Nathan Foster

Owner and Applicant Information:

Applicant: Wallace Engineering

Owner: Garnett Village Housing
Foundation

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Change of Access

Location: East of the southeast corner of
East 31st Street South and South Garnett
Road

Zoning: RS-3/PUD-428

Staff Recommendation:

Staff recommends **approval** of the
change of access

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: John Smaligo

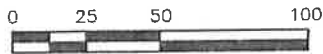
EXHIBITS: Approved Change of Access Exhibit

REVISED CHANGE OF ACCESS EXHIBIT "A"

R 14 E



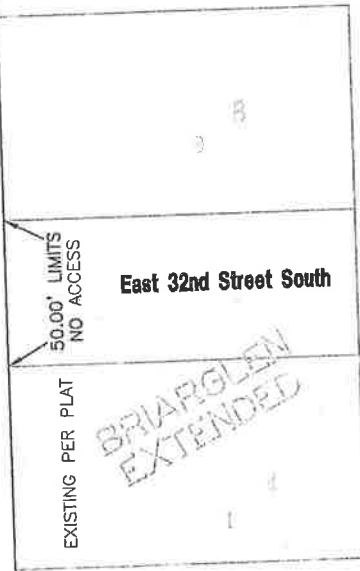
Scale: 1"=50'



South 120th East Place

GARNETT VILLAGE

50.00' ACCESS
PROPOSED



Kent W. Kent
2-20-18



P.O. BOX 848, CHOUTEAU, OK 74337
PHONE: (918) 476-7484 FAX: (918) 476-7485
C.A. NO.: 4502 EXP. DATE: 6/30/18

FILE: 180360LG

2.2



Tulsa Metropolitan Area
Planning Commission

Case : Leinbach Apartments Stuart
Tract - Reinstatement

Hearing Date: March 7, 2018

Case Report Prepared by:

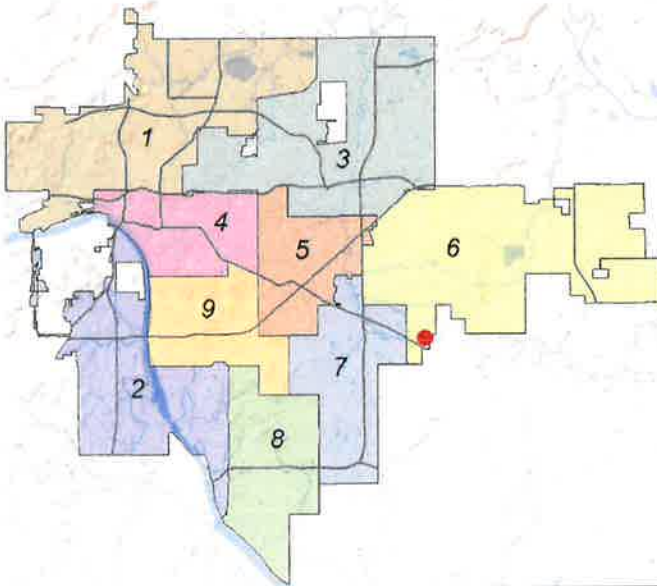
Nathan Foster

Owner and Applicant Information:

Applicant: Wallace Engineering

Owner: First Stuart Corporation & Leake
Investment Company

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Reinstatement of Preliminary Plat

Location: East of the southeast corner of
East 51st Street South and South 129th
East Avenue

Zoning: CO-1 (Corridor Development Plan)

Staff Recommendation:

Staff recommends **approval** of the
reinstatement

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: John Smaligo

EXHIBITS: Reinstatement request, approved preliminary plat & conditions



February 16, 2018

Michael Covey
Chairman
Tulsa Metropolitan Area Planning Commission
2 West Second Street Suite 800
Tulsa, Oklahoma 74103

Re: Leinbach Apartments Stuart Tract Preliminary Plat Reinstatement Request

Chairman Covey:

Leinbach Apartments Stuart Tract preliminary plat was approved on February 1, 2017. The engineering design was to be continuing and progressing in typical fashion, however due to reasons unbeknownst to the owner, engineering design had slowed. The owner had discussions with the design firm and requested for design to proceed and be completed in a timely manner.

After a duration deemed acceptable by the owner, the engineering design was not back on schedule where it should have been. The actual reasons still allude the owner to this day for the cause of delay. The owner and engineering design firm at this point decided to part ways.

Since that time, Wallace Engineering has been engaged to complete the design drawings and finalize the plat. Engineering IDP drawings have been submitted back to the City of Tulsa and the plat is now in position to move forward.

We do not want to take a step backward but forward. Hence we respectfully request for the preliminary plat be reinstated at this time. The developer has been patient long enough trying to get the project completed and is anxiously awaiting final completion and approval for the project.

If you have any questions or need additional information, please do not hesitate to contact us.

Sincerely,

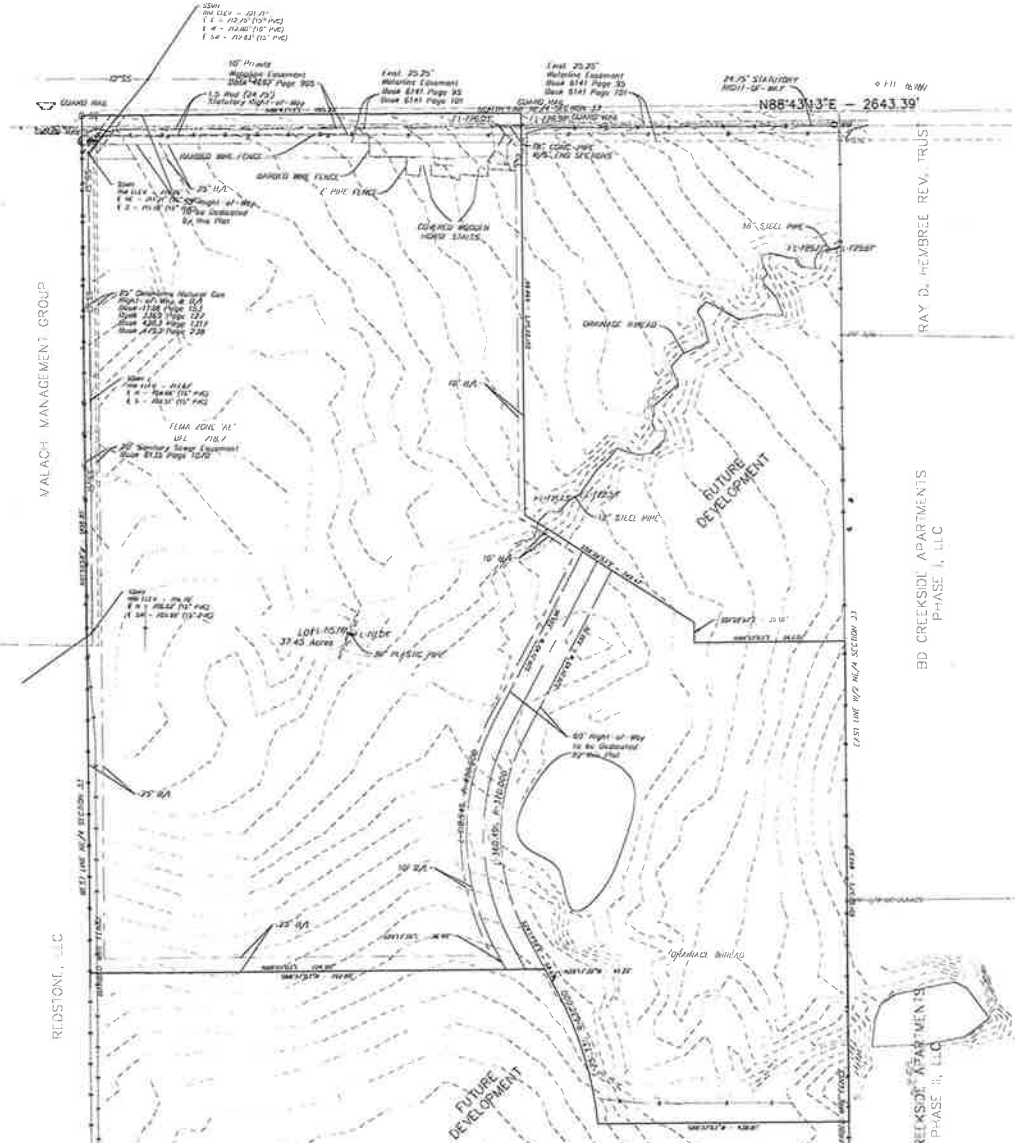
Darren Burns, P.E.
Principal

Copies: File

Wallace Engineering
Structural Consultants, Inc.
200 East Mathew Brady Street
Tulsa, Oklahoma 74103
918.584.5858, 800.364.5858
www.wallacesc.com

3.2

REDSTONE, LLC



*Leinbach Apartments
Stuart Tract*

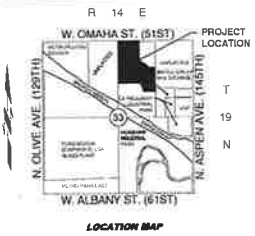
A SUBDIVISION IN THE CITY OF TULSA, BEING A PART OF THE WEST HALF (W/2) OF THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-THREE (33), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA.

[illegible]

CONFIDENTIALITY OF SURVEY

[illegible]

RICHARD IMAN
 LICENSED PROFESSIONAL LAND SURVEYOR
 1001 ALABAMA AVE. 30135



COUNTY TREASURER STAMP

STATE OF OKLAHOMA)
COUNTY OF TULSA) SS

I, PAT KEY, TULSA COUNTY CLERK, IN AND FOR THE
COUNTY AND STATE ABOVE, DO HEREBY CERTIFY THAT
THE FORGOING IS A TRUE AND CORRECT COPY OF A
LIKE INSTRUMENT NOW ON FILE IN MY OFFICE

DATED THE _____ DAY OF _____ 2018
PAT KEY, TULSA COUNTY CLERK

DEPUTY

APPROVED _____ BY THE CITY
COUNCIL OF THE CITY OF TULSA, OKLAHOMA.

MAYOR

ATTEST - CITY CLERK

LEINBACH APARTMENTS
STUARY TRACT
PRELIMINARY PLAN

DEVELOPER / OWNER
LEINBACH COMPANIES, INC.
EDWARD B LEINBACH, PRESIDENT
2240 LAST 49TH STREET
TULSA, OKLAHOMA 74105
PHONE (918) 743-2100

ENGINEER / SURVEYOR
 CORAN GROUP ENGINEERING, LLC
 CA 6414 EXP. 06-30-2018
 5415 S. YALL, SUITE 210
 TULSA, OK 74135
 PHONE: (918) 948-6173
 EMAIL: HOWIE@CORANGROUP.CO



DOWAN GROUP ENGINEERING
 3410 MOLLITY VALE, SUITE 210
 TULLA, CO. 74135
 01924661713 01924661749
 WWW.DOWANGROUP.CO.UK 01924661741
 16-498

SHEET 1 OF 3

Leinbach Apartments Stuart Tract

A SUBDIVISION IN THE CITY OF TULSA, BEING A PART OF THE WEST HALF (W/2) OF THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-THREE (33), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA.

LEINBACH APARTMENTS STUART TRACT DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

LEINBACH COMPANIES, INC., AN OKLAHOMA CORPORATION, HEREINAFTER REFERRED TO AS THE "OWNER" IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, TO WIT:

A PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-THREE (33), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

INSERT LEGAL DESCRIPTION HERE

THE BASIS OF REASONS FOR SAID TRACT IS _____ ALONG THE _____ LINE OF THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-THREE (33), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

THE OWNER HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED AND SURVEYED INTO LOTS, BLOCKS, AND RESERVE AREAS, IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY (HEREINAFTER THE "PLAT") AND HAS CAUSED AND DESIGNATED THE SUBDIVISION AS "LEINBACH APARTMENTS STUART TRACT," A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA (HEREINAFTER "LEINBACH APARTMENTS STUART TRACT" OR THE "SUBDIVISION").

Section I. Public Streets, Easements and Utilities

A. PUBLIC STREETS AND UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE FOR PUBLIC USE THE PUBLIC STREET RIGHTS OF WAY AS DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "LOT" 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 TRANSMISSIONS, 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 THEREOF, 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 RE-LAY WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF ingress and egress FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RE-LAYING CIVIL, 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 LOT OWNER HEREBY APPROVES 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 AN EASEMENT SHALL BE PLACED, ERRECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBS, LANDSCAPING AND CUSTOMARY SCREENING FENCES OR WALLS THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE

1. OVERHEAD POLES FOR THE SUPPLY OF ELECTRIC, TELEPHONE OR CABLE TELEVISION SERVICE MAY BE LOCATED ALONG THE NORTHERN PERIMETER OF THE SUBDIVISION AS NECESSARY & LOCATED IN UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD LINE ON UNDERGROUND CANAL. ELSEWHERE WITHIN THE SUBDIVISION, SUPPLY LINES, INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE, SHALL BE LOCATED UNDERGROUND, IN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDISTALS 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 MARK, SERVICE PEDISTAL 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 SUCH A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT AND EFFECTIVE EASEMENT ON THE SITE COVENING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE, EXTENDING FROM THE SERVICE PEDISTAL, TRANSFORMER OR GAS MARK TO THE SERVICE ENTRANCE OR THE STRUCTURE.

3. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICES, THROUGH ITS AGENTS AND EMPLOYEES, 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, HANDLING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE 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 OR IN HER PROPERTY AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES, BUT THE OWNER OF THE LOT WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS OR HER AGENTS OR CONTRACTORS.

5. THE FOREGOING COVENANTS IN THIS SUBSECTION B SHALL BE ENFORCEABLE BY THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION, OR GAS SERVICES, AND THE OWNER OF THE LOT AGREES TO BE BOUND THEREBY.

C. WATER, SANITARY SEWER AND STORM 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 HIS OR HER LOT.

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

3. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER AND SEWER MAINS, 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, OR BY ACTS OF THE OWNERS AGENTS AND/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, FOR THE PURPOSES OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER OR SEWER FACILITIES.

5. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION 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. USE OF RESERVE AREA - STORM WATER DETENTION

1. THE OWNER DOES HEREBY GRANT TO THE CITY OF TULSA, OKLAHOMA, AND ESTABLISH A PERPETUAL EASEMENT ON, OVER AND ACROSS RESERVE AREA "HEREINAFTER REFERRED TO AS "DETENTION EASEMENT AREA" FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, OR DETENTION AND DISCHARGE OF STORM WATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION AND FROM PROPERTIES OUTSIDE THE SUBDIVISION.

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

3. DETENTION, AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE PROPERTY OWNERS' ASSOCIATION TO BE FORMED PURSUANT TO SECTION IV (THE "PROPERTY OWNERS' ASSOCIATION") TO THE EXTENT NECESSARY TO ACHIEVE THE INTENT OF THE DETENTION EASEMENT AREA. THE PROPERTY OWNERS' ASSOCIATION SHALL PROVIDE ROUTINE AND CUSTOMARY ONSITE MAINTENANCE WITHIN THE DETENTION EASEMENT AREA WHICH SHALL BE IN ACCORDANCE WITH THE FOLLOWING STANDARDS:

a. THE DETENTION EASEMENT AREA SHALL BE KEPT FREE OF LITTER.

b. THE DETENTION EASEMENT AREA SHALL BE MOWED DURING THE GROWING SEASON AT INTERVALS NOT EXCEEDING 4 WEEKS.

c. IN THE EVENT THE PROPERTY OWNERS' ASSOCIATION SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION EASEMENT AREA AS ABOVE PROVIDED, THE CITY OF TULSA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER THE DETENTION EASEMENT AREA AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE PROPERTY OWNERS' ASSOCIATION.

d. IN THE EVENT THE PROPERTY OWNERS' ASSOCIATION, AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, FAILS TO PAY THE COST OF THE MAINTENANCE AS ABOVE SET FORTH, THE CITY OF TULSA, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH LOT WITHIN THE SUBDIVISION, PROVIDED HOWEVER, THE LIEN AGAINST EACH LOT SHALL NOT EXCEED THE PORTION OF THE COSTS CALCULATED BY DIVIDING THE TOTAL COSTS BY THE TOTAL NUMBER OF LOTS REPRESENTED BY THE PROPERTY OWNERS' ASSOCIATION.

e. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE ENFORCED BY THE CITY OF TULSA, OKLAHOMA.

E. OVERLAND DRAINAGE EASEMENTS

1. THE OWNER DOES HEREBY GRANT TO THE CITY OF TULSA, OKLAHOMA AND ESTABLISH PERPETUAL EASEMENTS ON, OVER AND ACROSS THOSE AREAS DESIGNATED ON THE ACCOMPANYING PLAT AS "SIDE" OR "OVERLAND DRAINAGE EASEMENT" FOR THE PURPOSES OF PERMITTING THE OVERLAND FLOW, CONVEYANCE, AND DISCHARGE OF STORM WATER RUNOFF FROM THE VARIOUS LOTS WITHIN THE SUBDIVISION AND FROM PROPERTIES OUTSIDE THE SUBDIVISION.

2. DRAINAGE FACILITIES CONSTRUCTED IN OVERLAND DRAINAGE EASEMENTS SHALL BE IN ACCORDANCE WITH THE ADOPTED STANDARDS OF THE CITY OF TULSA, OKLAHOMA, AND PLANS AND SPECIFICATIONS APPROVED BY THE CITY OF TULSA, OKLAHOMA.

3. NO FENCE, WALL, BUILDING OR OTHER OBSTRUCTION MAY BE PLACED OR MAINTAINED IN THE OVERLAND DRAINAGE EASEMENT AREAS NOR SHALL THERE BE ANY ALTERATION OF THE GRADES OR ELEVATIONS IN THE EASEMENT AREAS UNLESS APPROVED BY THE CITY OF TULSA, OKLAHOMA, AND PLANS AND SPECIFICATIONS APPROVED BY THE CITY OF TULSA, OKLAHOMA. PROVIDED, HOWEVER, THAT THE PLANTING OF TROPICAL TREES HAVING A CALIPUR OF NOT LESS THAN TWO AND ONE-HALF (2 1/2) INCHES SHALL NOT REQUIRE THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA.

4. THE OVERLAND DRAINAGE EASEMENT AREAS AND FACILITIES SHALL BE MAINTAINED BY THE OWNER OF THE LAND UPON WHICH THE DRAINAGE EASEMENT IS LOCATED AT ITS COST IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF TULSA, OKLAHOMA. IN THE EVENT THE OWNER OF THE LAND UPON WHICH THE DRAINAGE EASEMENT IS LOCATED SHOULD FAIL TO PROPERLY MAINTAIN THE EASEMENT AREA AND FACILITIES LOCATED THEREON, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN THE EASEMENT AREA OR THE ALTERATION OF THE GRADE OR ELEVATION THEREIN, THE CITY OF TULSA, OKLAHOMA OR ITS DESIGNATED CONTRACTOR MAY ENTER THE EASEMENT AREA AND PERFORM MAINTENANCE NECESSARY TO THE ACHIEVEMENT OF THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT THE ALTERATION OF GRADE OR ELEVATION. THE COST THEREOF SHALL BE PAID BY THE OWNER OF THE LAND. IN THE EVENT THE 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, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE LAND OF THE OWNER. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE ENFORCED BY THE CITY OF TULSA, OKLAHOMA.

F. 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 AND STORM SEWER SYSTEMS) SERVING THE ENTIRE SUBDIVISION HAS BEEN COMPLETED AND ACCEPTED BY THE CITY OF TULSA, OKLAHOMA. NOTWITHSTANDING THE FOREGOING, THE CITY OF TULSA, OKLAHOMA 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 BE ISSUED UPON THE COMPLETION AND ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE. THE CITY OF TULSA, OKLAHOMA'S ACCEPTANCE OF THE INFRASTRUCTURE SHALL BE EVIDENCED BY A DOCUMENT EXECUTED BY THE MAYOR OF THE CITY OF TULSA, OKLAHOMA (THE "CITY OF TULSA, OKLAHOMA'S ACCEPTANCE OF INFRASTRUCTURE") AND FILED IN THE RECORDS OF THE TULSA COUNTY CLERK. BUILDING CONSTRUCTION OCCURRING PRIOR TO RECORDING OF THE CITY OF TULSA, OKLAHOMA'S ACCEPTANCE OF INFRASTRUCTURE SHALL BE AT THE RISK OF THE OWNER OF THE LOT, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT.

G. SURFACE DRAINAGE AND LOT GRADING RESTRICTION
EACH LOT SHALL RECEIVE AND DRAIN IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING ON 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 G SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF TULSA, OKLAHOMA.

H. LIMITS OF NO ACCESS

THE UNDERSIGNED OWNER HEREBY REINDEMNIFIES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO EAST 5357 STREET SOUTH WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE "LIMITS OF NO ACCESS" TO 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 (HEREINAFTER "THE CITY OF TULSA, OKLAHOMA") AND THE LIMITS OF NO ACCESS ABOVE ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA.

I. 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 NECESSARY INSTALLATION OR MAINTENANCE OF UNDERGROUND WATER, SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED HOWEVER, THE CITY OF TULSA, OKLAHOMA OR THE SUPPLIER OF THE UTILITY SERVICE SHALL HAVE RESPONSIBLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

Section II. Sidewalks

WITHIN THE SUBDIVISION, THERE SHALL BE CONTINUOUS SIDEWALKS MEETING THE SUBDIVISION REGULATIONS FOR THE TULSA METROPOLITAN AREA OR MODIFICATIONS THEREOF APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION OR ITS SUCCESSOR AND THE CITY OF TULSA.

A. SIDEWALK ALONG EAST 5357 STREET SOUTH AND RESERVE AREAS

THE OWNER SHALL CONSTRUCT THE SIDEWALK ALONG THE ENTIRE EAST 5357 STREET SOUTH FRONTAGE AND ALL RESERVE AREA FRONTS ONTO STREETS WITHIN THE SUBDIVISION.

B. MAINTENANCE OF SIDEWALKS IN RESERVE AREAS

THE PROPERTY OWNERS' ASSOCIATION SHALL MAINTAIN ALL SIDEWALKS WITHIN RESERVE AREA "A" IN GOOD CONDITION.

Section III. Fence and Landscape Easement

THE OWNER HEREBY ESTABLISHES AND RESERVES FOR SUBSEQUENT CONVEYANCE TO THE PROPERTY OWNERS' ASSOCIATION AN EXCLUSIVE PERPETUAL EASEMENT TO ERECT AND MAINTAIN A FENCE AND LANDSCAPING ALONG THE NORTH BOUNDARY OF THE SUBDIVISION WITHIN THE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT AS "FENCE & LANDSCAPE EASEMENT" OR "FENCE".

Section IV. CORRIDOR DEVELOPMENT RESTRICTIONS

Section IV. Corridor Site Plan CD-3 Development Restrictions
WHEREAS, STUART TRACT CD-3 DEVELOPMENT RESTRICTIONS AS A CORRIDOR SITE PLAN AS PROVIDED WITHIN SECTION 3 OF ARTICLE IV OF THE ZONING ORDINANCE OF THE CITY OF TULSA, OKLAHOMA (ORDINANCE NO. 1546) AS AMENDED AND EXISTING ON JULY 1, 2016, (HEREINAFTER THE "TULSA METROPOLITAN AREA ZONING CODE"), WHICH CD-3 WAS AFFIRMATIVELY RECOMMENDED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, ON JULY 6, 2016, AND APPROVED BY THE COUNCIL OF THE CITY OF TULSA, OKLAHOMA, ON _____ AND _____;

WHEREAS, THE ZONING CODE DEVELOPMENT PROVISIONS OF THE CITY OF TULSA METROPOLITAN AREA ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD, BINDING TO AND ENFORCEABLE BY THE CITY OF TULSA, STATE OF OKLAHOMA, EFFORTING TO ASSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED CORRIDOR SITE PLAN, AND

WHEREAS, THE OWNER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDINARY DEVELOPMENT AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS AND ASSIGNS; AND THE CITY OF TULSA, STATE OF OKLAHOMA

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

A. DEVELOPMENT IN ACCORDANCE WITH THE APPROVED CORRIDOR SITE PLAN CD-3

LEINBACH APARTMENTS STUART TRACT SHALL BE DEVELOPED AND USED IN SUBSTANTIAL ACCORDANCE WITH THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF CORRIDOR SITE PLAN CD-3 AS APPROVED BY THE TULSA CITY COUNCIL, OR IN SUBSTANTIAL ACCORDANCE WITH SUCH MODIFICATIONS OR AMENDMENTS OF THE RESTRICTIONS AND DEVELOPMENT STANDARDS OF CD-3 AS MAY BE SUBSEQUENTLY APPROVED.

B. APPLICABLE COVENANTS

THE DEVELOPMENT OF LEINBACH APARTMENTS STUART TRACT SHALL BE SUBJECT TO THE CORRIDOR SITE PLAN CD-3 DEVELOPMENT PROVISIONS OF THE CITY OF TULSA METROPOLITAN AREA ZONING CODE, AS SUCH PROVISIONS EXISTED ON _____

C. DEVELOPMENT STANDARDS

1. DEVELOPMENT AREA A
EACH LOT SHALL RECEIVE AND DRAIN IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING ON 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 C SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF TULSA, OKLAHOMA.

MINIMUM LOT SIZE: 5,000 SF
MINIMUM BUILDING HEIGHT: 75 FT
MINIMUM BUILDING PERIMETER SETBACKS: 25 FT

FROM EAST 5357 STREET: 25 FT

FROM CORRIDOR COLLECTOR STREET FRONTAGE: 10 FT

ALONG EAST BOUNDARY OF DEVELOPMENT AREA "A": 10 FT

FROM EAST BOUNDARY OF DEVELOPMENT AREA "A": 10 FT

THAT IS NOT ADJACENT TO OR ABUTS THE CORRIDOR COLLECTOR STREET: 10 FT

FROM SOUTH BOUNDARY OF DEVELOPMENT AREA "A": 25 FT

FROM WEST BOUNDARY OF DEVELOPMENT AREA "A": 10 FT

FROM INTERNAL BOUNDARIES: 10 FT

MINIMUM OFF-STREET PARKING SPACES (APARTMENTS): 15 PER DWELLING UNIT**

** OTHERWISE, PARKING SHALL BE AS PROVIDED IN THE TULSA ZONING CODE

** PARKING SPACE RATIO REQUIRED FOR DWELLING UNITS WITHOUT REGARD

TO THE NUMBER OF BEDROOMS

MINIMUM BICYCLE PARKING SPACES AS PROVIDED IN THE TULSA ZONING CODE

OTHER LOT AND BUILDING REGULATIONS: AS ESTABLISHED WITHIN THE RWA-3 DISTRICT

SIGNS: ALL SIGNS SHALL MEET THE STANDARDS OF THE TULSA ZONING CODE FOR R AND AG DISTRICTS

EXCEPT AS FURTHER DEFINED BELOW:

GROUND SIGNS:

EAST 5357 STREET:

ONE (1) SIGN/NO SIGN SHALL BE PERMITTED AT EACH VEHICULAR ENTRANCE ON EAST 5357 STREET. THE MAXIMUM AGGREGATE AREA OF MULTIPLE SIGNS MAY NOT EXCEED 150 SF OF DISPLAY SURFACE AREA AND 20 FEET IN HEIGHT. A SINGLE SIGN MAY NOT EXCEED 150 SQUARE FEET OF DISPLAY SURFACE AREA AND 20 FEET IN HEIGHT.

CORRIDOR COLLECTOR STREET

ONE (1) SIGN/NO SIGN SHALL BE PERMITTED AT EACH VEHICULAR ENTRANCE FROM THE CORRIDOR COLLECTOR STREET. THE MAXIMUM AGGREGATE AREA OF MULTIPLE SIGNS MAY NOT EXCEED 150 SF OF DISPLAY SURFACE AREA. A SINGLE SIGN MAY NOT EXCEED 100 SF OF DISPLAY SURFACE AREA AND 15 FEET IN HEIGHT.

WALL SIGNS ARE PROHIBITED.

LANDSCAPING:

LANDSCAPING FOR THE PROJECT SHALL, AT A MINIMUM, COMPLY WITH THE LANDSCAPING STANDARDS OF THE TULSA ZONING CODE. FINAL LANDSCAPING DESIGN AND STANDARDS SHALL BE DETERMINED UPON THE DETAILED SITE PLAN AND DETAILED LANDSCAPE PLAN APPROVAL.

IN ADDITION TO THE LANDSCAPING REQUIREMENTS OF THE ZONING CODE, STREET TREES WILL BE INSTALLED AND MAINTAINED ALONG THE LENGTH OF THE CORRIDOR COLLECTOR STREET WITH A MAXIMUM SPACING OF 50 FEET IN THE STREET RIGHT OF WAY AND ON BOTH SIDES OF THE STREET. THOSE TREES WILL BE INSTALLED AS PART OF THE STREET CONSTRUCTION PROJECT.

LIGHTING:

LIGHTING FOR THE PROJECT SHALL, AT A MINIMUM, COMPLY WITH APPLICABLE CITY OF TULSA STANDARDS AS DEFINED IN THE TULSA ZONING CODE. FINAL LIGHTING DESIGN AND STANDARDS SHALL BE DETERMINED UPON DETAILED SITE PLAN AND DETAILED LANDSCAPE PLAN APPROVAL.

TRASH, MECHANICAL, AND EQUIPMENT AREAS:

DEVELOPER / OWNER
LEINBACH COMPANIES, INC.
2245 EAST 49TH STREET
TULSA, OKLAHOMA 74125
PHONE: (918) 949-6771
FAX: (918) 949-6771
WWW.LEINBACHCOMPANIES.COM

ENGINEER / SURVEYOR
COWAN CONSULTING ENGINEERS, LLC
2415 N. WALKER BLVD.
TULSA, OK 74125
PHONE: (918) 949-6771
FAX: (918) 949-6771
WWW.COWANENGINEERS.COM



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WWW.COWANENGINEERS.COM
CD-3 DEVELOPMENT RESTRICTIONS

SHEET 2 OF 3

3.4

Leinbach Apartments Stuart Tract

A SUBDIVISION IN THE CITY OF TULSA, BEING A PART OF THE WEST HALF (W/2) OF THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-THREE (33), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, OKLAHOMA.

ALL TRASH, MECHANICAL, AND EQUIPMENT AREAS (EXCLUDING UTILITY SERVICE TRANSFORMERS, PEDESTALS OR OTHER EQUIPMENT PROVIDED BY FRANCHISE UTILITY PROVIDERS, INCLUDING BUILDING MOUNTED, SHALL BE SCREENED FROM PUBLIC VIEW IN SUCH A MANNER THAT SUCH AREAS CANNOT BE SEEN BY PERSONS STANDING AT GROUND LEVEL.

TRASH DUMPSTERS SHALL BE SCREENED BY MASONRY CONSTRUCTION WITH STEEL FRAME DOORS. THE DOORS SHALL BE COVERED WITH APPROPRIATE COVERING CONTAINING A MINIMUM OF NINETY-FIVE PERCENT (95%) OPAQITY TO THE GATE FRAME.

2. DEVELOPMENT AREA B

GROSS AREA: 39.60 ACRES

PERMITTED USES: RESIDENTIAL, LIMITED TO PATIO HOUSE, TOWNHOUSE, COTTAGE HOUSE DEVELOPMENT, MULTI-UNIT HOUSE AND APARTMENTS, PUBLIC, CIVIC AND INSTITUTIONAL, LIMITED TO COLLISE OR UNIVERSITY, DAY CARE, FRATERNAL ORGANIZATION, GOVERNMENT SERVICE, HOSPITAL, LIBRARY OR CULTURAL EXHIBIT, NATURAL RESOURCE PRESERVATION, POSTAL SERVICES, RELIGIOUS ASSEMBLY, SAFETY SERVICE, SCHOOL, WIRELESS COMMUNICATION FACILITY, COMMERCIAL, LIMITED TO SMALL AND LARGE BUDGET ASSEMBLY AND ENTERTAINMENT, BROADCAST OR RECORDED STUDIO, COMMERCIAL SERVICE, FINANCIAL SERVICES, FUNERAL OR MORTUARY SERVICE, LOGGERS, OFFICE, RESTAURANTS AND BARS, RETAIL SALES STUDIO, ARTIST OR INSTRUCTIONAL SERVICE, TRADE SCHOOL, VEHICLE SALES AND SERVICE, PHOTOGRAPHY, DISTRIBUTION AND STORAGE EXCEPT OUTDOOR STORAGE IS PROHIBITED, AGRICULTURAL, OTHER BUT LIMITED TO DRIVE IN OR DRIVE THROUGH FACILITY (AS A COMPONENT OF AN ALLOWED USE) AND OTHER CUSTOMARILY ACCESSORY TO THE ALLOWED PRINCIPAL USES.

MINIMUM LOT AREA PER DWELLING UNIT: 1,000 SF

MINIMUM LOT SIZE: 5,000 SF

MAXIMUM BUILDING HEIGHT: 75 FT

MINIMUM BUILDING PERIMETER SETBACKS:

FROM EAST 51ST STREET 25 FT

EAST BOUNDARY OF DEVELOPMENT AREA 'B' 10 FT

FROM CORRIDOR COLLECTOR STREET FRONTAGE 10 FT

ALONG EAST BOUNDARY OF DEVELOPMENT AREA 'B' 10 FT

FROM EAST BOUNDARY OF DEVELOPMENT AREA 'B' THAT IS NOT ADJACENT TO OR ABUTS THE CORRIDOR COLLECTOR STREET 10 FT

FROM SOUTH BOUNDARY OF DEVELOPMENT AREA 'B' 25 FT

FROM WEST BOUNDARY OF DEVELOPMENT AREA 'B' 25 FT

FROM INTERNAL BOUNDARIES 10 FT

MINIMUM OFF STREET PARKING SPACES (APARTMENTS): 1.5 PER DWELLING UNIT**

* OTHERWISE, PARKING SHALL BE AS PROVIDED IN THE TULSA ZONING CODE.

** PARKING SPACE RATIO REQUIRED FOR DWELLING UNITS WITHOUT REGARD TO THE NUMBER OF BEDROOMS

MINIMUM BICYCLE PARKING SPACES PROVIDED IN THE TULSA ZONING CODE

SIGNS:

ALL SIGNS SHALL MEET THE STANDARDS AND SIGN BUDGET OF THE TULSA ZONING CODE FOR COMMERCIAL DISTRICTS EXCEPT AS FURTHER DEFINED BELOW:

GROUND SIGNS:

EAST 51ST STREET:

ONE (1) GROUND SIGN SHALL BE PERMITTED AT EACH VEHICULAR ENTRANCE ON EAST 51ST STREET. THE MAXIMUM AGGREGATE AREA OF MULTIPLE SIGNS MAY NOT EXCEED 150 SF OF DISPLAY SURFACE AREA AND 20 FEET IN HEIGHT. A SINGLE SIGN MAY NOT EXCEED 150 SQUARE FEET OF DISPLAY SURFACE AREA AND 20 FEET IN HEIGHT.

CORRIDOR COLLECTOR STREET:

ONE (1) MONUMENT SIGN SHALL BE PERMITTED AT EACH VEHICULAR ENTRANCE FROM THE CORRIDOR COLLECTOR STREET. THE MAXIMUM AGGREGATE AREA OF MULTIPLE SIGNS MAY NOT EXCEED 150 SF OF DISPLAY SURFACE AREA. A SINGLE SIGN MAY NOT EXCEED 150 SF OF DISPLAY SURFACE AREA AND 15 FT IN HEIGHT.

BROKEN ARROW EXPRESSWAY:

ONE (1) GROUND SIGN SHALL BE PERMITTED ALONG THE BROKEN ARROW EXPRESSWAY WITH A MAXIMUM OF 300 SF OF DISPLAY SURFACE AREA AND 30 FT IN HEIGHT.

LANDSCAPING:

LANDSCAPING FOR THE PROJECT SHALL, AT A MINIMUM, COMPLY WITH THE LANDSCAPING STANDARDS OF THE TULSA ZONING CODE. FINAL LANDSCAPING DESIGN AND STANDARDS SHALL BE DETERMINED UPON THE DETAIL SITE PLAN AND DETAIL LANDSCAPE PLAN APPROVAL.

LIGHTING:

LIGHTING FOR THE PROJECT SHALL, AT A MINIMUM, COMPLY WITH APPLICABLE CITY OF TULSA STANDARDS AS DEFINED IN THE TULSA ZONING CODE. FINAL LIGHTING DESIGN AND STANDARDS SHALL BE DETERMINED UPON DETAIL SITE PLAN AND DETAIL LANDSCAPE PLAN APPROVAL.

TRASH, MECHANICAL, AND EQUIPMENT AREAS:

ALL TRASH, MECHANICAL, AND EQUIPMENT AREAS (EXCLUDING UTILITY SERVICE TRANSFORMERS, PEDESTALS OR OTHER EQUIPMENT PROVIDED BY FRANCHISE UTILITY PROVIDERS, INCLUDING BUILDING MOUNTED, SHALL BE SCREENED FROM PUBLIC VIEW IN SUCH A MANNER THAT SUCH AREAS CANNOT BE SEEN BY PERSONS STANDING AT GROUND LEVEL.

TRASH DUMPSTERS SHALL BE SCREENED BY MASONRY CONSTRUCTION WITH STEEL FRAME DOORS. THE DOORS SHALL BE COVERED WITH APPROPRIATE COVERING CONTAINING A MINIMUM OF NINETY-FIVE PERCENT (95%) OPAQITY TO THE GATE FRAME.

OTHER LOT AND BUILDING REGULATIONS:

AS ESTABLISHED WITHIN THE CG DISTRICT.

3. DEVELOPMENT AREA C

GROSS AREA: 10.77 ACRES

PERMITTED USES: STORM WATER DRAINAGE, STORM WATER DETENTION FACILITIES, WATER FEATURES, OPEN SPACES, SIDEWALKS, TRAILS AND LANDSCAPING.

Section V. Property Owner's Association

A. FORMATION OF PROPERTY OWNERS' ASSOCIATION

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED AN ASSOCIATION OF THE OWNERS OF THE LOTS WITHIN LEINBACH APARTMENTS STUART TRACT (THE "PROPERTY OWNERS' ASSOCIATION") TO BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AND TO BE FORMED FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMON AREA OF THE SUBDIVISION, INCLUDING BUT WITHOUT LIMITATION, THE LANDSCAPING, STORM WATER DETENTION FACILITIES, FENCING, ENTRY FEATURES AND SWIMMING POOL, AND CLUB HOUSE AMENITIES AS MAY EXIST WITHIN RESERVE AREA 'A' AND THE SIDEWALK AND LANDSCAPING WITHIN THE FENCE & LANDSCAPE EASEMENTS, AND ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF LEINBACH APARTMENTS STUART TRACT.

B. MEMBERSHIP

EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE FEE INTEREST OF A LOT IN THE SUBDIVISION SHALL BE A MEMBER OF THE PROPERTY OWNERS' ASSOCIATION. MEMBERSHIP SHALL BE APPURTENANT TO AND MAY NOT BE SEPARATED FROM THE OWNERSHIP OF A LOT.

C. ASSESSMENT

EACH RECORD OWNER OF A LOT IN THE SUBDIVISION SHALL BE SUBJECT TO ASSESSMENT BY THE PROPERTY OWNERS' ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF THE COMMON AREAS OF THE SUBDIVISION.

Section VI. 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, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THEREIN, 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 I. SIDEWALKS, SECTION II. FENCE AND LANDSCAPE EASEMENT, SECTION IV. PROPERTY OWNERS' ASSOCIATION AND SECTION V. PRIVATE RESTRICTIONS AND COVENANTS SHALL INURE TO THE BENEFIT OF ANY OWNER OF A LOT AND THE PROPERTY OWNERS' ASSOCIATION. IF THE UNDERSIGNER, OWNER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTIONS I, II, IV, OR V, IT SHALL BE LAWFUL FOR ANY OWNER OF A LOT OR THE PROPERTY OWNERS' ASSOCIATION 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 VIOLATING THE COVENANTS HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED. IN ANY JUDICIAL ACTION BROUGHT BY ANY OWNER OF A LOT OR THE ASSOCIATION, WHICH ACTION SEEMS TO ENFORCE THE COVENANTS CONTAINED IN SECTIONS I, II, IV OR V, AND TO RECOVER DAMAGES FOR THE VIOLATION THEREIN, THE PREVAILING PARTY SHALL BE ENTITLED TO RECEIVE REASONABLE ATTORNEY FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

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. PUBLIC STREET, 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. SIDEWALKS, SECTION IV. FENCE AND LANDSCAPE EASEMENT, SECTION IV. PROPERTY OWNERS' ASSOCIATION OR SECTION V. PRIVATE RESTRICTIONS AND COVENANTS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER DURING SUCH PERIOD THAT THE OWNER IS THE RECORD OWNER OF AT LEAST 1 LOT OR ALTERNATIVELY, THE COVENANTS AND RESTRICTIONS MAY BE AMENDED OR TERMINATED BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF NOT LESS THAN 60% OF THE LOTS. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNER DURING HIS OWNERSHIP OF AT LEAST 1 LOT AND ANY AMENDMENT PROPERLY EXECUTED BY THE OWNERS OF 60% OF THE LOTS, THE INSTRUMENT EXECUTED BY THE OWNER SHALL PREVAIL. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AND RESTRICTIONS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

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. IN WITNESS WHEREOF, OWNER HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF _____, 2017.

LEINBACH COMPANIES, INC.
AN OKLAHOMA CORPORATION

BY: _____
EDWARD B. LEINBACH, PRESIDENT

STATE OF OKLAHOMA)
COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2017,
BY EDWARD B. LEINBACH AS PRESIDENT OF LEINBACH COMPANIES, INC., AN OKLAHOMA CORPORATION.

NOTARY PUBLIC

MY COMMISSION NUMBER

MY COMMISSION EXPIRES

Certificate of Survey

I, RICHARD IMAN, OF COWAN GROUP ENGINEERING, LLC, 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 "LEINBACH APARTMENTS STUART TRACT," 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.

RICHARD IMAN
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1959

STATE OF OKLAHOMA)
COUNTY OF TULSA)

BEFORE ME THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF _____, 2017, PERSONALLY APPEARED RICHARD IMAN, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS A LICENSED LAND SURVEYOR TO THE FOREGOING CERTIFICATE OF SURVEY AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

NOTARY PUBLIC

MY COMMISSION EXPIRES:

MY COMMISSION NUMBER:

DEVELOPER / OWNER
LEINBACH COMPANIES, INC.
2240 CANAL STREET, SUITE 210
TULSA, OKLAHOMA 74103
PHONE: (918) 743-2100

ENGINEER / SURVEYOR
COWAN GROUP ENGINEERING, LLC
3416 S. YALCUP STREET, SUITE 210
TULSA, OK 74103
PHONE: (918) 940-6171
EMAIL: AICI@COWANGROUP.COM

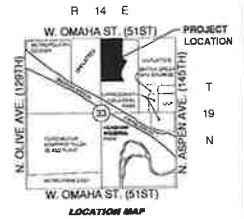
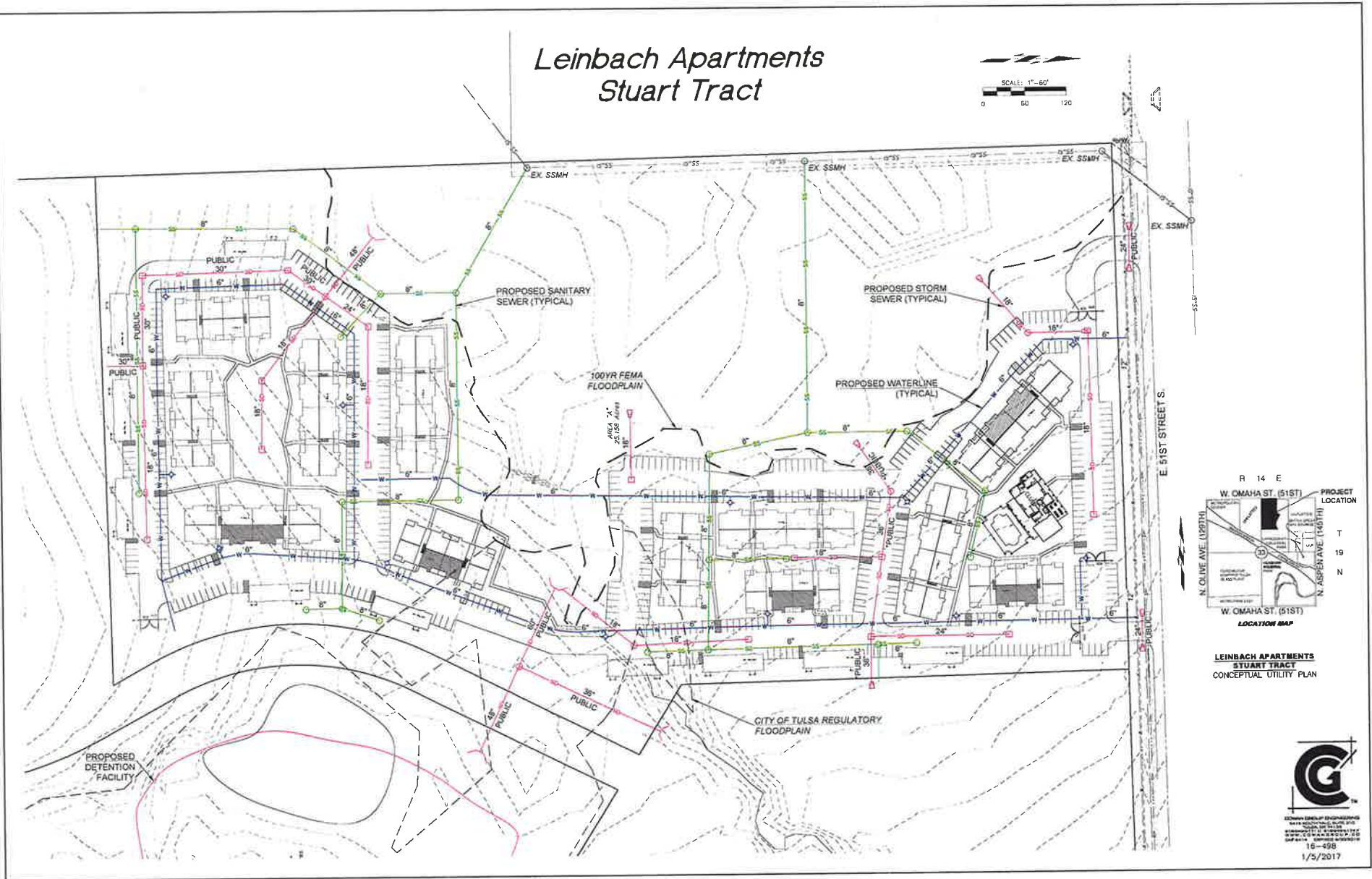
PREPARED BY: S.A.S. - JANUARY 16, 2017



COWAN GROUP ENGINEERING
WITH HOLDING STATE NO. 1940
3416 S. YALCUP STREET, SUITE 210
TULSA, OK 74103
PHONE: (918) 940-6171
EMAIL: AICI@COWANGROUP.COM

SHEET 3 OF 3

Leinbach Apartments Stuart Tract



**LEINBACH APARTMENTS
STUART TRACT
CONCEPTUAL UTILITY PLAN**



3.4

PRELIMINARY SUBDIVISION PLAT

Leinbach Apartments Stuart Tract (CD 6)

West of the southwest corner of East 51st Street South and South 145th East Avenue

This plat consists of 1 lot, 1 block, on 37.45 acres.

The Technical Advisory Committee (TAC) met on January 19, 2017 and provided the following conditions:

1. **Zoning:** The property is currently zoned CO with an approved Corridor Development Plan (CO-1). Development plan number needs to be shown on the face of the plat.
2. **Transportation & Traffic:** Include right-of-way dimensions for all public streets. Provide limits of access and limits of no access along East 51st Street South.
3. **General Development:** Plat scale must be corrected. Not currently 1" = 40' as depicted. Add 17.5' perimeter utility easement except along western property line. All public infrastructure shall be located in easements and shown on the plat, including the on-site detention facility and public utility main lines.
4. **Sewer:** Any proposed extension of the public sanitary sewer main line shall be located in a 15' utility easement.
5. **Water:** Any proposed extension of the public water main line shall be centered in a 20' restrictive waterline easement.
6. **Storm Drainage:** Any proposed public stormwater line shall be located in a minimum 15' utility easement. **Floodplain:** Portions of the property are located within the Ford Creek Floodplain. Some areas of this parcel flooded during the 1984 flood event. All delineated floodplain boundaries should be clearly and accurately shown on the plat. Any development within the floodplain must meet the floodplain development requirements of the City of Tulsa Revised Ordinances, Title 11 A and Title 51 and city drainage standards. Any proposed changes to the floodplain boundaries or flood elevations will be subject to Floodplain Map Revisions.
7. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comments.
8. **Fire:** An approved remote secondary access road will be required before occupancy will be allowed. Indicate the location and show mutual access easement to be dedicated by separate instrument. KNOX access will be required on any gated entrances.
9. **Engineering Graphics:** Submit a subdivision data control sheet. Add missing subdivisions in location map. Provide individual addresses.

Graphically label lot with unique address. State address caveat/disclaimer on face of plat. Define the basis of bearing between two known points and provide bearing angle to what is already stated. Provide the date of preparation in the lower left or lower right hand corner. Remove contours from final plat. Label the point of beginning (POB). Create a text label that provides the size of the project by stating number of lots, blocks, reserves, and total acreage/square feet. Provide a scale for the location map. Correct legal description on the face of the plat. Provide/label arc length, radius, delta angle, chord bearing, and chord length for all curves. Graphically show all iron pins found or set associated with this plat.

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.

Case Number: PUD-537-2
Minor Amendment

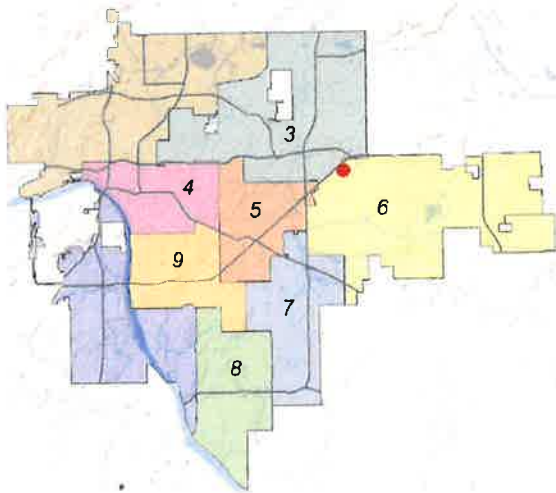
Hearing Date: March 7, 2018

Case Report Prepared by:
Jay Hoyt

Owner and Applicant Information:
Applicant: Joe Freeny

Property Owner: Ruby J Thompson Rev.
Trust

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Concept summary: PUD minor amendment to add Commercial Vehicle Repair / Maintenance and Fueling Station as well as revise setbacks along E 5th St S and S 129th E Ave.

Gross Land Area: 1.02 acres

Location: NE/c E. 5th St S. and S. 129th E. Ave.

Lots 14, 16 and 17, Block 3 Meadowbrook Heights Addition

Zoning:

Existing Zoning: CG/RS-2/PUD-537
Proposed Zoning: No Change

Comprehensive Plan:

Land Use Map: Mixed-Use Corridor
Growth and Stability Map: Growth

Staff Recommendation:

Staff recommends **approval**.

Staff Data:

TRS: 494

CZM: 39

Atlas: 1105

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: John Smaligo

SECTION I: PUD-537-2 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to add Commercial Vehicle Repair / Maintenance and Fueling Station as well as revise setbacks along E 5th St S and S 129th E Ave.

The current development standards limit the uses of the site to Mini-Storage and customary accessory uses. The applicant proposes to add Commercial Vehicle Repair / Maintenance and Fueling Station uses in order to support a trucking facility. Both of these uses are allowed by right in CG zoning, the primary underlying zoning for the subject lots. These uses would be required F1 screening along common lot lines abutting R zoned lots. F1 screens can consist of either an opaque fence, at least 6 ft in height and at least one tree per linear feet of fence, or a masonry wall with a minimum 6 ft height.

Current development standards limit the setback on S 129th E Ave to 100 ft from the centerline of 129th and the setback along the southern boundary of the PUD (E 5th St S for the subject lots) to 15 ft. The applicant proposes to revise both of these setbacks to 10 ft, which is the standard street setback for CG zoning, the primary underlying zoning for the subject lots.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(15) of the City of Tulsa Zoning Code.*

"Changes in an approved use to another use may be permitted, provided the underlying zoning on the particular site within the PUD would otherwise permit such use as of right and the proposed use will not result in any increase of incompatibility with the present and future use of nearby properties."

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-537 and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map

INCOG aerial photo

INCOG aerial photo (enlarged)

With considerations listed above, staff recommends **approval** of the minor amendment request to add Commercial Vehicle Repair / Maintenance and Fueling Station as well as revise setbacks along E 5th St S and S 129th E Ave.



0 Feet 250 500



Subject Tract

PUD-537-2

19-14 04

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

Aerial Photo Date: February 2016



21.5



S 129th E AVE

E 65th St

E 4th Pl

0
50
100
Feet



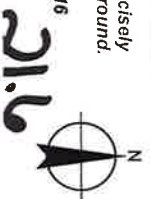
Subject
Tract

PUD-537-2

19-14 04

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

Aerial Photo Date: February 2016





Case Number: PUD-628-C-3
Minor Amendment

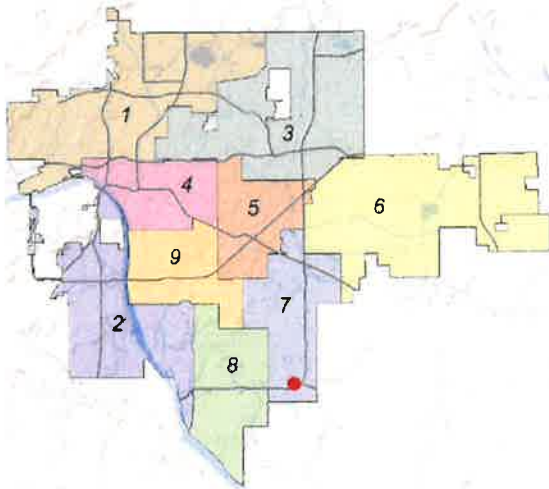
Hearing Date: March 7, 2018

Case Report Prepared by:
Jay Hoyt

Owner and Applicant Information:
Applicant: Nathalie M. Cornett

Property Owner: W.O. Smith Trust c/o Eller
& Detrich

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Concept summary: PUD minor amendment
to establish setback for ground sign

Gross Land Area: 6.25 acres

Location: East of the NE/c of the
Intersection of S. Mingo Rd. and The Creek
Turnpike

9718 E. 93rd St. S.

Lot 3, Block 1, Cedar Ridge Park

Zoning:
Existing Zoning: CO/PUD-628-C
Proposed Zoning: No Change

Comprehensive Plan:
Land Use Map: Regional Center
Growth and Stability Map: Growth

Staff Recommendation:
Staff recommends **approval**.

Staff Data:
TRS: 8419
CZM: 58
Atlas: 2087

City Council District: 7
Councilor Name: Anna America
County Commission District: 3
Commissioner Name: Ron Peters

22.1

SECTION I: PUD-628-C-3 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the PUD Development Standards to establish the setback for the one non-digital ground sign not exceeding 50 ft in height and 165 sf in display surface area that is currently allowed.

Currently, a setback is not specified for this sign. This amendment proposes to establish a setback of no less than 10 ft from the freeway planned right-of-way that is adjacent to the site. No other development standards are proposed to be changed.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) of the City of Tulsa Zoning Code.*

"Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved standards and the character of the development are not substantially altered."

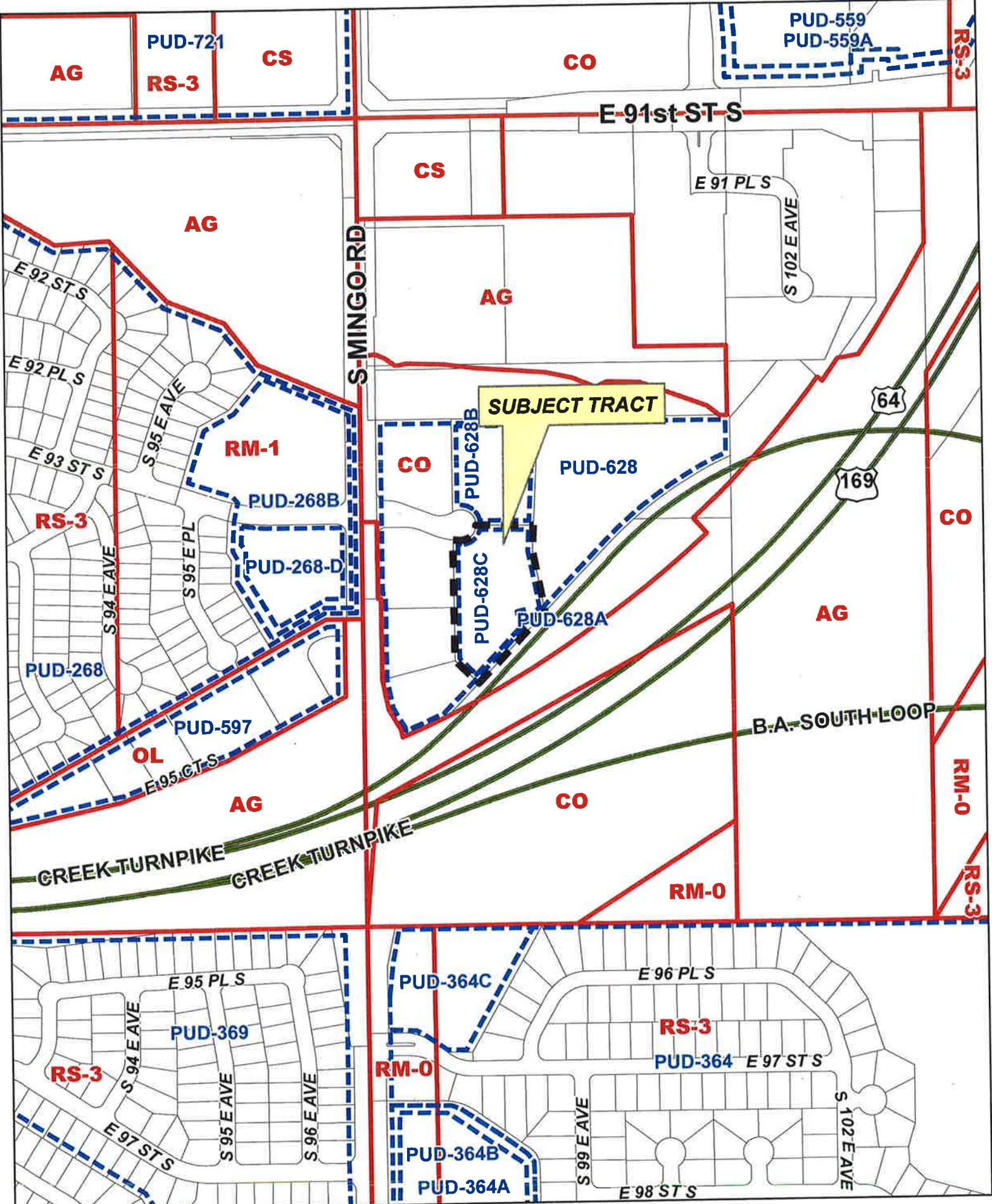
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-628-C and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

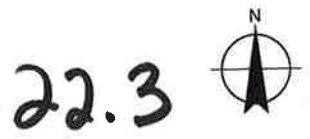
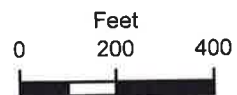
INCOG zoning case map
INCOG aerial photo
INCOG aerial photo (enlarged)
Applicant Exhibits:
Exhibit 'A'

With considerations listed above, staff recommends **approval** of the minor amendment request to establish setback for a previously approved ground sign.



PUD-628-C-3

18-14 19





0 200 400
Feet



Subject
Tract

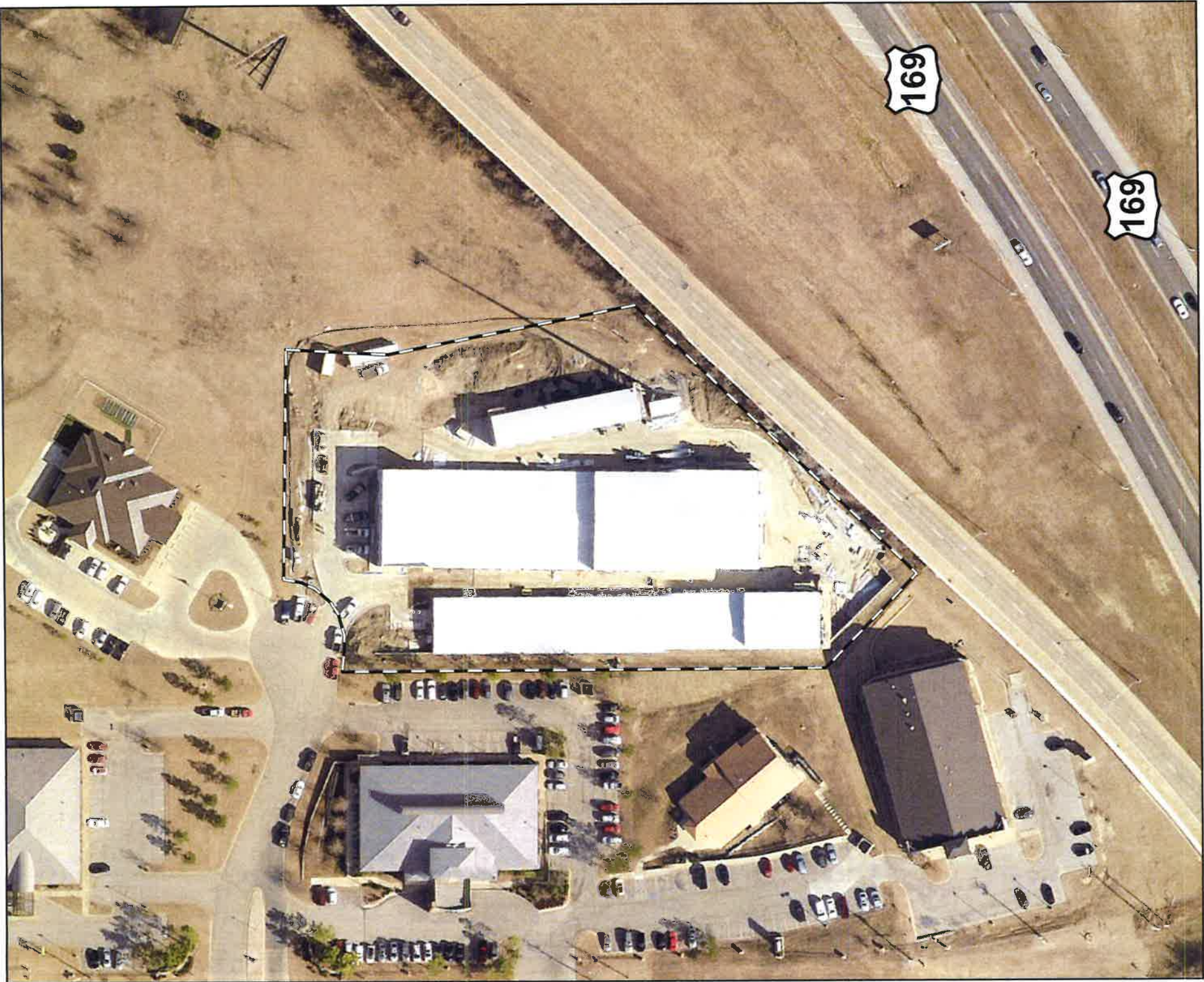
PUD-628-C-3

18-14 19

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

Aerial Photo Date: February 2016





 Subject Tract

PUD-628-C-3

18-14 19

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

Aerial Photo Date: February 2016



Exhibit "A"

Applicant requests a minor amendment to PUD 628-C/Z-6467-Sp-7 to amend the approved signage standards of Lot 3, pursuant to Section 30.010-I(2)(c)(12) of the Tulsa Zoning Code (the "Code"). The current development standards for Lot 3 permit one (1) non-digital ground sign not exceeding 50 FT in height and 165 SF in display surface area on Lot 3 of the Project. The purpose of this amendment is to clarify the allowed setback of the sign from the adjacent freeway, as well as to carry forth the previous standards of the Corridor Plan and PUD. No other development standards will change:

II. SIGNS

- A. One (1) ground sign not exceeding 12 FT in height and 32 SF in display surface area shall be permitted on each lot.
- B. One (1) non-digital ground sign not exceeding 50 FT in height and 165 SF in display surface area shall be permitted on Lot 3 of the Project. The sign shall be set back no less than ten (10) feet from the freeway planned right-of-way.
- C. Wall signs shall be permitted not to exceed 1.5 SF in display surface area per linear foot of building wall to which attached. The length of the wall shall not exceed 75% of the frontage of the building.
- D. Two (2) non-digital project identification signs on South Mingo Road. Each non-digital project identification sign shall not exceed 10FT in height and 82 SF in display surface area.



Tulsa Metropolitan Area
Planning Commission

Case : Z-7420/PUD-360-F Plat Waiver

Hearing Date: March 7, 2018

Case Report Prepared by:

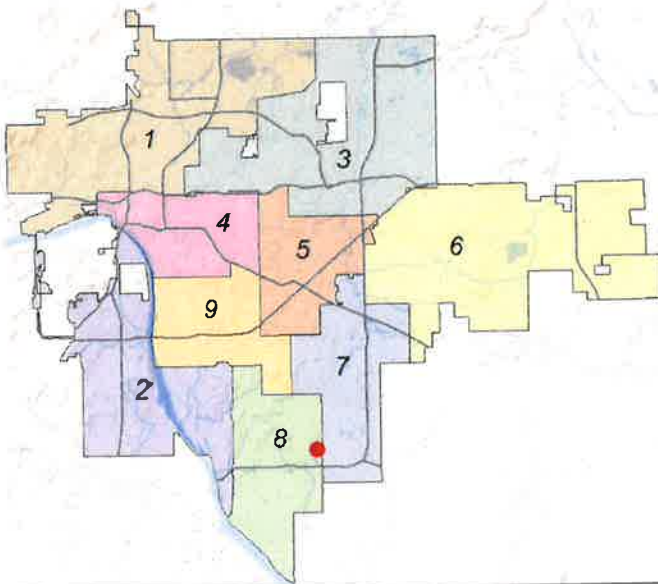
Nathan Foster

Owner and Applicant Information:

Applicant: Nathalie Cornett, Eller & Detrich

Owner: Collins Bros. Investment Co.

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Plat Waiver

Location: Northwest corner of East 91st
Street South and South Memorial Drive

Zoning: OL, RM-0, PUD-360-F

Staff Recommendation:

Staff recommends **approval** of the plat
waiver

City Council District: 8

Councilor Name: Phil Lakin

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS: Site Map, Aerial, Applicant Submittal

PLAT WAIVER

Z-7420/PUD-360-F – (CD 8)

Northwest corner of East 91st Street South and South Memorial Drive

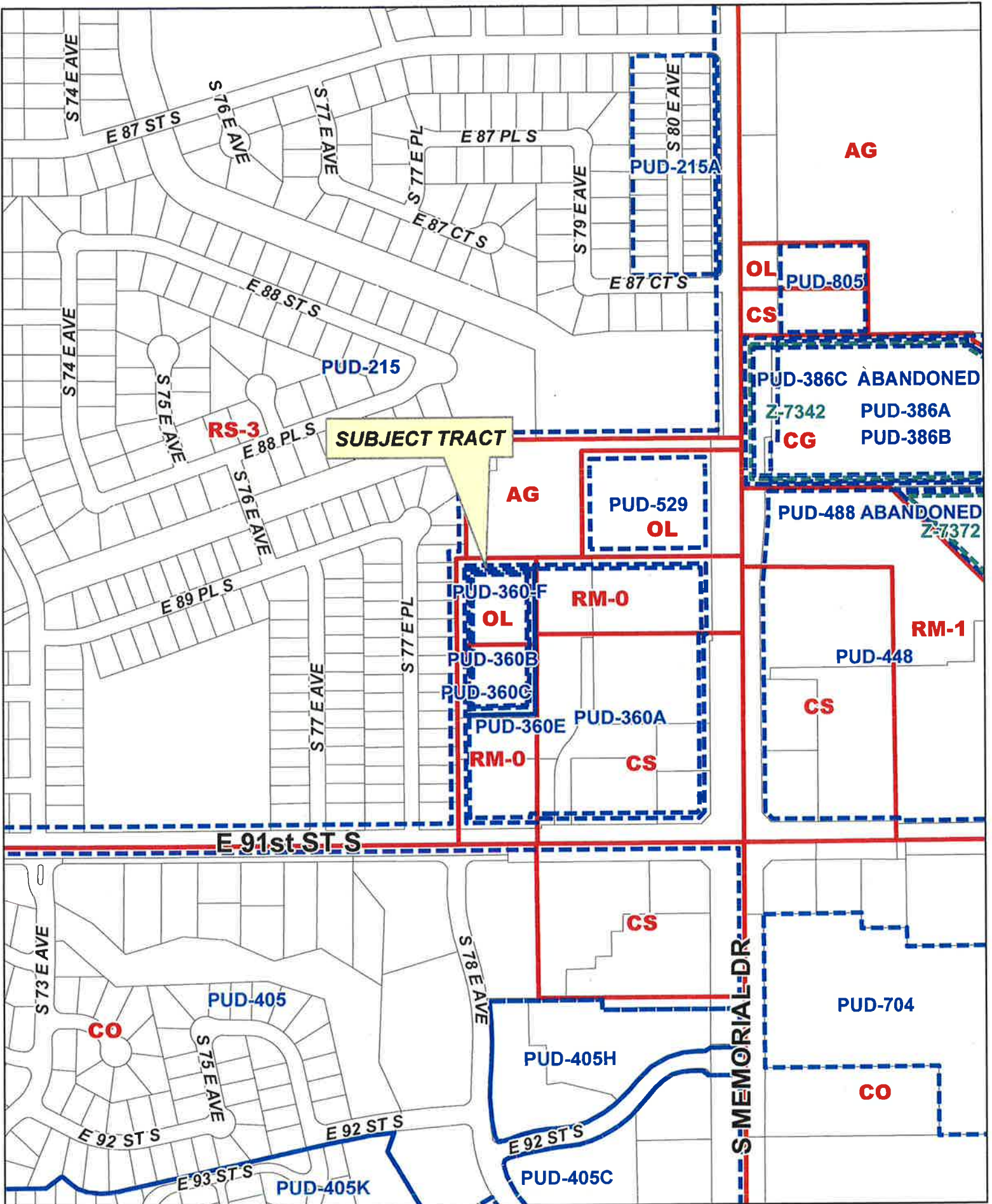
The platting requirement for this property is being triggered by a rezoning request (Z-7420) and a major amendment to a previously approved Planned Unit Development (PUD-360-F). The major amendment and rezoning were approved on December 20th, 2017 by City Council and will permit the construction of a multistory office building on the subject property.

The Technical Advisory Committee met on February 15, 2018 and the following items were determined:

1. The property was previously platted as Lot 1 Block 1 of Commercial Center following previous major amendments to the PUD.
2. All required right-of-way has been dedicated and is in place.
3. A mutual access easement has been established to provide access to the subject property.
4. Necessary utilities and easements are in place and nothing further is required

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

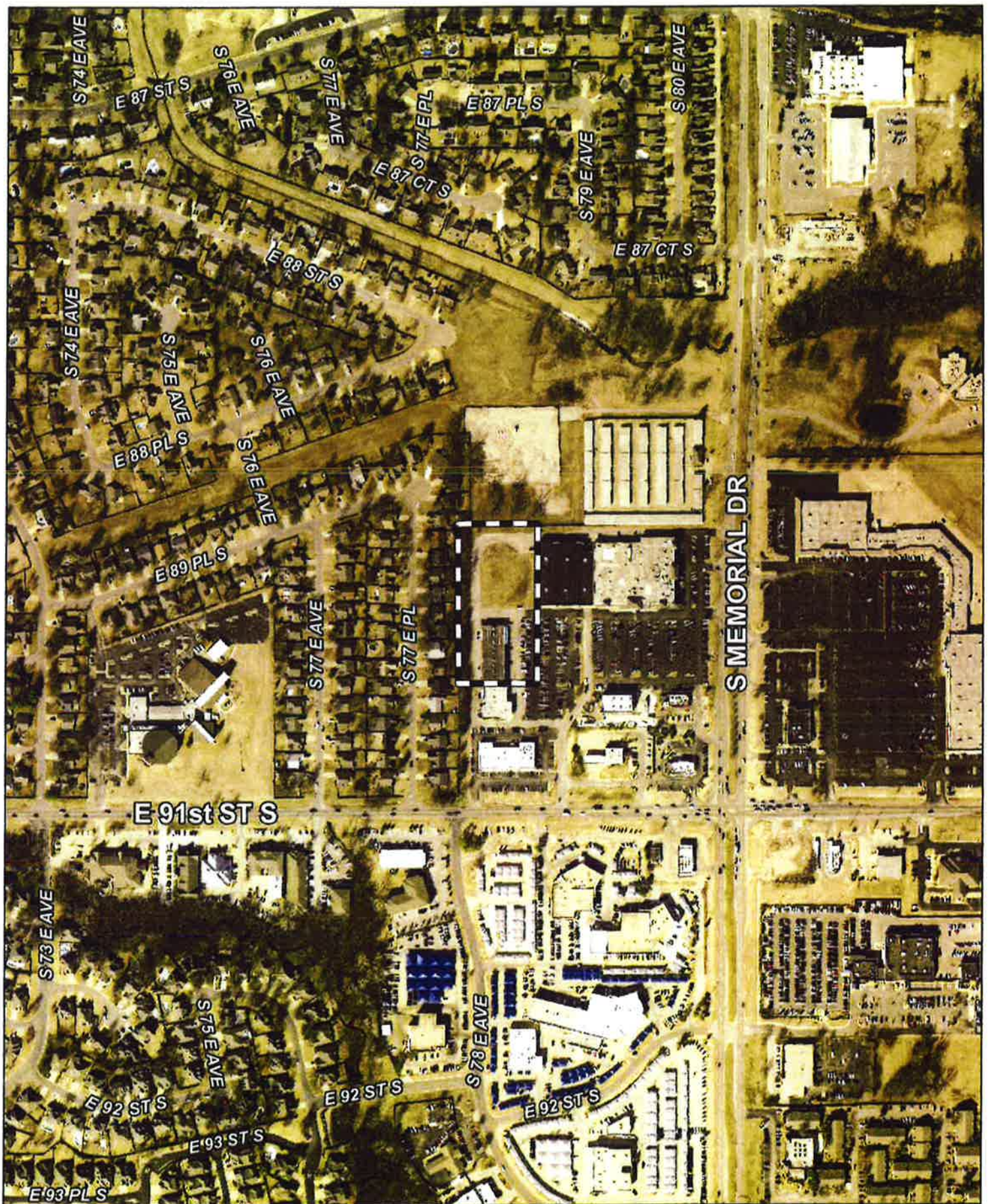
1. Newly approved development standards for PUD-360-F must be recorded with the Tulsa County Clerk's office.



Z-7420/PUD-360-F

18-13 14

23.3



0 Feet 200 400

 Subject Tract

PUD-360-F

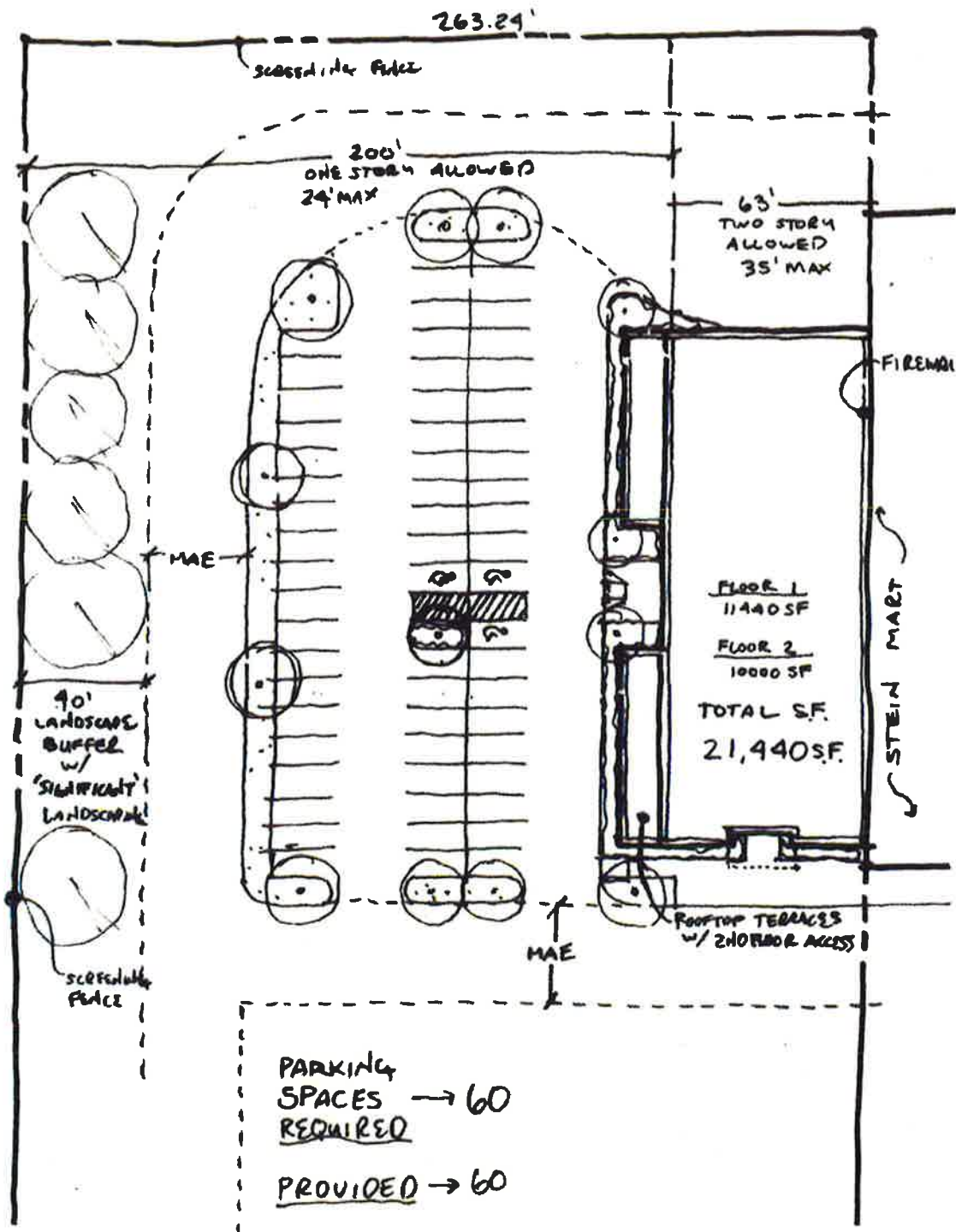
18-13 14

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

Aerial Photo Date: February 2016



23.4



Smiling Office Building Concept

Concept 1 8/15/17

Tanner Consulting LLC
 LANDSCAPE ARCHITECTURE | LAND PLANNING
 CIVIL ENGINEERING | LAND SURVEYING
 5323 SOUTH LEWIS AVENUE, TULSA OKLAHOMA 74105-6539

23.5



Tulsa Metropolitan Area
Planning Commission

Case Number: PUD-531-B / CO-7

Hearing Date: March 7, 2018

Case Report Prepared by:

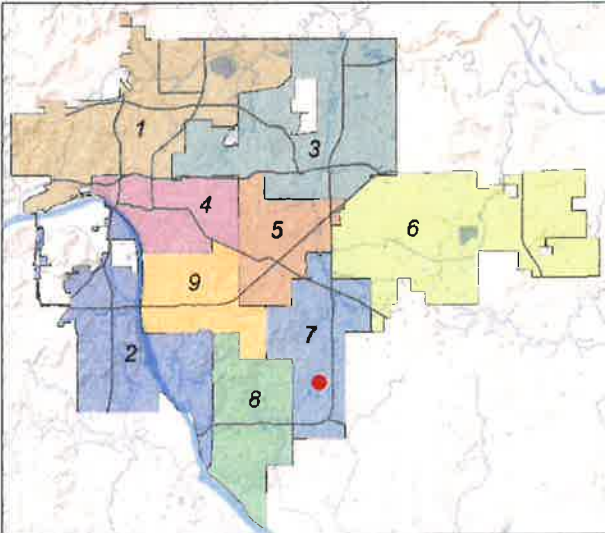
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Mark Capron

Property Owner: MANLEY PROPERTIES LP

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: vacant

Proposed Use: Hotel

Concept summary: Major amendment to the PUD allowing additional floor area and building height.

Tract Size: 1.38 ± acres

Location: North of the northeast corner of S. Mingo Road & E. 81st St. S.

Zoning:

Existing Zoning: PUD-531, PUD-531-A, CS, CO

Proposed Zoning: PUD-531-B / CO7

Comprehensive Plan:

Land Use Map: Town Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval of PUD 531-B

Staff Data:

TRS: 8407

CZM: 54

Atlas: 1413

City Council District: 7

Councilor Name: Anna America

County Commission District: 3

Commissioner Name: Ron Peters

241

SECTION I: PUD-531-B

DEVELOPMENT CONCEPT: The major amendment for PUD 531-B is limited to Development Area C and is required to accommodate additional floor area that exceeds the 15% threshold allowed in a minor amendment.

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

DETAILED STAFF RECOMMENDATION:

All provisions of PUD 531-A and Corridor Site Plan Z-6034-SP-1 shall remain in effect except as amended in Section II.

This major amendment is in harmony with the Comprehensive Plan of the City of Tulsa and the expected development pattern of this area including the original PUD-531 and PUD-531-A and Z-6034-SP-1.

The proposed PUD and corridor site plan amendment is compatible with the existing and expected development of surrounding areas;

The Development is in harmony with the PUD Chapter of the City of Tulsa Zoning Code.

Therefore, staff recommends approval of PUD-531-B / CO-7 as outlined in Section II below.

SECTION II: PUD-531-B DEVELOPMENT STANDARDS:

All provisions of PUD 531-A / Z-6034-SP-1 shall remain in effect except as modified below.

Permitted Uses: All use categories and customary accessory uses as allowed by right in a CS zoned district will be allowed. All supplemental regulations for any allowed use shall also be required.

Maximum Building Height: Maximum building height shall not exceed 60 feet

Maximum Floor Area: 45,000 square feet

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Comment: The PUD major amendment is part of a larger development where many infrastructure needs have already been provided. This development will continue to take advantage of previous infrastructure investment and encourage growth in the area. Staff recognizes that in this

24.2

instance the additional height is not injurious to the neighborhood and continues to add a strong core to this Town Center.

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 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 near 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. 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: This is the last parcel of land that has not been developed in PUD 531/Z6034-SP-2.

Environmental Considerations: None that would affect site development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
South Mingo Road	Secondary Arterial	100 feet	4+
Private drive on north boundary of site	None	None	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
North	CO / PUD 531	Town Center	Growth	Multi Family
East	CO / PUD 531-A	Town Center	Growth	Office Tower
South	CO / PUD 531-A	Town Center	Growth	Commercial
West	CS, RMO, PUD-460	Mixed Use Corridor	Growth	Vacant

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 18442 dated April 13, 1995, established zoning for the subject property.

Subject Property:

PUD-531-A/ Z-6611-SP-3 February 2008

PUD-531 April 1995: All concurred in approval of a proposed Planned Unit Development on a 36± acre tract for 3 development areas: Area A is 10.8 acres for commercial shopping; Area B is 4.6 acres for office; Area C is 18.6 acres for apartment on property located on the northeast corner of East 81st Street and Mingo Road; and includes the subject property.

Z-6132 January 1987: All concurred in approval of a request to rezone a tract of land from CO to CS, located on the northeast corner of E. 81st Street S. and S. Mingo Road.

Z-6034 May 1985: All concurred in approval of a request to rezone a tract of land from AG/RM-0/CS to CO, on property located on the northeast corner of East 81st Street and South Mingo Road.

PUD-575-B/ Z-6611-SP-3 February 2008: All concurred in approval of a proposed Major Amendment to PUD and Corridor Development Plan on an 11± acre tract of land for office and childcare, on property located northeast corner of South Mingo Road and South 79th Street.

Z-6333-SP-4/PUD-579-B December 2006: All concurred in approval of a proposed Major Amendment and Corridor Site Plan on a 16.63± acre tract of land to add hotel, motel and recreation facility uses, within Development Area B; more specifically Lot 4, Block 1, Tall Grass, on property located north of the northeast corner of East 81st Street South and South 101st East Avenue.

24.4

Z-6611-SP-2/PUD-575-A December 2001: All concurred in approval of a proposed Major amendment to PUD and Corridor Site Plan on a 5.74 acre tract for an assisted living facility and previously approved mini storage on property located north of northeast corner of East 81st Street and South Mingo Road.

Z-6735/Z-6735-SP-1/PUD-625 February 2000: All concurred in approval of a request to rezone a tract of land from AG to CO and of a proposed Planned Unit Development/Corridor Site Plan on a 9+ acre tract, for commercial, office and hotel on the north 6.9 acres and office and mini storage on the south 2.5 acres, per staff recommendation, on property located east of the southeast corner of East 81st Street and South Mingo Road

Z-6333-SP-2/PUD-579-A February 1999: All concurred in approval of a proposed Major Amendment to PUD-579 and a Corridor Site Plan to amend boundary of PUD, create 3 development areas, add Use Units 2 (private clubs), 5 (community centers), 11, and to establish permitted uses for new Development Area on property located on the north side of East 81st Street and west of Mingo Valley Expressway.

Z-6333-SP-1/PUD-579 February 1998: All concurred in approval of a proposed PUD on a 49 acre tract, to allow a mixed residential development which would include townhouse dwellings, apartments, churches, private schools and other uses that are compatible with a residential environment, on property located on the north side of E. 81st Street S. at the Mingo Valley

Z-6611/PUD-575 December 1997: All concurred in approval of a request to rezone a 32.8+ acre tract, from AG to CO/PUD. The PUD that was approved allowed for multifamily uses on the south half (Development Area A) and a mini-storage facility with a single-family dwelling and accessory office use for the storage facility on the north half (Development Area B) of property and located ¼ mile north of the northeast corner of East 81st Street and South Mingo Road.

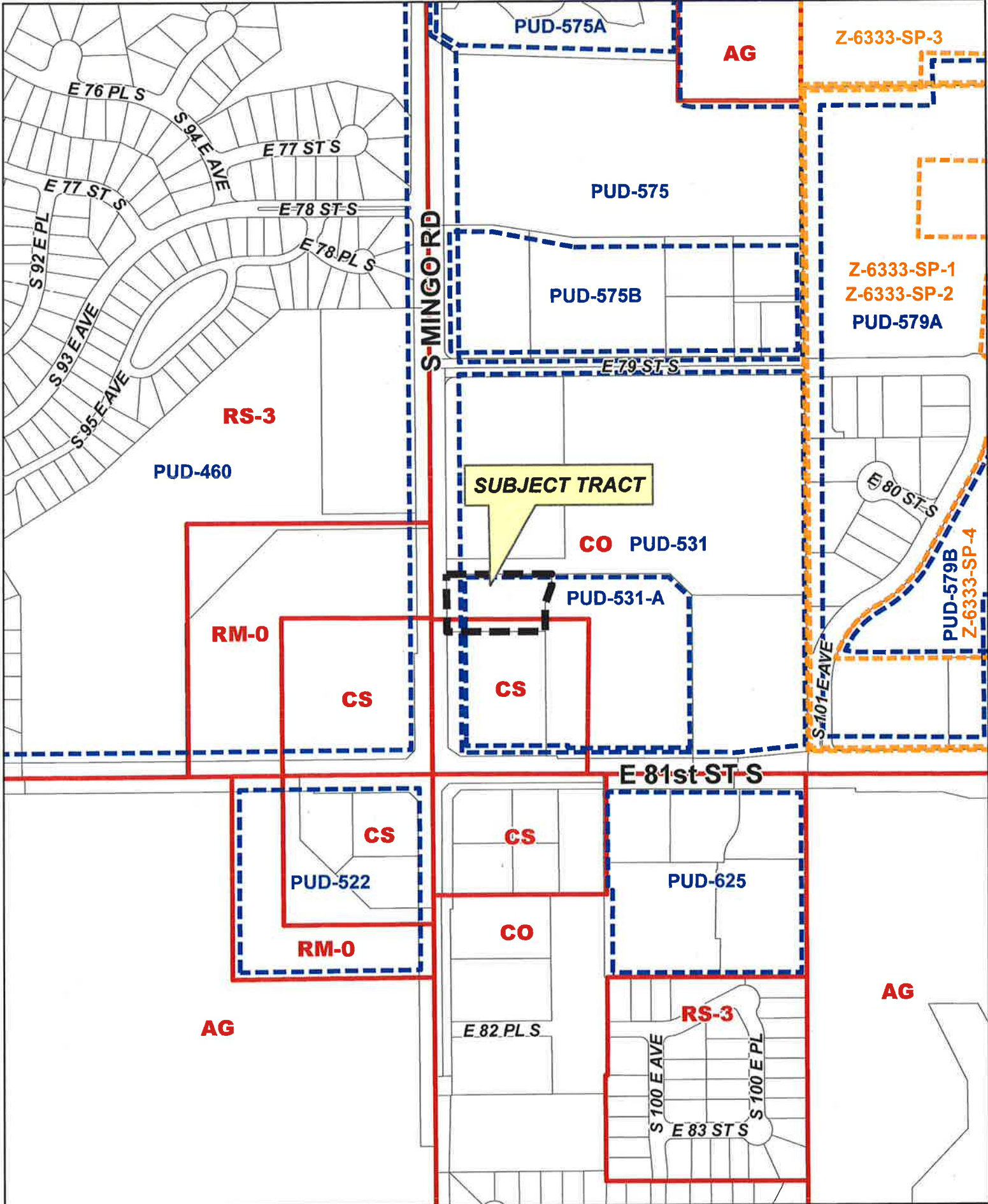
Z-6470/PUD-522 January 1995: All concurred in approval of a request for rezoning a 10+ acre tract of land from AG to RM-0/CS/PUD for a shopping center on property located on the southwest corner of East 81st Street South and South Mingo Road.

Z-6432 February 1994: All concurred in approval of a request to rezone a 5.2+ acre tract from AG to CS, on property located on the southeast corner of East 81st Street and South Mingo Road.

Z-6281/PUD-460 March 1990: All concurred in approval of a request for rezoning a 150+ acre tract of land from AG to RS-3/RM-0/CS/PUD for a commercial, office, multifamily and single-family development on property located northwest corner of East 81st Street South and South Mingo Road.

3/7/2018 1:30 PM

24.5



PUD-531-B



18-14 07

24.6



0 200 400
Feet



Subject
Tract

PUD-531-B

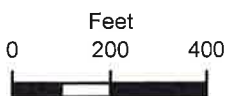
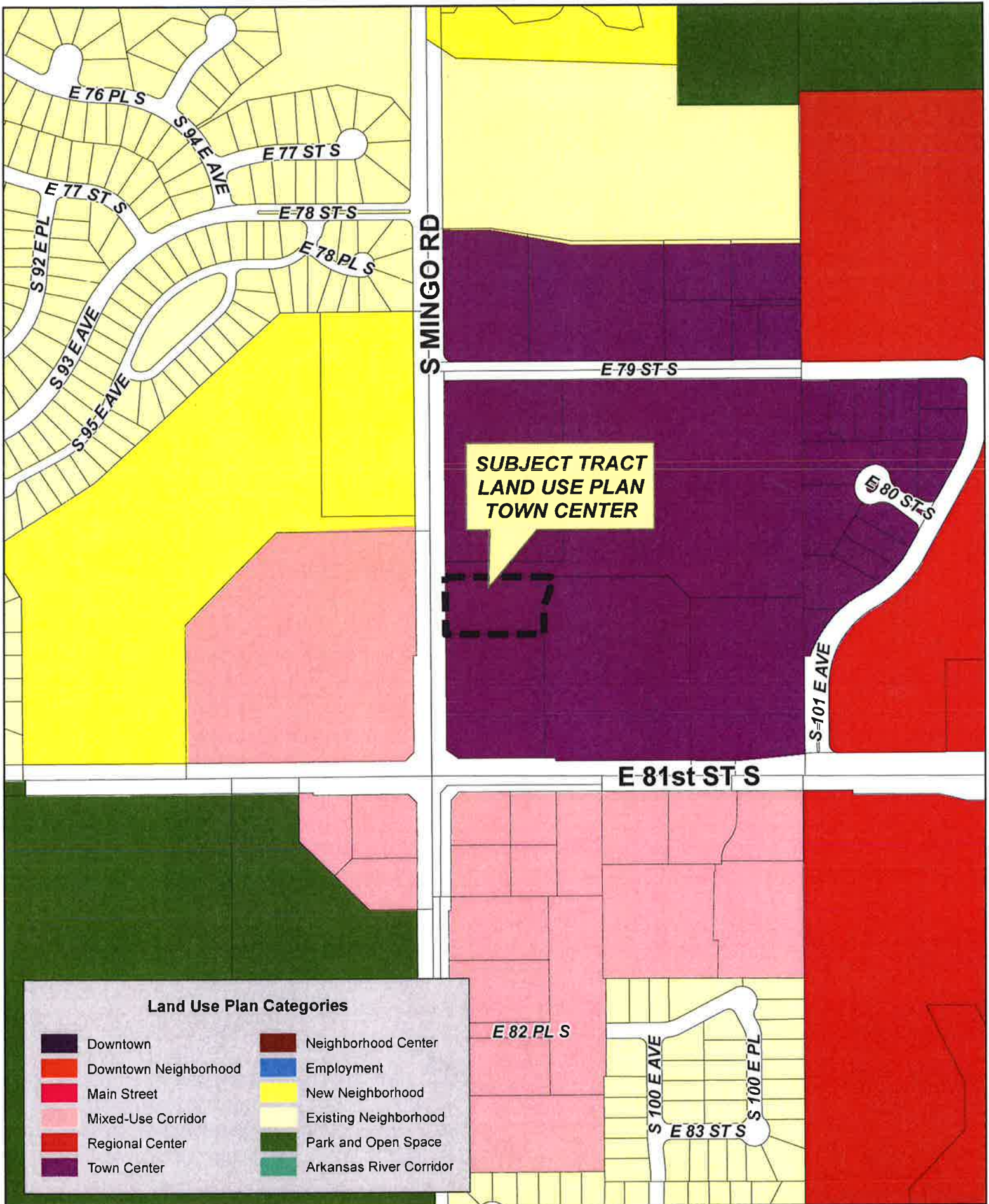
18-14 07

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

Aerial Photo Date: February 2016



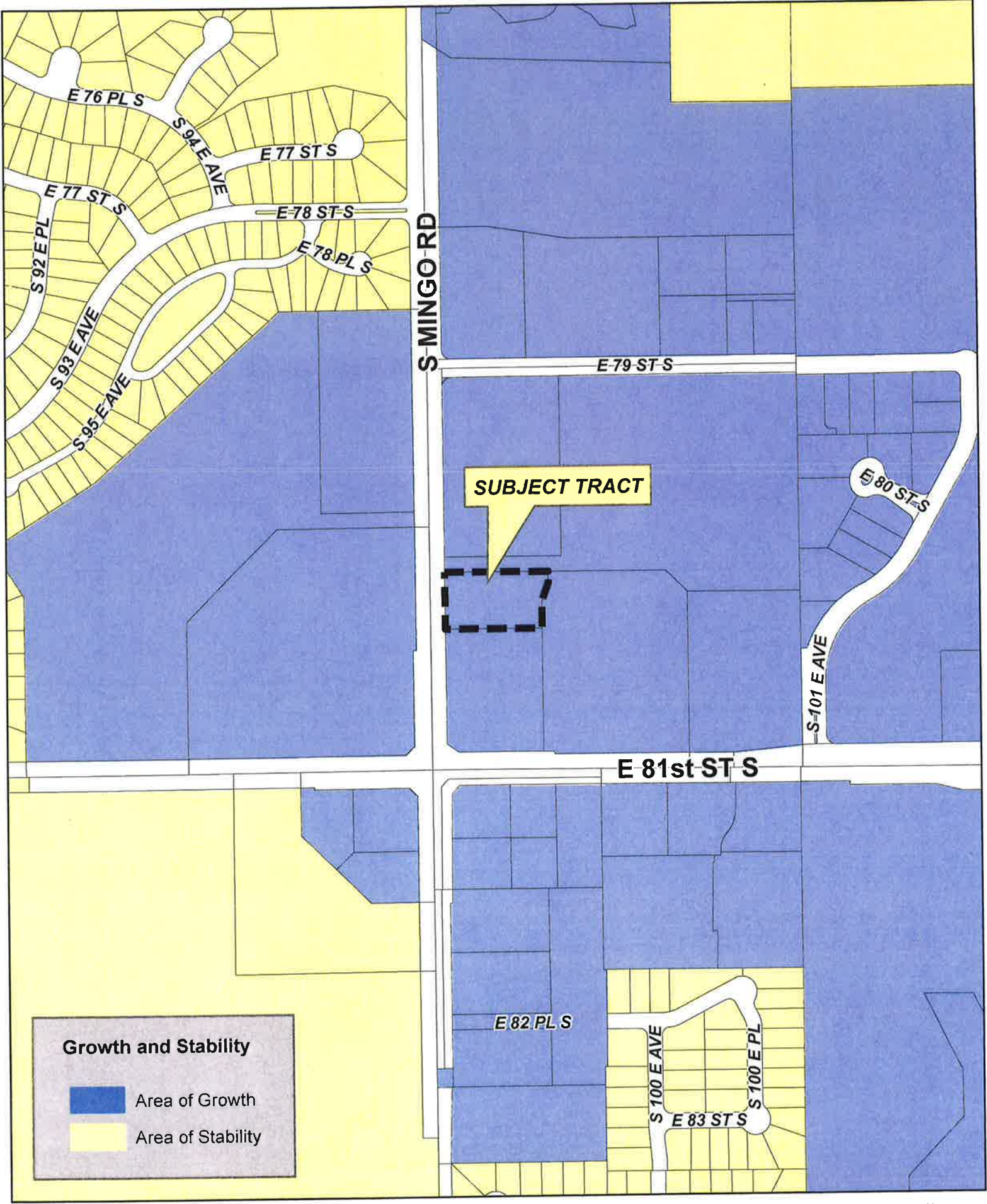


PUD-531-B

18-14 07


24.8





PUD-531-B

18-14 07

24.9 



Tulsa Metropolitan Area
Planning Commission

Case : PUD-531-B/ CO-7 Plat Waiver

Hearing Date: March 7, 2018

Case Report Prepared by:

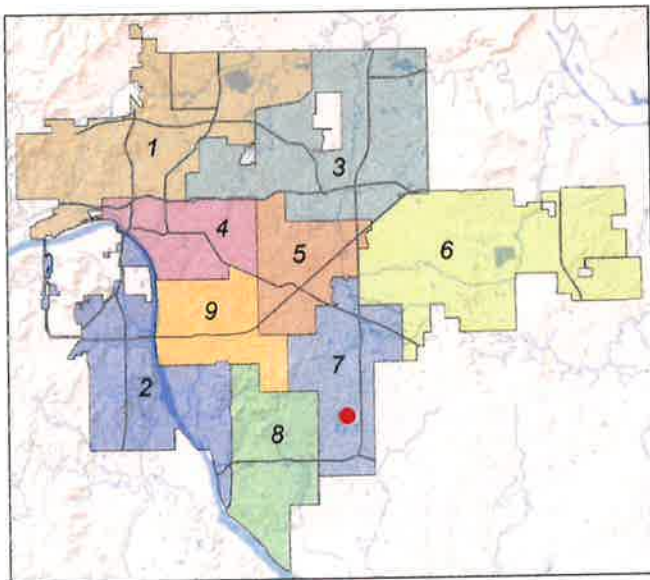
Nathan Foster

Owner and Applicant Information:

Applicant: Mark Capron, SWA

Owner: Manley Properties, LP

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Plat Waiver

Location: North of the northeast corner of
East 81st Street South and South Mingo
Road

Zoning:

Current: PUD-531-A, CS, CO

Proposed: PUD-531-B & A, CS, CO

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: Site Map, Aerial, Applicant Submittal

PLAT WAIVER

PUD-531-B – (CD 7)

North of the northeast corner of East 81st Street South and South Mingo Road

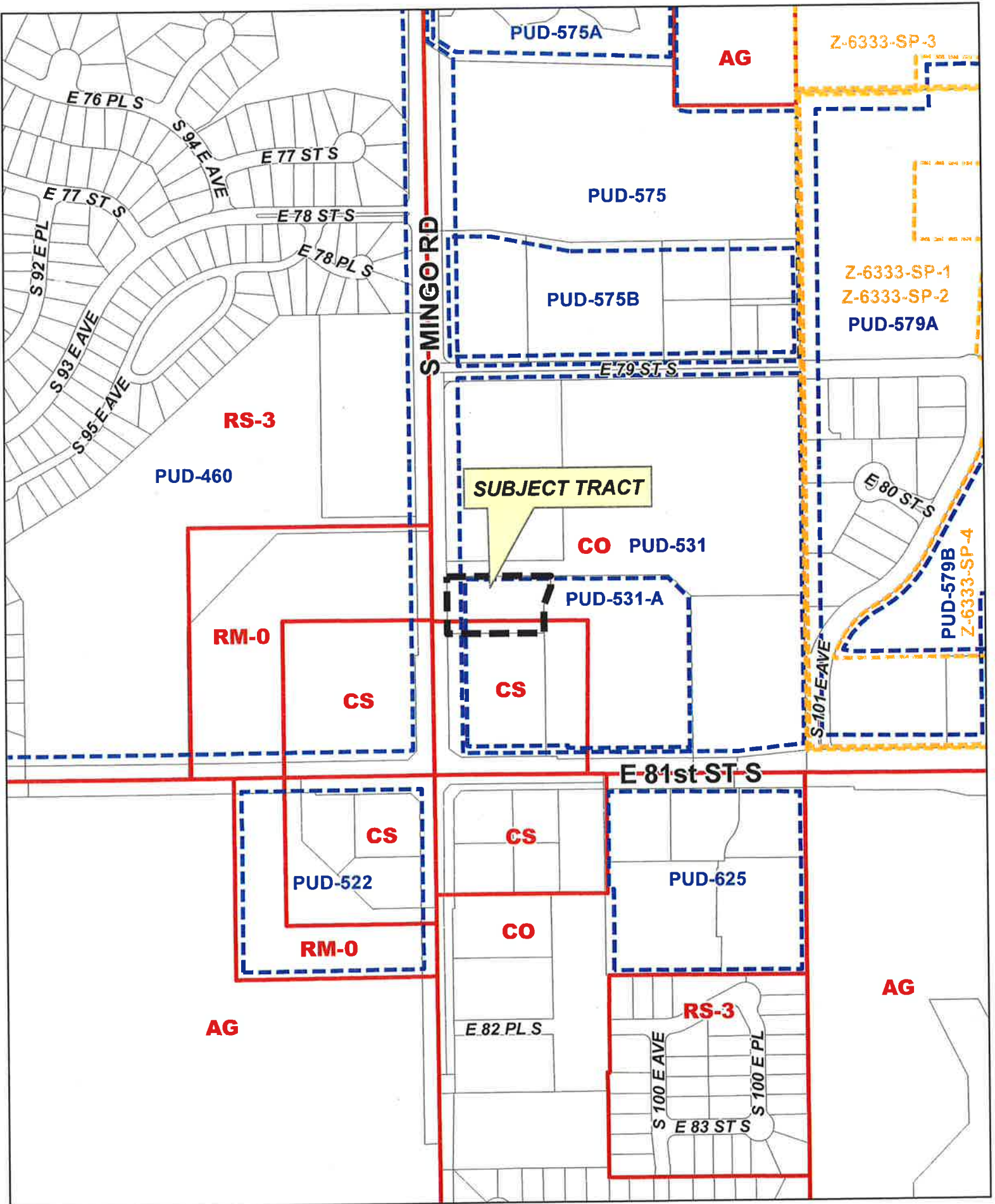
The platting requirement for this property is being triggered by a major amendment to a previously approved Planned Unit Development (PUD-531-B). The major amendment request is to increase the allowable floor area and building height of previously approved uses on the property.

The Technical Advisory Committee met on February 15, 2018 and the following items were determined:

1. The property was previously platted under the Meadowbrook Chase subdivision plat.
2. All required right-of-way has been dedicated and is in place.
3. A mutual access easement has been established to provide internal access to the subject property. No additional access points are proposed on Mingo.
4. Necessary utilities and easements are in place and nothing further is required

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

1. If approved, the development standards for PUD-531-B must be recorded with the Tulsa County Clerk's office.
2. Sidewalks are required to be installed along South Mingo Road



PUD-531-B

18-14 07





0 Feet 200 400



Subject Tract

PUD-531-B

18-14 07

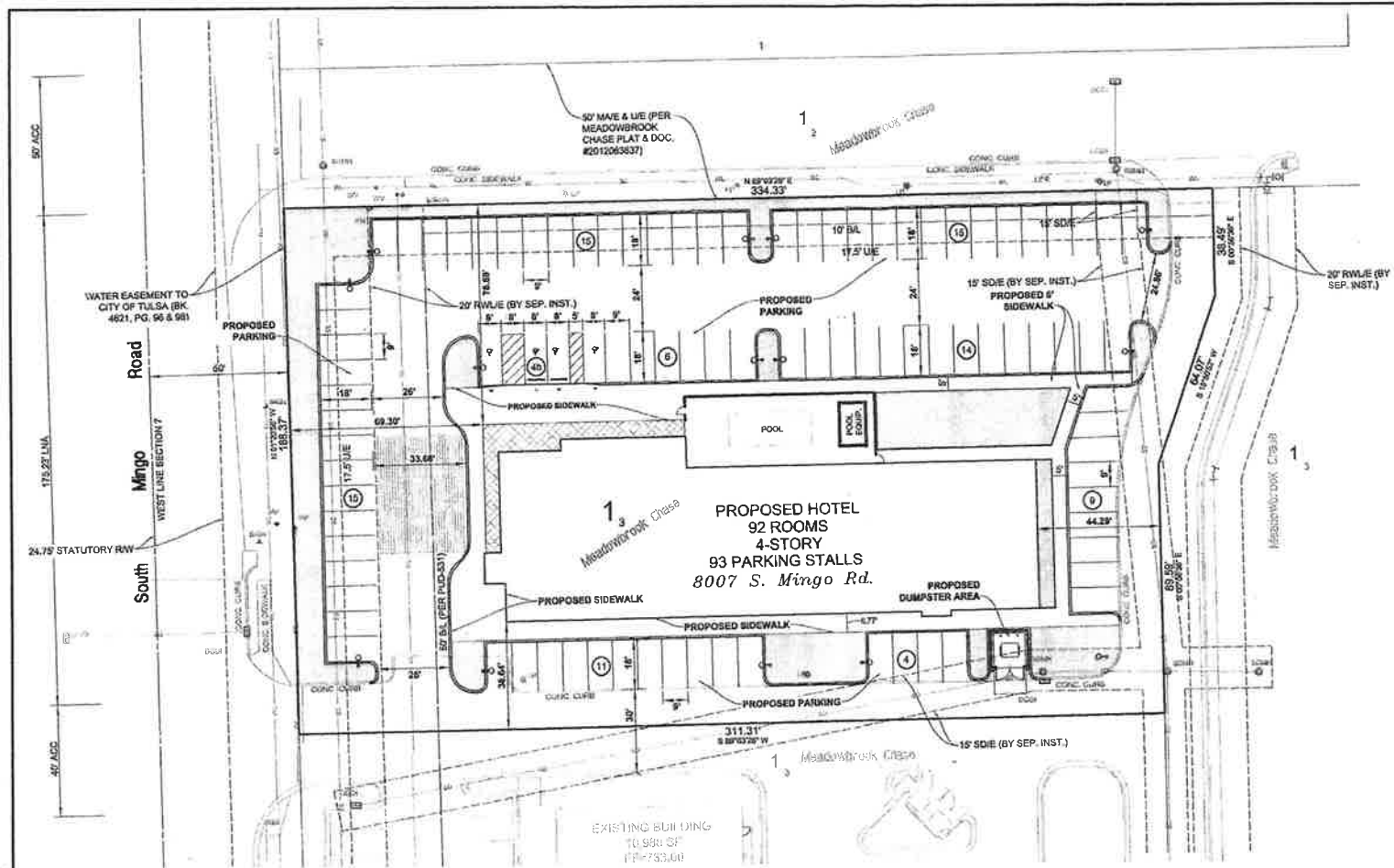
Note: Graphic overlays may not precisely align with physical features on the ground.

254

Aerial Photo Date: February 2016



255



- Legend:
- UE = UTILITY EASEMENT
 - BL = BUILDING SETBACK LINE
 - SDE = STORM SEWER EASEMENT
 - RW = RIGHT-OF-WAY
 - ACC = ACCESS
 - LNA = LIMITS OF NO ACCESS
 - BK = BOOK
 - PG. = PAGE
 - (40) = HANDICAP PARKING STALL COUNT
 - (8) = PARKING STALL COUNT
 - [Hatched Area] = LANDSCAPE AREAS

Legal Description

A TRACT OF LAND THAT IS PART OF LOT THREE (3), BLOCK ONE (1), MEADOWBROOK CHASE, A SUBDIVISION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 8442, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT THAT IS THE NORTHWEST CORNER OF SAID LOT THREE (3), BLOCK ONE (1), MEADOWBROOK CHASE; THENCE NORTH 88°03'28" EAST ALONG THE NORTHERLY LINE OF SAID LOT 3 FOR 334.34 FEET; THENCE SOUTH 00°58'58" EAST FOR 30.44 FEET; THENCE SOUTH 18°50'32" WEST FOR 84.97 FEET; THENCE SOUTH 89°56'58" EAST FOR 88.58 FEET; THENCE SOUTH 89°03'28" WEST FOR 311.31 FEET TO A POINT ON THE WESTERLY LINE OF SAID LOT THREE (3); THENCE NORTH 01°22'58" WEST ALONG THE WESTERLY LINE OF SAID LOT THREE (3) FOR 188.37 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

ALL CONSTRUCTION TO BE IN STRICT ACCORDANCE WITH CURRENT CITY OF TULSA ENGINEERING SERVICES DEPARTMENT SPECIFICATIONS, INCLUDING C.D.C. 17, 2008 EDITION SPECIFICATIONS. CALL OKIE 1

EXISTING UNDERGROUND LINES HAVE BEEN SHOWN TO THE EXTENT KNOWN AND PLANS HAVE BEEN ADJUSTED TO THE EFFECTED UTILITY OWNERS FOR VERIFICATION OF EXISTING LINES. BEFORE YOU USE, CONTACT OKLAHOMA ONE CALL: 1-800-368-6868. SOUTHWESTERN BELL TELEPHONE COMPANY. COX COMMUNICATIONS. OKLAHOMA NATURAL GAS COMPANY. AMERICAN ELECTRIC POWER COMPANY.



DATE	REVISIONS



CITY OF TULSA

SKA Skanska W&A & Associates, Inc.
400 EAST 20TH AVENUE
TULSA, OKLAHOMA 74106
TEL: 918.592.5400
FAX: 918.592.5401
WWW.SKA-WA.COM

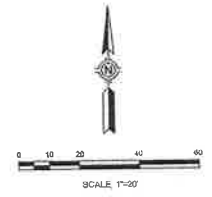
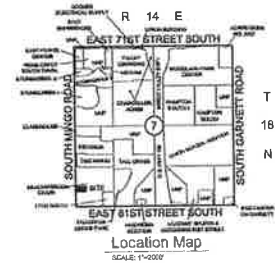
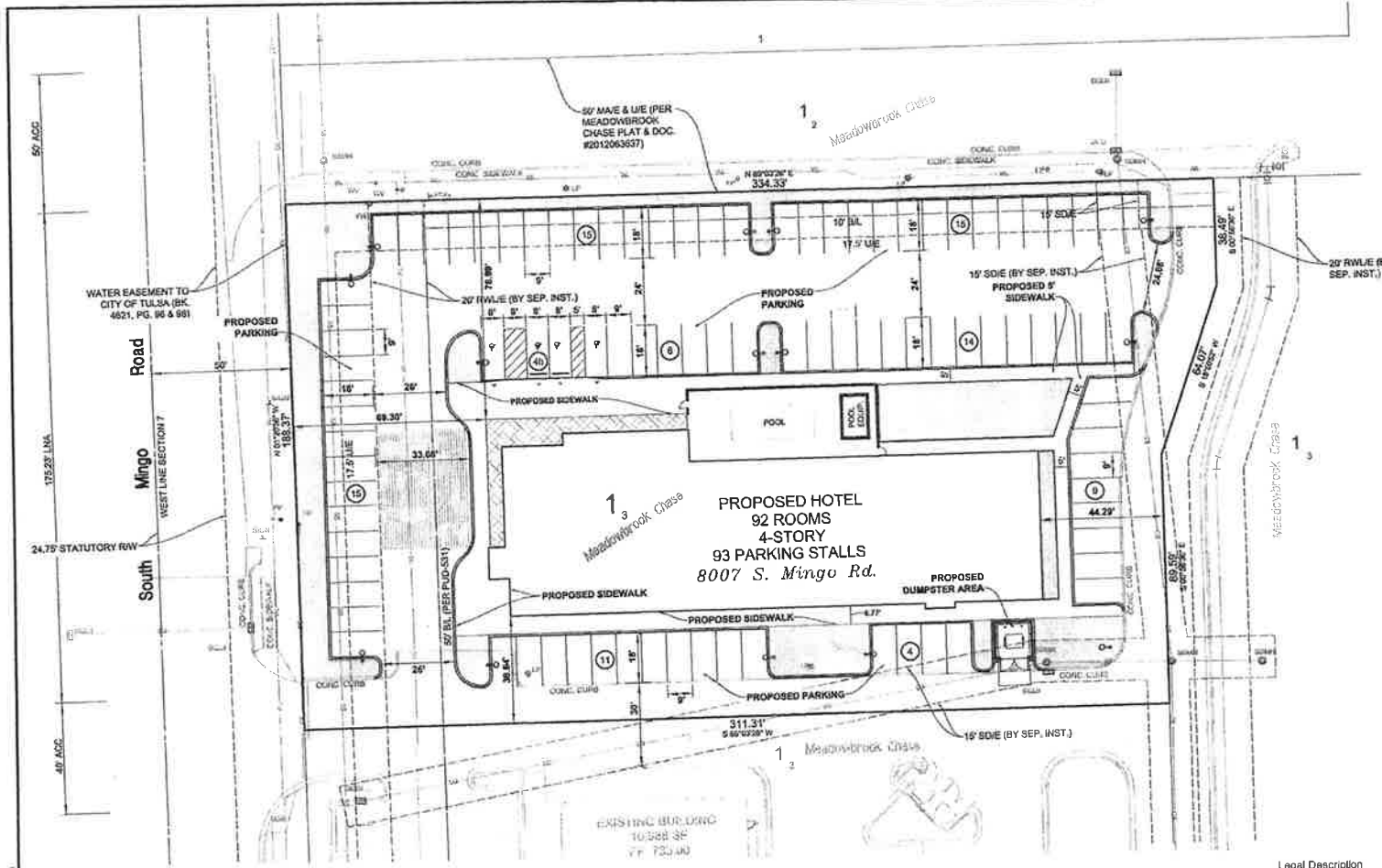
PLAN SCALE: 1"=20'	WORK ORDER NO. 18004	TYPE OF WORK NA
PROFILE SCALE: HORIZ: 1"=40' VERT: 1"=8'	FILE: 1814.0730	PHASE: NA

DATE: 1/19/18
DRAWN BY: LAD
CHECKED BY:
SHEET: 1 OF 1

Meadowbrook Chase AVID Hotel
Conceptual Site Plan
PUD 531-B CO-6

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

25.4



- Legend:**
- UE = UTILITY EASEMENT
 - BL = BUILDING SETBACK LINE
 - SOE = STORM SEWER EASEMENT
 - SW = RIGHT-OF-WAY
 - ACC = ACCESS
 - LVA = LIMITS OF NO ACCESS
 - BK = BOOK
 - PG. = PAGE
 - 4h = HANDICAP PARKING STALL COUNT
 - 8 = PARKING STALL COUNT
 - ★ = LANDSCAPED AREAS

Legal Description

A TRACT OF LAND THAT IS PART OF LOT THREE (3), BLOCK ONE (1), MEADOWBROOK CHASE, A SUBDIVISION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 6442, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT THAT IS THE NORTHWEST CORNER OF SAID LOT THREE (3), BLOCK ONE (1), MEADOWBROOK CHASE; THENCE NORTH 89°02'28\"/>

ALL CONSTRUCTION TO BE IN STRICT ACCORDANCE WITH CURRENT CITY OF TULSA ENGINEERING SERVICES DEPARTMENT SPECIFICATIONS, INCLUDING C.D.O.T., 2009 EDITION SPECIFICATIONS. CALL OCKE!

EXISTING UNDERGROUND LINES HAVE BEEN SHOWN TO THE EXTENT KNOWN AND PLANS HAVE BEEN ADDED TO THE APPROPRIATE UTILITY OWNERS FOR RELOCATION OF EXISTING LINES. BEFORE YOU DIG, CONTACT OKLAHOMA ONE-CALL: 1-800-522-4343.

SOUTHWESTERN BELL TELEPHONE COMPANY
COK COMMUNICATIONS
OKLAHOMA NATURAL GAS COMPANY
AMERICAN ELECTRIC POWER COMPANY



DATE	REVISIONS



CITY OF TULSA



Skidmore, Walz & Associates, Inc.

REGISTERED ARCHITECTS
TULSA, OKLAHOMA 74104
TULSA, OKLAHOMA 74104

PHONE: 918-583-2800
FAX: 918-583-2800
WWW: WWW.SWA-OKLA.COM

PLAN SCALE: 1\"/>

DATE: 11/19/18	DATE: 11/19/18
DRAFTED BY: LAD	DRAFTED BY: LAD
SHEET OF	SHEET OF

Meadowbrook Chase AVID Hotel

Conceptual Site Plan
PUD 531-B CO-6

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



Tulsa Metropolitan Area
Planning Commission

Case : Z-7387 Plat Waiver

Hearing Date: March 7, 2018

Case Report Prepared by:

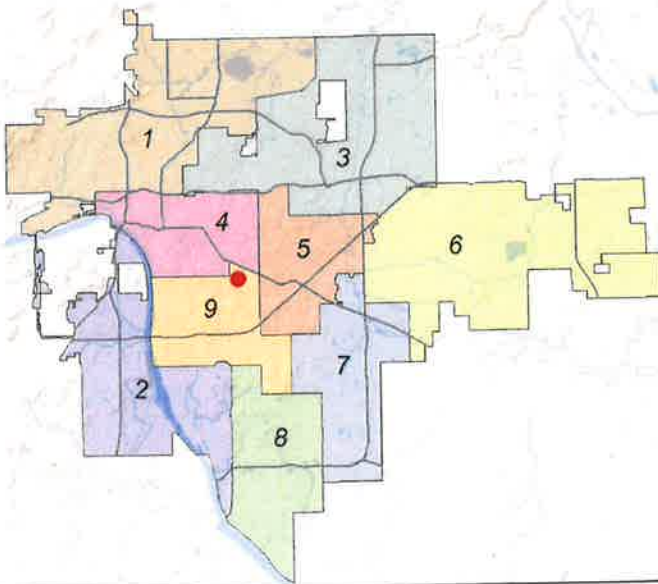
Nathan Foster

Owner and Applicant Information:

Applicant: Steve Bengé

Owner: Steve Bengé

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Plat Waiver

Location: Northwest corner of East 32nd
Street South and South Louisville Avenue

Zoning: RM-0

Staff Recommendation:

Staff recommends **approval** of the plat
waiver

City Council District: 9

Councilor Name: Ben Kimbro

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS: Site Map, Aerial, Applicant Submittal

24.1

PLAT WAIVER

Z-7387 – (CD 9)

Northwest corner of East 32nd Street South and South Louisville Avenue

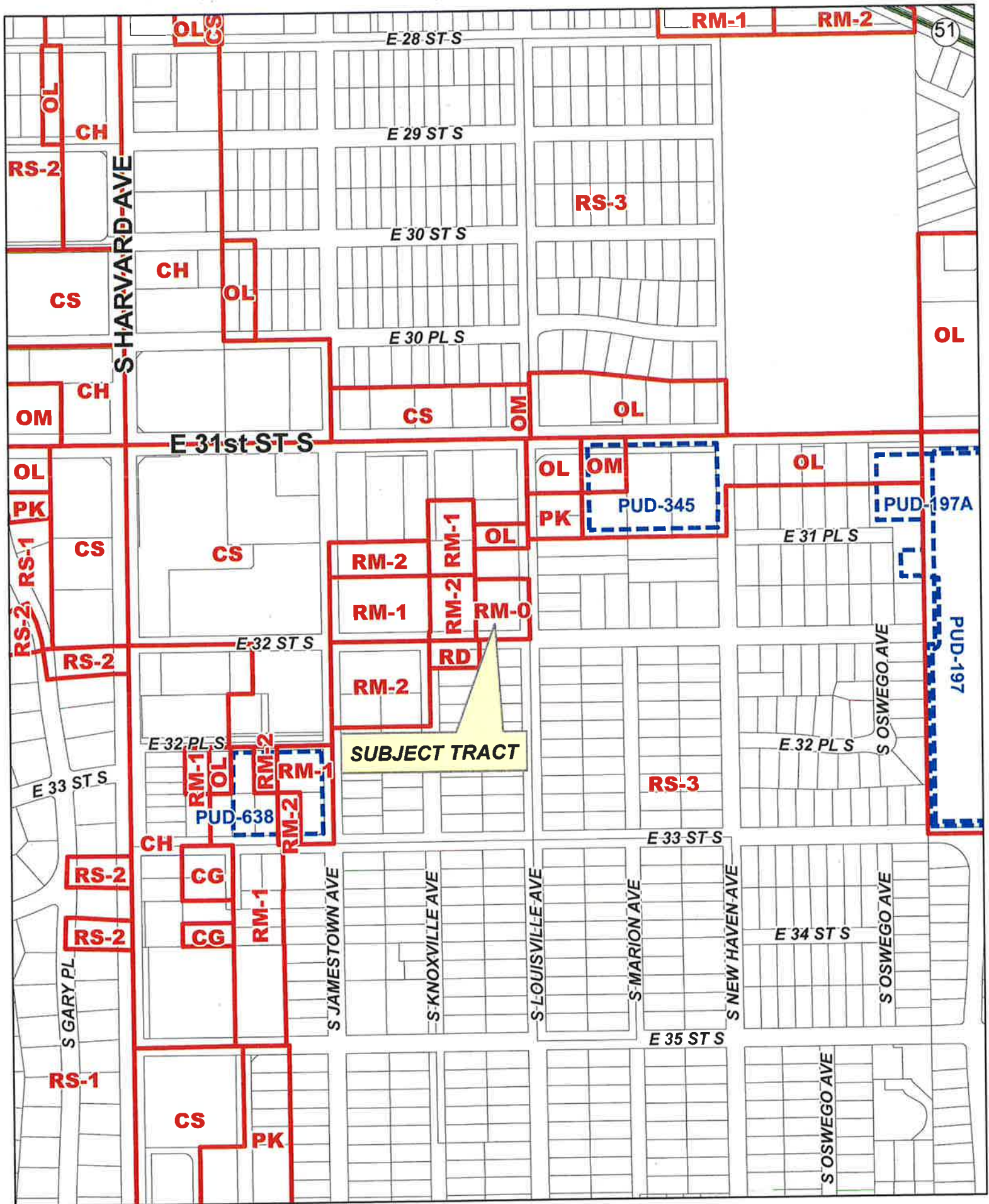
The platting requirement for this property is being triggered by an approved rezoning from RS-3 to RM-0. The rezoning request was made to support the development of the site as a senior living community. Rezoning was approved by the City Council on July 12, 2017.

The Technical Advisory Committee met on February 15, 2018 and the following items were determined:

1. The property was previously platted under the Albert Pike 2nd subdivision
2. All required right-of-way has been dedicated and is in place.
3. Necessary utilities and easements are in place and nothing further is required
4. There is no floodplain present on the property
5. No further subdivision of the property is proposed

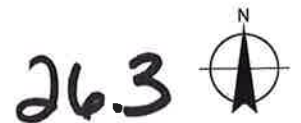
Staff recommends **approval** of the plat waiver

26.2



Z-7387

19-13 21





SKNOXVILLE AVE

E 32 ST S

SKNOXVILLE AVE



Subject
Tract

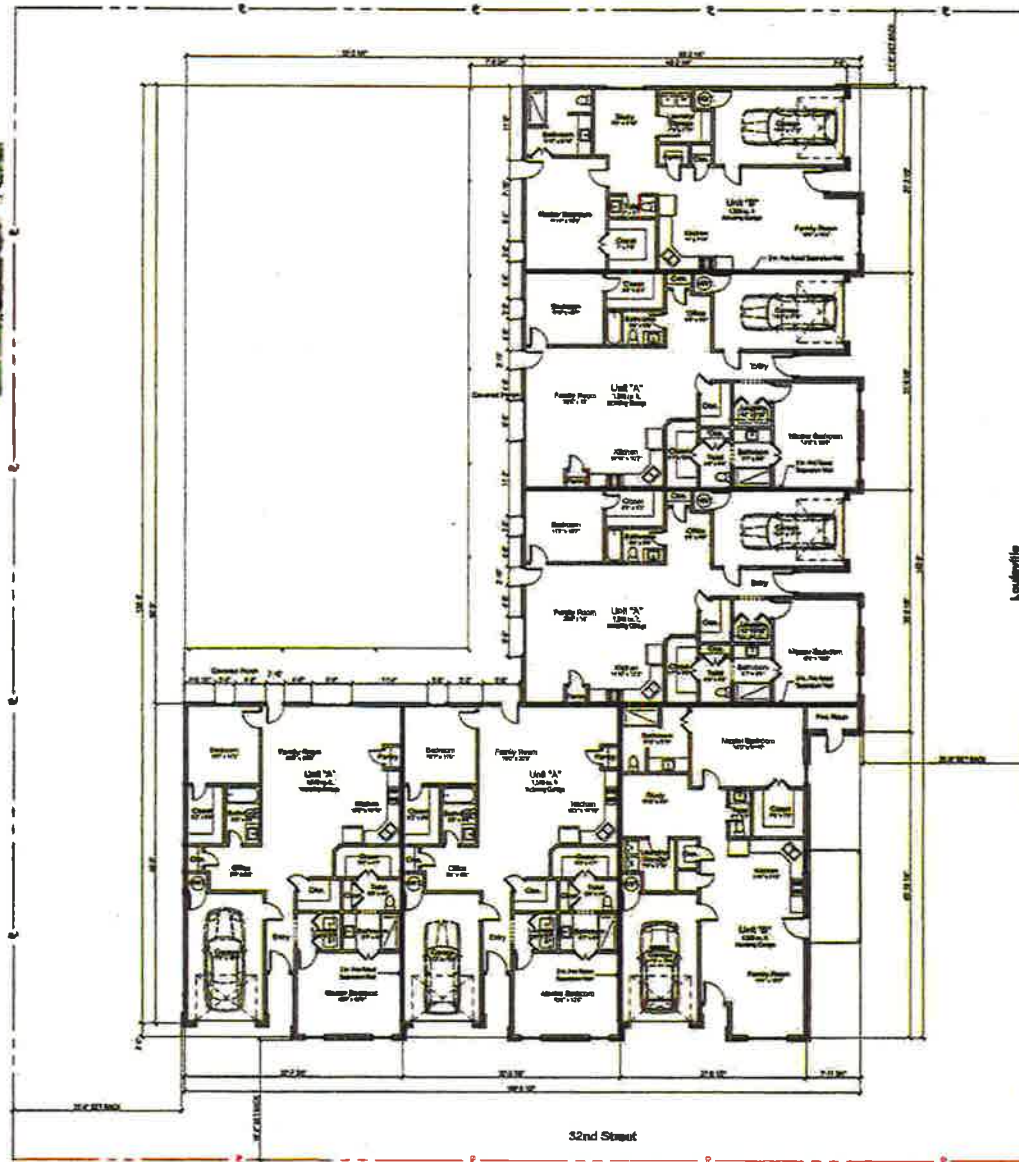
Z-7387

19-13 21

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

Aerial Photo Date: February 2016





Design By Tim
 1200 East 10th Street
 Tulsa, Oklahoma 74104
 Phone: (918) 245-1100
 tim@tdesign.com
 Timothy H. Bowers

Project Name	
Client	
Address	
City	
State	
Zip	

NOTE:
 CONCEPTUAL SITE PLAN PENDING
 BOARD OF ADJUSTMENTS

FLOOR PLAN
 1/8" = 1'-0"

Project No.
32nd & Louisville

Tulsa, OK

FLOOR PLAN

Drawn By	Project Number
Checked By	
Date	
Scale	
Sheet	

CHECK SET
 11/14/2015

A101
 NOT FOR CONSTRUCTION

245



Tulsa Metropolitan Area
Planning Commission

Case : South Tulsa County Maintenance
Center

Hearing Date: March 7, 2018

Case Report Prepared by:

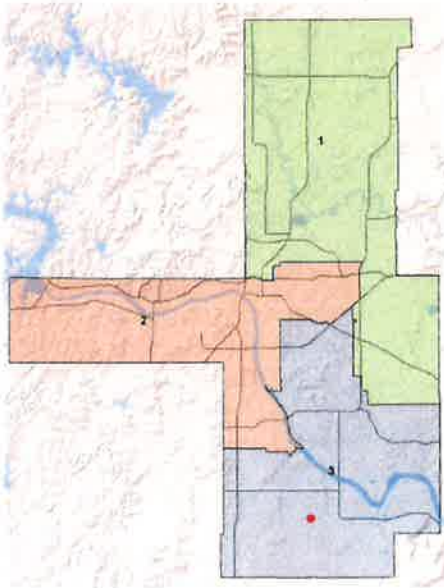
Nathan Foster

Owner and Applicant Information:

Applicant: Sack & Associates, INC

Owner: BOCC of Tulsa County

Location Map:
(shown with County Commission
districts)



Applicant Proposal:

Minor Subdivision Plat

1 lot, 1 block, 10.02 ± acres

Location: Northeast corner of East 171st
Street South and South Yale Avenue

Zoning: AG

Staff Recommendation:

Staff recommends **approval** of the minor
subdivision plat

County Commission District: 1

Commissioner Name: John Smaligo

EXHIBITS: Site Map, Aerial, Minor Subdivision Plat

MINOR SUBDIVISION PLAT

South Tulsa County Maintenance Center - (County)

Northeast corner of East 171st Street South and South Yale Avenue

The plat consists of 1 Lot, 1 Block, 2 reserve areas on 10.02 ± acres.

The property is currently zoned AG with a proposed rezoning to IL. The plat conforms to the lot requirements of both the existing and proposed zoning districts. The plat has been released by the County Engineer and all required documentation has been submitted. If the rezoning request is approved, staff recommends delaying the filing of the plat until such time the new zoning district is in effect.

The Technical Advisory Committee met on February 15, 2018 and all conditions have been met.

Staff recommends **approval** of the minor subdivision plat

SYALE AVE

AG

SUBJECT TRACT

OL

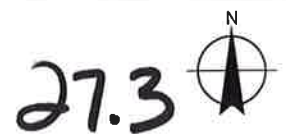
E 171st ST S

AG



17-13 27

**SOUTH TULSA
COUNTY
MAINTENANCE CENTER**



S YALE AVE

E 171st ST S



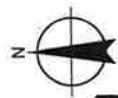
Subject
Tract

17-13 27

**SOUTH TULSA
COUNTY
MAINTENANCE CENTER**

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

Aerial Photo Date: February 2016

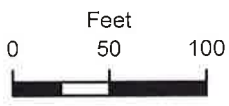


274



S YALE AVE

E 171st ST S



Subject
Tract

17-13 27

**SOUTH TULSA
COUNTY
MAINTENANCE CENTER**

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

Aerial Photo Date: February 2016

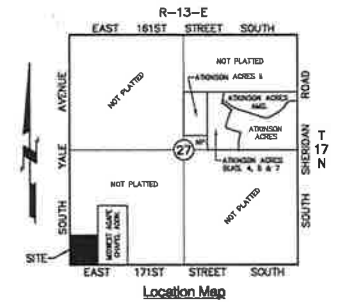


275

MINOR SUBDIVISION **South Tulsa County Maintenance Center**

AN ADDITION TO TULSA COUNTY, OKLAHOMA
 IN THE
SW/4 OF THE SW/4 OF THE SW/4
 OF
SECTION 27, T-17-N, R-13-E

SCALE IN FEET
 SCALE 1"=50'



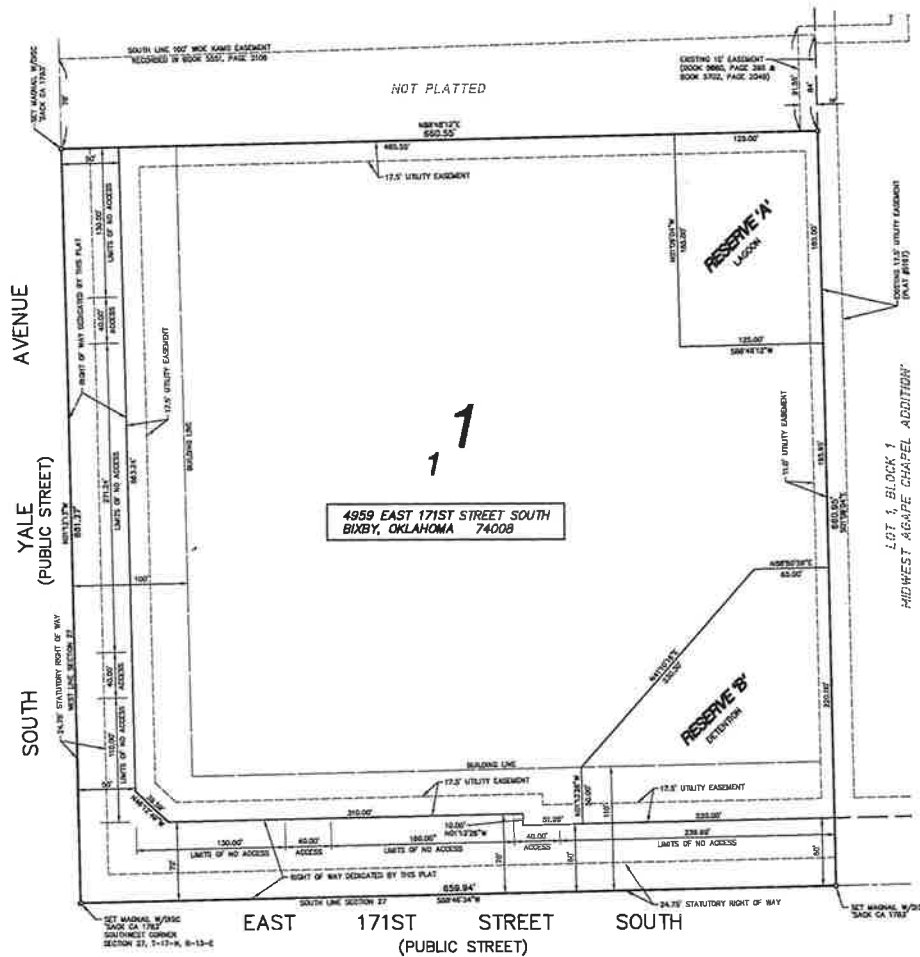
TREASURER'S STAMP
 DO NOT USE THIS SPACE

COUNTY CLERK'S STAMP
 DO NOT USE THIS SPACE

FILED PLAT
 CERTIFICATE OF APPROVAL
 I hereby certify that this plat was
 approved by the Tulsa Metropolitan
 Area Planning Commission on:

 DATE/NOISE
 This approval is valid if the plat is
 not filed in the office of the
 County Clerk on or before:

 COUNTY ENGINEER



Owner

BOARD OF COUNTY COMMISSIONERS
 OF TULSA COUNTY, OKLAHOMA
 500 SOUTH DENVER
 TULSA, OKLAHOMA 74103-3832
 PHONE: (918) 588-5000
Engineer / Surveyor
 SACK AND ASSOCIATES, INC.
 3530 EAST 31ST STREET SOUTH, SUITE A
 TULSA, OKLAHOMA 74135-1518
 PHONE: (918) 582-4111
 E-MAIL: SACKANDASSOCIATES.COM
 C.A. No. 1783 (EXPIRES JUNE 30, 2019)

Beats of Bearings

THE BEARINGS SHOWN HEREON ARE BASED ON THE OKLAHOMA
 STATE PLANE, COORDINATED SYSTEM, NORTH ZONE AND 83,
 ZONE 3501, WITH THE WEST LINE OF THE SW 1/4 BEING
 N01°12'13"W.

Monumentation

ALL CORNERS TO BE SET USING A 3/8"x18" IRON PIN
 WITH A YELLOW CAP STAMPED 'SACK CA 1783'.

Addition Statistics

ADDITION CONTAINS 1 LOT IN 1 BLOCK
 RESERVE 'A' AND RESERVE 'B'
 BLOCK 1 CONTAINS 8.9948 ACRES (304,694 S.F.)
 RESERVE 'A' CONTAINS 0.5309 ACRES (23,125 S.F.)
 RESERVE 'B' CONTAINS 0.8090 ACRES (35,241 S.F.)

Surveyor Note

THE LAST SITE VISIT WAS MADE ON MAY 17, 2017.

Addresses

ADDRESS SHOWN ON THIS PLAT IS 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.



PROPOSED TULSA COUNTY MAINTENANCE FACILITY



Tulsa Metropolitan Area
Planning Commission

Case : Delaware Park

Hearing Date: March 7, 2018

Case Report Prepared by:

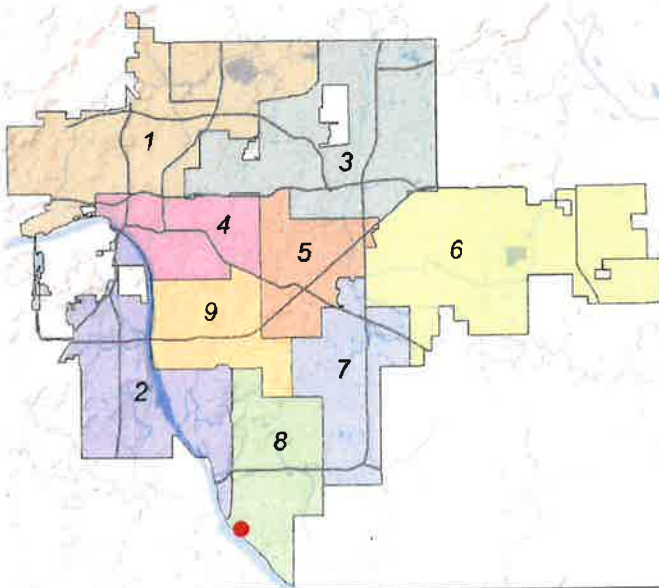
Nathan Foster

Owner and Applicant Information:

Applicant: Tanner Consulting, LLC

Owner: Precision Project Management

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Preliminary Plat

49 lots, 4 blocks, 5 reserves, 15.82 ± acres

Location: South of the southeast corner of East 115th Street South and South Delaware Avenue

Zoning: RS-3 w/ Z-7410 Optional Development Plan

Staff Recommendation:

Staff recommends **approval** of the preliminary plat

City Council District: 8

Councilor Name: Phil Lakin

County Commission District: 1

Commissioner Name: John Smaligo

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

28.1

PRELIMINARY SUBDIVISION PLAT

Delaware Park - (CD 8)

South of the southeast corner of East 115th Street South and South Delaware Avenue

This plat consists of 49 lots, 4 blocks, and 5 reserve areas on 15.81 ± acres.

The Technical Advisory Committee (TAC) met on February 15, 2018 and provided the following conditions:

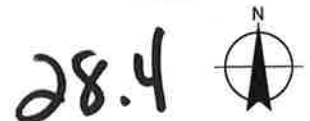
1. **Zoning:** All property within the subdivision is zoned RS-3 with an optional development plan (Z-7410). Proposed lots conform to the standards of the optional development plan. Development standards for Z-7410 are required to be included within the restrictive covenants of the final plat.
2. **Addressing:** Submit plat to COT Addressing to receive assigned addresses for all lots. Provide individual lot addresses graphically on the face of the final plat.
3. **Transportation & Traffic:** Easements located within proposed right-of-way should be removed or the applicant must provide permission from the easement owner's for any proposed public improvements.
4. **Sewer:** Approved as shown on conceptual plan.
5. **Water:** 17.5' utility easement required along roadways where 15' is currently shown unless otherwise approved by the City of Tulsa.
6. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Graphically show all property corner pins found or set with correct symbology on the face of the plat. Under the "Basis of Bearings" description include whether the plat was surveyed in survey feet or feet. Graphically label the point of beginning on the face of the plat. All plats should be tied to a section corner, half section, or quarter section. Graphically label the point of commencement and provide an angle/distance to the point of beginning. In the location map, label the plat as "site" or "project location". Delete/remove the land hook on the half section line.
7. **Fire:** A second remote access is required for any development exceeding 30 dwelling units or structures will be required to be sprinkled. Applicant must provide release from Fire Marshal for proposed emergency access within Reserve D. Fire hydrants will be required per IFC 2015 both in the addition and along the frontage of the development.
8. **Stormwater, Drainage, & Floodplain:** Topographic map must be provided to the City of Tulsa to determine drainage requirements. Show proof that access to the Arkansas River has been obtained through 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.





0 250 500
Feet



Subject
Tract

DELAWARE PARK

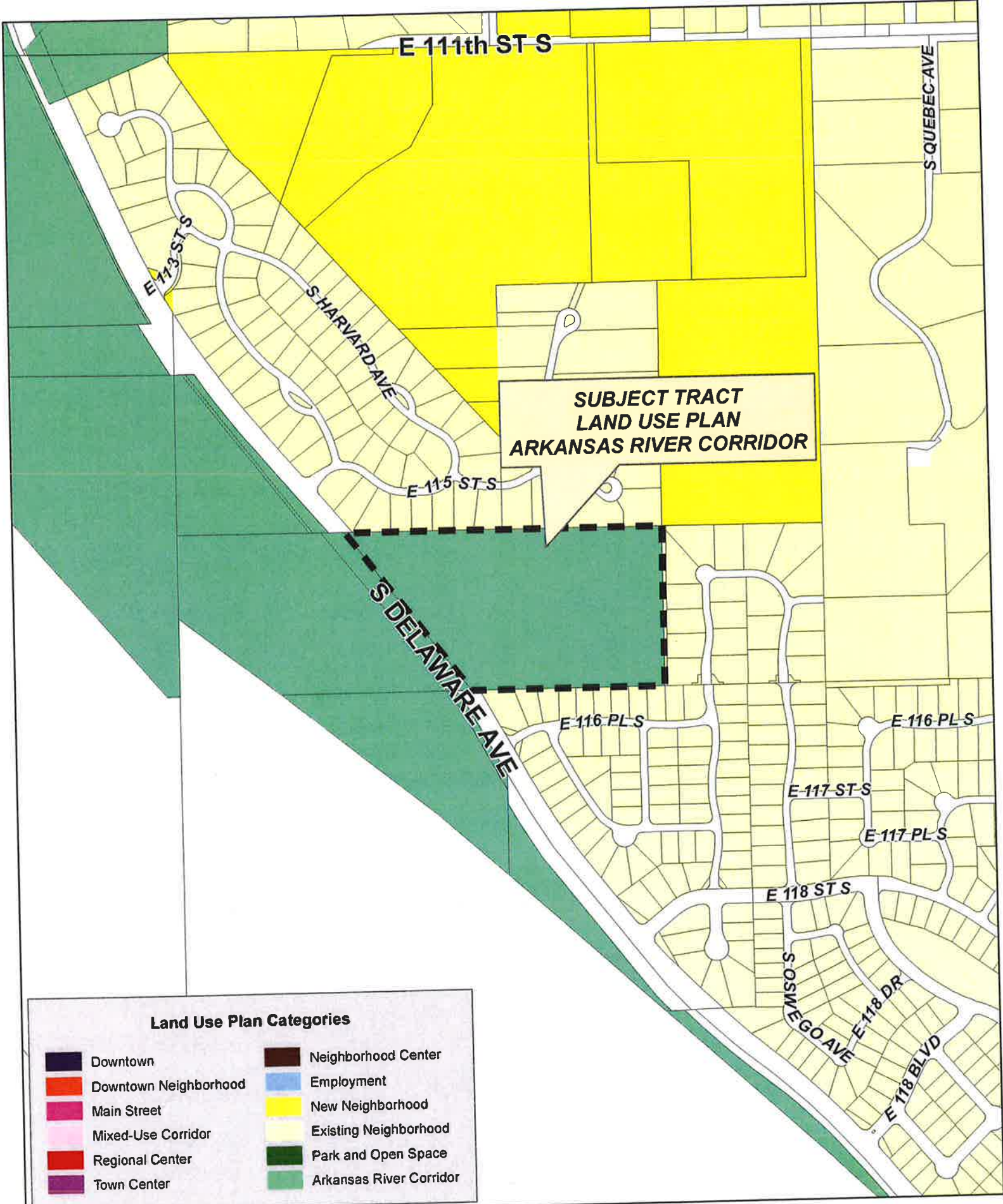
18-13 33

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

285

Aerial Photo Date: February 2016

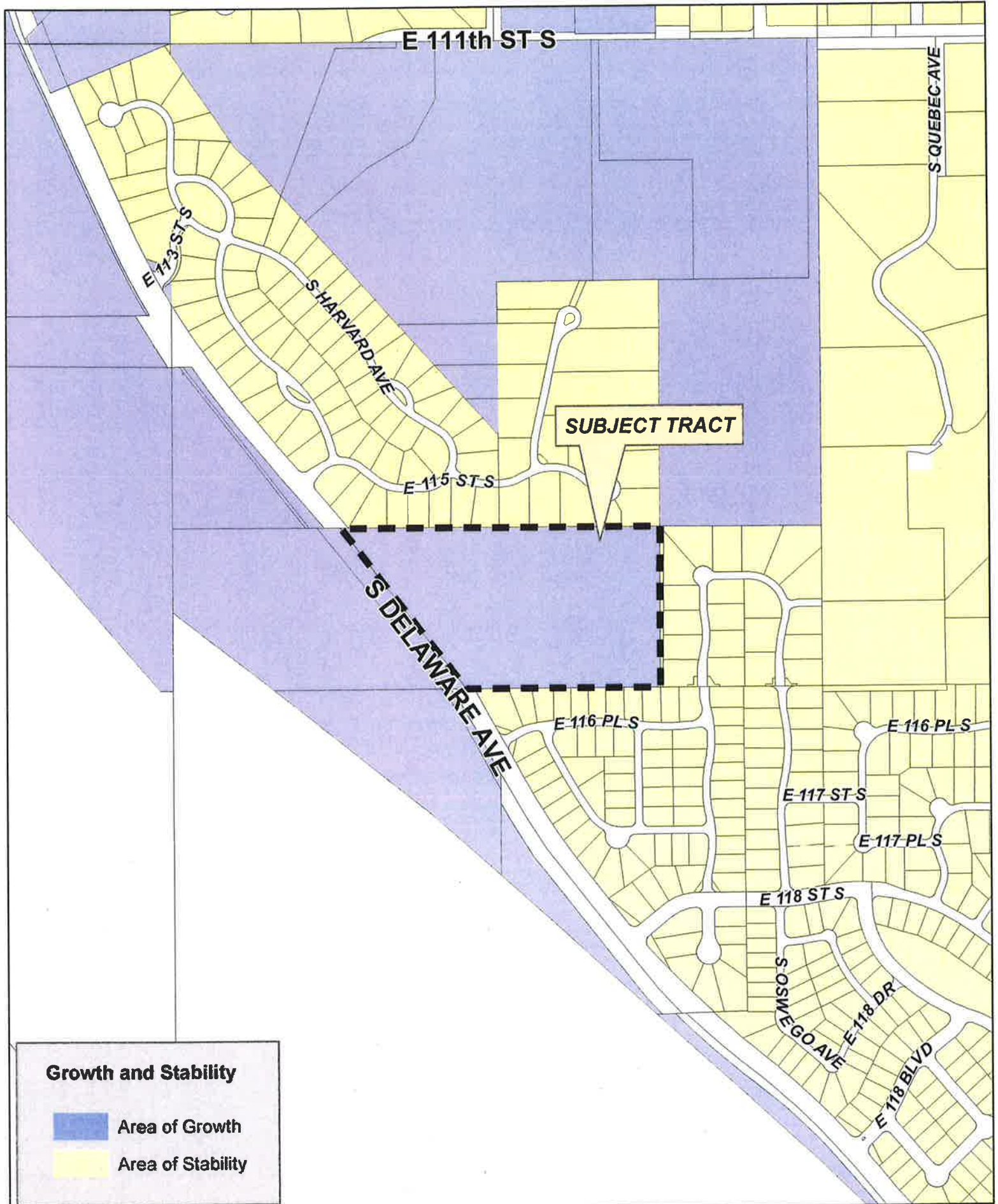




DELAWARE PARK

28.6







Location Map
Scale: 1" = 200'

SUBDIVISION CONTAINS:
FORTY-NINE (49) LOTS
IN FOUR (4) BLOCKS
WITH FIVE (5) RESERVE AREAS

CROSS SUBDIVISION AREA: 13.821 ACRES

Preliminary Plat Delaware Park

PART OF THE SOUTH HALF OF THE NORTH-WEST QUARTER (S/2 NW/4) OF SECTION THIRTY-THREE (33)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

OWNER:
Precision Project Management Inc.

CONTACT: DANIEL RUEL
8311 East 111th Street Suite L
Bixby, Oklahoma 74008
Phone: (918) 970-6102

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.

DAN E. TANNER, P.L.S. NO. 1483
OK CA NO. 2465, EXPIRES 6/30/2018
EMAIL: DAN@TANNERCONSULTING.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929



LEGEND

B/L	BUILDING LINE	GOV	GOVERNMENT
B/U	BUILDING LINE & UTILITY EASEMENT	LUA	LIMITS TO ROAD ACCESS
BL PG	BLDG & PAGE	ODE	OVERLAP
CD	CHORD BEARING	ORANGE	ORANGE EASEMENT
CD	CHORD DISTANCE	RES	RESERVE
CL	CONTIGUOUS	REL	RIGHT-OF-WAY
DA	DATA ANGLE	R/W	RESTRICTED
DOC	DOCUMENT	W/L	WATERLINE (EAST)
ESMT	EASEMENT	USE	UTILITY EASEMENT
F/R	FENCE & LANDSCAPE EASEMENT	1234	ADDRESS ASSIGNED

FINAL PLAT ENDORSEMENT OF APPROVAL	
Tulsa Metropolitan Area Planning Commission	
Approval Date:	
TMAPC/CDCS	
CITY ENGINEER	
Council at 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.

Curve Table

CURVE	LENGTH	AREA	DELTA	CHORD	CHORD
1	58.25'	25.00'	83°04'30"	N79°26'38"W	33.16'
2	43.88'	23.00'	80°10'13"	N79°18'07"E	27.18'
3	99.50'	390.00'	30°00'18"	N79°51'30"E	96.37'
4	188.78'	380.00'	30°00'00"	N79°54'14"E	137.14'
5	19.27'	25.00'	90°00'00"	N44°08'34"W	33.38'
6	38.27'	25.00'	90°00'00"	N45°51'44"E	33.38'
7	39.31'	25.00'	90°00'00"	N46°05'13"W	33.38'
8	16.09'	25.00'	36°52'12"	N79°53'38"E	15.81'
9	143.88'	58.00'	163°50'28"	N46°05'13"W	99.07'
10	58.82'	75.00'	165°51'12"	N17°32'56"E	15.81'
11	39.39'	25.00'	89°53'54"	N45°54'07"E	33.32'
12	15.09'	25.00'	36°52'12"	N19°28'16"W	15.81'
13	110.21'	58.00'	129°52'22"	N25°51'44"E	88.44'
14	235.62'	150.00'	90°00'00"	N46°08'16"W	232.37'
15	157.02'	300.00'	90°00'00"	N46°08'16"W	143.42'

Notes:

- 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.
- ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER RLS 1483" UNLESS OTHERWISE NOTED.
- THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3303), NORTH AMERICAN DATUM 1983 (NAD83). SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
 - 3/8" IRON PIN WITH YELLOW CAP MARKED "TANNER 1483" FOUND AT THE SOUTHWEST CORNER OF LOT 3, BLOCK 3, "WATERSTONE";
 - 3/8" IRON PIN WITH YELLOW PLASTIC CAP FOUND AT THE SOUTHEAST CORNER OF LOT 3, BLOCK 3, "ESTATES AT WATERSTONE";
- THE BEARINGS BETWEEN SAID MONUMENTS BEING THE BEARINGS BETWEEN SAID MONUMENTS BEING NORTH 89°53'44" EAST.
- 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.
- ACCESS AT THE TIME OF PLAT WAS PROVIDED BY SOUTH DELAWARE AVENUE BY VIRTUE OF RIGHT-OF-WAY DEDICATED BY THIS PLAT.

DATE OF PREPARATION: February 13, 2018

Delaware Park
SHEET 2 OF 3

28.8

Preliminary Plat

Delaware Park

PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER (S/2 NW/4) OF SECTION THIRTY-THREE (33)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) 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 FREEDOM PROJECT MANAGEMENT, INC., AN OKLAHOMA CORPORATION, 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 PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER OF (S/2 NW/4) OF SECTION THIRTY-THREE (33), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) 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:

BEGINNING AT A POINT AT THE NORTHWEST CORNER OF "SCUDOWAY HILL II", AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 4015), THENCE SOUTH 1°27'10" EAST AND ALONG THE WEST LINE OF SAID "SCUDOWAY HILL II", FOR A DISTANCE OF 108.05 FEET TO A POINT AT THE SOUTHWEST CORNER OF SAID "SCUDOWAY HILL II", SAID POINT ALSO BEING ON THE NORTH LINE OF BLOCK L, "SCUDOWAY AT WIND RIVER" AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 4323); THENCE SOUTH 88°50'34" WEST AND ALONG SAID NORTH LINE FOR A DISTANCE OF 799.82 FEET; THENCE ALONG A 215.00 FOOT RADIUS CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF NORTH 30°44'02" WEST, A CENTRAL ANGLE OF 270°31", A CHORD BEARING AND DISTANCE OF NORTH 36°46'11" WEST FOR A DISTANCE OF 353.43 FEET; THENCE ALONG A 500.00 FOOT RADIUS CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF NORTH 37°49'31" WEST, A CENTRAL ANGLE OF 270°31", A CHORD BEARING AND DISTANCE OF NORTH 37°51'24" WEST FOR A DISTANCE OF 353.43 FEET; THENCE ALONG A 500.00 FOOT RADIUS CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF NORTH 37°49'31" WEST, A CENTRAL ANGLE OF 270°31", A CHORD BEARING AND DISTANCE OF NORTH 37°51'24" WEST FOR A DISTANCE OF 353.43 FEET TO A POINT ON THE SOUTH LINE OF BLOCK L, "SCUDOWAY AT WIND RIVER", AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 4323); THENCE NORTH 88°50'34" WEST AND ALONG SAID NORTH LINE FOR A DISTANCE OF 799.82 FEET; THENCE ALONG A 215.00 FOOT RADIUS CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF NORTH 30°44'02" WEST, A CENTRAL ANGLE OF 270°31", A CHORD BEARING AND DISTANCE OF NORTH 36°46'11" WEST FOR A DISTANCE OF 353.43 FEET; THENCE ALONG A 500.00 FOOT RADIUS CURVE TO THE LEFT, HAVING AN INITIAL TANGENT BEARING OF NORTH 37°49'31" WEST, A CENTRAL ANGLE OF 270°31", A CHORD BEARING AND DISTANCE OF NORTH 37°51'24" WEST FOR A DISTANCE OF 353.43 FEET TO A POINT ON THE SOUTH LINE OF BLOCK L, "SCUDOWAY AT WIND RIVER", AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF (PLAT NO. 4323); THENCE NORTH 88°50'34" WEST AND ALONG SAID NORTH LINE FOR A DISTANCE OF 799.82 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 688.50 SQUARE FEET, OR 25.815 ACRES.

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (SPO1), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:

(a) 3/4" IRON PIN WITH YELLOW CAP MARKED "TANNER 1435" FOUND AT THE SOUTHWEST CORNER OF LOT 3, BLOCK 3, "WATERSTONE";

(b) 3/4" IRON PIN WITH YELLOW PLASTIC CAP FOUND AT THE SOUTHWEST CORNER OF LOT 3, BLOCK 3, "WATERSTONE";

THE BEARING BETWEEN SAID MONUMENTS BEING THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 89°51'44" EAST.

THE OWNER HAS CAUSED THE SAME TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVE AREAS, 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 "DELAWARE PARK", A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, (WHETHER THE WORD "SUBDIVISION" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN "DELAWARE PARK" UNLESS THE CONTEXT CLEARLY DICTATES OTHERWISE, OTHERWISE, 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 INFRASTRUCTURE FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS, GRANTEES AND ASSIGNS, THE BENEHOFICIARIES OF THE COVENANTS SET FORTH BELOW, DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS, WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND WHICH SHALL BE ENFORCEABLE BY THE OWNER OR OWNER OF ANY PROPERTY WITHIN THE SUBDIVISION AND BY THE BENEHOFICIARIES OF THE COVENANTS SET FORTH BELOW AND WHICH SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

SECTION I. STREETS AND UTILITY EASEMENTS

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE STREET RIGHTS-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT. THE OWNER FURTHER DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "ANY" OR "UTILITY" EASEMENTS FOR THE 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, AND ANY OTHER APPURTENANCES THEREBY, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES STATED, PROVIDED THE OWNER RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY, AND REPAIR OR REPLACE WATERLINES, SANITARY SEWER MAINS, AND STORM SEWER MAINS, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING, REPLACING, AND/OR REMOVING, AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE

PLAT FOR THE PURPOSE OF FURNISHING WATER, SANITARY SEWER, AND STORM SEWER SERVICES TO AREAS DEPICTED ON 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 STATED USES AND PURPOSES OF THE UTILITY EASEMENTS SHALL BE PLACED, ERECTED, INSTALLED, OR MAINTAINED, INCLUDING NOTHING HEREIN SHALL BE DEEMED TO PREVENT DRIVES, PARKING AREAS, CURBING, LANDSCAPING, AND CUSTOMARY SCREENING FENCES WHICH DO NOT CONSTITUTE AN OBSTRUCTION.

A. UTILITY SERVICE:

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE, AND COMMUNICATION SERVICES MAY BE LOCATED WITHIN THE DELAWARE AVENUE RIGHT-OF-WAY DEPICTED BY THIS PLAT AND WITHIN THE SOUTH PERMETER UTILITY EASEMENT OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS SHALL BE SERVED ONLY 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 EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICE AND THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE POLEDEALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN GENERAL UTILITY EASEMENTS.

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WITHIN THE SUBDIVISION MAY BE EXTENDED FROM THE NEAREST GAS MAIN, SERVICE FEEDSTOCK, OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF A STRUCTURE UPON THE LOT, PROVIDED THAT, UPON INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE OBLIGATED TO HAVE A PERPETUAL, 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 FEEDSTOCK, OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

3. EACH SUPPLIER OF ELECTRIC, TELEPHONE, COMMUNICATION, AND 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 OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, COMMUNICATION, OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

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

5. THE COVENANTS SET FORTH IN THIS SUBSECTION 5 SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, COMMUNICATION, OR GAS SERVICE AND THE OWNER OF ANY LOT OR RESERVE AREA AGREES TO BE BOUND BY THESE COVENANTS.

B. GAS SERVICE:

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 OTHERWISE 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.

2. THE OWNER OF THE LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH 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 OR RESERVE AREA SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF SUCH OWNER OR SUCH OWNER'S AGENTS OR CONTRACTORS.

3. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION 3 SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE LOT OR RESERVE AREA OWNER AGREES TO BE BOUND BY THESE COVENANTS.

C. WATER, SANITARY SEWER, AND STORM SEWER SERVICE:

1. THE OWNER OF ANY LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED THE OWNER'S LOT OR RESERVE AREA.

2. WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF ELEVATION OF A TEMPORARY CERTIFICATE OF OCCUPANCY OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WITHIN THE JUDGMENT OF THE CITY OF TULSA, WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, OR STORM SEWERS, SHALL BE PROHIBITED, PROVIDED, HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PREVENT DRIVES, PARKING AREAS, CURBING, LANDSCAPING, AND CUSTOMARY SCREENING FENCES THAT DO NOT CONSTITUTE AN OBSTRUCTION.

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 OR RESERVE AREA SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH

FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OR RESERVE AREA OWNER OR SAID OWNER'S 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 SUBSECTION C SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT OR RESERVE AREA AGREES TO BE BOUND BY THESE COVENANTS.

D. SURFACE DRAINAGE:

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

E. PAVING AND LANDSCAPING WITHIN EASEMENTS:

THE OWNER OF ANY LOT OR RESERVE AREA 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, 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 REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

F. LIMITS OF NO ACCESS:

THE OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO SOUTH SHAGBARK ROAD WITHIN THE BOUNDING CORNER AREAS AS "LIMITS OF NO ACCESS" OR "ANY" 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 THEREOF, AND THE LIMITS OF NO ACCESS ABOVE ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF TULSA. THE FOREGOING RESTRICTION SHALL NOT APPLY TO EMERGENCY RESPONSE OR GOVERNMENTAL AGENCIES ACCESSING THE SUBDIVISION VIA RESERVES D.

G. SIDEWALKS:

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF TULSA, OKLAHOMA AND IN CONFORMANCE WITH THE CITY OF TULSA ENGINEERING DESIGN STANDARDS. THE OWNER SHALL BE RESPONSIBLE FOR CONSTRUCTION OF A SIDEWALK WITHIN THE STREET RIGHTS-OF-WAY ADJACENT TO RESERVES A, B, C, AND D AS DEPICTED ON THE ATTACHED PLAT. ELSEWHERE WITHIN THE SUBDIVISION, PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT FOR THE DWELLING WITHIN A LOT, THE OWNER OF THE PARTICULAR LOT SHALL CONSTRUCT, AND THEREAFTER MAINTAIN, THE SIDEWALK WITHIN THE RIGHT-OF-WAY ADJACENT TO THE LOT. SIDEWALKS SHALL BE CONTINUOUS WITH ADJOINING SIDEWALKS.

H. FENCE AND LANDSCAPE EASEMENT:

THE UNDERGROUND OWNER DOES HEREBY ESTABLISH AND GRANT, TO THE OWNERS OF THE RESIDENTIAL LOTS WITHIN THE SUBDIVISION AND FOR THEIR COMMON USE AND BENEFIT, FENCE AND LANDSCAPE EASEMENTS OVER AND UPON THE AREAS DESIGNATED AS "FENCE" AND SHOWN ON THE ACCOMPANYING PLAT. THE FENCE AND LANDSCAPE EASEMENTS ARE FOR THE LIMITED PURPOSE OF CONSTRUCTING AND MAINTAINING PERMANENT DECORATIVE FENCES AND OTHER FEATURES INCLUDING BUT NOT LIMITED TO FENCES, WALLS, SPRINKLER SYSTEMS, AND LANDSCAPING, AND FOR THE PURPOSE OF MAINTAINING AND REPAIR THEREOF, TOGETHER WITH THE RIGHT OF ACCESS OVER, ACROSS AND ALONG SUCH EASEMENTS AND OVER, ACROSS, AND ALONG ALL AREAS WHICH CONTAIN SUCH EASEMENTS. WITHIN THE FENCE AND LANDSCAPE AREAS, THE PROPERTY OWNERS' ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL FENCES AND ENTRY FEATURES AND ALL LANDSCAPING LOCATED OUTSIDE OF SUCH FENCES. THE RIGHTS HEREIN ESTABLISHED AND GRANTED SHALL BE SUBORDINATE TO THE RIGHTS ESTABLISHED AND GRANTED BY UTILITY EASEMENTS ELSEWHERE DEPICTED HEREIN.

I. 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, AND STORM SEWER SYSTEMS, AND SIDEWALKS) THAT THE OWNER IS OBLIGATED TO CONSTRUCT 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 ISSUANCE 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 BE ISSUED 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 A TEMPORARY CERTIFICATE OF OCCUPANCY.

Preliminary Plat

Delaware Park

PART OF THE SOUTH HALF OF THE NORTHWEST QUARTER (S/2 NW/4) OF SECTION THIRTY-THREE (33)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Deed of Dedication (Continued)

SECTION II. RESERVE AREAS

A. RESERVES A, B, C, D, AND E

RESERVES A, B, C, D, AND E SHALL BE FOR THE COMMON USE AND ENJOYMENT OF THE PROPERTY OWNERS' ASSOCIATION, REFERRED TO IN SECTION II. HEREOF, AND SHALL BE LIMITED TO USE FOR IRRIGATION, LIGHTING, PRIVATE PARK, OPEN SPACE, UTILITIES, AND SIDEWALKS. RESERVE D IS FURTHER RESERVED FOR EMERGENCY INGRESS/EGRESS. RESERVES A, B, C, D, AND E ARE HEREBY SET AS DEDICATED AS UTILITY EASEMENTS. RESERVES A, B, C, D, AND E SHALL BE MAINTAINED BY THE PROPERTY OWNERS' ASSOCIATION.

B. ALL RESERVE AREAS

1. ALL COSTS AND EXPENSES ASSOCIATED WITH ALL RESERVE AREAS, INCLUDING MAINTENANCE OF VARIOUS IMPROVEMENTS AND RECREATIONAL FACILITIES, SHALL BE THE RESPONSIBILITY OF THE OWNERS THEREOF, WHICH SHALL BE THE PROPERTY OWNERS' ASSOCIATION. THE CITY OF TULSA SHALL NOT BE LIABLE FOR ANY DAMAGE OR REMOVAL OF ANY LANDSCAPING OR IRRIGATION SYSTEMS IN ANY RESERVE AREA.

2. IN THE EVENT THE RESERVE AREA OWNER FAILS TO MAINTAIN THE RESERVE AREA, AND SUBSEQUENTLY FAILS TO PAY THE COSTS OF SAID MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE BY AND RECEIPT OF A STATEMENT OF COSTS FROM THE CITY OF TULSA, OKLAHOMA, THE CITY MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH OF THE LOTS WITHIN THE SUBDIVISION, WHICH LIEN MAY BE FORECLOSED BY THE CITY OF TULSA, OKLAHOMA.

3. EACH LOT AND RESERVE AREA OWNER OR RESIDENT AND/OR MEMBER OF THE PROPERTY OWNERS' ASSOCIATION AGREES TO HOLD HARMLESS THE OWNER AND THE CITY OF TULSA, AND THEIR RESPECTIVE AGENTS AND REPRESENTATIVES FROM AND AGAINST ALL CLAIMS, DAMAGES, LIABILITIES, OR OTHER RESPECTIVE AGENTS AND REPRESENTATIVES IN CONNECTION WITH THE OWNERSHIP OR USE OF THE FACILITIES AND IMPROVEMENTS CONSTRUCTED OR SITUATED IN THE RESERVE AREAS AND FURTHER AGREES THAT WITHIN THE CITY OF TULSA, OKLAHOMA, THE OWNER SHALL BE LIABLE TO THE LOT OR RESERVE AREA OWNER OR RESIDENT AND/OR MEMBER OF THE PROPERTY OWNERS' ASSOCIATION ON ANY QUEST, CHAMBER OR NEGLIGENCE OF ANY LOT OR RESERVE AREA OWNER OR RESIDENT AND/OR MEMBER OF THE ASSOCIATION OR ANY QUEST, VISITOR, OR INVITE THEREOF.

SECTION III. PROPERTY OWNERS' ASSOCIATION

A. FORMATION OF PROPERTY OWNERS' ASSOCIATION

THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED, IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AN ASSOCIATION OF ALL OWNERS OF LOTS WITHIN THE SUBDIVISION (THE "ASSOCIATION"), A NOT-FOR-PROFIT CORPORATE ENTITY ESTABLISHED AND FORMED FOR THE GENERAL PURPOSES OF MAINTAINING RESERVE AREAS, FENCE AND LANDSCAPE EASEMENTS, AND ANY OTHER PROPERTY AND FACILITIES THAT ARE FOR THE COMMON USE AND BENEFIT OF THE LOTS AT THE SAME MAY BE AGREED TO BY THE MEMBERS OF THE ASSOCIATION.

B. PRIVATE RESTRICTIONS AND COVENANTS

FOR THE BENEFIT OF THE ASSOCIATION AND OF ALL OWNERS WITHIN THE SUBDIVISION, THE OWNER SHALL ESTABLISH AN ARCHITECTURAL REVIEW COMMITTEE AND VARIOUS PRIVATE RESTRICTIONS AND COVENANTS FOR THE PURPOSE OF PREVENTING OVERSIGHT DEVELOPMENT OF THE SUBDIVISION AND CONFORMITY AND COMPATIBILITY OF IMPROVEMENTS THEREIN. SAID PRIVATE RESTRICTIONS AND COVENANTS SHALL BE FILED OF RECORD WITH THE TULSA COUNTY CLERK, SHALL BE APPLICABLE TO THE LOTS WITHIN THE SUBDIVISION, AND SHALL BE COVENANTS RUNNING WITH THE LAND AND BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS FURTHER STATED IN SAID FILED DOCUMENT.

C. MEMBERSHIP

EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE FEE INTEREST OF A LOT SHALL BE A MEMBER OF THE ASSOCIATION. MEMBERSHIP SHALL BE APPROPRIATE TO AND SHALL NOT BE SEPARATED FROM THE OWNERSHIP OF A LOT.

D. ASSESSMENT

EACH LOT OWNER SHALL BE SUBJECT TO ANNUAL AND SPECIAL ASSESSMENTS BY THE ASSOCIATION FOR THE PURPOSE OF IMPROVEMENT AND MAINTENANCE OF RESERVE AREAS AND ANY OTHER PROPERTY AND FACILITIES THAT, FROM TIME TO TIME, ARE FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF THE LOTS AS THE SAME MAY BE AGREED TO BY THE MEMBERS OF THE ASSOCIATION.

E. ASSOCIATION TO BE BENEFICIARY

WITHOUT LIMITATION OF SUCH OTHER POWERS AND RIGHTS AS THE ASSOCIATION MAY HAVE, THE ASSOCIATION SHALL BE DEEMED A BENEFICIARY OF THE VARIOUS COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN THIS DEED OF DEDICATION TO THE SAME EXTENT AS ALL OTHER BENEFICIARIES THEREOF, INCLUDING EACH LOT OWNER, THE CITY AND THE SUPPLIER OF ANY UTILITY OR OTHER SERVICE WITHIN THE SUBDIVISION, AND SHALL HAVE THE RIGHT TO ENFORCE THESE COVENANTS AND AGREEMENTS.

SECTION IV. ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, AND SEVERABILITY

A. 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 AND SECTION II. RESERVE AREAS ARE SET FORTH CERTAIN COVENANTS, AND THE ENFORCEMENT HEREOF, PERTAINING TO THE CITY OF TULSA, OKLAHOMA, THE COVENANTS CONTAINED IN SECTION II. PROPERTY OWNERS' ASSOCIATION SHALL INURE TO THE BENEFIT OF ANY OWNER OF A LOT AND THE PROPERTY OWNERS' ASSOCIATION. IF THE UNDESIGNED OWNER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION II, IT SHALL BE LAWFUL FOR ANY OWNER OF A LOT OR THE PROPERTY OWNERS' ASSOCIATION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT SUCH PERSON OR PERSONS FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT. IN ANY SUCH 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. IN ANY JUDICIAL ACTION BROUGHT BY ANY OWNER OF A LOT OR THE PROPERTY OWNERS' ASSOCIATION, WHICH ACTION SEEMS TO ENFORCE THE COVENANTS CONTAINED IN SECTION II, AND/OR TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECEIVE REASONABLE ATTORNEY FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

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 OR TERMINATION

THE COVENANTS CONTAINED WITHIN SECTION I, STREETS AND UTILITY EASEMENTS AND SECTION II, RESERVE AREAS 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 ANY OTHER SECTION OF THIS DEED OF DEDICATION MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER DURING SUCH PERIOD THAT THE OWNER IS THE RECORD OWNER OF AT LEAST 1 LOT, OR ALTERNATIVELY, BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF AT LEAST 50% OF THE LOTS WITHIN THE SUBDIVISION. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPOSED BY THE OWNER DURING ITS OWNERSHIP OF AT LEAST 1 LOT AND ANY AMENDMENT OR TERMINATION PROPOSED BY THE OWNERS OF AT LEAST 50% OF THE LOTS, THE INSTRUMENT DECEASED BY THE OWNER SHALL PREVAIL. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AND RESTRICTIONS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

D. SEVERABILITY

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

IN WITNESS WHEREOF, PRECISION PROJECT MANAGEMENT, INC., AN OKLAHOMA CORPORATION, HAS EXECUTED THIS INSTRUMENT ON THIS ____ DAY OF ____, 2018.

PRECISION PROJECT MANAGEMENT, INC.
AN OKLAHOMA CORPORATION

BY: _____
PRESIDENT

STATE OF OKLAHOMA }
COUNTY OF TULSA } SS

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF ____, 2018, PERSONALLY APPEARED DANIEL RUIZ, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SIGNED THE ABOVE INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SUCH COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____ JENNIFER MILLER, NOTARY PUBLIC

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 HEREIN DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "DELAWARE PARK," A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF A SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES, AND MEETS OR EXCEEDS THE OKLAHOMA STANDARD FOR THE PRACTICE OF LAND SURVEYING.

WITNESS MY HAND AND SEAL THIS ____ DAY OF ____



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

STATE OF OKLAHOMA }
COUNTY OF TULSA } SS

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF ____, 2018, PERSONALLY APPEARED TO ME DAN E. TANNER KNOWN TO BE THE IDENTICAL PERSON WHO SIGNED THE ABOVE INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____ JENNIFER MILLER, NOTARY PUBLIC



Tulsa Metropolitan Area
Planning Commission

Case : Reserve at Prairie Hill

Hearing Date: March 7, 2018

Case Report Prepared by:

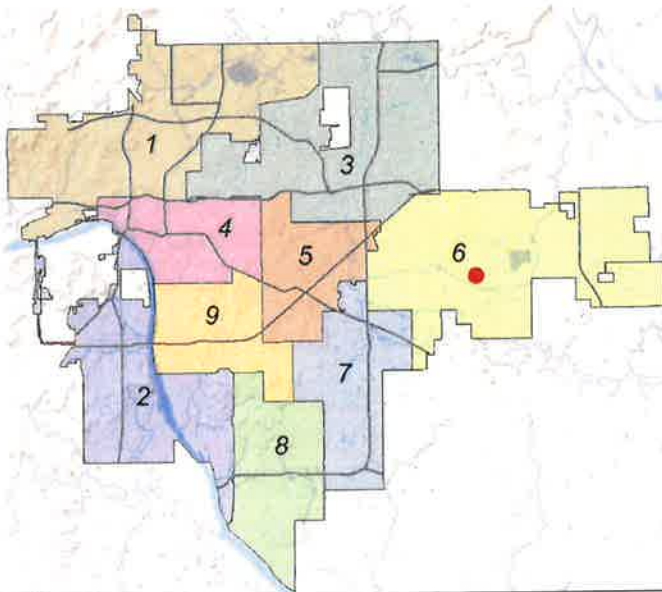
Nathan Foster

Owner and Applicant Information:

Applicant: Nicole Watts, KKT

Owner: Lincoln Land Development, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Preliminary Plat

23 lots, 3 blocks, 1 reserve, 19.24 ± acres

Location: West of the northwest corner of
East 31st Street South and South 177th
East Avenue

Zoning: RS-1

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

PRELIMINARY SUBDIVISION PLAT

Reserve at Prairie Hill - (CD 6)

West of the northwest corner of East 31st Street South and South 177th East Avenue

This plat consists of 23 lots, 3 blocks, and 1 reserve areas on 19.24 ± acres.

The Technical Advisory Committee (TAC) met on February 15, 2018 and provided the following conditions:

1. **Zoning:** All property within the subdivision is zoned RS-1. The City of Tulsa Board of Adjustment approved a variance of the requirement that all lots provide frontage on a public street to permit a gated community with private streets. The proposed lots conform to the RS-1 requirements with the approved variance.
2. **Addressing:** Submit plat to COT Addressing to receive assigned addresses for all lots. Provide individual lot addresses graphically on the face of the final plat.
3. **Transportation & Traffic:** Off-site right-of-way dedications are required to be made in order to complete the required extension of 31st Street to the subject property. These dedications will be required to be in place prior to approval of final plat. Provide written permission from the City of Tulsa Engineering Services department for the East 31st Street extension design.
4. **Sewer:** Oklahoma Department of Environmental Quality approval is required for proposed septic systems. Per the Subdivision Regulations, the development is required to install a sewer collection system within the subdivision that can later be connected to a municipal sewage system when available. Each lot must be provided with a building sewer line.
5. **Water:** Water line plans must be submitted for review and approved prior to the approval of a final plat. Additional easements both on and off-site may be required to complete an acceptable water system.
6. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Remove contours from final plat submittal. Graphically show all property corner pins found or set with correct symbology on the face of the plat. Under the "Basis of Bearings" description include whether the plat was surveyed in survey feet or feet. Ensure legal description matches the face of the plat. Label Block 3 on the face of the plat.
7. **Fire:** Provide approval from the Fire Marshal for current access configuration including off-site emergency access to the West. If secondary access is not approved, further revision or relief may be required.
8. **Stormwater, Drainage, & Floodplain:** No storm sewer system shown on conceptual site plan. Off-site stormwater does cross the site and will be required to be addressed. Applicant must show proof that on-site detention

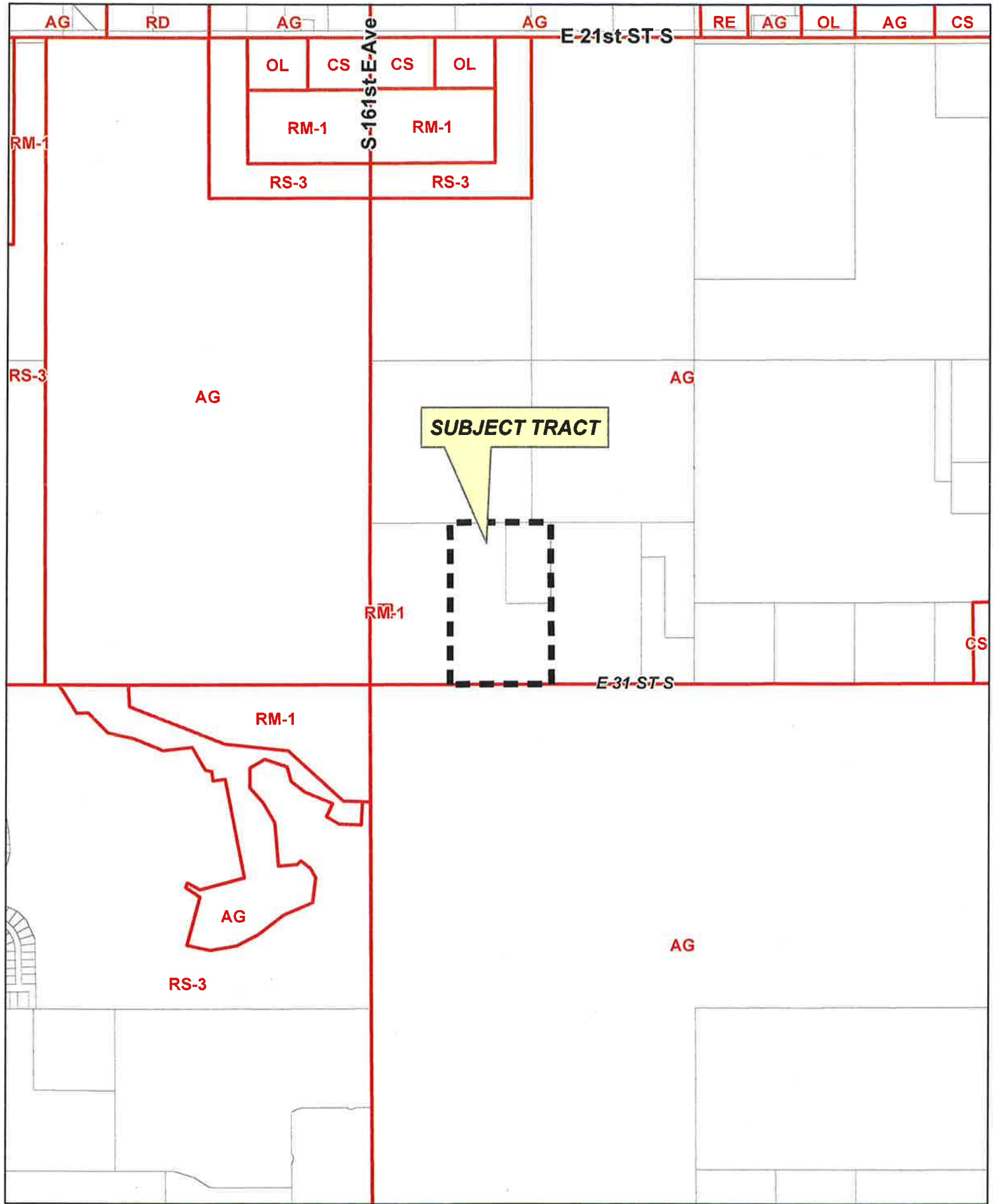
is not required.

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.

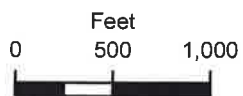
Waivers of Subdivision Regulations:

1. Waiver of the requirement that private streets shall only be allowed in residential development located within a Planned Unit Development.

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

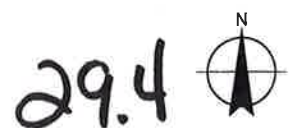


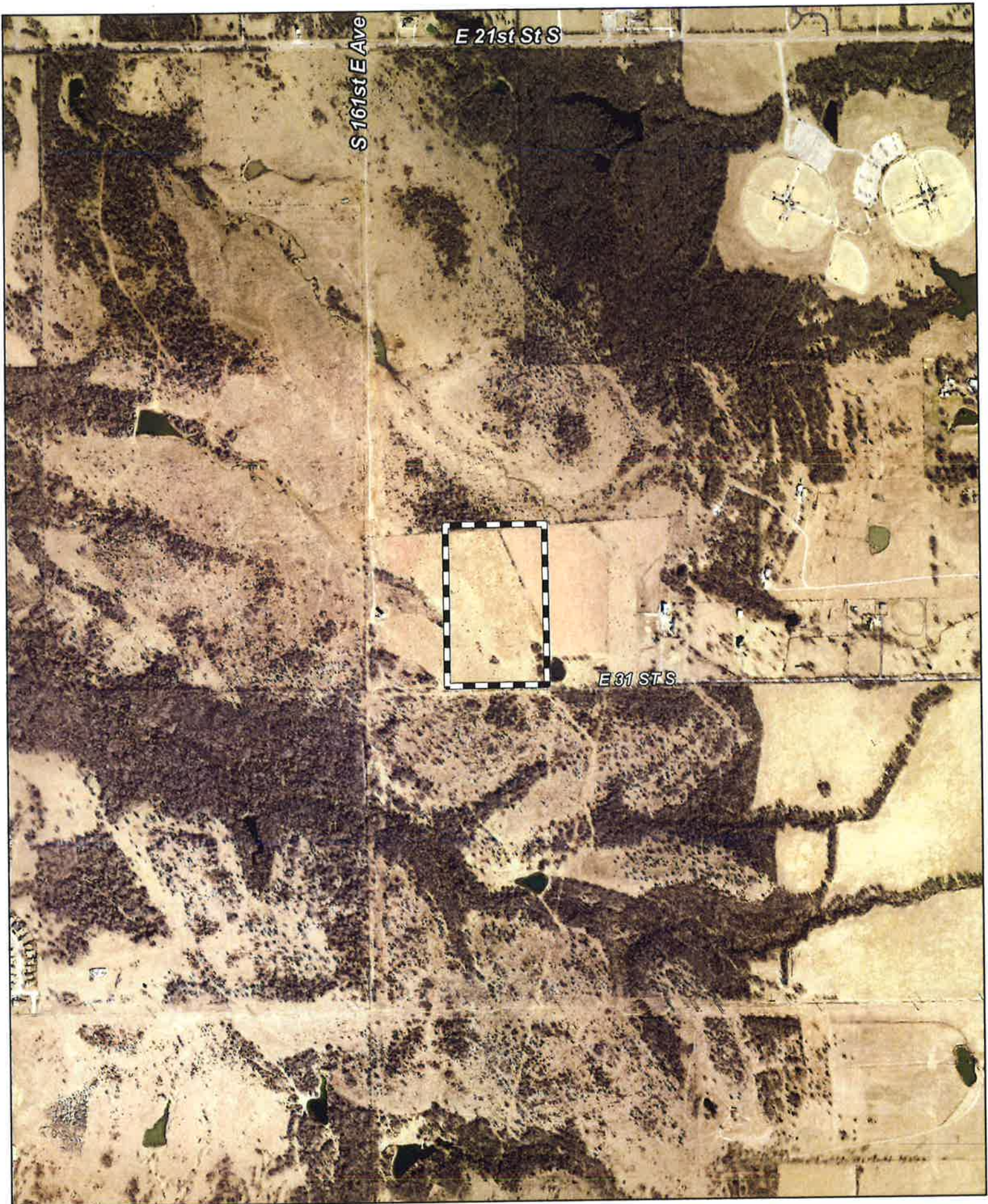
SUBJECT TRACT



19-14 14

**RESERVE AT
PRAIRIE HILL**





S 161st E Ave

E 21st St S

E 31st St S

0 Feet 500 1,000



Subject Tract

19-14 14

RESERVE AT PRAIRIE HILL

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

Aerial Photo Date: February 2016



**SUBJECT TRACT
LAND USE PLAN
NEW NEIGHBORHOOD**

E 31 ST S

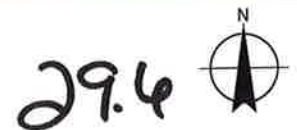
Land Use Plan Categories

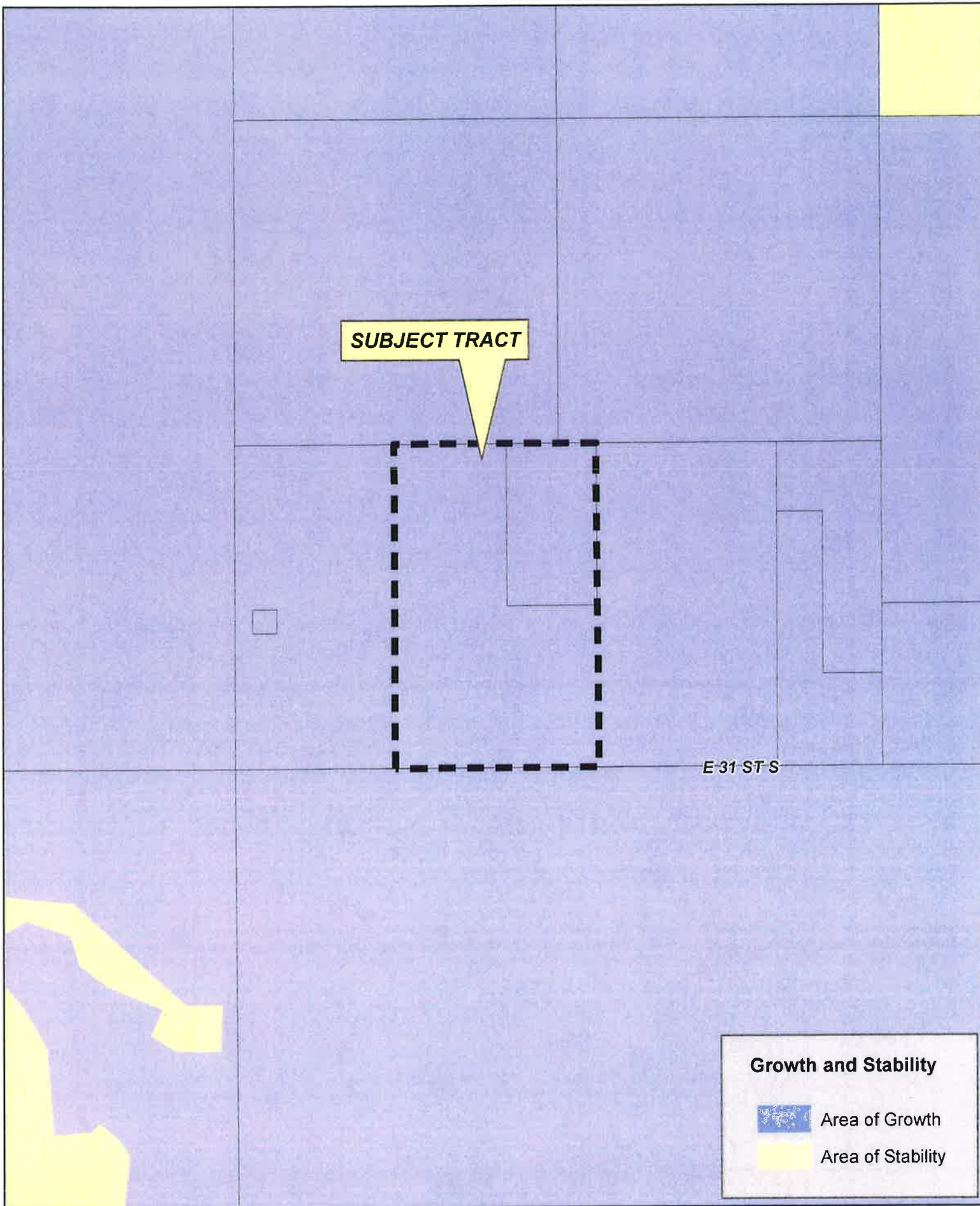
 Downtown	 Neighborhood Center
 Downtown Neighborhood	 Employment
 Main Street	 New Neighborhood
 Mixed-Use Corridor	 Existing Neighborhood
 Regional Center	 Park and Open Space
 Town Center	 Arkansas River Corridor



19-14 14

RESERVE AT PRAIRIE HILL







SUBJECT TRACT

E 31 ST S

Growth and Stability

-  Area of Growth
-  Area of Stability

0 Feet 250 500

19-14 14

**RESERVE AT
PRAIRIE HILL**

29.7 

PRELIMINARY PLAT

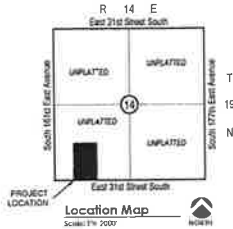
Reserve at Prairie Hill

A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA,
BEING A PART OF THE S/2 OF THE SW/4 OF SECTION 14,
TOWNSHIP 19 NORTH, RANGE 14 EAST, OF THE INDIAN BASE AND MERIDIAN.

OWNER:
Lincoln Land Development
15320 E. 47th Street
Tulsa, Oklahoma, 74134
Jeremy Andrews

ENGINEER:
KKT Architects, Inc.
2200 South Uca Place
Tulsa, Oklahoma, 74114
Phone: (918) 744-4270
A NICOLE WATTS, P.E. NO. 21511
OK CA NO. 1506, EXPIRES 6/30/2019
email: nicole.watts@kktarchitects.com

SURVEYOR:
Route 66 Surveying, LLC
4845 S. Sheridan Road, Suite 508
Tulsa, Oklahoma 74145
Phone: (918) 845-6633
OK CA NO. 8737, EXPIRES 6/30/2019



BASIS OF BEARINGS
THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (2011), NORTH AMERICAN DATUM (NAD83), WITH THE SOUTH LINE OF SECTION 14 HAVING A BEARING OF S88°41'01"W.

- NOTES**
1. THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
 2. 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.
 3. TYPICAL BUILDING SETBACKS:
SIDE LOT: 10 FEET
FRONT SETBACK: 25 FEET
REAR SETBACK: 25 FEET

MONUMENTATION
ALL CORNERS TO BE SET WITH A 3/8" IRON PIN WITH YELLOW CAP UNLESS OTHERWISE NOTED.

FLOOD ZONE NOTE
THE PROPERTY DESCRIBED HAS BEEN EXAMINED BY A MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, TULSA COUNTY, OKLAHOMA, MAP NO. 4814301000A, MAP REVISED SEPTEMBER 30, 2016, WHICH SHOWS THE ENTIRE PORTION OF THE PROPERTY DESCRIBED HEREON AS LOCATED IN ZONE (X) NOT SHADDED WHICH IS CLASSIFIED AS AREAS DETERMINED TO BE OUTSIDE OF THE 500-YEAR FLOOD PLAIN.

LEGAL DESCRIPTION
A TRACT OF LAND LOCATED IN THE SOUTHWEST QUARTER (SW/4) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE OFFICIAL U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE SOUTHWEST CORNER OF SECTION FOURTEEN (14); THENCE NORTH 88°41'01" EAST FOR A DISTANCE OF 730.24 FEET TO THE POINT OF BEGINNING; THENCE NORTH 81°11'02" WEST FOR A DISTANCE OF 1,320.04 FEET; THENCE NORTH 88°42'02" EAST FOR A DISTANCE OF 880.00 FEET; THENCE SOUTH 81°11'02" EAST FOR A DISTANCE OF 1,320.04 FEET TO A POINT ON THE SOUTH LINE OF SECTION 14; THENCE ALONG SAID LINE SOUTH 88°41'01" WEST FOR A DISTANCE OF 660.02 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 871,912.24 SQUARE FEET (20.00 ACRES), MORE OR LESS.

ABBREVIATIONS
ACC ACCESS
BL BUILDING LINE
LNA LIMITS OF NO ACCESS
POB POINT OF BEGINNING
POC POINT OF COMMENCEMENT
ROW RIGHT-OF-WAY
UE UTILITY EASEMENT

LINE LEGEND
— PROPOSED BOUNDARY
— PROPOSED RIGHT-OF-WAY
— PROPOSED LOT LINE
— PROPOSED BUILDING LINE
— PROPOSED EASEMENT LINE
— PROPOSED CENTER LINE

LAND AREA
SUBDIVISION CONTAINS 22 LOTS IN 3 BLOCKS
SUBDIVISION CONTAINS 858,208.18 SF (19.54 AC)
BLOCK 1 CONTAINS 284,954.08 SF (6.57 AC)
BLOCK 2 CONTAINS 188,118.80 SF (4.34 AC)
BLOCK 3 CONTAINS 283,135.30 SF (6.57 AC)
RESERVE AREA CONTAINS 126,166.18 SF (2.94 AC)

LINE	LENGTH	ANGLE	CHORD BEARING	CHORD LENGTH	B
C1	82.89	314	N 4° 42' 00" W	81.82	014° 30' 56"
C2	365.94	302	N 7° 34' 28" E	367.45	041° 13' 17"
C3	22.57	887	N 2° 47' 30" E	22.34	002° 32' 47"
C4	184.80	887	N 1° 18' 32" E	185.20	004° 47' 17"
C5	86.70	887	N 0° 11' 58" E	86.27	004° 11' 57"
C6	223.41	119	N 0° 21' 00" W	219.37	004° 11' 57"
C7	33.40	212	N 0° 47' 30" W	33.36	004° 11' 57"
C8	11.01	27	N 0° 47' 30" W	11.74	018° 17' 08"
C9	4.22	13	N 0° 47' 30" W	4.24	018° 17' 08"
C10	22.08	13	N 0° 47' 30" W	13.51	004° 12' 47"
C11	16.52	87	N 0° 47' 30" W	16.23	004° 12' 47"
C12	46.48	87	N 0° 47' 30" W	47.42	004° 12' 47"
C13	84.52	87	N 0° 47' 30" W	86.22	004° 12' 47"
C14	18.00	13	N 0° 47' 30" W	18.81	004° 12' 47"
C15	28.16	13	N 0° 47' 30" W	28.11	004° 12' 47"
C16	5.46	9	N 0° 47' 30" W	5.10	004° 12' 47"
C17	10.84	87	N 0° 47' 30" W	10.79	004° 12' 47"
C18	72.18	87	N 0° 47' 30" W	71.82	004° 12' 47"
C19	87.32	87	N 0° 47' 30" W	86.82	004° 12' 47"
C20	73.90	87	N 0° 47' 30" W	73.40	004° 12' 47"
C21	6.46	9	N 0° 47' 30" W	6.19	004° 12' 47"
C22	16.34	13	N 0° 47' 30" W	16.72	004° 12' 47"
C23	57.02	224	N 0° 47' 30" W	57.28	004° 12' 47"
C24	4.58	148	N 0° 47' 30" W	4.68	007° 21' 32"
C25	20.72	148	N 0° 47' 30" W	20.71	008° 02' 37"
C26	38.41	148	N 0° 47' 30" W	38.34	013° 34' 22"
C27	23.42	13	N 0° 47' 30" W	23.38	004° 12' 47"

LINE	LENGTH	ANGLE	CHORD BEARING	CHORD LENGTH	B
C28	45.14	92	N 1° 21' 00" W	38.67	048° 00' 01"
C29	84.72	92	N 1° 21' 00" W	82.02	032° 42' 27"
C30	71.70	92	N 0° 28' 00" E	65.01	032° 00' 00"
C31	23.42	92	N 0° 15' 00" E	20.74	002° 14' 37"
C32	18.42	13	N 0° 47' 30" W	18.82	004° 12' 47"
C33	3.66	9	N 0° 21' 00" W	3.16	002° 14' 37"
C34	103.88	42	S 75° 42' 00" W	81.43	008° 18' 32"
C35	75.70	42	N 0° 47' 30" W	76.37	011° 48' 17"
C36	62.37	42	N 0° 47' 30" W	65.42	004° 12' 47"
C37	16.94	68	N 0° 34' 00" E	17.18	002° 00' 00"
C38	5.46	9	N 0° 47' 30" W	5.10	004° 12' 47"
C39	23.17	11	N 0° 47' 30" W	23.26	007° 21' 32"
C40	42.08	338	N 0° 50' 00" W	42.04	007° 21' 32"
C41	1.94	-	N 12° 22' 12" W	-	-
C42	6.86	-	N 12° 22' 12" W	-	-
C43	38.18	-	N 12° 22' 12" W	-	-
C44	48.23	-	N 0° 50' 00" W	-	-
C45	158.18	-	S 75° 42' 00" E	-	-
C46	54.88	-	N 12° 22' 12" W	-	-
C47	1.13	-	S 02° 38' 42" E	-	-
C48	1.41	-	S 75° 42' 00" E	-	-
C49	68.52	-	N 12° 22' 12" W	-	-
C50	7.67	-	S 02° 38' 42" E	-	-
C51	21.88	-	S 75° 42' 00" E	-	-
C52	35.07	-	N 02° 38' 42" E	-	-
C53	10.10	-	S 02° 38' 42" E	-	-
C54	28.16	-	N 12° 22' 12" W	-	-

POC SOUTHWEST CORNER OF SECTION 14



LOT DATA

LOT	AREA	BEARING	LENGTH	CHORD	ANGLE
1	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
2	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
3	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
4	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
5	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
6	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
7	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
8	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
9	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
10	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
11	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
12	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
13	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
14	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
15	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
16	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
17	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
18	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
19	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
20	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
21	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"
22	1.14	N 0° 47' 30" W	1.14	1.14	004° 12' 47"

FINAL PLAT
ENDORSEMENT OF APPROVAL
Tulsa Metropolitan Area Planning Commission
Approval Date _____
TMA/PC/NOG
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's final action on the City of the County Clerk before that date.

CERTIFICATE
I hereby certify that all real estate taxes involved in this plat have been paid as reflected by the current tax rolls. Security as required has been provided in the amount of \$_____ per parcel receipt no _____ to be applied to _____ taxes. This certificate is NOT to be construed as payment of 20 _____ taxes in full but is given in order that this plat may be filed on record. 20 _____ taxes may exceed the amount of the security deposit.
Cred: _____ DENNIS SCHULER
Tulsa County Treasurer
By: _____ Deputy

29.8

PRELIMINARY PLAT

Reserve at Prairie Hill

A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE S/2 OF THE SW/4 OF SECTION 14, TOWNSHIP 19 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN.

SECTION V. TERM, AMENDMENT AND ENFORCEMENT

5.1 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, UTILITY EASEMENTS, OF SECTION 8, RESERVE AREAS, OF SECTION 9, PRIVATE BUILDING AND USE RESTRICTIONS, AND OF SECTION 10, HOMEOWNERS' ASSOCIATION ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERE TO AND WHETHER OR NOT THEREIN SO STATED THE COVENANTS WITHIN SECTIONS I, II, III, AND IV SHALL INURE TO THE BENEFIT OF AND BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA. IF THE UNDERSIGNED OWNER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION I, SECTION II, SECTION III, OR SECTION IV, THE SUPPLIER OF UTILITY SERVICE OR THE CITY OF TULSA, OKLAHOMA, MAY BRING AN 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 OR TO RECOVER DAMAGES. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDINGS HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

5.2 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.

5.3 AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I, UTILITY EASEMENTS, SECTION 8, RESERVE AREAS, SECTION 9, PRIVATE BUILDING AND USE RESTRICTIONS, OR SECTION 10, HOMEOWNERS' ASSOCIATION MAY BE AMENDED OR TERMINATED AT ANY TIME BY 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 PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AS ABOVE SET FORTH SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

5.4 SEVERABILITY

INVAIDATION 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, THE OWNER HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS _____ DAY OF _____, 2018.

LINCOLN LAND DEVELOPMENT
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY: _____
JEREMY ANDREWS, MANAGER

STATE OF OKLAHOMA)
) ss
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS _____ DAY OF _____, 2018, PERSONALLY APPEARED JEREMY ANDREWS TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF LINCOLN LAND DEVELOPMENT, AN OKLAHOMA LIMITED LIABILITY COMPANY, TO THE FOREGOING INSTRUMENT AS ITS MANAGER AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SUCH COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

CERTIFICATE OF SURVEY

I, JOHN L. LIBBY, JR., 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 HEREIN DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT IS A TRUE REPRESENTATION OF A SURVEY MADE ON THE GROUNDS 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 _____, 2018.

BY: _____
JOHN L. LIBBY, JR.
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1806

STATE OF OKLAHOMA)
) ss
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS _____ DAY OF _____, 2018, PERSONALLY APPEARED JOHN L. LIBBY, JR. TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF THE MANAGER THEREOF TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH. THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____ NOTARY PUBLIC

PRELIMINARY PLAT

Reserve at Prairie Hill

A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE S/2 OF THE SW/4 OF SECTION 14, TOWNSHIP 19 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN.

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT LINCOLN LAND DEVELOPMENT, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER SOMETIMES CALLED "OWNER," IS THE OWNER IN FEE POSSE OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, TO WIT:

A TRACT OF LAND LOCATED IN THE SOUTH HALF (S/2) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE OFFICIAL U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SECTION FOURTEEN (14); THENCE NORTH 86°15'41" EAST FOR A DISTANCE OF 750.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 01°11'02" WEST FOR A DISTANCE OF 1,320.66 FEET; THENCE NORTH 88°43'03" EAST FOR A DISTANCE OF 660.00 FEET; THENCE SOUTH 01°11'02" EAST FOR A DISTANCE OF 1,320.66 FEET; THENCE SOUTH 86°15'41" WEST FOR A DISTANCE OF 660.00 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINING 87,312.24 SQUARE FEET (2.00 ACRES); MORE OR LESS.

THE OWNER HAS CAUSED THE SAME TO BE SURVEYED, STATED, PLATTED AND SUBDIVIDED INTO TWENTY THREE LOTS IN THREE BLOCKS 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 "RESERVE AT PRAIRIE HILL," A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, (HEREINAFTER THE WORD "SUBDIVISION" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN "RESERVE AT PRAIRIE HILL," 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 ASSIGNEES, HEREBY AGREES TO CONVEY TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, BY THE DEED OF DEDICATION SET FORTH IN SECTION I, BELOW, WITH RESPECT TO SUCH COVENANTS ONLY, DOES HEREBY GRANT, AND AGREES TO CONVEY TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, THE FOLLOWING RESTRICTIONS AND COVENANTS, WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND WHICH SHALL BE ENFORCEABLE BY THE OWNER OR OWNER OF ANY PROPERTY WITHIN THE SUBDIVISION AND BY THE BENEFICIARIES OF THE COVENANTS SET FORTH IN SECTION I, BELOW, WITH RESPECT TO SUCH COVENANTS ONLY AND WHICH SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

SECTION I. STREETS AND UTILITY EASEMENTS

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE STREET RIGHT OF WAY DEPICTED ON THE ACCOMPANYING PLAT NOT DEPICTED AS RESERVE AREA A. THE OWNER HEREBY DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS U/E OR UTILITY EASEMENT FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING AND 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 THERE TO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES STATED, PROVIDED THE OWNER 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 AREAS DEPICTED ON THE PLAT. THE OWNER HEREBY PURCHASES 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 STATED USES AND PURPOSES OF THE UTILITY EASEMENTS SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVE, PARKING AREAS, CLUBING, LANDSCAPING AND CUSTOMER SCREENING FENCES WHICH DO NOT CONSTITUTE AN OBSTRUCTION.

3.1 WATER, SANITARY SEWER, AND STORM SEWER SERVICE

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

3.1.2 WITHIN THE UTILITY EASEMENT, RESTRICTED WATERLINE EASEMENT AND DRAINAGE EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTRATION OF GAS SERVICE, OR ANY OTHER CONSTRUCTION ACTIVITY THAT WOULD INTERFERE WITH THE CONTIGUOUS 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.

3.1.3 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.

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

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

3.2 PAYING 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 OCCURRED 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.

3.3 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 ACQUIRED 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 OF THE CONSTRUCTION OF INFRASTRUCTURE 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 A TEMPORARY CERTIFICATE OF OCCUPANCY.

3.4 UNDERGROUND SERVICE

3.4.1 OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED ALONG THE SOUTH PERIMETER EASEMENT ONLY OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE AND LINESWIRING 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 AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE POSTS/STALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE GENERAL UTILITY EASEMENTS.

3.4.2 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 USE DETERMINED BY THE LOCAL UTILITY AGENCIES SHOWING ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED. SERVICE UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A CONVEYING A 3 FOOT STRIP EXTENDING 25 FEET ON EACH SIDE OF THE SERVICE CABLE OR GAS LINES, FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE INTAKE ON THE STRUCTURE.

3.4.3 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 SHOWING ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REPAIRING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

3.4.4 THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNERS LOT AND SHALL PREVENT THE ALTRATION 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 ITS AGENTS OR CONTRACTORS.

3.4.5 THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH 3.4 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.

3.5 GAS SERVICE

3.5.1 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.

3.5.2 THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT AND SHALL PREVENT THE ALTRATION, 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.

3.5.3 THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH 3.5 SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

3.6 LOT SURFACE DRAINAGE

THE LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF NEIGHBORING LOTS. NO OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTION WHICH MAY OR MAY NOT BE NECESSARY TO PREVENT SURFACE WATERS FROM OVER AND ACROSS THE LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF TULSA, OKLAHOMA.

3.7 LIMITS OF NO ACCESS

THE UNDERGROUND OWNER HEREBY RENOUNCES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO EAST 33RD STREET SOUTH WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY

THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, 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 THERE TO, AND THE LIMITS OF NO ACCESS ABOVE ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF TULSA.

3.8 SIDEWALKS

3.8.1 SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED BY THE OWNER OF THE ADJUTING LOT AT SUCH OWNERS EXPENSE. THE SIDEWALK ADJUTING A LOT SHALL BE COMPLETED ACCORDING TO CITY OF TULSA STANDARDS PRIOR TO INITIAL OCCUPANCY OF THE STRUCTURE OF THE ADJUTING LOT.

3.8.2 THIS RESTRICTIVE COVENANT MAY BE ENFORCED BY ANY OWNER OF A LOT IN THE SUBDIVISION, THE HOMEOWNERS ASSOCIATION, OR THE CITY OF TULSA.

SECTION II. RESERVE AREAS

3.2 RESERVE AREA A - PRIVATE STREETS AND UTILITY EASEMENT

THE PRIVATE STREETS DEPICTED ON THE ACCOMPANYING PLAT WITHIN RESERVE AREA A ARE HEREBY DEDICATED BY THE DEVELOPER AS PRIVATE STREETS FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF THE RESIDENTIAL LOTS WITHIN RESERVE AT PRAIRIE HILL, THEIR QUEST AND INVITEES, FOR THE PURPOSE OF PROVIDING VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM THE VARIOUS LOTS, TO AND FROM PUBLIC STREETS, AND FOR PROVIDING COMMON PARKING AREAS, ENTRANCE SECURITY FACILITIES, DECORATIVE FENCING AND LANDSCAPING, AND ARE RESERVED FOR SUBSEQUENT CONVEYANCE TO A HOMEOWNERS ASSOCIATION, AS ADMINISTRATION AND MAINTENANCE OF THE PRIVATE STREETS AND OTHER COMMON AREAS OF THE SUBDIVISION. RESERVE AREA A SHALL INCLUDE AREAS PERTINENT TO THE SIGNAGE AND SECURITY FACILITIES REQUIRED FOR SAID PRIVATE STREETS.

THE DEVELOPER HEREBY GRANTS TO THE CITY OF TULSA, OKLAHOMA, THE UNITED STATES POSTAL SERVICE, ANY PUBLIC UTILITY PROVIDING UTILITY SERVICE TO THE SUBDIVISION, AND TO ANY REFUSE COLLECTION SERVICE WHICH PROVIDES SERVICE WITHIN THE SUBDIVISION, THE RIGHT TO ENTER AND TRAVEL THE PRIVATE STREETS AND TO OPERATE THEREON ALL SERVICE, EMERGENCY AND GOVERNMENT VEHICLES INCLUDING, BUT NOT LIMITED TO, POLICE AND FIRE VEHICLES AND EQUIPMENT.

THE DEVELOPER, FOR ITSELF AND ITS SUCCESSORS, HEREBY COVENANTS WITH THE CITY OF TULSA, OKLAHOMA, WHICH COVENANTS SHALL BE THE SAME AS THE COVENANTS SET FORTH IN THIS DEED OF DEDICATION, THAT THE PRIVATE STREETS AND UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, MEETING OR EXCEEDING THE NOW EXISTING SPECIFICATIONS OF THE CITY OF TULSA, OKLAHOMA, APPLICABLE TO MINOR RESIDENTIAL PUBLIC STREETS INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

3.4.1 CONSTRUCT AND MAINTAIN STREET SURFACING OF THE PRIVATE STREETS DEPICTED WITHIN THE ACCOMPANYING PLAT, MEETING OR EXCEEDING THE NOW EXISTING SPECIFICATIONS OF THE CITY OF TULSA, OKLAHOMA, APPLICABLE TO MINOR RESIDENTIAL PUBLIC STREETS INCLUDING BUT NOT LIMITED TO THE FOLLOWING:

3.1.1.1 QUALITY AND THICKNESS SPECIFICATIONS FOR GUTTERS, BASE AND PAVING MATERIALS;

3.1.2 SURFACING WIDTH OF A TWO WAY STREET SECTION OF NOT LESS THAN 26 FEET AND A SURFACING WIDTH OF A ONE WAY STREET SECTION OF NOT LESS THAN 20 FEET, MEASURED FROM FACE OF CURB TO FACE OF CURB;

3.1.3 CONCRETE CURBING; AND

3.1.4 VERTICAL GRADE: PROVIDING, HOWEVER, THE RIGHT-OF-WAY WIDTHS, AS DEPICTED UPON THE ACCOMPANYING PLAT ARE PERMITTED, AND A MAXIMUM VERTICAL GRADE OF 5% PERMITTED.

3.2.2 SECURE INSPECTION BY THE CITY OF TULSA, OKLAHOMA OF THE PRIVATE STREETS AND SECURE CERTIFICATION BY THE CITY OF TULSA, OKLAHOMA THAT THE PRIVATE STREETS HAVE BEEN CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS ABOVE SET FORTH, OR BY THE CITY OF TULSA, OKLAHOMA DELEGATES TO INSPECT THE PRIVATE STREET, CERTIFICATION SHALL BE SECURED FROM A REGISTERED PROFESSIONAL ENGINEER THAT THE PRIVATE STREETS WERE CONSTRUCTED IN ACCORDANCE WITH THE STANDARDS ABOVE SET FORTH, AND THE REQUIRED CERTIFICATION SHALL BE FILED WITH THE TULSA METROPOLITAN AREA PLANNING COMMISSION PRIOR TO THE ISSUANCE OF A BUILDING PERMIT FOR ANY LOT THAT DERIVES ITS ACCESS FROM ANY SUCH PRIVATE STREET.

3.2.3 PROHIBIT THE ERECTION OF ANY ARCH OR SIMILAR STRUCTURE OVER ANY PRIVATE STREET AS DEPICTED ON THE ACCOMPANYING PLAT WHICH WOULD PROHIBIT ANYTHING FROM DAMAGE OR RELOCATION OF FACILITIES ANY FIRE VEHICLE, FROM EFFECTIVE USAGE OF THE PRIVATE STREETS PROVIDED HOWEVER, CUSTOMARY SECURITY GATING MAY BE INSTALLED.

SECTION III. PRIVATE BUILDINGS AND USE RESTRICTIONS

WHEREAS, THE OWNER/DEVELOPER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION AND CONFORMITY AND COMPATIBILITY OF IMPROVEMENTS THEREIN, 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.

3.1 ARCHITECTURAL COMMITTEE - PLAN REVIEW

ALL NEW HOMES WILL UNDERGO AN ARCHITECTURE REVIEW PROCESS BEFORE CONSTRUCTION BEGINS. RESERVE AT PRAIRIE HILL WANTS TO ENSURE THAT THE NATURAL BEAUTY, QUALITY OF LIFE, AND PERSONAL INVESTMENTS WITHIN THE COMMUNITY ARE PRESERVED. ALL FEATURES GOVERNED BY THE ARCHITECTURAL GUIDELINES WILL REQUIRE WRITTEN APPROVAL FROM THE ARCHITECTURAL COMMITTEE PRIOR TO CONSTRUCTION OR INSTALLATION.

3.1.1 NO BUILDING, FENCE OR WALL SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT IN THE SUBDIVISION UNTIL THE PLANS AND SPECIFICATIONS HAVE BEEN APPROVED IN WRITING BY LINCOLN LAND DEVELOPMENT, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, ITS AUTHORIZED REPRESENTATIVES OR SUCCESSORS, WHICH ARE HEREINAFTER REFERRED TO AS THE "ARCHITECTURAL COMMITTEE." FOR EACH BUILDING, THE REQUIRED PLANS AND SPECIFICATIONS SHALL BE SUBMITTED IN DUPLICATE OR ELECTRONICALLY AND SHALL INCLUDE A SITE PLAN, WHICH INCLUDES DRAINAGE, FLOOR PLAN AND EXTERIOR ELEVATIONS. IN THE EVENT THE ARCHITECTURAL COMMITTEE FAILS TO APPROVE OR DISAPPROVE PLANS AND SPECIFICATIONS SUBMITTED TO IT AS HEREIN REQUIRED WITHIN 14 CALENDAR DAYS AFTER SUBMISSION, THE PLANS WILL BE CONSIDERED APPROVED, AND THIS COVENANT SHALL BE DEEMED TO HAVE BEEN FULLY COMPLIED WITH.

3.1.2 THE ARCHITECTURAL COMMITTEE'S PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITHIN THE SUBDIVISION AND IN ITS REVIEW OF PLANS OR DETERMINATION OF ANY WAIVER AS HEREIN AFTER AUTHORIZED MAY TAKE INTO CONSIDERATION THE NATURE AND CHARACTER OF THE PROPOSED BUILDING OR STRUCTURE, THE MATERIALS OF WHICH IT IS TO BE BUILT, THE AVAILABILITY OF ALTERNATIVE MATERIAL, THE SITE UPON WHICH IT IS PROPOSED TO BE ERECTED AND THE HARMONY THEREOF WITH THE SURROUNDING AREA. THE ARCHITECTURAL COMMITTEE SHALL NOT BE LIABLE FOR ANY APPROVAL, DISAPPROVAL OR FAILURE TO APPROVE HEREUNDER AND ITS APPROVAL OF BUILDING PLANS SHALL NOT CONSTITUTE A WARRANTY OR RESPONSIBILITY FOR BUILDING METHODS, MATERIALS, PROCEDURES, STRUCTURAL DESIGN, GRADING OR DRAINAGE OR CODE VIOLATIONS. THE APPROVAL OR FAILURE TO APPROVE BUILDING PLANS SHALL NOT BE DEEMED A WAIVER OF ANY RESTRICTION, NOTHING HEREIN CONTAINED SHALL BE DEEMED TO PREVENT ANY LOT OWNER IN THE SUBDIVISION FROM PROSECUTING ANY LEGAL ACTION RELATING TO IMPROVEMENTS WITHIN THE SUBDIVISION WHICH THEY WOULD OTHERWISE BE ENTITLED TO PROSECUTE.

3.1.3 THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE SHALL, ON THE CLOSING OF THE 23RD LOT IN PHASE 1 OF RESERVE AT PRAIRIE HILL, BE DEEMED TRANSFERRED TO THE HOMEOWNERS ASSOCIATION PROVIDED FOR IN SECTION IV, OR UPON WRITTEN ASSIGNMENT TO THE HOMEOWNERS ASSOCIATION BY THE ARCHITECTURAL COMMITTEE, WHICHEVER EVENT FIRST OCCURS, AND THEREAFTER THE FOREGOING POWERS AND DUTIES SHALL BE EXERCISED BY THE BOARD OF DIRECTORS OF THE HOMEOWNERS ASSOCIATION.

3.2 FLOOR AREA OF DWELLING

3.2.1 SINGLE STORY, A SINGLE STORY DWELLING SHALL BE AT LEAST 3,000 SQUARE FEET.

3.2.2 TWO STORY AND STORY AND A HALF, IF A DWELLING HAS TWO LEVELS OR STORIES IMMEDIATELY ABOVE AND BELOW EACH OTHER MEASURED VERTICALLY AND ALL SUCH LEVELS OR STORIES ARE ABOVE THE FINISHED EXTERIOR GRADE OF SUCH DWELLING, THEN SUCH DWELLING SHALL BE AT LEAST 1,600 SQUARE FEET ON THE FIRST STORY OR LEVEL AND SHALL HAVE A TOTAL OF THE VARIOUS LEVELS OR STORIES OR AT LEAST 3,200 SQUARE FEET.

3.3 GARAGES

EACH DWELLING SHALL HAVE AN ATTACHED GARAGE PROVIDING SPACE FOR A MINIMUM OF TWO AUTOMOBILES ON EACH LOT, GARAGES SHALL BE ENCLOSED AND CARPORTS ARE PROHIBITED.

3.5 MASONRY

3.5.1 THE FIRST STORY EXTERIOR WALLS OF THE DWELLING ERECTED ON ANY LOT SHALL BE A MINIMUM OF 75% MASONRY ELEMENTS (EXCLUDING WINDOWS, DOORS, PORCHES, AND PATIOS), UNLESS WAIVED IN WRITING BY THE ARCHITECTURAL COMMITTEE.

3.7 ROOF PITCH

3.7.1 NO DWELLING SHALL HAVE A ROOF PITCH OF LESS THAN 9/12 OVER 75% OF THE HOMEOWNERS ASSOCIATION COVERED BY ROOF, UNLESS WAIVED IN WRITINGS BY THE ARCHITECTURAL COMMITTEE.

3.8 LANDSCAPING AND GROUNDS

3.8.1 DRIVEWAYS MUST BE A MINIMUM OF 16 FEET.

3.8.2 FENCING SHALL BE IN ACCORDANCE WITH THE CITY OF TULSA ZONING. ALL FENCING SHALL BE 3 RAIL WHITE AND WOOD PICKET FENCE. PLACEMENT OF ALL FENCING TO BE WITHIN COMMUNITY STANDARDS.

3.8.3 EACH LOT SHALL HAVE THE FRONT YARD MAINTAINED BY AN IRRIGATION SYSTEM. IRRIGATION SYSTEMS SHALL BE APPROVED BY ARCHITECTURAL COMMITTEE PRIOR TO INSTALLATION.

3.8.4 ALL FENCING SHALL BE IN ACCORDANCE WITH THE CITY OF TULSA ZONING CODE. ALL FENCING MUST BE APPROVED BY THE ARCHITECTURAL COMMITTEE IN WRITINGS PRIOR TO INSTALLATION. ALL FENCING SHALL BE THREE (3) RAIL WHITE, NO WOOD PICKET FENCE SHALL BE ALLOWED. PLACEMENT OF ALL FENCING IS TO BE WITHIN COMMUNITY STANDARDS.

3.9 FENCING AND ACCESS LIMITATION

EACH DWELLING SHALL FRONT AN INTERIOR PRIVATE STREET AND DERIVE ITS ACCESS SOLELY FROM AN INTERIOR PRIVATE STREET, ON CORNER LOTS, THE DWELLING SHALL FRONT THE GREATER OF THE BUILDING SETBACK LINES IF DIFFERING BUILDING SETBACK LINES HAVE BEEN ESTABLISHED ON THE LOT.

3.10 YARDS AND SETBACKS

3.10.1 STREET SETBACK: NO BUILDING SHALL BE ERECTED NEARER TO A PUBLIC STREET THAN THE BUILDING SETBACK LINES DEPICTED ON THE ACCOMPANYING PLAT.

3.10.2 SIDE YARD: NO SIDE YARD SHALL BE LESS THAN TEN (10) FEET IN WIDTH.

3.10.3 REAR YARD: THE REAR YARD SHALL NOT BE LESS THAN 25 FEET AS MEASURED FROM THE REAR PROPERTY LINE TO THE REAR WALL OF THE HOME.

3.10.4 EASEMENT SETBACKS: NO BUILDING SHALL ENCRATCH UPON ANY UTILITY EASEMENT AS DEPICTED ON THE ACCOMPANYING PLAT.

SECTION IV. HOMEOWNER'S ASSOCIATION

4.1 FORMATION OF HOMEOWNER'S ASSOCIATION: THE OWNER/DEVELOPER HAS FORMED OR SHALL CAUSE TO BE FORMED THE "RESERVE AT PRAIRIE HILL" HOMEOWNERS ASSOCIATION, INC. (HEREINAFTER REFERRED TO AS THE "ASSOCIATION"), A NON PROFIT CORPORATE ENTITY TO BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AND TO BE FORMED FOR THE GENERAL PURPOSES OF MAINTAINING THE COMMUNITY AREAS AND ENHANCING THE VALUE, DESIRABILITY AND ATTRACTIVENESS OF RESERVE AT PRAIRIE HILL.

4.2 MEMBERSHIP: EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE FEE INTEREST OF A LOT SHALL BE A MEMBER OF THE ASSOCIATION, AND MEMBERSHIP SHALL BE APPLICABLE TO THE FEE INTEREST OF A DEED THROUGHOUT THE TERM OF THE ACCEPTANCE OF A DEED TO A LOT SHALL CONSTITUTE ACCEPTANCE OF MEMBERSHIP TO THE ASSOCIATION AS OF THE DATE OF INCORPORATION, OR AS OF THE DATE OF RECORDING OF THE DEED, WHICHEVER OCCURS LAST.

4.3 COVENANT FOR ASSESSMENTS: THE OWNER/DEVELOPER AND EACH SUBSEQUENT OWNER OF A LOT BY DEED OR BY DEED THROUGHOUT THE TERM OF THE COVENANT AND AGREE TO PAY TO THE ASSOCIATION ASSESSMENTS TO BE ESTABLISHED BY THE BOARD OF DIRECTORS IN ACCORDANCE WITH A DECLARATION TO BE EXECUTED AND RECORDED BY THE OWNER/DEVELOPER PRIOR TO THE CONVEYANCE OF A LOT WITHIN RESERVE AT PRAIRIE HILL, AS ASSESSMENT SHALL BE A LIEN ON THE LOT AGAINST WHICH IT IS MADE, BUT THE LIEN SHALL BE SUBORDINATE TO THE LIEN OF ANY FIRST MORTGAGE.

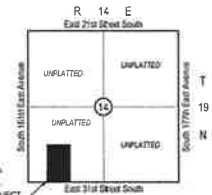
4.4 ENFORCEMENT RIGHTS OF THE ASSOCIATION: WITHOUT LIMITATION OF SUCH OTHER POWERS AND RIGHTS AS THE ASSOCIATION MAY HAVE, THE ASSOCIATION SHALL BE DEEMED A BENEFICIARY, TO THE SAME EXTENT AS A LOT OWNER, OF THE VARIOUS COVENANTS SET FORTH WITHIN THIS DOCUMENT, AND SHALL HAVE THE RIGHT TO ENFORCE THE COVENANTS TO THE SAME EXTENT AS A LOT OWNER.

2911

CONCEPTUAL SITE PLAN

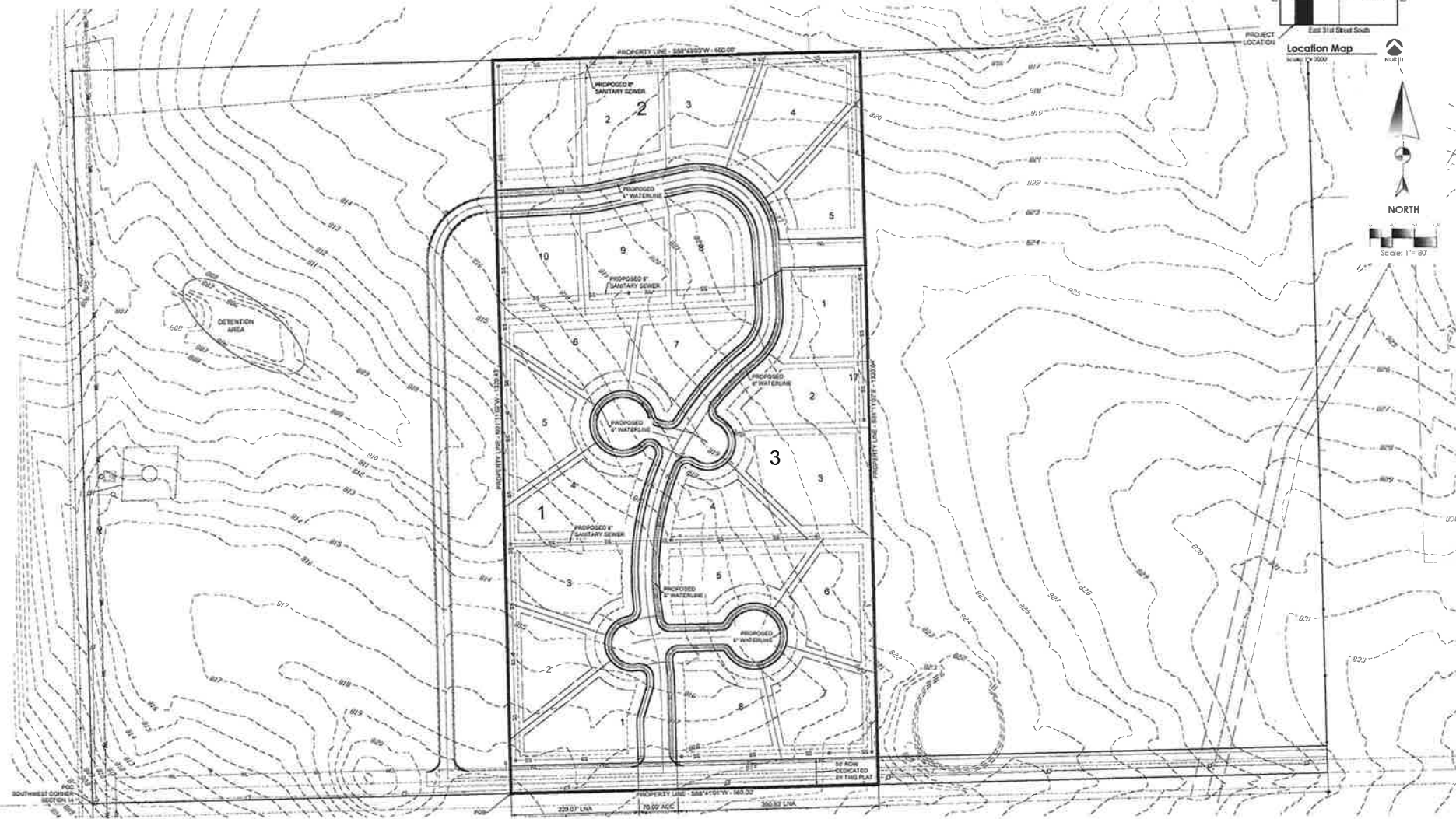
Reserve at Prairie Hill

A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA,
BEING A PART OF THE S/2 OF THE SW/4 OF SECTION 14,
TOWNSHIP 19 NORTH, RANGE 14 EAST, OF THE INDIAN BASE AND MERIDIAN.



Location Map

Scale: 1" = 60'





Tulsa Metropolitan Area
Planning Commission

Case Number: LS-21114

Lot-Split

Hearing Date: March 7, 2018

Case Report Prepared by:

Amy Ulmer

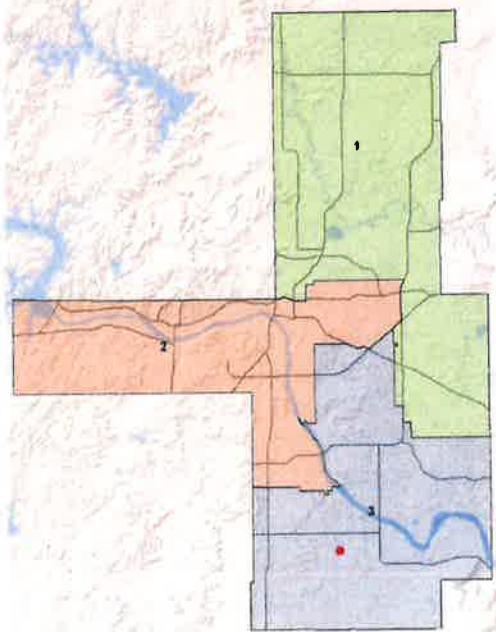
Owner and Applicant Information:

Applicant: Tanner Consulting, LLC

Property Owners: Precision Project
Management, INC.

Location Map:

(shown with County Commission Districts)



Applicant Proposal:

Proposal to split an existing AG tract into
three tracts.

The lot-split requires a waiver of the
Subdivision Regulations that no lot have more
than three side lot lines.

Existing Use: Vacant

Tract 1 Size: 2.51 ± acres

Tract 2 Size: 2.51 ± acres

Tract 3 Size: 5.0 ± acres

Location: East of the southeast corner of East
161st Street South & South Harvard Avenue

Comprehensive Plan:

Land Use Map:

N/A

Stability and Growth Map:

N/A

Zoning:

Existing Zoning: AG

Staff Recommendation:

Staff recommends **approval** of the lot-split and
the waiver of the Subdivision Regulations that
no lot have more than three side lot lines.

County Commission District: 3

Commissioner Name: Ron Peters

Lot-Split and Waiver of Subdivision Regulations

March 7, 2018

LS-21114

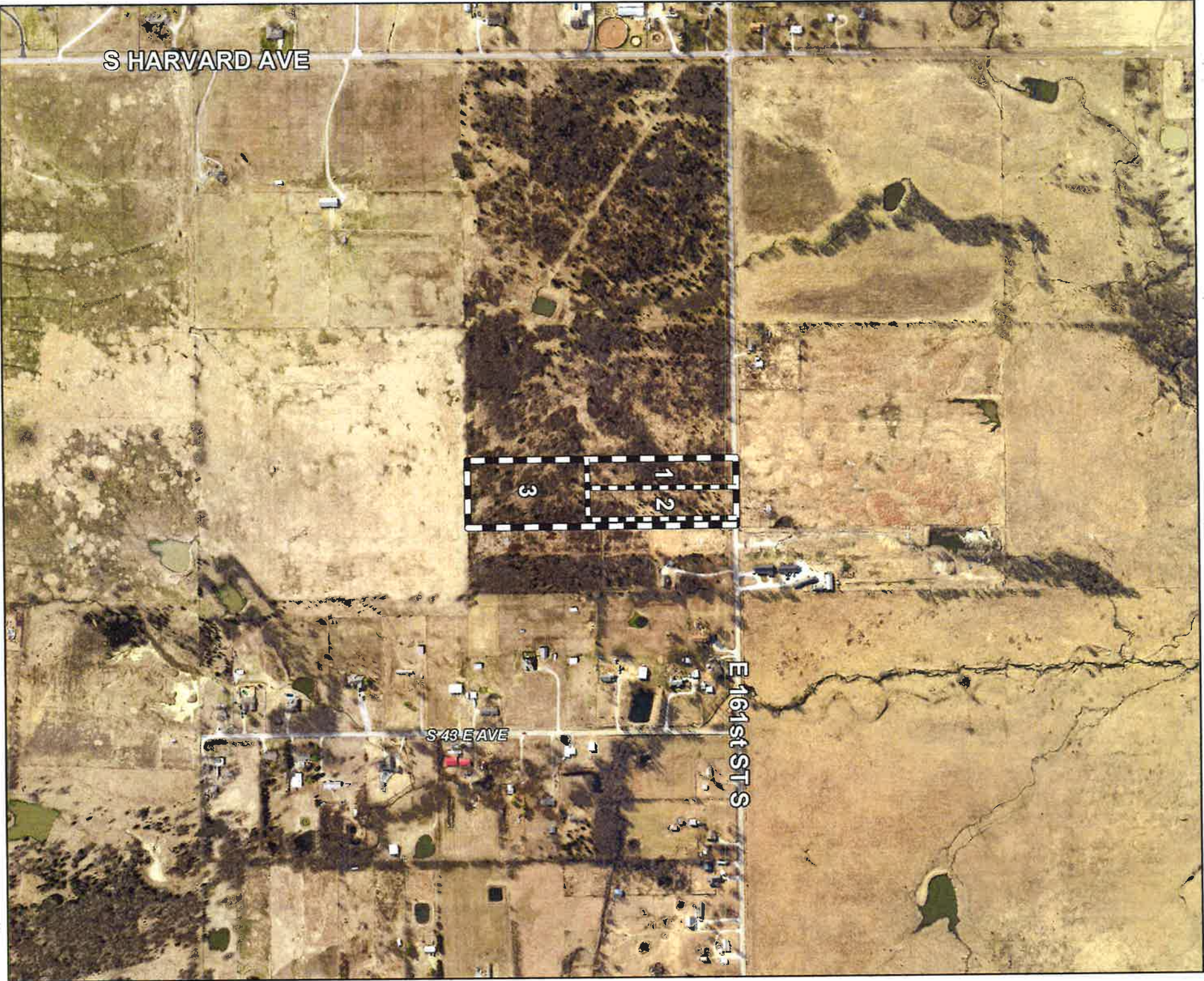
Tanner Consulting, LLC., (7328) (AG) (County)

Location: East of the southeast corner of East 161st Street South and South Harvard Avenue

The Lot-Split proposal is to split an existing Agriculture-Residential (AG) tract into three tracts. All tracts will meet the Bulk and Area requirements of the Tulsa County Zoning Code.

The Technical Advisory Committee met on February 15, 2018 and had the following comment. The County Engineer is requesting that 50' of right-of-way be dedicated along East 161st Street South, including any previously dedicated right-of-way.

The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends **APPROVAL** of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.



S HARVARD AVE

E 161st ST S

S 43rd E AVE

0
300
600
Feet



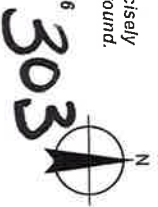
Subject
Tract

LS-21114

17-13 28

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

Aerial Photo Date: February 2016





Tulsa Metropolitan Area
Planning Commission

Case Number: CZ-470

Hearing Date: March 7, 2018

Case Report Prepared by:

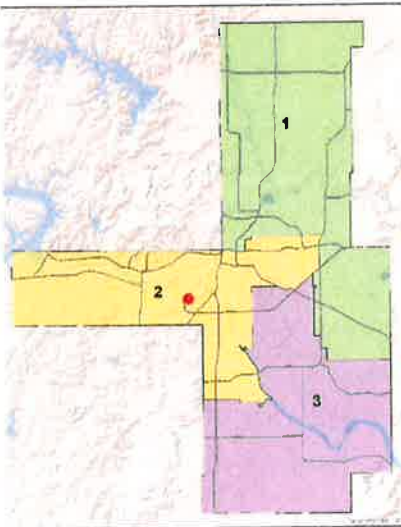
Jay Hoyt

Owner and Applicant Information:

Applicant: Thomas Barclay

Property Owner: BARCLAY, THOMAS NELL
& EDWARD LEE BARCLAY

Location Map:
(shown with County Commission Districts)



Applicant Proposal:

Present Use: vacant

Proposed Use: as allowed in CS

Concept summary: Rezone from RS to CS to permit commercial uses as allowed in CS.

Tract Size: 4.62 \pm acres

Location: Northwest corner of West 41st Street
South & South 51st West Avenue

Zoning:

Existing Zoning: RS

Proposed Zoning: CS

Comprehensive Plan:

Land Use Map: N/A

Stability and Growth Map: N/A

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9220

CZM: 45

Atlas: 257

County Commission District: 2

Commissioner Name: Karen Keith

311

SECTION I: CZ-470

DEVELOPMENT CONCEPT: Rezone from RS to CS in order to permit the marketing and possible future development of commercial uses, as allowed in CS, for the subject lot. No specific uses are proposed at this time.

EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)

DETAILED STAFF RECOMMENDATION:

CS zoning is non injurious to the existing proximate properties and;

CS zoning is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-470 to rezone property from RS/ to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The Tulsa County District 9 plan designates the subject lot as being, Low Intensity within a Corridor along the Gilcrease Expressway. A new Berryhill Small Area Plan is currently being developed, which this lot would be located within, which will bring the plan for this area into a more up-to-date form.

Land Use Vision:

Land Use Plan map designation: Low Intensity / Corridor

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: W 41st St S is designated as a Secondary Arterial. A new interchange between the Gilcrease Expressway expansion and W 41st St S is currently planned approximately ¼ mile from the subject lot.

Trail System Master Plan Considerations: The site is located within ¼ mile of the Gilcrease West Trail

Small Area Plan: Subject lot will be located within the Berryhill Small Area Plan, currently being developed.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The subject lot is currently vacant except for a barn and single-family home that appear to no longer be in use.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
W 41 st St S	Secondary Arterial	100 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
North	RS	N/A	N/A	Single-Family
South	IR	N/A	N/A	Vacant
East	RS	N/A	N/A	Vacant/Single-Family
West	RS	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:

CBOA-2612 January 2017: The Board of Adjustment **approved** a *special exception* to allow auto repair and service (Use Unit 17) in the CS District (Section 710); and a *variance* of the screening requirement along the north lot line (Section 1217), on property located at the northeast corner of South 49th West Avenue and West 41st Street South.

PUD-824/CZ-437 January 2015: All concurred in **approval** of a proposed *Planned Unit Development* on a 21.85± acre tract of land; and **approval** of a request for *rezoning* from AG to RM-2/CG/PUD-824 on property located west of the southwest corner of West 41st Street South and South 49th West Avenue.

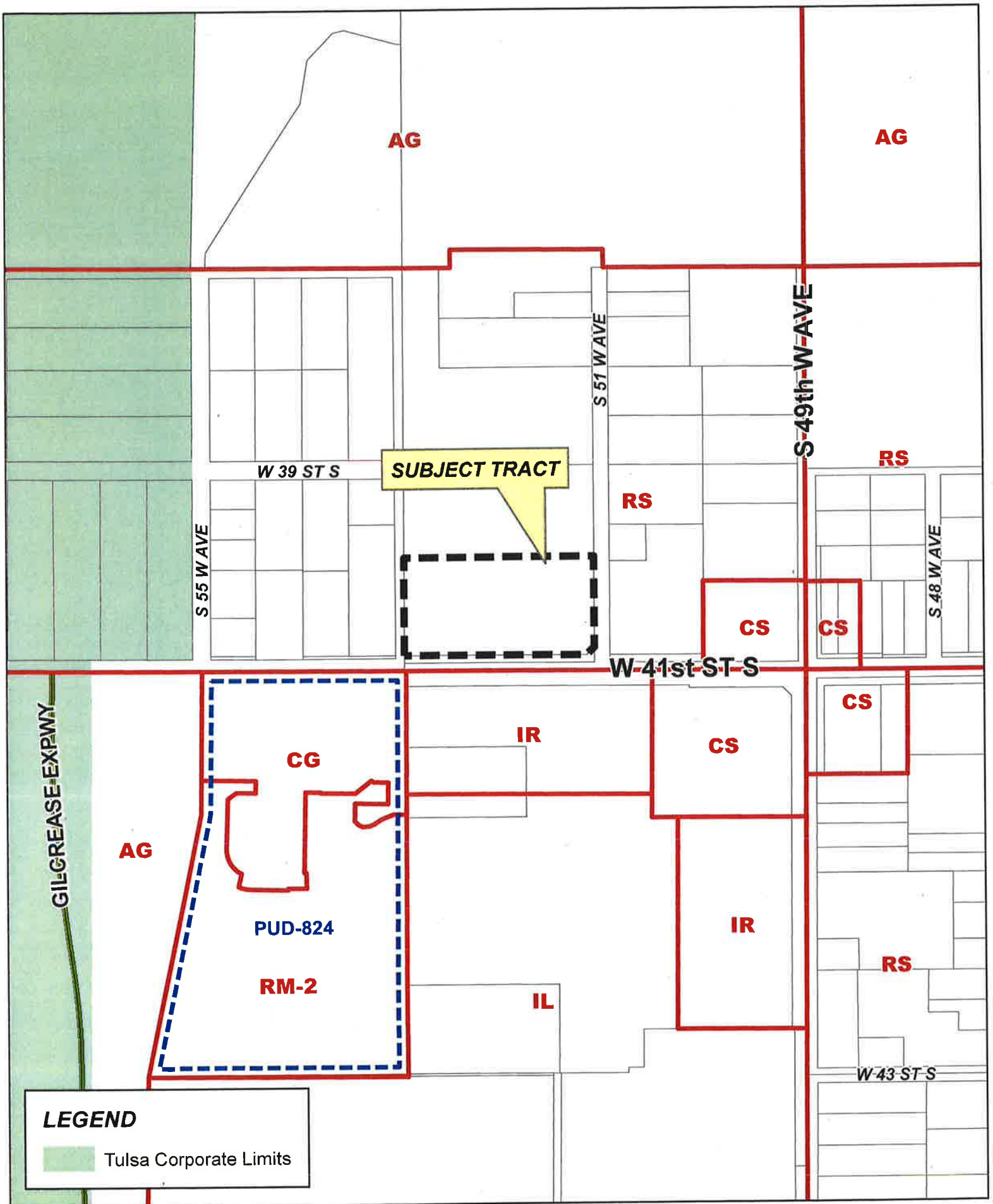
CBOA-2352 November 2009: The Board of Adjustment **approved** a *special exception* to permit a church use (Use Unit 5) in an IL district (Section 910), on property located west of the southwest corner of West 41st Street South and South 49th West Avenue.

CBOA-2268 June 2007: The Board of Adjustment **approved** a *special exception*, with conditions, to permit a fireworks stand, a pumpkin patch, and Christmas tree sales (Use unit 2) in a CS district; and **approved** a *variance* of the paving requirement to permit a temporary gravel driving surface, on property located west of the southwest corner of West 41st Street South and South 49th West Avenue.

CBOA-2090 April 2004: The Board of Adjustment **approved** a *special exception* to allow an Electrical Contracting business in the CS district and **denied** a *special exception* to allow a gravel parking area, on property located at the southeast corner of South 49th West Avenue and West 41st Street South.

CZ-162 January 1988: All concurred in **approval** of a request for rezoning a 40± acre tract of land from AG to CS/IR/IL for commercial and light industrial on property located on the southwest corner of West 41st Street South and South 49th West Avenue.

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CZ-470

19-12 20

31.5 



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Subject Tract

CZ-470

19-12 20

31.4

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

Aerial Photo Date: February 2016





W 41st ST S

S 51st WAVE



Subject
Tract

CZ-470

19-12 20

31.7

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

Aerial Photo Date: February 2016





Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7424

Hearing Date: March 7, 2018

Case Report Prepared by:

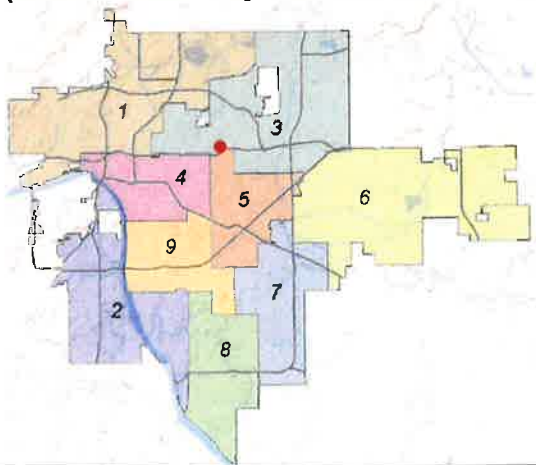
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Chris Hopper

Property Owner: Superior Salvage Realestates,
LLC

**Location Map:
(shown with City Council Districts)**



Applicant Proposal:

Present Use: vacant

Proposed Use: vehicle storage

Concept summary: IM Zoning requested for salvage
yard expansion.

Tract Size: .55 ± acres

Location: W. of NW/c of E. Archer St. & S. Hudson Ave.

Zoning:

Existing Zoning: RS-3

Proposed Zoning: IM

Comprehensive Plan:

Land Use Map: Employment, Existing
Neighborhood

Stability and Growth Map: Area of Growth

Staff Recommendation:

**Staff recommends denial of Z-7424 requesting
IM zoning.**

Staff Data:

TRS: 0334

CZM: 30

Atlas: 173

City Council District: 3

Councilor Name: David Patrick

County Commission District: 2

Commissioner Name: Karen Keith

SECTION I: Z-7424

DEVELOPMENT CONCEPT: Rezone the east portion of the abandoned rail right of way for expansion of an auto salvage.

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:
 - Boundary Exhibit and legal description.

DETAILED STAFF RECOMMENDATION:

The parcel included in Z-7424 does not have a land use designation. As a result, the property cannot be considered consistent or inconsistent with the land use designation and,

IM zoning is not consistent with the anticipated development pattern east of the site. Further north along the rail line the railroad right of way has been successfully used as a buffer mitigating the adverse impact of industrial uses for property owners east of the rail right of way and,

The Go plan recommends using the right of way for a trail. Changing the site to IM zoning to allow expansion of the salvage yard conflicts with that plan,

IM zoning would be considered injurious to property owners abutting the east boundary of Z-7424 therefore,

Staff recommends Denial of Z-7424 to rezone property from IL,RS-3 to IM.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The comprehensive plan recognizes this area as an area that was expected to see a transition from the existing neighborhood but has not provide guidance on the expected long-term land use. The current undeveloped railroad right of way has been abandoned and provides a buffer to help mitigate the impacts of the salvage yard to potential redevelopment opportunities east of the site.

Land Use Vision:

Land Use Plan map designation:

The land use map recognized this area as a rail right of way and does not illustrate a land use designation. The surrounding properties on the West, South and south 150 feet all are included in an Employment area. Much of the east boundary of the request is classified as an existing neighborhood

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

32.2

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.

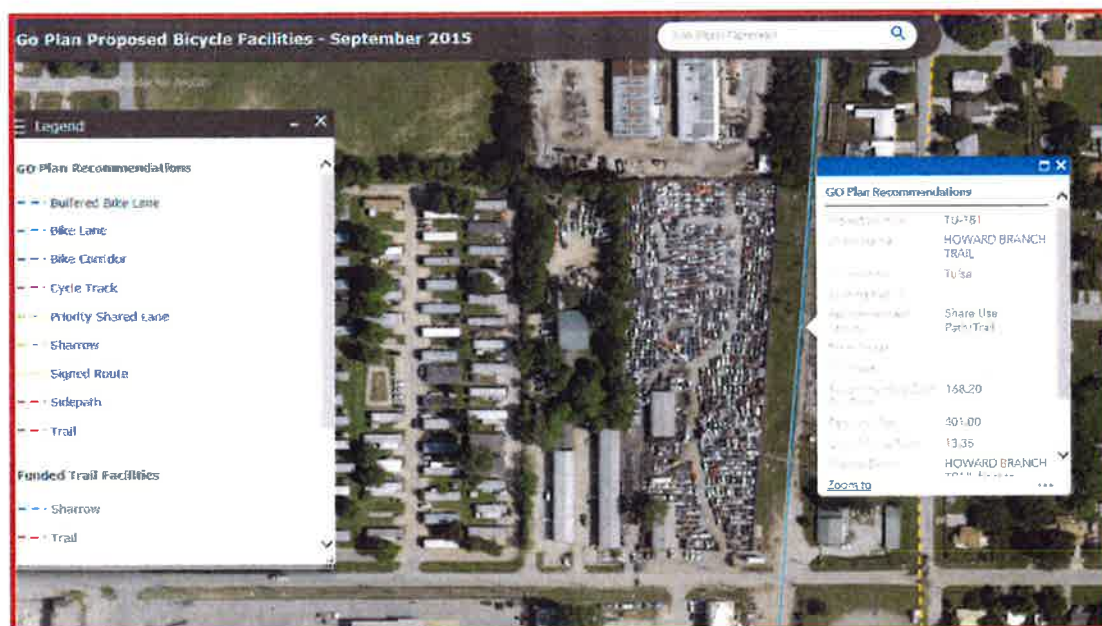
Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas 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 for Archer

Trail System Master Plan Considerations: The railroad right of way is a recommended route for the Howard Branch Trail illustrated in the GO plan.

Go Plan Snippet:



Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS: The site is an abandoned rail road right of way that has been used for outdoor storage. The site is flat and abuts residentially zoned property.

Street View from south east property corner looking north.



Staff Summary: The site is nearly flat with gravel surface. It is obvious from aerial images that the site is being used for vehicle access and possibly some outdoor storage.

Environmental Considerations: None that would affect site redevelopment

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
East Archer Street	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
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North	RS-3	Existing Neighborhood	Growth	Single family residential
East	IL and RS-3	Employment and existing neighborhood	Growth	Industrial in IL zoned property. Auto mechanical shop (possibly vacant)
South	IL	Employment	Growth	Industrial
West	IM	Employment	Growth	Automobile salvage

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11910 dated June 26, 1970, established zoning for the subject property.

Subject Property: No relevant history

Surrounding Property:

BOA-21896 May 2015: The Board of Adjustment **approved** a request for a *modification* of a previous condition (imposed by BOA-19948) restricting outside storage to permit outside storage of materials on the subject tract but only under the areas shown on page 7.11 of the board's agenda packet, on property located at the southeast corner of North Fulton Avenue and East Archer Street.

BOA-19948 December 2004: The Board of Adjustment **approved** a *special exception* to permit light manufacturing/industrial uses in a CH zoned district with conditions: no outside storage, no chain link fence, fence must have appearance of wrought iron fence and must be consistent with conceptual plan, no outside manufacturing, on property located at the southeast corner of North Fulton Avenue and East Archer Street.

BOA-19245 December 2001: The Board of Adjustment **approved** a *variance* of the required all-weather material surface for parking to allow parking on grass surface, finding the hardship to be there are a number of other similar businesses in the area with unpaved parking, on property located north of the northeast corner of North Fulton Avenue and East Archer Street.

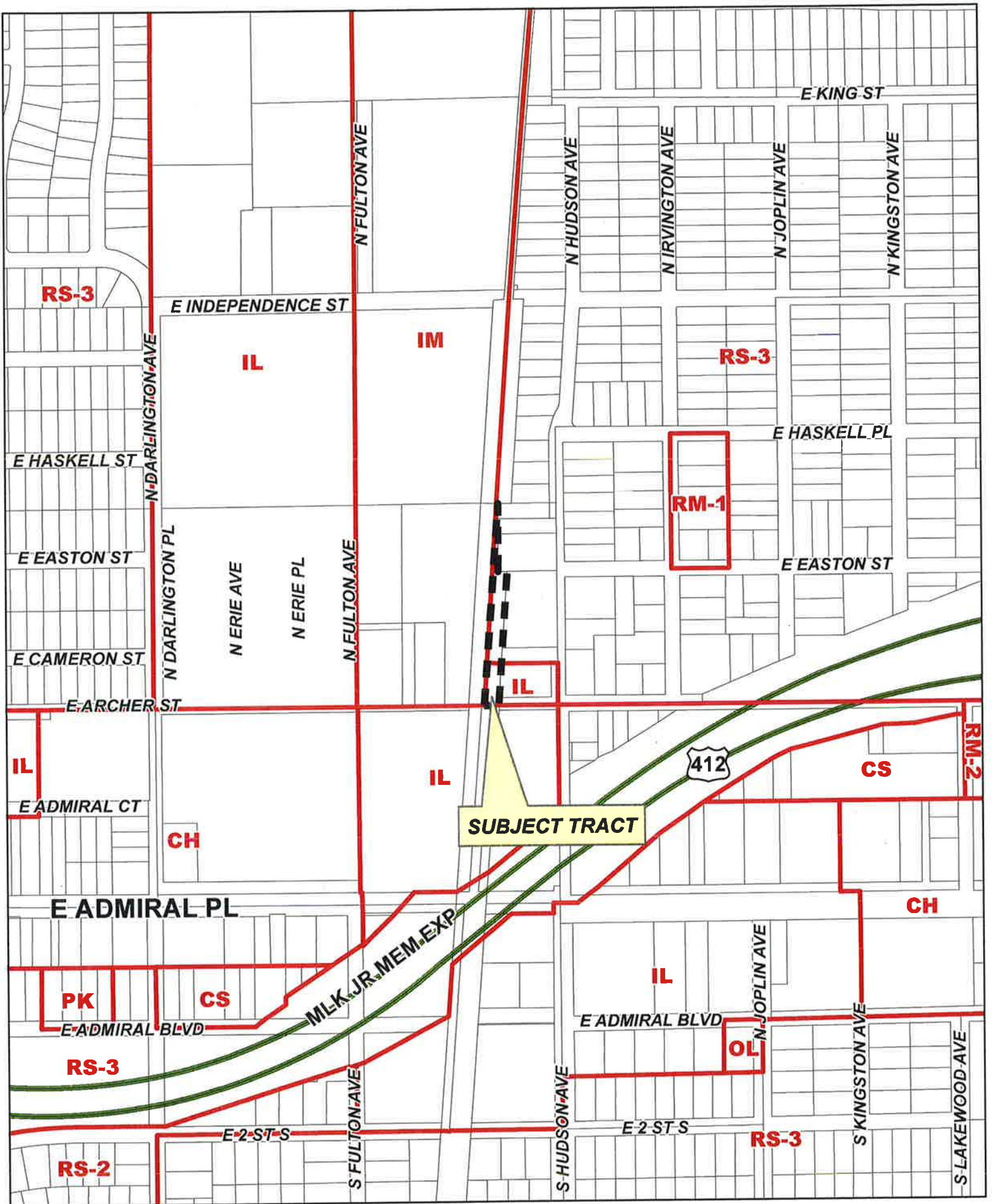
BOA-17992 April 1998: The Board of Adjustment **approved** a *variance* of landscaping requirements and a *variance* of required setback from an R district, from 75' down to 36.85', per plan submitted and provided that there be no outside storage on property located on the northeast corner of East Archer Street and North Hudson Avenue.

BOA-15340 January 1990: The Board of Adjustment **approved** a *special exception* to permit an automobile salvage in an IM zoned district; subject to all repair operations being conducted inside the building; subject to the installation of screening around the salvage area; and subject to vehicles being stacked not higher than the screening fence; finding that the salvage operation is compatible with the surrounding uses, on property located north and east of North Fulton Avenue and East Archer Street (5523 E. Archer St.).

BOA-14858 July 1988: The Board of Adjustment **approved** a *special exception* for a 100' expansion of an automobile salvage to the North, in an IM zoned district, per plan submitted, on property located north and east of North Fulton Avenue and East Archer Street (5523 E. Archer St.).

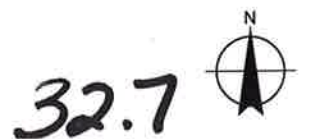
BOA-14245 July 1988: The Board of Adjustment **approved** a *special exception* to allow for a foreign sports car auto salvage in an IM zoned district subject to all salvage sport cars being restricted to the north 160' of the property in question; subject to all engine repair being done inside the building; subject to screening being installed on the east side of the entire property and also completely around the salvage area; subject to hours of operation being from 8 a.m. to 5 p.m., on property located north and east of North Fulton Avenue and East Archer Street (5523 E. Archer St.).

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Z-7424

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Subject Tract

Z-7424

20-13 34

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

Aerial Photo Date: February 2016

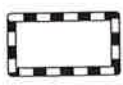
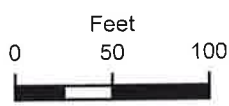




N HUDSON AVE

E EASTON ST

E ARCHER ST



Subject
Tract

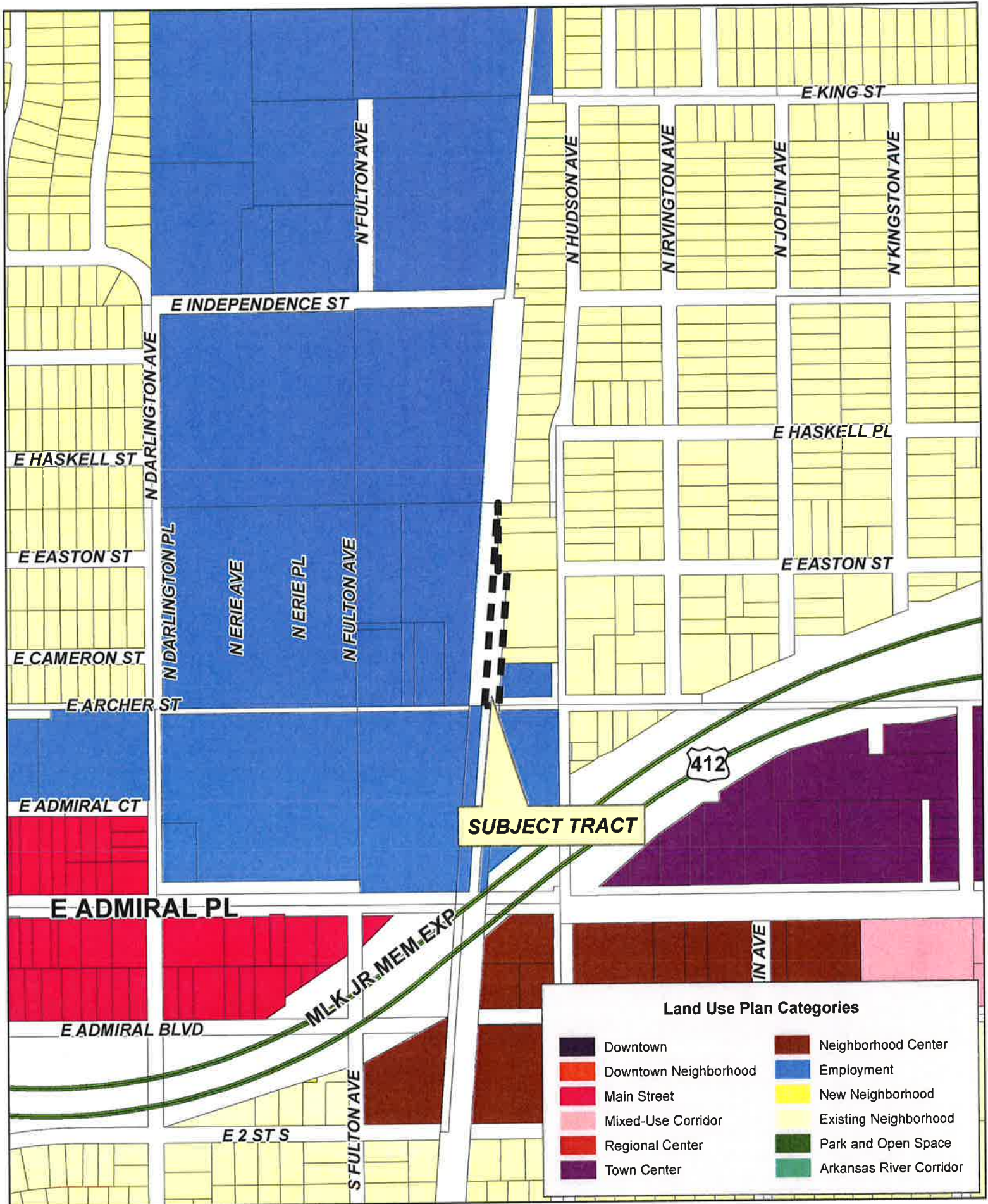
Z-7424

20-13 34

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

Aerial Photo Date: February 2016



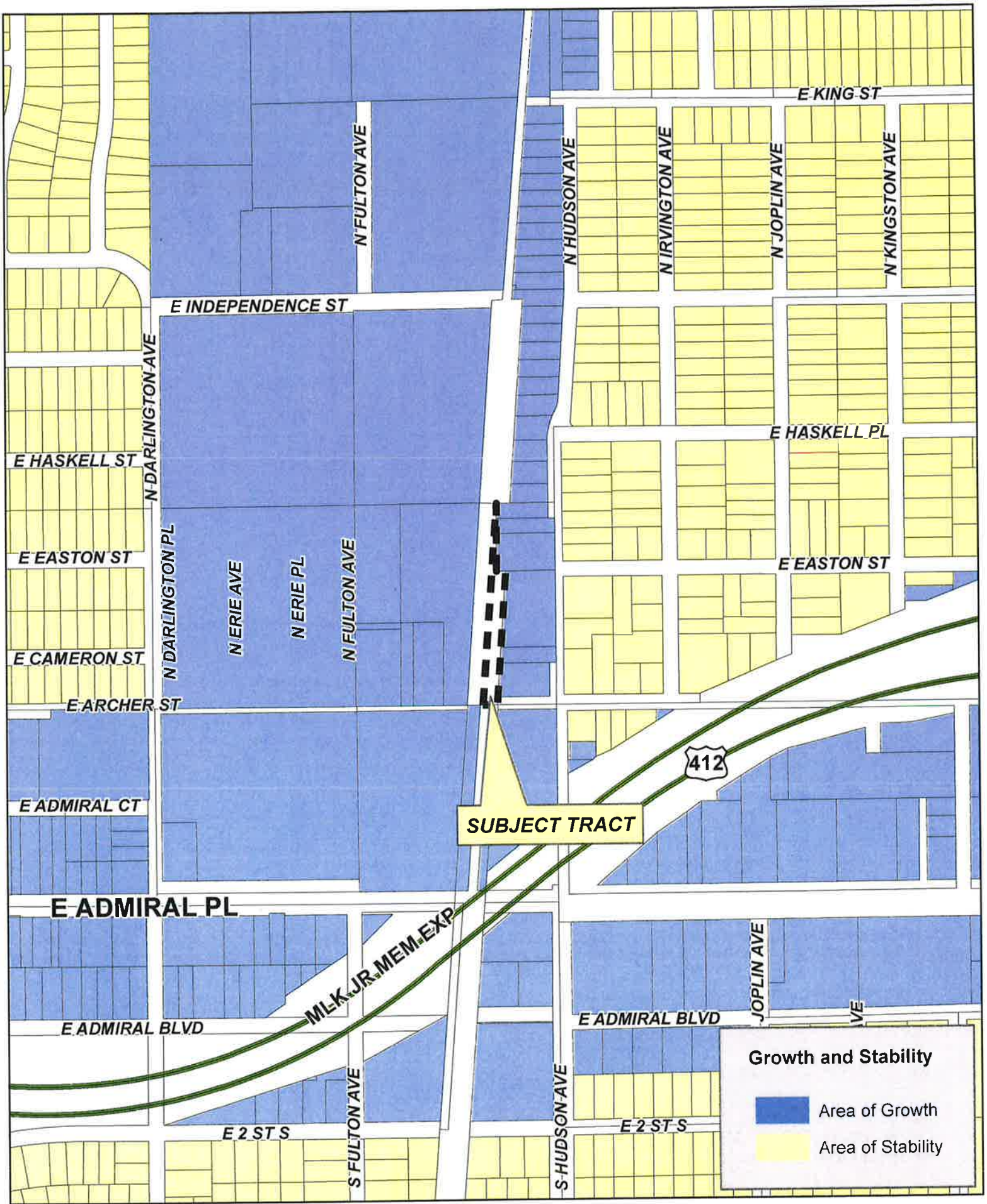


Feet
0 200 400

Z-7424

20-13 34

32.10



SUBJECT TRACT

Growth and Stability

- Area of Growth
- Area of Stability



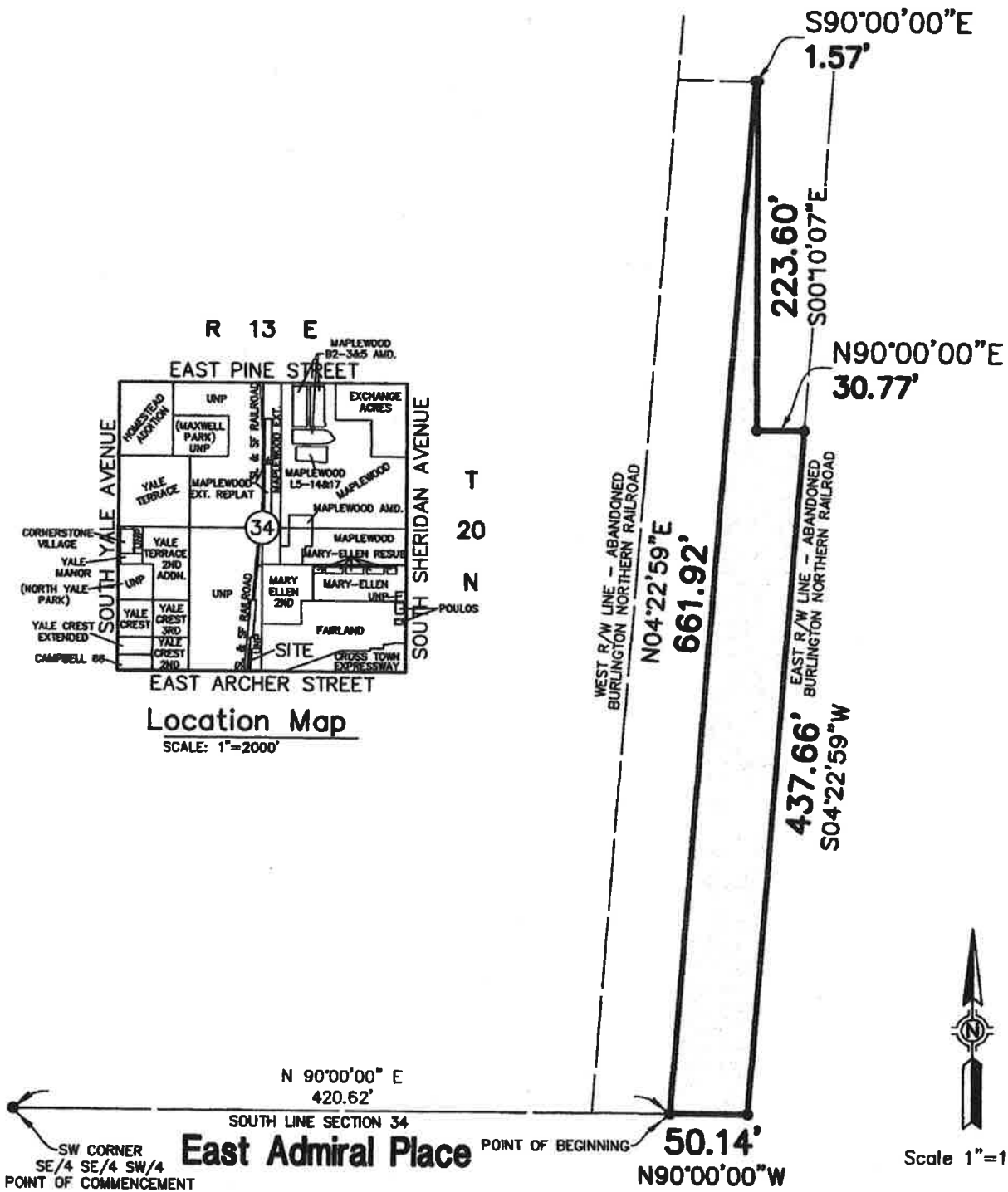
Z-7424

20-13 34

32.11

Exhibit

Part of the SE/4 SE/4 SW/4
Section 34, T-20-N, R-13-E



DRAWING: K:\17987.01\EXHIBIT.DWG



Sisemore Weisz & Associates, Inc.

6111 EAST 32nd PLACE
TULSA, OKLAHOMA 74135
C.A. NO. 2421
W.O. NO. 17987.01

PHONE: (918) 665-3600
FAX: (918) 665-8888
EXP. DATE 6/30/19
FILE NO. 2013.3400

32.12



Sisemore Weisz & Associates, Inc.

Engineering • Land Surveying
Land Planning • 3D Scanning • UAV Mapping

6111 E. 32nd Place Tulsa, OK. 74135 (918)-665-3600

TRACT LEGAL DESCRIPTION

A TRACT OF LAND IN THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP TWENTY (20) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER (SE/4) OF THE SOUTHEAST QUARTER (SE/4) OF THE SOUTHWEST QUARTER (SW/4); THENCE SOUTH 90°00'00" EAST ALONG THE SOUTHERLY LINE OF SAID SECTION 34 FOR 420.62 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE NORTH 04°22'59" EAST FOR 661.92 FEET; THENCE SOUTH 90°00'00" EAST FOR 1.57 FEET; THENCE SOUTH 00°10'07" EAST PARALLEL WITH THE EASTERLY LINE OF SAID SE/4,SE/4,SW/4 FOR 223.60 FEET; THENCE NORTH 90°00'00" EAST FOR 30.77 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF BURLINGTON NORTHERN RAILROAD; THENCE SOUTH 04°22'59" WEST ALONG SAID RIGHT-OF-WAY LINE FOR 437.66 FEET TO A POINT ON SAID SOUTHERLY LINE; THENCE NORTH 90°00'00" WEST ALONG THE SOUTHERLY LINE FOR 50.14 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

SAID TRACT OF LAND CONTAINING 24,224.69 SQ. FT. OR 0.556 ACRES MORE OR LESS.

CERTIFICATION

I, DEAN ROBINSON, OF SISEMORE WEISZ & ASSOCIATES, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORD WITH EXISTING RECORDS. THIS LEGAL DESCRIPTION MEETS THE MINIMUM STANDARDS FOR LEGAL DESCRIPTIONS AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

1-11-18
DATE

SISEMORE WEISZ & ASSOCIATES, INC.

BY DEAN ROBINSON

DEAN ROBINSON

PLS NO. 1146, STATE OF OKLAHOMA

C. A. NO. 2421

EXPIRES: 6/30/19 OKLAHOMA

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01/11/18 DLD-DRAFT

01/11/18 SAC-FINAL



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7431

Hearing Date: March 7, 2018

Case Report Prepared by:

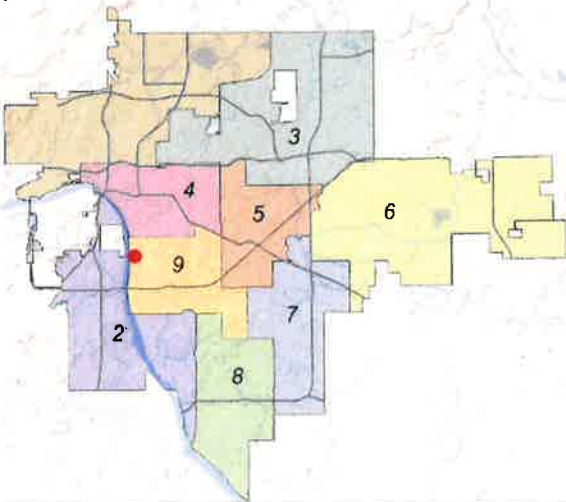
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Alan Betchan

Property Owner: GOSSETT, JOSEPH
LAWRENCE

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Residential

Proposed Use: Residential Multi-family

Concept summary: This project abuts case# 7404 for RM-2 zoning which was approved in 2017. Rezoning this lot will allow multifamily development along Riverside Drive that are consistent with the RDO-3 Arkansas River Overlay design guidelines.

Tract Size: 0.16 ± acres

Location: E. of NE/c of Riverside Dr. & E. 38th Pl. S.

Zoning:

Existing Zoning: RS-3

Proposed Zoning: RM-2

Comprehensive Plan:

Land Use Map: Arkansas River Corridor

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval for RM-2 zoning.

Staff Data:

TRS: 9224

CZM: 46

Atlas: 249

City Council District: 9

Councilor Name: Ben Kimbro

County Commission District: 2

Commissioner Name: Karen Keith

SECTION I: Z-7431

DEVELOPMENT CONCEPT:

Applicant is requesting RM-2 zoning for a multifamily development facing Riverside Drive and in context with the RDO-3 design guidelines. The RDO-3 district is primarily intended to apply to properties that do not have direct access to the river but that are visible from riverfront areas. These areas benefit from proximity to the river and contribute to the overall visual environment of the riverfront area. This request is an expansion of previously approved RM-2 zoning case # Z-7404.

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:
 - Aerial Photo Exhibit

DETAILED STAFF RECOMMENDATION:

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The subject lots are located within the Arkansas River Corridor and an Area of Growth.

Land Use Vision:

Land Use Plan map designation: Arkansas River Corridor

The Arkansas River Corridor is located along the Arkansas River and scenic roadways running parallel and adjacent to the river. The Arkansas River Corridor is comprised of a mix of uses - residential, commercial, recreation and entertainment - that are well connected and primarily designed for the pedestrian. Visitors from outside the surrounding neighborhoods can access the corridor by all modes of transportation.

This Corridor is characterized by a set of design standards that support and enhance the Arkansas River Corridor as a lively people-oriented destination. The Corridor connects nodes of high quality development with parks and open spaces. The natural habitat and unique environmental qualities are amenities and are respected and integrated as development and redevelopment occur. The future development of this Corridor is intended to complement the residential character of adjacent thriving neighborhoods by providing appropriate transitions and connections to the Arkansas River.

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: Riverside Drive is classified as a Special Traffic way / Multi-Modal Corridor. The right-of-way widths for Riverside Drive are to be per the conceptual plan dated July 1993.

Trail System Master Plan Considerations: The River parks East trail is to the west of the subject lots, across Riverside. The GO Plan currently indicates a sidewalk gap along the Riverside frontage however recent reconstruction of Riverside drive has included a sidewalk along the east side of Riverside Drive.

Small Area Plan: None

Special District Considerations: The subject lots are located within the River Design Overlay, specifically RDO-3. The requirements outlined in the Tulsa Zoning code for development within RDO-3 will be followed for this development.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The two northern subject lots along E 37th PI S currently contain duplex residences. The eastern lot, along E 38th PI S contains a single-family residence.

Environmental Considerations: The subject lots are located with the Tulsa County 500-year floodplain. This is the case for much of properties in the Brookside area that are located between Peoria Ave and Riverside Dr.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
Riverside Drive	Special Traffic way	Per 7/93 Conceptual Plan for Riverside Dr.	4
East 38 th Place South	None	N/A	2
East 37 th Place South	None	N/A	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*	RM-2	Arkansas River Corridor	Growth	Duplex Residence
South	RM-2	Arkansas River Corridor	Growth	Multifamily
East	RS-3	Arkansas River Corridor	Growth	Duplex / Single-Family Residence
West*	RM-2	Park and Open Space	Stability	Single Family Residence

* Existing properties at these locations have recently been rezoned to RM-2 and are planned to be part of the same redevelopment project as Z-7431.

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11822 dated June 26, 1970 (RS-3), and 23554 dated September 26, 2016 (RDO-3), established zoning for the subject property.

Subject Property:

SA-1 September 2016: All concurred in approval of a request for a Special Area Overlay, called the River Design Overlay, on multiple properties (709), located on the east and west of the Arkansas River extending from West 11th Street South to East 121st Street South. The River Design Overlay (RDO-1, RDO-2 & RDO-3) were established to maintain and promote the Arkansas River corridor as a valuable asset to the city and region in terms of economic development and quality of life. *The subject property is located within the RDO-3 zoning.*

Surrounding Property:

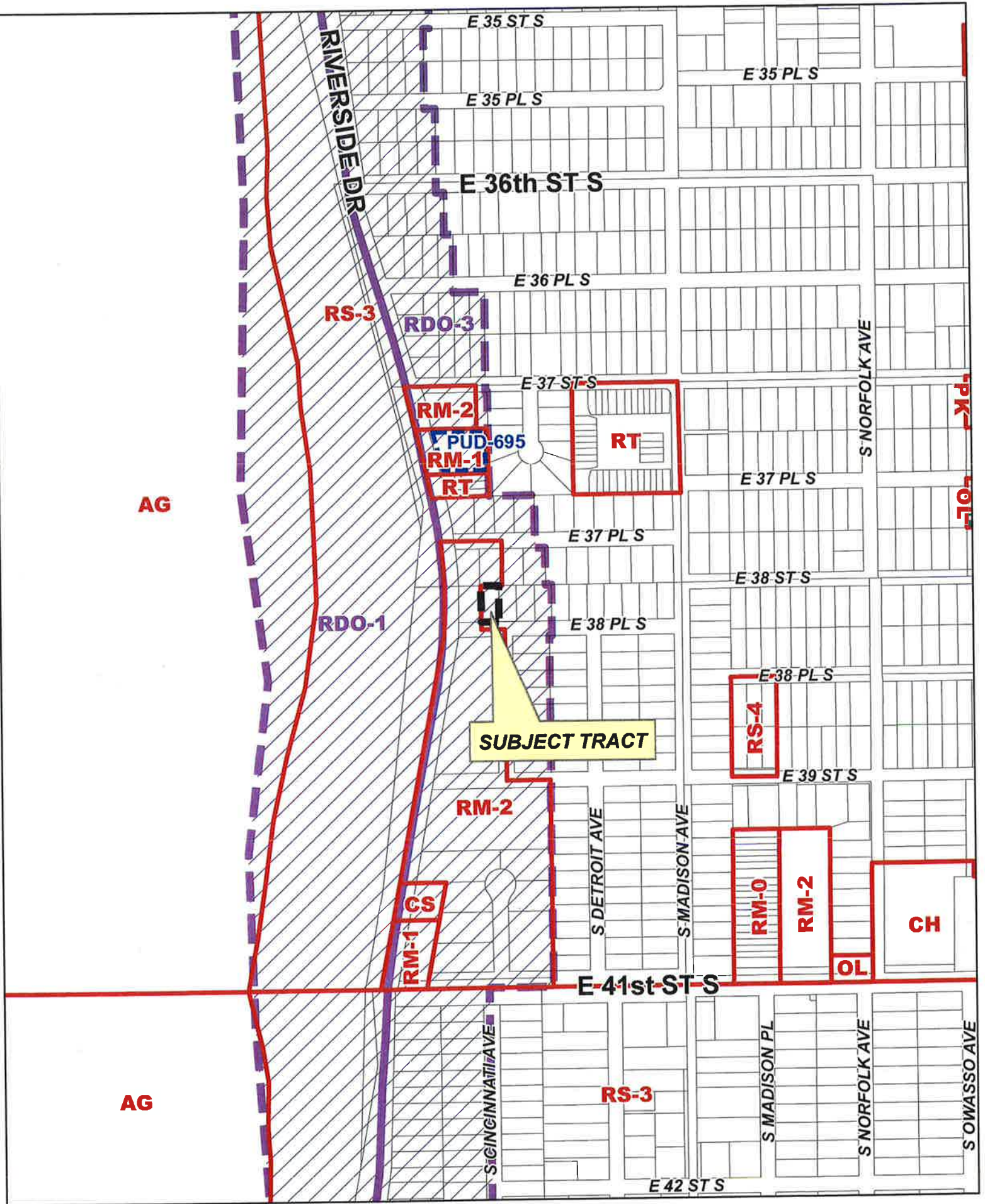
Z-7404 August 2017: All concurred in approval for RM-2 zoning on a 0.7-acre tract of land for a multifamily development at the northeast corner of East 38th Place south at Riverside Drive. Ordinance# 23797 dated November 4th, 2017.

PUD-695 March 2004: All concurred in approval of a proposed Planned Unit Development on a .57± acre tract of land for a condominium development with a maximum of 11 units, on property located south of the southeast corner E. 37th St. S. and S. Riverside Dr.

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REVISED 2/29/2018



AG

RDO-1

RM-2

PUD-695

RM-1

RT

RT

SUBJECT TRACT

RM-2

CS

RM-4

RS-4

RM-0

RM-2

CH

OL

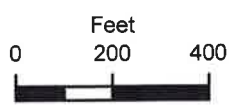
AG

RS-3

Z-7431

19-12 24

33.5





0 Feet 200 400



Subject Tract

Z-7431

19-12 24

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

Aerial Photo Date: February 2016



321

RIVERSIDE DR

E37PLS

E38PLS

SCINCINNATI AVE

SDETROIT AVE



Subject
Tract

Z-7431

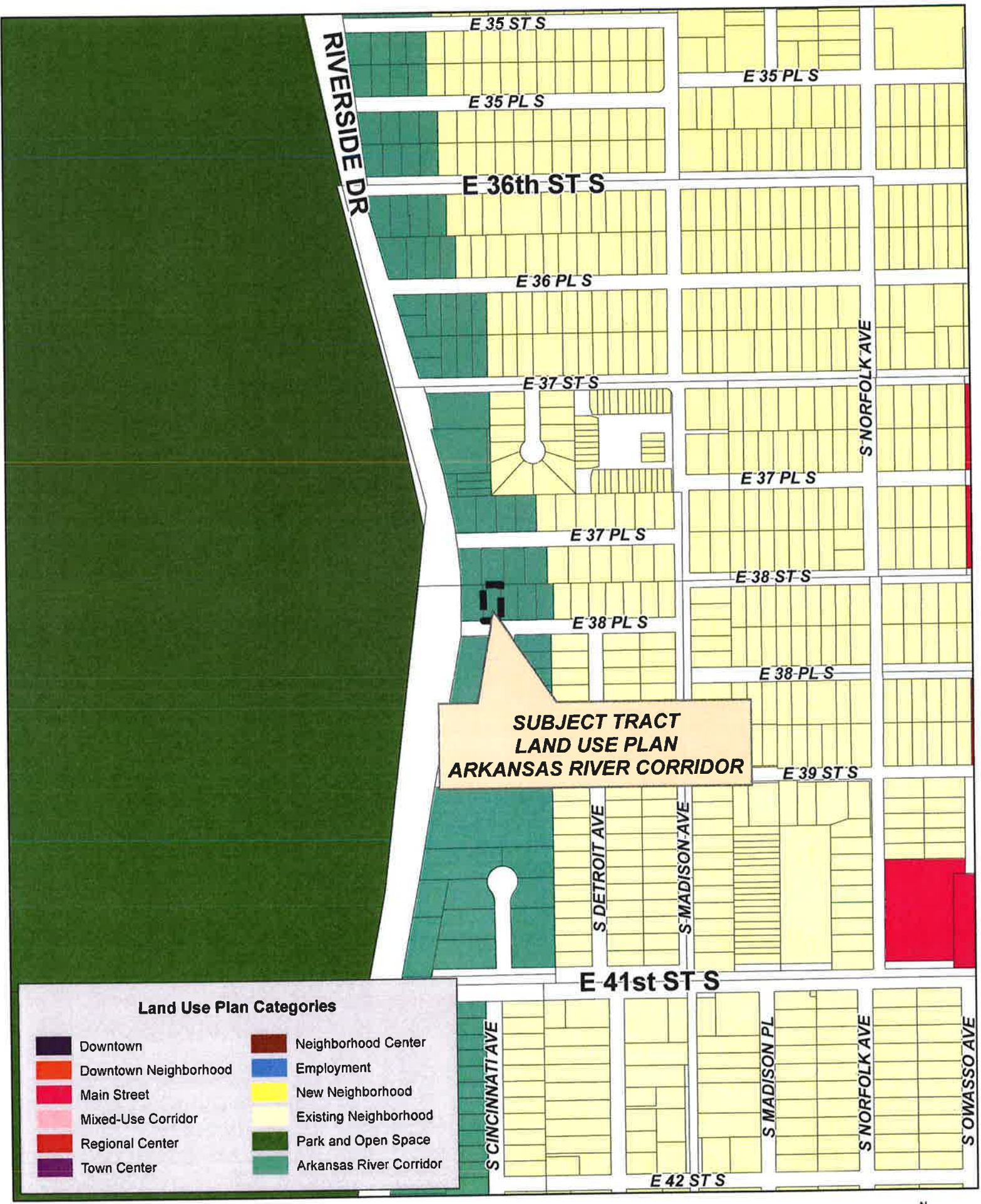
19-12 24

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

Aerial Photo Date: February 2016

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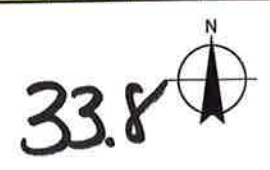
Land Use Plan Categories

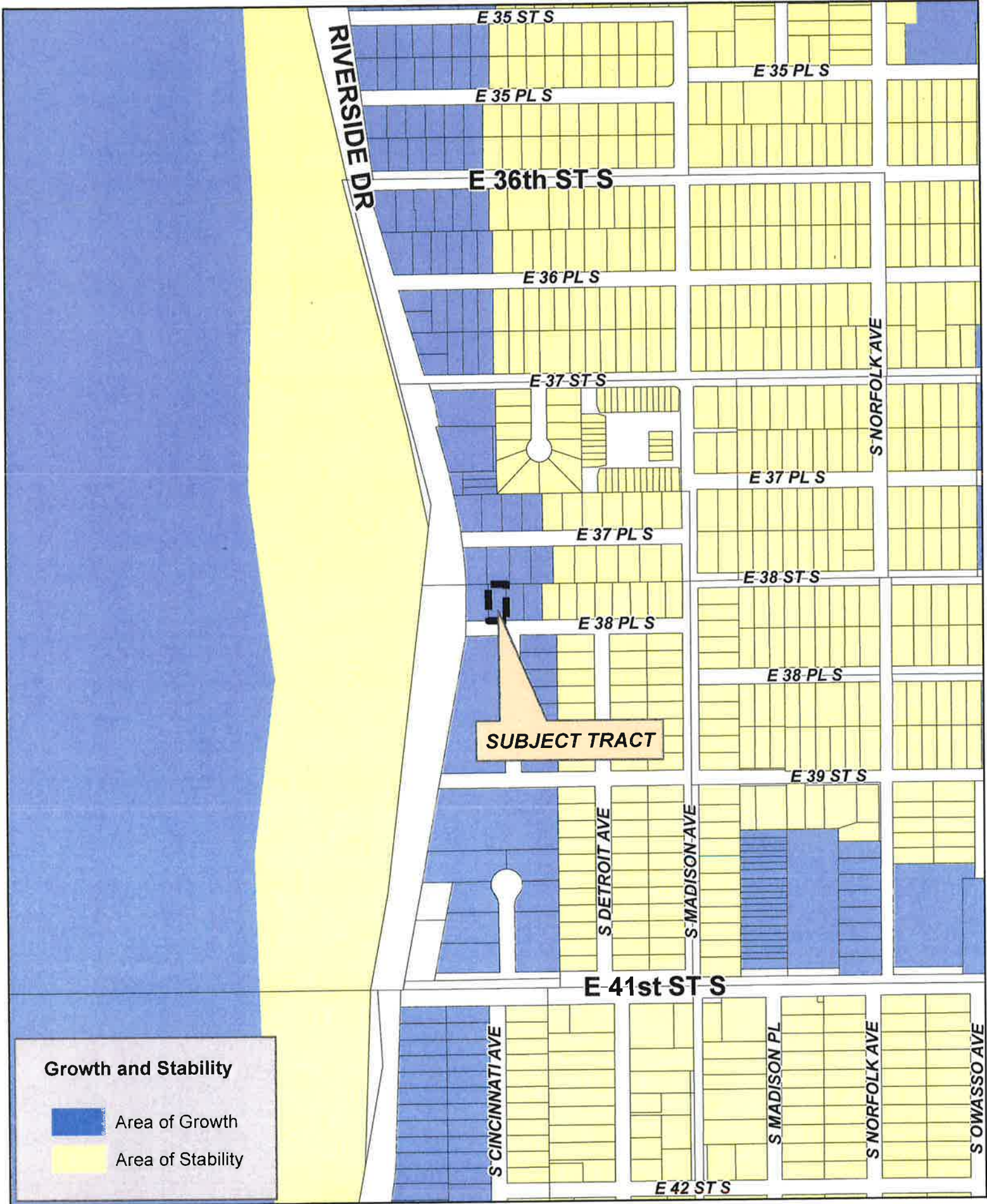
- | | |
|-----------------------|-------------------------|
| Downtown | Neighborhood Center |
| Downtown Neighborhood | Employment |
| Main Street | New Neighborhood |
| Mixed-Use Corridor | Existing Neighborhood |
| Regional Center | Park and Open Space |
| Town Center | Arkansas River Corridor |



Z-7431

19-12 24





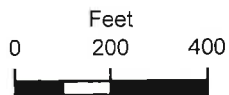
Growth and Stability



Area of Growth

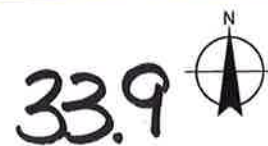


Area of Stability



Z-7431

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Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7432

Hearing Date: March 7, 2018

Case Report Prepared by:

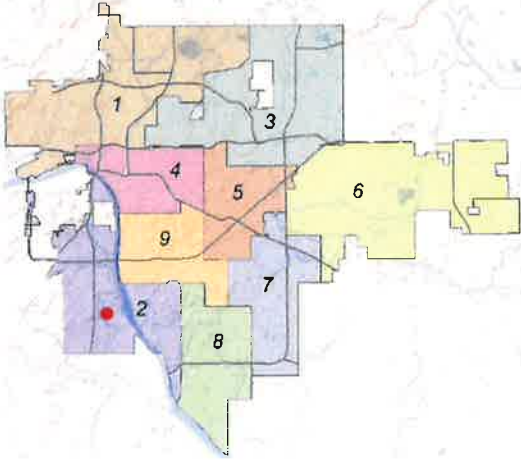
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Jamelle Moore

Property Owner: JJ RANGER LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Residential

Concept summary: Rezoning request is for a single family residential subdivision.

Tract Size: 20 ± acres

Location: S of the SW/c of S. Elwood Ave & W. 71st St. S.

Zoning:

Existing Zoning: AG

Proposed Zoning: RS-3

Comprehensive Plan:

Small Area Plan: West Highlands Small Area Plan

Land Use Map: New Neighborhood

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval for RS-3 zoning

Staff Data:

TRS: 8211

CZM: 51

Atlas: 1141, 1142

City Council District: 2

Councilor Name: Jeanie Cue

County Commission District: 2

Commissioner Name: Karen Keith

34.1

SECTION I: Z-7432

DEVELOPMENT CONCEPT: Rezoning request for anticipated development of a single family residential subdivision.

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

DETAILED STAFF RECOMMENDATION:

RS-3 zoning allows single family residential zoning that is land use supported by the West Highlands Small area plan and by Tulsa Comprehensive Plan and,

RS-3 zoning supports a density that is consistent with the anticipated development pattern east of Tulsa Hills Shopping Center and west of South Elwood and,

RS-3 is non- injurious to the existing proximate properties therefore,

Staff recommends Approval of Z-7432 to rezone property from AG/ to RS-3.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The new neighborhood vision and the area of growth identified in the Tulsa Comprehensive Plan anticipated this type of development. Street connectivity will be an important consideration during the preliminary plat phase of this project.

Land Use Vision:

Land Use Plan map designation: New Neighborhood

The New Neighborhood residential building block is comprised of a plan category by the same name. It is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes, but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity, and shall be paired with an existing or New Neighborhood or Town Center.

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.

34.2

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: The recommendations of the small area plan include many references to supporting residential single family uses within a rural context and a rural residential zoning use. Revisions to the Tulsa Zoning Code have not implemented those concepts. The primary emphasis for agricultural style residential development in the plan area are west of Highway 75.

Special District Considerations: None except those design considerations recommended in the West Highlands Small Area Plan

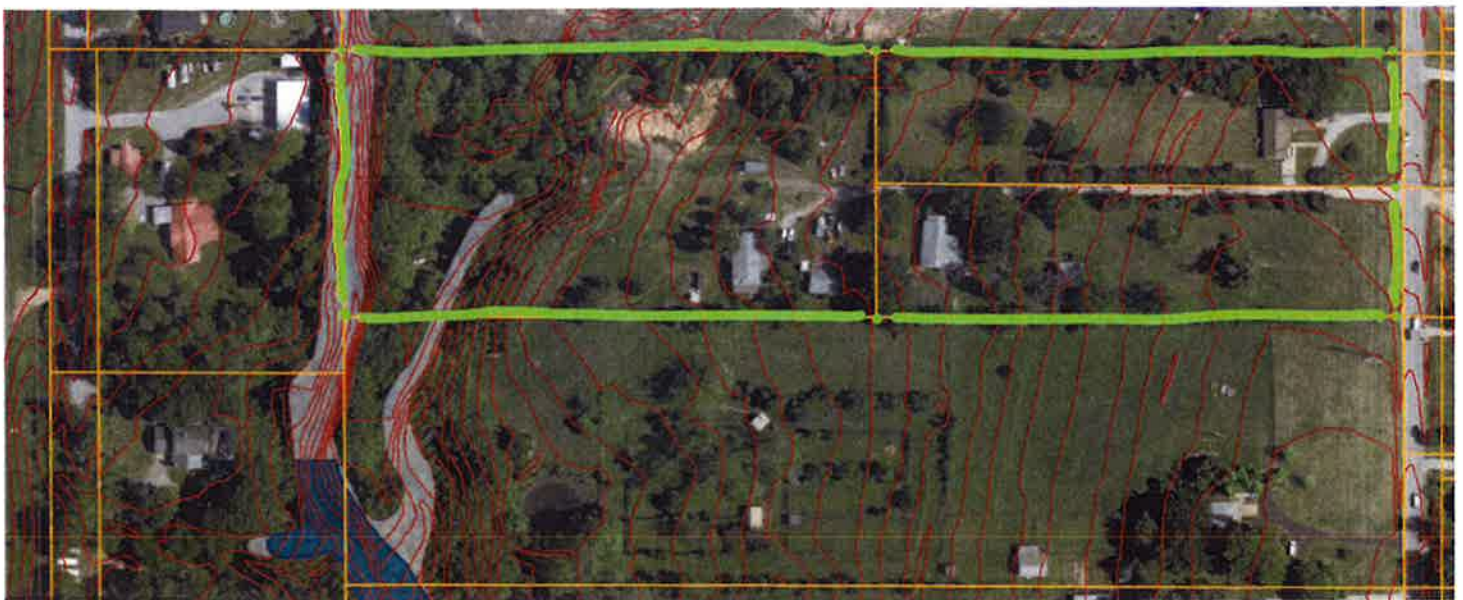
Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is a gently sloping site that is generally drains toward the Hagar Creek flood plain area at the west end of the site. The north edge of the zoning request abuts a recently constructed Multi Family Project. There are no reasonable expectations for street extensions except to the south and possibly west where property is currently still zoned AG.

Three parcels are included in the zoning request. Each parcel has a single family home.

Hager Creek flood plain snippet:



Environmental Considerations: Single family residential development is unlikely in the floodplain area however the preliminary plat will be arranged in a way to preserve as much green space as possible in that area.

An electrical transmission line is on the east boundary of the property. Residential setbacks will be greater than the normal setback from the planned street right of way as a result of that transmission line.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Elwood Avenue	Secondary Arterial	100 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	PUD-738 / CS, RM-O, RS-3	Town Center	Growth	Multi Family
East	AG	Existing Neighborhood	Stability	Large lot single family residential
South	AG	New Neighborhood	Growth	Large lot single family residential
West	AG	New Neighborhood	Growth	Large lot single family residential

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11827 dated June 26, 1970, established zoning for the subject property.

Subject Property:

BOA-19353 May 2002: The Board of Adjustment **denied** a *variance* of the required 30' of frontage on a public street or dedicated right-of-way to 0'; and a *variance* of lot width from 200' to 165' to permit a lot-split, for lack of hardship, on property located south of the southwest corner of South Elwood Avenue and West 71st Street South, the subject property.

BOA-17358 April 1996: The Board of Adjustment **approved** a *special exception* to permit a double-wide manufactured home in an AG zoned district permanently (Section 301), on property located south of the southwest corner of South Elwood Avenue and West 71st Street South, the subject property.

Surrounding Property:

34.4

Z-7353 August 2016: All concurred in **approval** of a request for *rezoning* a 2.58± acre tract of land from RS-3 to CS, on property located south of the southeast corner of South Jackson Avenue and West 71st Street South.

PUD-742-A October 2015: All concurred in **approval**, with conditions, of a proposed Major Amendment to PUD on a 25± acre tract of land for elementary school use (Use Unit 5), on property located south of the southeast corner of South Elwood Avenue and West 71st Street.

Z-7286 December 2014: All concurred in **approval** of a request for *rezoning* a 3.52± acre tract of land from RS-3 to CS on property located west of the southwest corner of West 71st Street South and South Elwood Avenue.

Z-7065/ PUD-742 September 2007: All concurred in **approval** of a request for *rezoning* a 24± acre tract of land and a proposed *Planned Unit Development* for an office park from AG to OL on property located south of the southeast corner of East 71st Street and South Elwood Avenue.

Z-7052/ PUD-738 May 2007: All concurred in **approval** of a request for *rezoning* a 40± acre tract of land from AG to RS-3/RM-0/CS/PUD and a proposed *Planned Unit Development* for a mixed use development on property located on the southwest corner of West 71st Street and South Elwood Avenue.

Z-7008-SP-1/Z-6966-SP-1/Z-6967-SP-1 March 2006: All concurred in **approval** of a request for a *Corridor Development Plan* on a 176± acre tract of land to permit a regional shopping center known as the Tulsa Hills site with a total of 1,554,194 square feet of maximum building floor area approved at a .25 floor area ratio, on property located east of US Highway 75 between West 71st and West 81st Streets.

Z-7008 March 2006: All concurred in **approval** of a request for *rezoning* a 43.6± acre tract of land from AG/RS-3 to CO for a regional shopping center known as Tulsa Hills, on property located on the east side of U.S. Highway 75 South between West 71st Street South and West 81st Street South.

BOA-19228 November 2001: The Board of Adjustment **approved** a *variance* of lot width from required 200' to 135' on Tract A and 100' on Tract B; a *variance* of lot area from 2 acres to 1.89 acres on Tract A; and a *variance* of land area per dwelling unit from 2.2 acres to 2.0 acres on Tract A to permit a lot split, per survey submitted, finding the hardship to be the configuration of the lot, on property located south of the southeast corner of South Elwood Avenue and West 71st Street South.

BOA-18614 January 2000: The Board of Adjustment **approved** a *variance* of average lot width from 200' to 125' and 142' to permit a lot-split in an AG district, on property located south of the southeast corner of South Elwood Avenue and West 71st Street South.

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W 71st ST S

S JACKSON AVE

W 73 ST S

S ELWOOD AVE

W 77 ST S

W 77 PL S

W 77 ST S

S GUTHRIE AVE

W 77 ST S

W 77 PL S

S FRISCO AVE



Subject
Tract

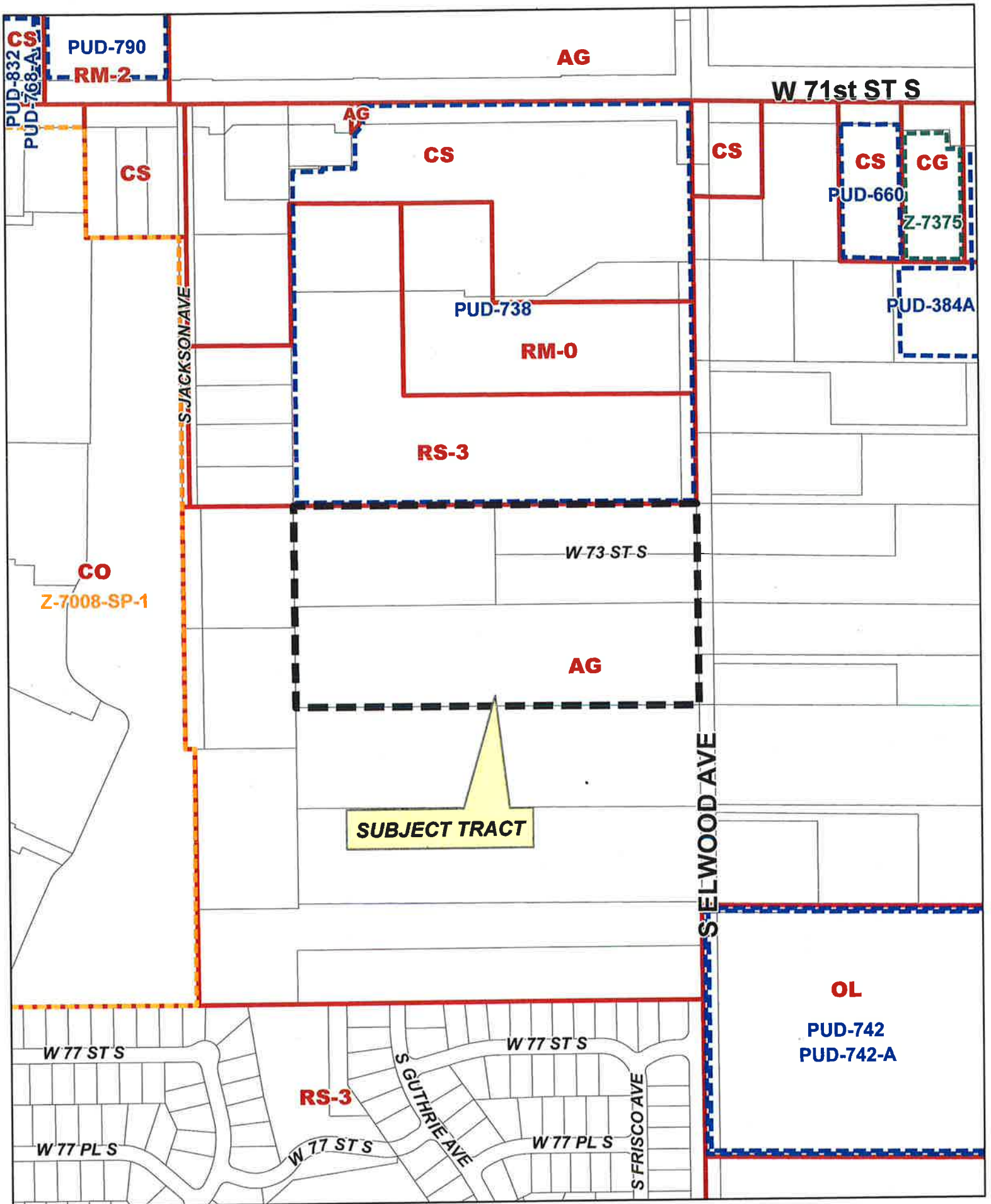
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Note: Graphic overlays may not precisely
align with physical features on the ground.

Aerial Photo Date: February 2016

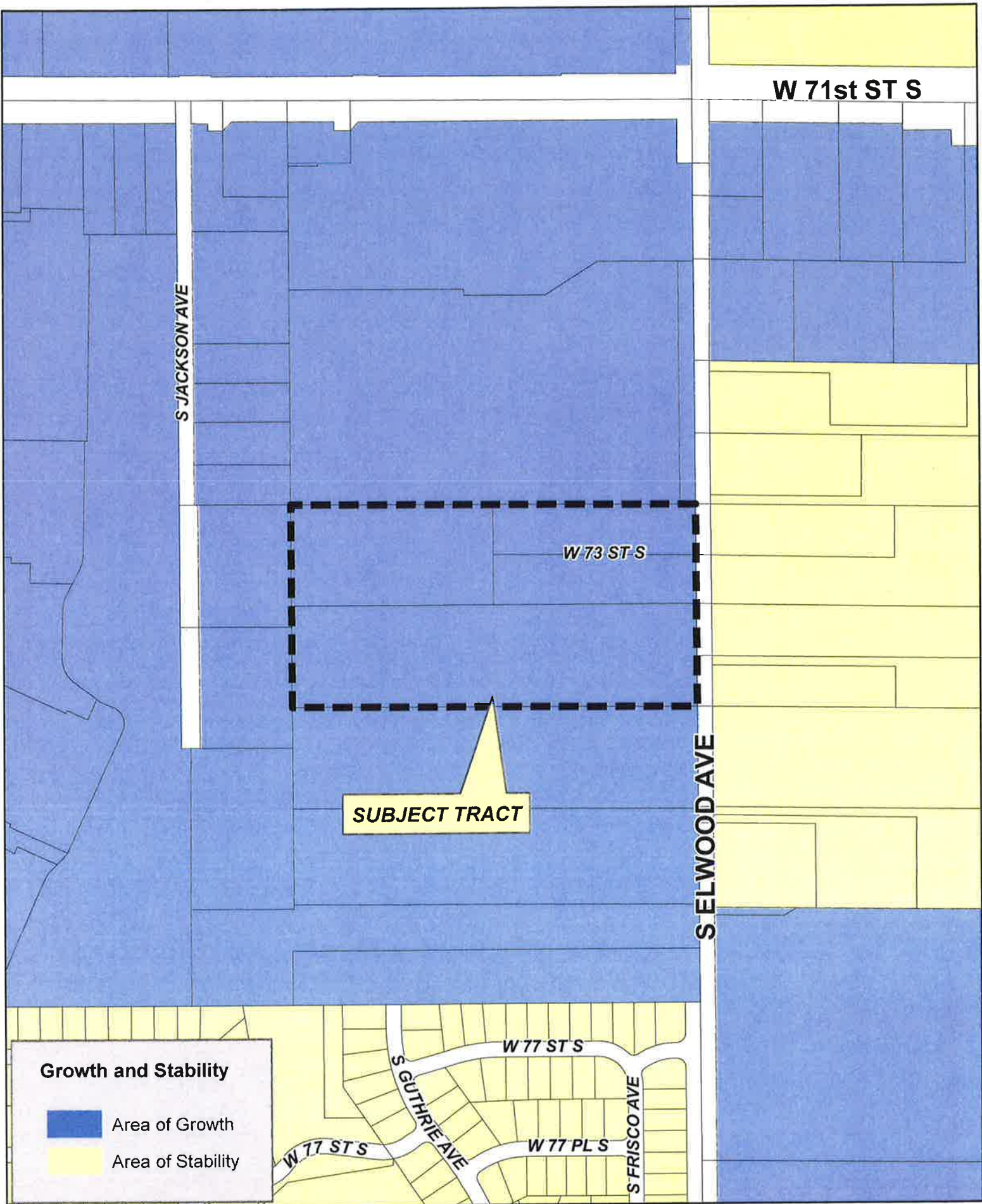




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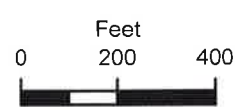
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Growth and Stability

- Area of Growth
- Area of Stability

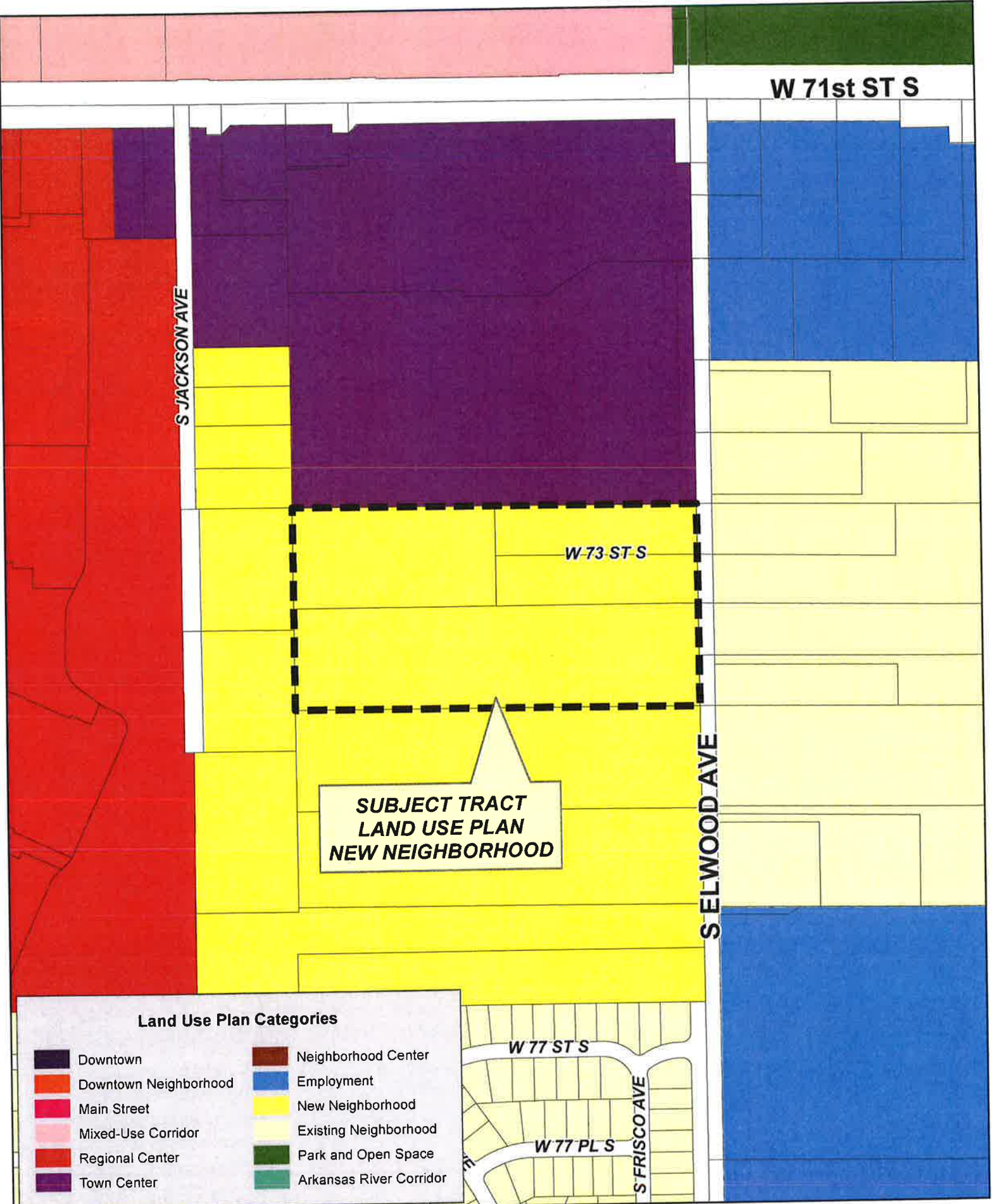


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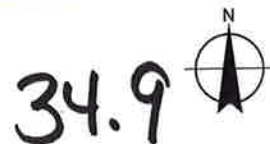
Land Use Plan Categories

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



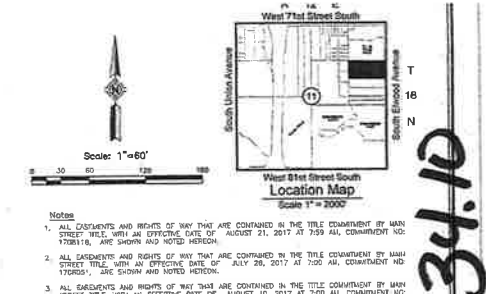
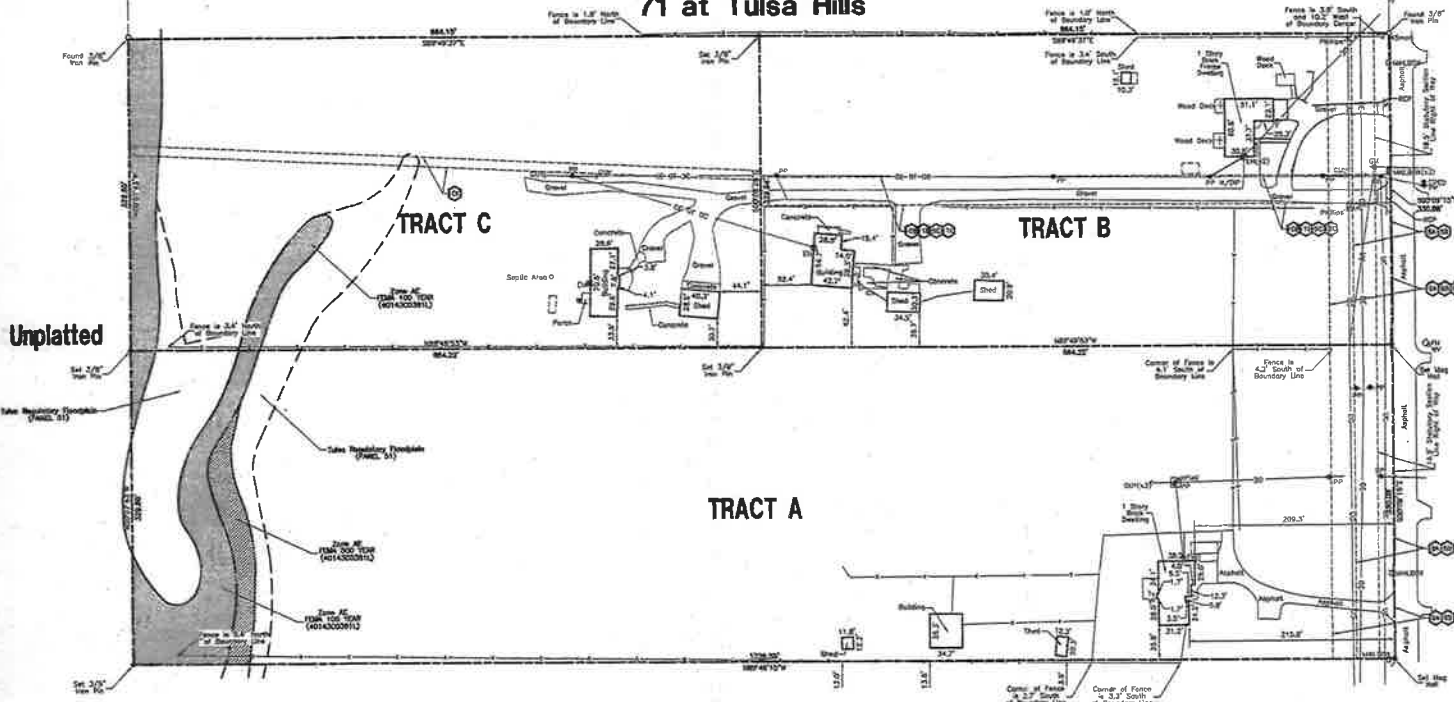
Z-7432

18-12 11



Legend
 ELEC. METER
 GAS METER
 SANITARY
 WATER
 OVERHEAD ELECTRIC
 UNDERGROUND ELECTRIC
 UNDERGROUND GAS
 UNDERGROUND SANITARY
 UNDERGROUND WATER
 UNDERGROUND CABLE
 UNDERGROUND ELECTRIC
 UNDERGROUND GAS
 UNDERGROUND SANITARY
 UNDERGROUND WATER

Lot 1, Block 1, 71 at Tulsa Hills



- Notes
1. ALL EASEMENTS AND RIGHTS OF WAY THAT ARE CONTAINED IN THE TITLE COMMITMENT BY MAIN STREET TITLE, WITH AN EFFECTIVE DATE OF AUGUST 21, 2017 AT 7:59 AM, COMMITMENT NO. 1708116, ARE SHOWN AND NOTED HEREON.
 2. ALL EASEMENTS AND RIGHTS OF WAY THAT ARE CONTAINED IN THE TITLE COMMITMENT BY MAIN STREET TITLE, WITH AN EFFECTIVE DATE OF JULY 28, 2017 AT 7:00 AM, COMMITMENT NO. 1708551, ARE SHOWN AND NOTED HEREON.
 3. ALL EASEMENTS AND RIGHTS OF WAY THAT ARE CONTAINED IN THE TITLE COMMITMENT BY MAIN STREET TITLE, WITH AN EFFECTIVE DATE OF AUGUST 10, 2017 AT 7:00 AM, COMMITMENT NO. 1708552, ARE SHOWN AND NOTED HEREON.
 4. ALL UNDERGROUND UTILITIES MAY NOT BE SHOWN (CALL "GAS" BEFORE DIGGING).
 5. THE PROPERTY DESCRIBED HEREON CONTAINS 875,800 SQUARE FEET OR 20.12 ACRES MORE OR LESS.
 6. THE PROPERTY CONTAINS NO STOPPED PARKING AREAS.
 7. THE PROPERTY DESCRIBED HEREON DOES NOT CONTAIN A MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, 40000, WHICH THE STATE OF OKLAHOMA, THROUGH THE OKLAHOMA GEOGRAPHIC INFORMATION SYSTEM, HAS LOCATED IN THE (M) SURVEY WHICH IS CLASSIFIED AS AREAS DETERMINED TO BE HAZARDOUS TO THE PUBLIC.
 8. EXCEPT AS SHOWN HEREON, THERE ARE NO ENCROACHMENTS OR PROTRUSIONS INTO ADJACENT PARCELS, STREETS OR ALLEYS BY ANY BUILDINGS OR VISIBLE IMPROVEMENTS ON THE SUBJECT PROPERTY.
 9. EXCEPT AS SHOWN HEREON, THERE ARE NO ENCROACHMENTS ON THE SUBJECT PROPERTY BY BUILDINGS OR VISIBLE IMPROVEMENTS SITUATED ON ADJACENT PREMISES.
 10. THE BASIS OF BEARING IS BASED ON THE EAST OF THE N/4 OF SECTION 11, AS BEING SUSTAINABLE.
 11. THERE IS NO OBSERVED EVIDENCE OF THE SITE BEING USED AS A SOLID WASTE DUMP, BUMP OR SANITARY LANDFILL.
 12. THERE IS NO OBSERVED EVIDENCE OF THE SITE BEING IN A WETLAND AREA.
 13. THERE IS NO OBSERVED EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS WITHIN RECENT HISTORY.
 14. THE HORIZONTAL DATA FOR THIS SURVEY IS BASED OKLAHOMA STATE PLANE AREAS.

Legal Descriptions

Legal Description Commitment NO. 1708116 TRACT A

THE SOUTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (S/2 N/2 SE/4 NE/4) OF SECTION 11, TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE IRON BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

Legal Description Commitment NO. 1708551 TRACT B

THE SOUTH HALF OF THE EAST 500 FEET OF THE NORTH HALF OF THE NORTH HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (N/2 N/2 SE/4 NE/4) OF SECTION 11, TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE IRON BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

Legal Description Commitment NO. 1708552 TRACT C

THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER (N/2 NW/4 SE/4 NE/4) OF SECTION 11, TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE IRON BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF.

ALTA/NSPS LAND TITLE SURVEY of part of the SE/4, NE/4 Section 11, T-18-N, R-12-E Tulsa County, Oklahoma

Surveyor's Certification

WE, BENNETT SURVEYING, INC. DO HEREBY CERTIFY TO:
 MAIN STREET TITLE COMPANY, LLC
 CASE #33

K. ROY AND JENNIFER HENNINGSON REVOCABLE TRUST
 JIMMY G. FOSTER AND DANNY J. FOSTER PROBABLE TRUST DATED APRIL 3, 2017
 DOYLE E. BLACK AND CHARLIE D. BLACK

THIS IS TO CERTIFY THAT THIS MAP WAS PREPARED AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 NATIONAL STANDARD SPATIAL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS AND INCLUDES ITEMS 1, 3, 4, 5, 6, 8, 9, 11, 16, 18, AND 19 OF TABLE A THEREOF. THE FOLLOWING WAS COMPLETED ON SEPTEMBER 12, 2017.

WITNESSED MY HAND AND SEAL THIS 3RD DAY OF OCTOBER 2017.

BENNETT SURVEYING, INC.
 CLIFF BENNETT
 1815
 REGISTERED PROFESSIONAL LAND SURVEYOR
 OKLAHOMA NO. 1815

REVISION	BY	DATE
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Unlabeled

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING CHANGES. THE SURVEYOR MAKES NO GUARANTEE THAT THE UNDERGROUND UTILITIES SHOWN CORRESPOND TO THE ACTUAL UTILITIES. THE SURVEYOR FURTHER ADVISES THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE CLOSEST LOCATION POSSIBLE. THE SURVEYOR FURTHER ADVISES THAT THE UTILITIES ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED ALL UNDERGROUND UTILITIES.



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7433

Related to PUD 304-A

Hearing Date: March 7, 2018

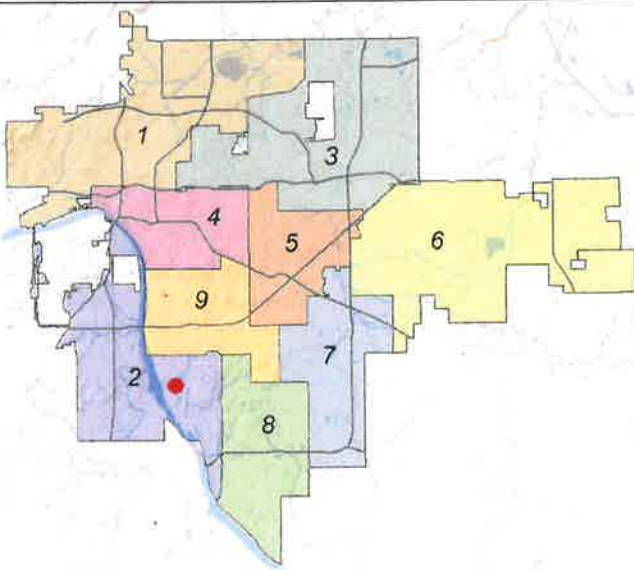
Case Report Prepared by:

Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Tulsa City Council c/o Tanner Consulting

Property Owner: KLEIN RENTALS I LLC



Applicant Proposal:

Present Use: Shopping Center

Proposed Use: Mixed Use

Concept summary: Rezoning request as part of the mixed-use zoning initiative associated with the bus rapid transit system along Peoria Avenue. A concurrent request to abandon the existing PUD on the site.

Tract Size: 4.27 ± acres

Location: SE/c of E. 71st St. S. & S. Trenton Ave.

Zoning:

Existing Zoning: CS,OL, PUD-304

Proposed Zoning: MX3-V-55

Comprehensive Plan:

Land Use Map: Town Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 8307

CZM: 52

Atlas: 1139

City Council District: 2

Councilor Name: Jeanie Cue

County Commission District: 2

Commissioner Name: Karen Keith

SECTION I: Z-7433

DEVELOPMENT CONCEPT: This request for rezoning is responsive to a City Council initiative to encourage mixed-use development along the proposed bus rapid transit system route. The current zoning on the site is CS, OL, PUD 304. A concurrent request to abandon the PUD will be considered at the same time as this zoning request. The PUD abandonment will be withdrawn if the MX zoning is not approved.

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

DETAILED STAFF RECOMMENDATION:

Case Z-7433 request MX3-V-55 is consistent with the expected development pattern in the area and, MX3-V-55 is not injurious to the surrounding property owners and,

The MX3 requested is considered more of a Regional Mixed-Use district intended to accommodate larger scale development and supports the anticipated uses in this area. The rezoning request is consistent with the Bus Rapid Transit System initiative and its land use recommendations and,

MX3-V-55 is consistent with the Town Center land use vision in the Tulsa Comprehensive Plan therefore

Staff recommends Approval of Z-7433 to rezone property from CS,OL/PUD-304 to MX3-V-55.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: MX3-V-55 is consistent with the land use vision in the Tulsa Comprehensive Plan and is consistent with the goals and objectives that support the Bus Rapid Transit System. The existing PUD creates obstacles that prohibit closer setbacks to the street and certain uses including mixed use with a residential component that are desired as part of the Bus Rapid Transit System and the Town Center vision of the Tulsa Comprehensive Plan.

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

35.2

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 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 71st is a primary arterial with a commuter street designation. The most widespread commercial street type is the strip commercial arterial, these arterials typically serve commercial areas that contain many small retail strip centers with buildings set back from front parking lots. Because of this, strip commercial arterials have many intersections and driveways that provide access to adjacent businesses. Historically, this type of street is highly auto-oriented and tends to discourage walking and bicycling. On-street parking is infrequent.

Commuter streets are designed with multiple lanes divided by a landscaped median or a continuous two way left turn lane in the center. Commuter streets are designed to balance traffic mobility with access to nearby businesses. However, because there are so many intersections and access points on commuter streets, they often become congested. Improvements to these streets should come in the form of access management, traffic signal timing and creative intersection lane capacity improvements.

Trail System Master Plan Considerations: The east property line is abutting the Joe Creek trail that has been recently improved. Access to that trail should be encouraged with any redevelopment.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The existing site was developed in the 1980s as a two-story mixed-use building that is primarily used for retail, office. Currently there are no residential uses in the building but a minor amendment was approved in 2016 to use part of the building as a self-storage facility.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 71 st Street South	Primary arterial with commuter corridor	120 feet	7
South Trenton Avenue	Residential collector	60 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
North Across 71st	PUD-127/RM-1	Town Center	Growth	Multi Family
East Across Joe Creek	OM	Existing Neighborhood	Stability	Multi Family
South	PUD-128-C / OL, RM-1	Town Center	Growth	Vacant
West Across Trenton	PUD-128A/ RM-1	Town Center	Growth	Multi Family

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 15597 dated January 21, 1983, amended zoning for the subject property.

Subject Property:

Z-5778/PUD-304 January 1983: All concurred in **approval** of a request for rezoning a 5.1± acre tract of land from OL to OL and CS; and in approval of a proposed Planned Unit Development on property located at the southeast corner of South Trenton Avenue and East 71st Street South (Ordinance 15597 dated January 21, 1983 amended (14639) zoning for the subject property.)

PUD-304-3 March 2016: All concurred in **approval**, on consent agenda, of a *minor amendment* to PUD-304 to add seasonal outdoor storage for a use of a tenant, "The Hamlet" its successors or assigns. The period of operation would be limited annually to the 76 day period from November 1 through January 15 and a 31 day period from 3 calendar weeks before Easter through 10 days after Easter, on property located on the southeast corner of East 71st Street South and South Trenton Avenue.

PUD-304-2 August 2012: All concurred in **approval**, on consent agenda, of a *minor amendment* to PUD-304 to add Use Unit 16 (Mini Storage) with the limitation that the storage facility will be included

inside the existing building and will be a climate controlled facility, on property located on the southeast corner of East 71st Street South and South Trenton Avenue.

PUD-304-1 May 2012: All concurred in **approval**, on consent agenda, of a *minor amendment* to PUD-304 to add a Children's Nursery (Use Unit 5), on property located on the southeast corner of East 71st Street South and South Trenton Avenue.

Z-5321 November 1979: All concurred in **approval** of a request for rezoning a 5.9± acre tract of land from RM-1 and PUD-129 to OL, on property located at the southeast corner of 71st Street South and South Trenton Avenue (Ordinance 14639 dated January 4, 1980 amended (11828) zoning for the subject property.) (Ordinance 11828 dated June 26, 1970 established zoning for the subject property.)

PUD-128-A November 1979: All concurred in **approval**, per conditions, to develop 118± acres on property located at 71st Street and west of the Joe Creek Channel for residential purposes (Ordinance 14629 dated December 11, 1979 amended (11828) zoning for the subject property.)

PUD-128 October 1972: All concurred in **approval** of a proposed Planned Unit Development on a 278± acre tract of land allowing a total of 4,441 residential units on property located between 71st Street South to 81st Street South, from Lewis Avenue to the east boundary of the Arkansas River.

Z-4245 October 1972: All concurred in **approval** of a request for rezoning a 348± acre tract of land from AG to RS-3, RM-1, and RM-2, on property located between 71st Street South to 81st Street South, from Lewis Avenue to the east boundary of the Arkansas River.

Surrounding Property:

BOA-21926 July 2015: The Board of Adjustment **accepted** the applicant's verification of the spacing requirement for the proposed liquor store of 300 feet subject to the action of the Board being void should another liquor store or other conflicting use be established prior to the establishment of this liquor store, on property located at the southeast corner of South Trenton Avenue and East 71st Street South (PUD-304).

PUD-388-A May 1991: All concurred in **approval**, per conditions, of an amendment to PUD-388 in order to develop the tract, located at the northwest corner of 71st Street south and South Trenton Avenue, with the development of two food establishments in the southern portion which fronts onto 71st street and leaving the northern portion for retail/commercial development under the initial development standards.

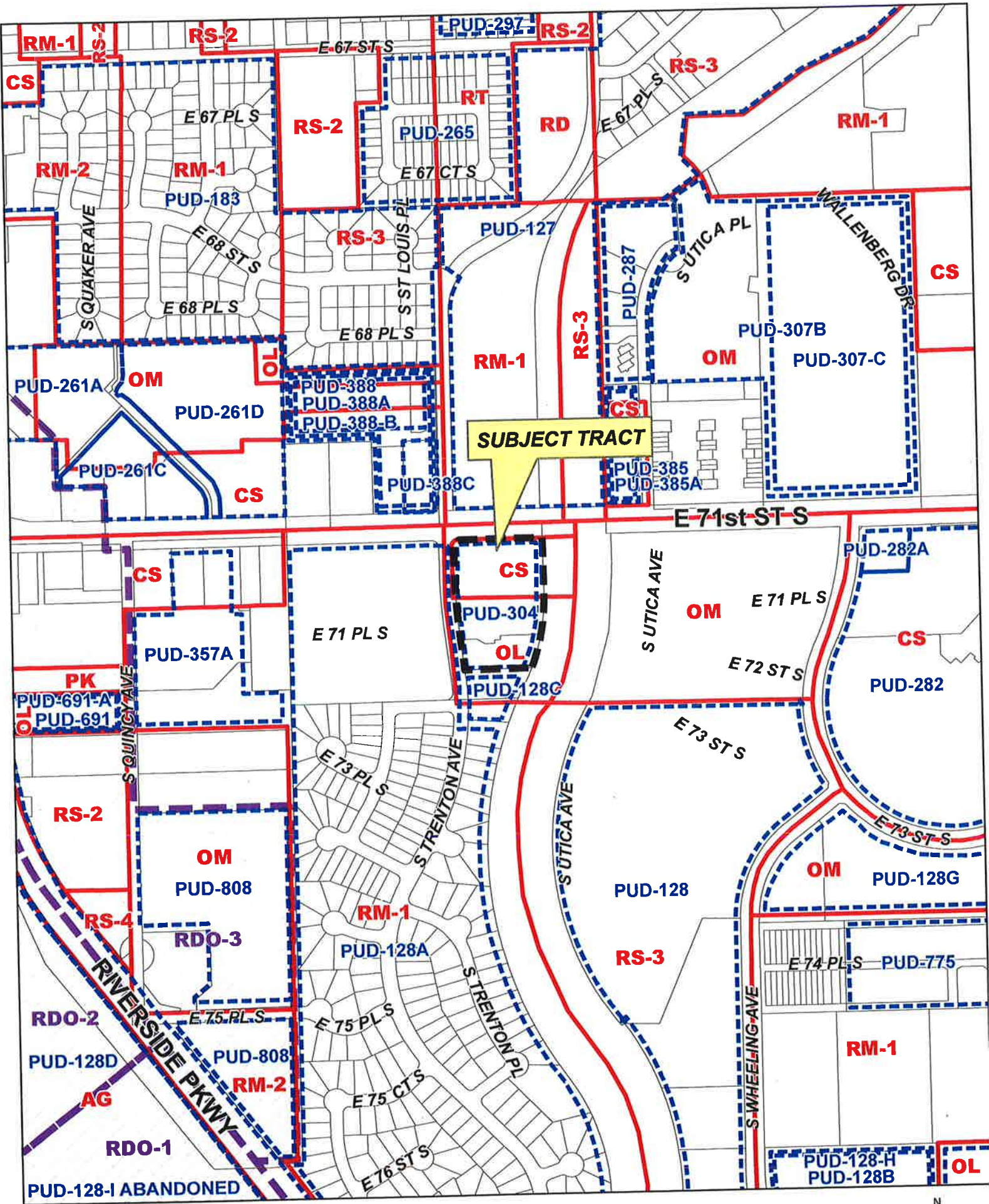
Z-6027/PUD-388 February 1985: All concurred to **approve** a request to rezone a 6.27+ acre tract from OM to CS and PUD to allow for an office development, on property located on the northwest corner of East 71st Street South and South Trenton Avenue.

PUD-128-C November 1979: All concurred in **approval**, per conditions, to develop 1± acre on property located on the northeast corner of 73rd Street and South Trenton Avenue.

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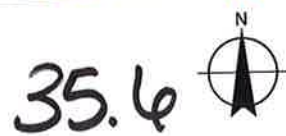
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REVISED 3/1/2018



Z-7433

18-13 07





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Feet



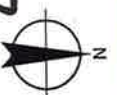
Subject
Tract

Z-7433

18-13 07

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

Aerial Photo Date: February 2016



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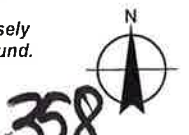
Subject
Tract

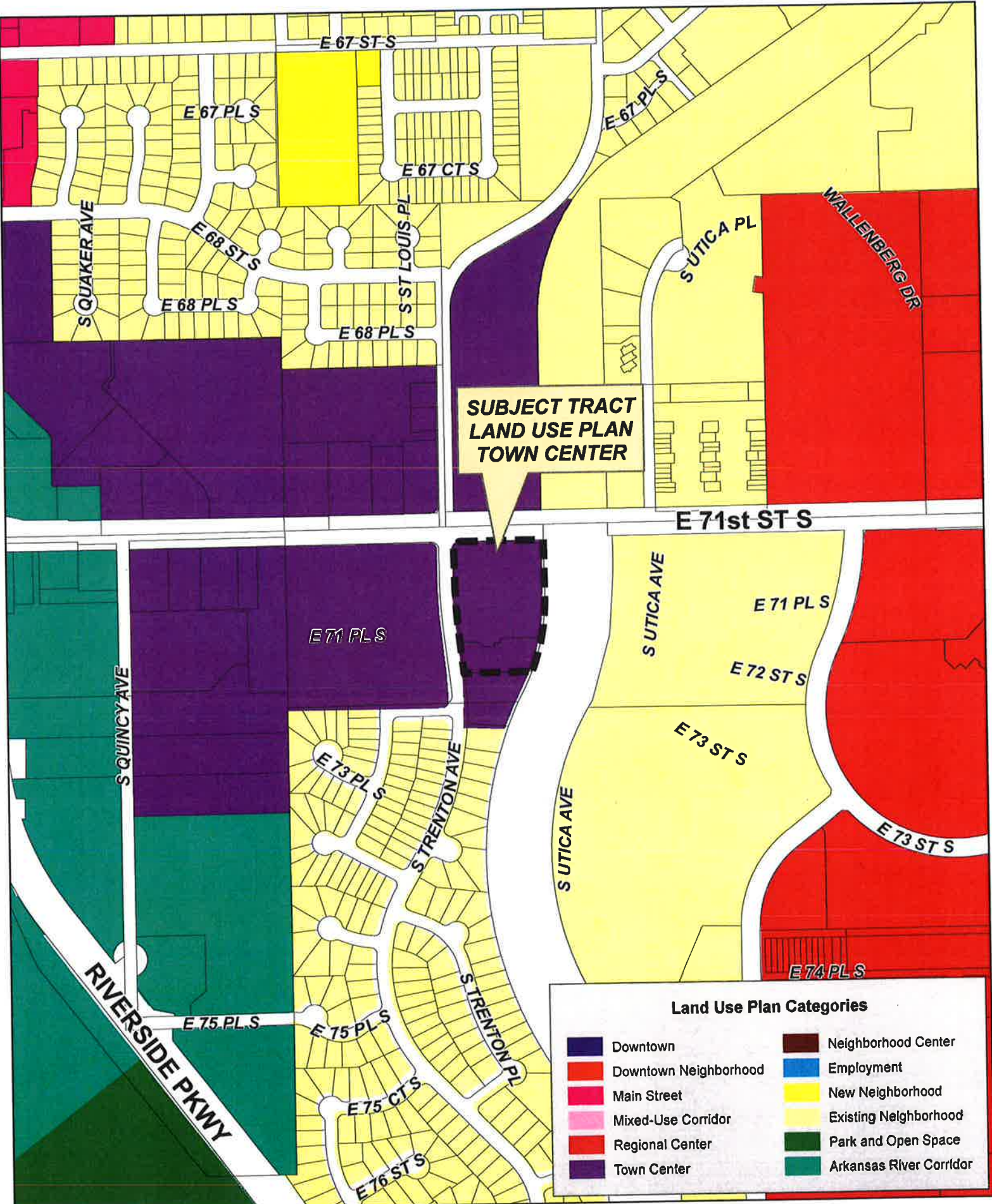
Z-7433

18-13 07

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

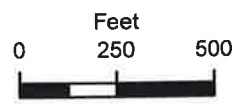
Aerial Photo Date: February 2016





**SUBJECT TRACT
LAND USE PLAN
TOWN CENTER**

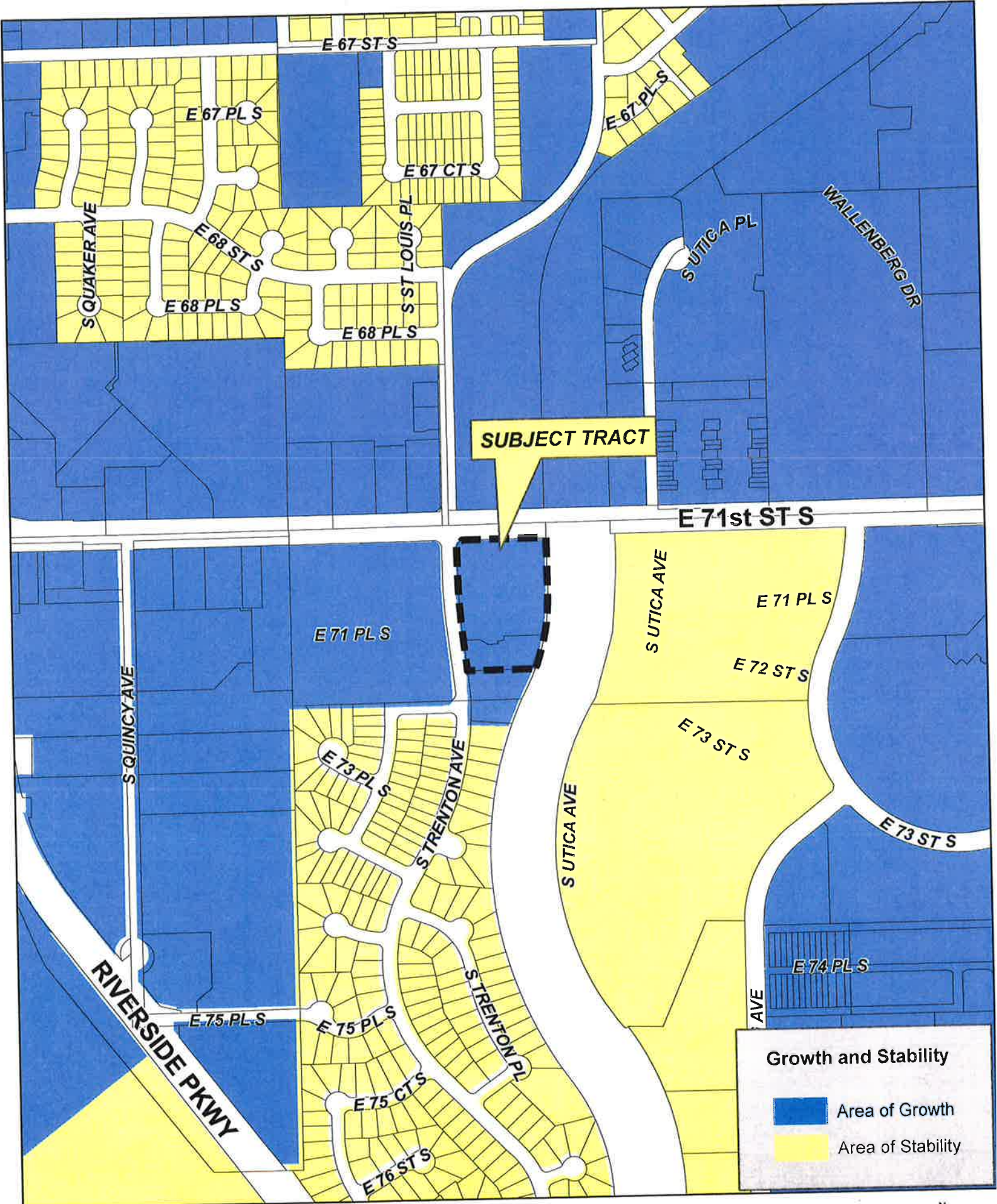
Land Use Plan Categories			
	Downtown		Neighborhood Center
	Downtown Neighborhood		Employment
	Main Street		New Neighborhood
	Mixed-Use Corridor		Existing Neighborhood
	Regional Center		Park and Open Space
	Town Center		Arkansas River Corridor



Z-7433

18-13 07





SUBJECT TRACT

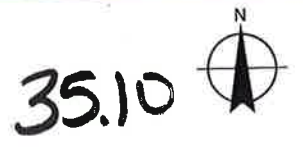
Growth and Stability

- Area of Growth
- Area of Stability



Z-7433

18-13 07





Tulsa Metropolitan Area
Planning Commission

Case Number: PUD-304-A
Related to Z-7433

Hearing Date: March 7, 2018

Case Report Prepared by:

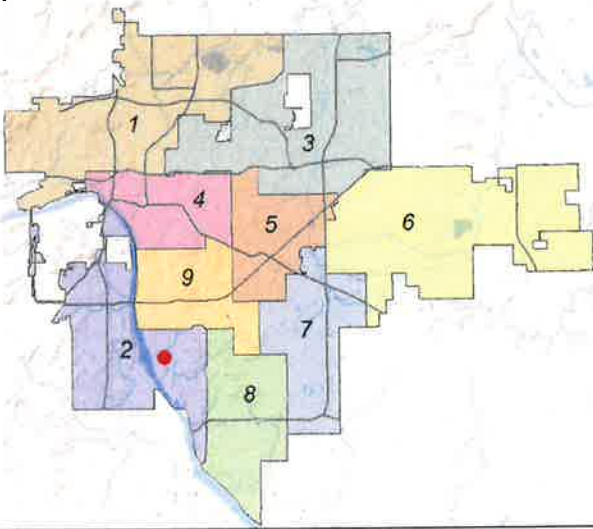
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Tulsa City Council c/o Tanner Consulting

Property Owner: KLEIN, KENNETH K & JUDI L

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Shopping Center

Proposed Use: Abandonment of PUD-304

Concept summary: Abandon the existing PUD on the site. The abandonment request is concurrent with a rezoning request as part of the mixed-use zoning initiative associated with the bus rapid transit system along Peoria Avenue.

Tract Size: 4.27 ± acres

Location: SE/c of E. 71st St. S. & S. Trenton Ave.

Zoning:

Existing Zoning: PUD-304, CS, OL

Proposed Zoning: Abandonment of PUD-304 & MX3-V-55 Zoning

Comprehensive Plan:

Land Use Map: Town Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval but only if the MX zoning is approved.

Staff Data:

TRS: 8307

CZM: 52

Atlas: 1139

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

36.1

SECTION I: PUD-304

DEVELOPMENT CONCEPT: This request for rezoning is responsive to a City Council initiative to encourage mixed-use development along the proposed bus rapid transit system route. The current zoning on the site is CS, OL, PUD 304. Abandonment of the PUD will be considered at the same time as this zoning request. The PUD abandonment will be withdrawn if the MX zoning is not approved.

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

DETAILED STAFF RECOMMENDATION:

The PUD abandonment is only appropriate with the consideration of rezoning the site as referenced in Case Z-7433

Case Z-7433 request MX3-V-55 which is consistent with the expected development pattern in the area and,

MX3-V-55 is not injurious to the surrounding property owners and,

The MX3 requested is considered more of a Regional Mixed-Use district intended to accommodate larger scale development and supports the anticipated uses in this area. The rezoning request is consistent with the Bus Rapid Transit System initiative and its land use recommendations and,

MX3-V-55 is consistent with the Town Center land use vision in the Tulsa Comprehensive Plan therefore

Staff recommends Approval of PUD304-A which will abandon PUD304 but only if the concurrent request to rezone property from CS,OL/304 to MX3-V-55 is also approved.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Abandonment of PUD 304 and rezoning the site to MX3-V-55 is consistent with the land use vision in the Tulsa Comprehensive Plan and is consistent with the goals and objectives that support the Bus Rapid Transit System. The existing PUD creates obstacles that prohibit closer setbacks to the street and certain uses including mixed use with a residential component that are desired as part of the Bus Rapid Transit System and the Town Center vision of the Tulsa Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Town Center

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Transportation Vision:

Major Street and Highway Plan: East 71st is a primary arterial with a commuter street designation. The most widespread commercial street type is the strip commercial arterial, these arterials typically serve commercial areas that contain many small retail strip centers with buildings set back from front parking lots. Because of this, strip commercial arterials have many intersections and driveways that provide access to adjacent businesses. Historically, this type of street is highly auto-oriented and tends to discourage walking and bicycling. On-street parking is infrequent.

Commuter streets are designed with multiple lanes divided by a landscaped median or a continuous two way left turn lane in the center. Commuter streets are designed to balance traffic mobility with access to nearby businesses. However, because there are so many intersections and access points on commuter streets, they often become congested. Improvements to these streets should come in the form of access management, traffic signal timing and creative intersection lane capacity improvements.

Trail System Master Plan Considerations: The east property line is abutting the Joe Creek trail that has been recently improved. Access to that trail should be encouraged with any redevelopment.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The existing site was developed in the 1980s as a two-story mixed-use building that is primarily used for retail, office. Currently there are no residential uses in the building but a minor amendment was approved in 2016 to use part of the building as a self-storage facility.

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
East 71 st Street South	Primary arterial with commuter corridor	120 feet	7
South Trenton Avenue	Residential collector	60 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
North Across 71st	PUD-127/RM-1	Town Center	Growth	Multi Family
East Across Joe Creek	OM	Existing Neighborhood	Stability	Multi Family
South	PUD-128-C / OL, RM-1	Town Center	Growth	Vacant
West Across Trenton	PUD-128A/ RM-1	Town Center	Growth	Multi Family

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 15597 dated January 21, 1983, amended zoning for the subject property.

Subject Property:

Z-5778/PUD-304 January 1983: All concurred in **approval** of a request for rezoning a 5.1± acre tract of land from OL to OL and CS; and in approval of a proposed Planned Unit Development on property

located at the southeast corner of South Trenton Avenue and East 71st Street South (Ordinance 15597 dated January 21, 1983 amended (14639) zoning for the subject property.)

PUD-304-3 March 2016: All concurred in **approval**, on consent agenda, of a *minor amendment* to PUD-304 to add seasonal outdoor storage for a use of a tenant, "The Hamlet" its successors or assigns. The period of operation would be limited annually to the 76 day period from November 1 through January 15 and a 31 day period from 3 calendar weeks before Easter through 10 days after Easter, on property located on the southeast corner of East 71st Street South and South Trenton Avenue.

PUD-304-2 August 2012: All concurred in **approval**, on consent agenda, of a *minor amendment* to PUD-304 to add Use Unit 16 (Mini Storage) with the limitation that the storage facility will be included inside the existing building and will be a climate controlled facility, on property located on the southeast corner of East 71st Street South and South Trenton Avenue.

PUD-304-1 May 2012: All concurred in **approval**, on consent agenda, of a *minor amendment* to PUD-304 to add a Children's Nursery (Use Unit 5), on property located on the southeast corner of East 71st Street South and South Trenton Avenue.

Z-5321 November 1979: All concurred in **approval** of a request for rezoning a 5.9± acre tract of land from RM-1 and PUD-129 to OL, on property located at the southeast corner of 71st Street South and South Trenton Avenue (Ordinance 14639 dated January 4, 1980 amended (11828) zoning for the subject property.) (Ordinance 11828 dated June 26, 1970 established zoning for the subject property.)

PUD-128-A November 1979: All concurred in **approval**, per conditions, to develop 118± acres on property located at 71st Street and west of the Joe Creek Channel for residential purposes (Ordinance 14629 dated December 11, 1979 amended (11828) zoning for the subject property.)

PUD-128 October 1972: All concurred in **approval** of a proposed Planned Unit Development on a 278± acre tract of land allowing a total of 4,441 residential units on property located between 71st Street South to 81st Street South, from Lewis Avenue to the east boundary of the Arkansas River.

Z-4245 October 1972: All concurred in **approval** of a request for rezoning a 348± acre tract of land from AG to RS-3, RM-1, and RM-2, on property located between 71st Street South to 81st Street South, from Lewis Avenue to the east boundary of the Arkansas River.

Surrounding Property:

BOA-21926 July 2015: The Board of Adjustment **accepted** the applicant's verification of the spacing requirement for the proposed liquor store of 300 feet subject to the action of the Board being void should another liquor store or other conflicting use be established prior to the establishment of this liquor store, on property located at the southeast corner of South Trenton Avenue and East 71st Street South (PUD-304).

PUD-388-A May 1991: All concurred in **approval**, per conditions, of an amendment to PUD-388 in order to develop the tract, located at the northwest corner of 71st Street south and South Trenton Avenue, with the development of two food establishments in the southern portion which fronts onto 71st street and leaving the northern portion for retail/commercial development under the initial development standards.

Z-6027/PUD-388 February 1985: All concurred to **approve** a request to rezone a 6.27+ acre tract from OM to CS and PUD to allow for an office development, on property located on the northwest corner of East 71st Street South and South Trenton Avenue.

PUD-128-C November 1979: All concurred in **approval**, per conditions, to develop 1± acre on property located on the northeast corner of 73rd Street and South Trenton Avenue.

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Subject Tract

PUD-304-A

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





E 71st ST S

STRENTON AVE



Subject
Tract

PUD-304-A

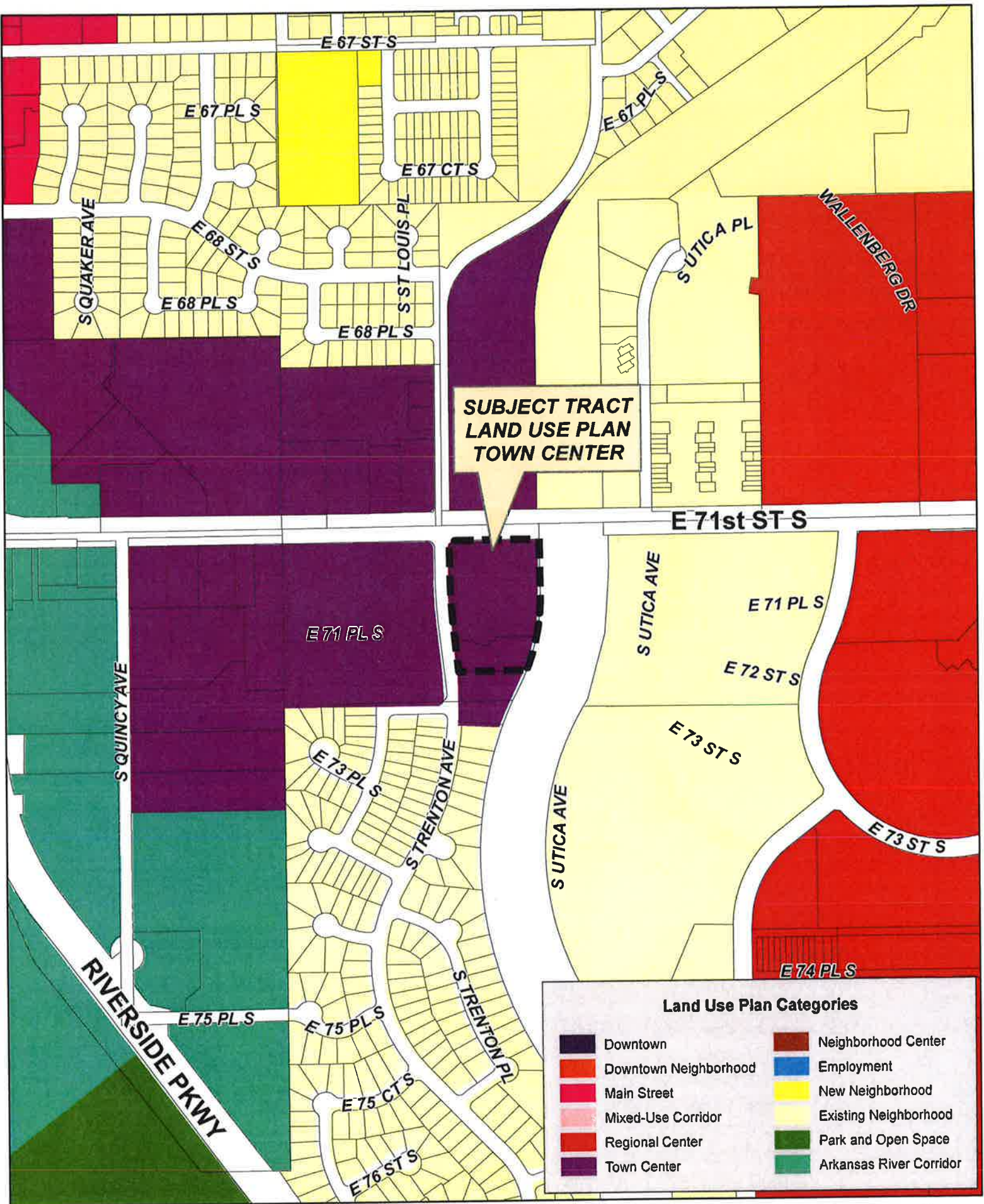
18-13 07

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

Aerial Photo Date: February 2016

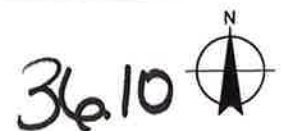
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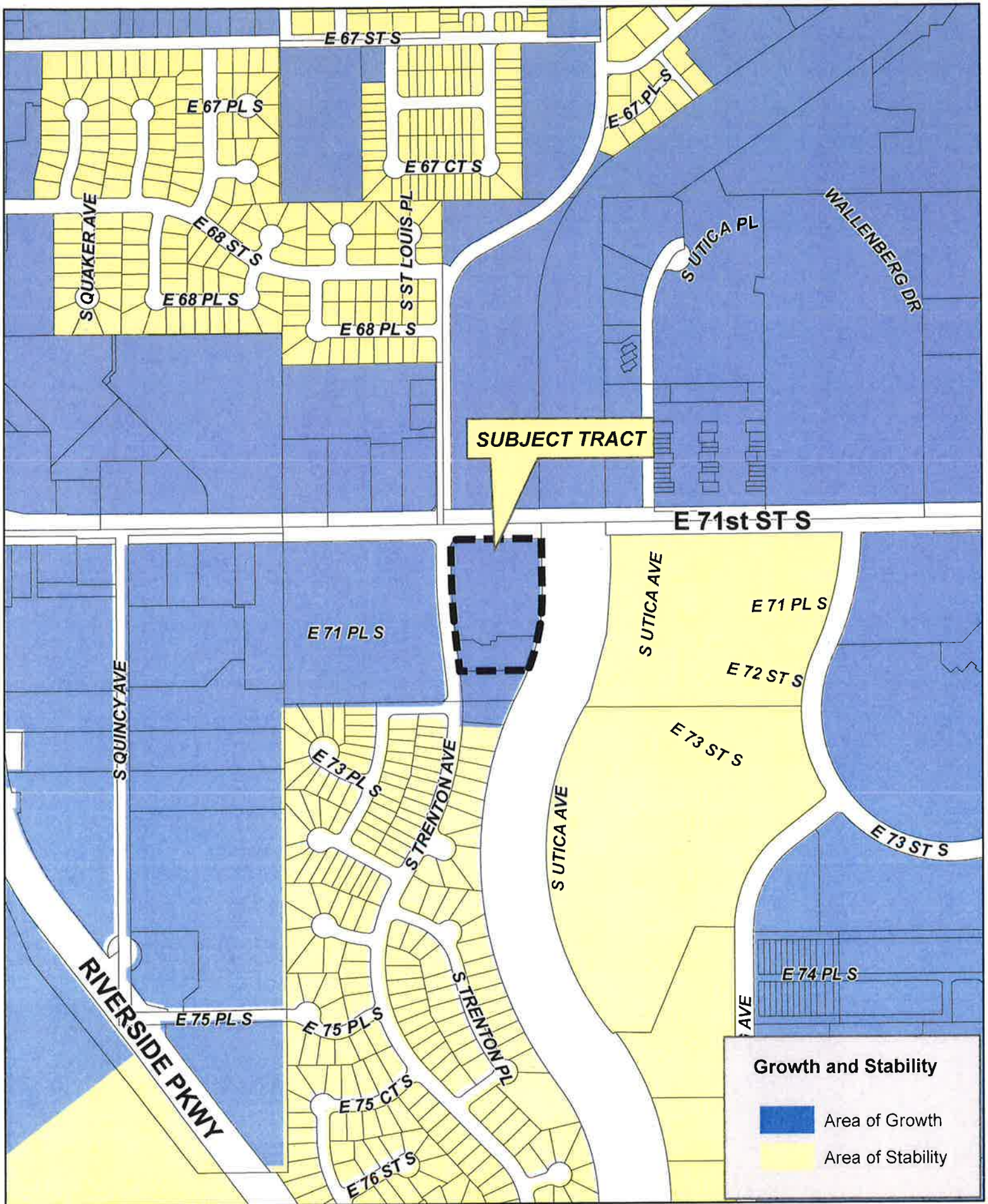




PUD-304-A

18-13 07





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PUD-304-A

18-13 07

36.11





Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7434

Related to PUD 128-J

Hearing Date: March 7, 2018

Case Report Prepared by:

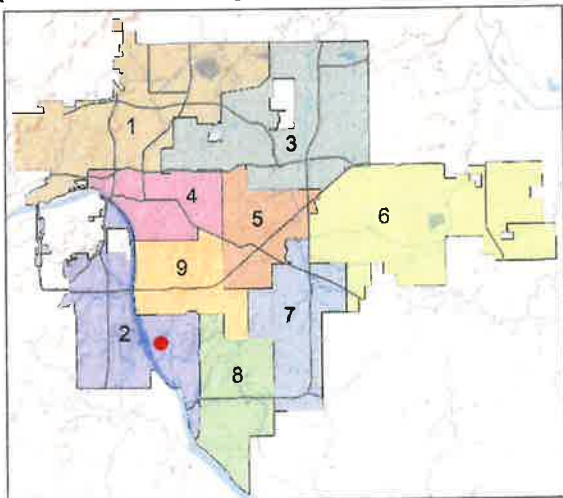
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Tulsa City Council

Property Owner: RAMSAY, CHARLES L JR
FAMILY TRUST, THE

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Empty lot

Proposed Use: Mixed Use

Concept summary: Rezoning request as part of the mixed-use zoning initiative associated with the bus rapid transit system. Associated with this item the property owner has submitted a concurrent request to abandon the existing PUD on the site.

Tract Size: 1.08 ± acres

Location: S of the SE/c of E 71st St S & S Trenton Ave.

Zoning:

Existing Zoning: OL, RM-1, PUD-128-C

Proposed Zoning: MX3-V-55 and
abandonment of PUD-128-C

Comprehensive Plan:

Land Use Map: Town Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval

Staff Data:

TRS: 8307

CZM: 52

Atlas: 1139

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

37.1

SECTION I: Z-7434

DEVELOPMENT CONCEPT: This request for rezoning is responsive to a City Council initiative to encourage mixed-use development along the proposed bus rapid transit system route. The current zoning on the site is OL/RM-1/PUD 128-C. PUD 128-C only allows office uses and surface parking. A concurrent request to abandon the PUD will be considered at the same time as this zoning request. The PUD abandonment will be withdrawn if the MX zoning is not approved.

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

DETAILED STAFF RECOMMENDATION:

Case Z-7434 request MX3-V-55 is consistent with the expected development pattern in the area and, MX3-V-55 is not injurious to the surrounding property owners and,

The MX3 requested is considered more of a Regional Mixed-Use district intended to accommodate larger scale development and supports the anticipated uses in this area location along South Peoria. The rezoning request is consistent with the Bus Rapid Transit System initiative and its land use recommendations and,

MX3-V-55 is consistent with the Town Center land use vision in the Tulsa Comprehensive Plan therefore

Staff recommends Approval of Z-7434 to rezone property from OL,RM-1/ to MX3-V-55.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: MX3-V-55 is consistent with the land use vision in the Tulsa Comprehensive Plan and is consistent with the goals and objectives that support the Bus Rapid Transit System. The existing PUD creates obstacles that prohibit closer setbacks to the street and certain uses including mixed use with a residential component that are desired as part of the Bus Rapid Transit System and the Town Center vision of the Tulsa Comprehensive Plan.

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

37.2

REVISED 3/1/2018

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 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: South Trenton Avenue is a residential collector.

Trail System Master Plan Considerations: The east property line is abutting the Joe Creek trail that has been recently improved. Access to that trail should be encouraged with any redevelopment.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The existing site is undeveloped.

Environmental Considerations: None that might affect site development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Trenton Avenue	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	PUD-304	Town Center	Growth	Mixed use building
East Across Joe Creek	OM	Existing Neighborhood	Stability	Multi Family
South	PUD-128-RS-3	Town Center	Growth	Single Family
West Across Trenton	PUD-128A/ RM-1	Town Center	Growth	Multi Family

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 15954 dated February 24, 1984, amended zoning for the subject property.

Subject Property:

PUD-128-C November 1979: All concurred in **approval**, per conditions, to develop 1± acres on property located on the northeast corner of 73rd Street and South Trenton Avenue. (Ordinance 15954 dated February 24, 1984 amended (14629) zoning for the subject property.)

PUD-128-A November 1979: All concurred in **approval**, per conditions, to develop 118± acres on property located at 71st Street and west of the Joe Creek Channel for residential purposes. (Ordinance 14629 dated December 11, 1979 amended (11828) zoning for the subject property.) (Ordinance 11828 dated June 26, 1970 established zoning for the subject property.)

PUD-128 October 1972: All concurred in **approval** of a proposed Planned Unit Development on a 278± acre tract of land allowing a total of 4,441 residential units on property located between 71st Street South to 81st Street South, from Lewis Avenue to the east boundary of the Arkansas River.

Z-4245 October 1972: All concurred in **approval** of a request for rezoning a 348± acre tract of land from AG to RS-3, RM-1, and RM-2, on property located between 71st Street South to 81st Street South, from Lewis Avenue to the east boundary of the Arkansas River.

Surrounding Property:

PUD-304-3 March 2016: All concurred in **approval**, on consent agenda, of a *minor amendment* to PUD-304 to add seasonal outdoor storage for a use of a tenant, "The Hamlet" its successors or assigns. The period of operation would be limited annually to the 76 day period from November 1 through January 15 and a 31 day period from 3 calendar weeks before Easter through 10 days after Easter, on property located on the southeast corner of East 71st Street South and South Trenton Avenue

BOA-21926 July 2015: The Board of Adjustment **accepted** the applicant's verification of the spacing requirement for the proposed liquor store of 300 feet subject to the action of the Board being void

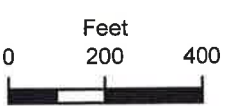
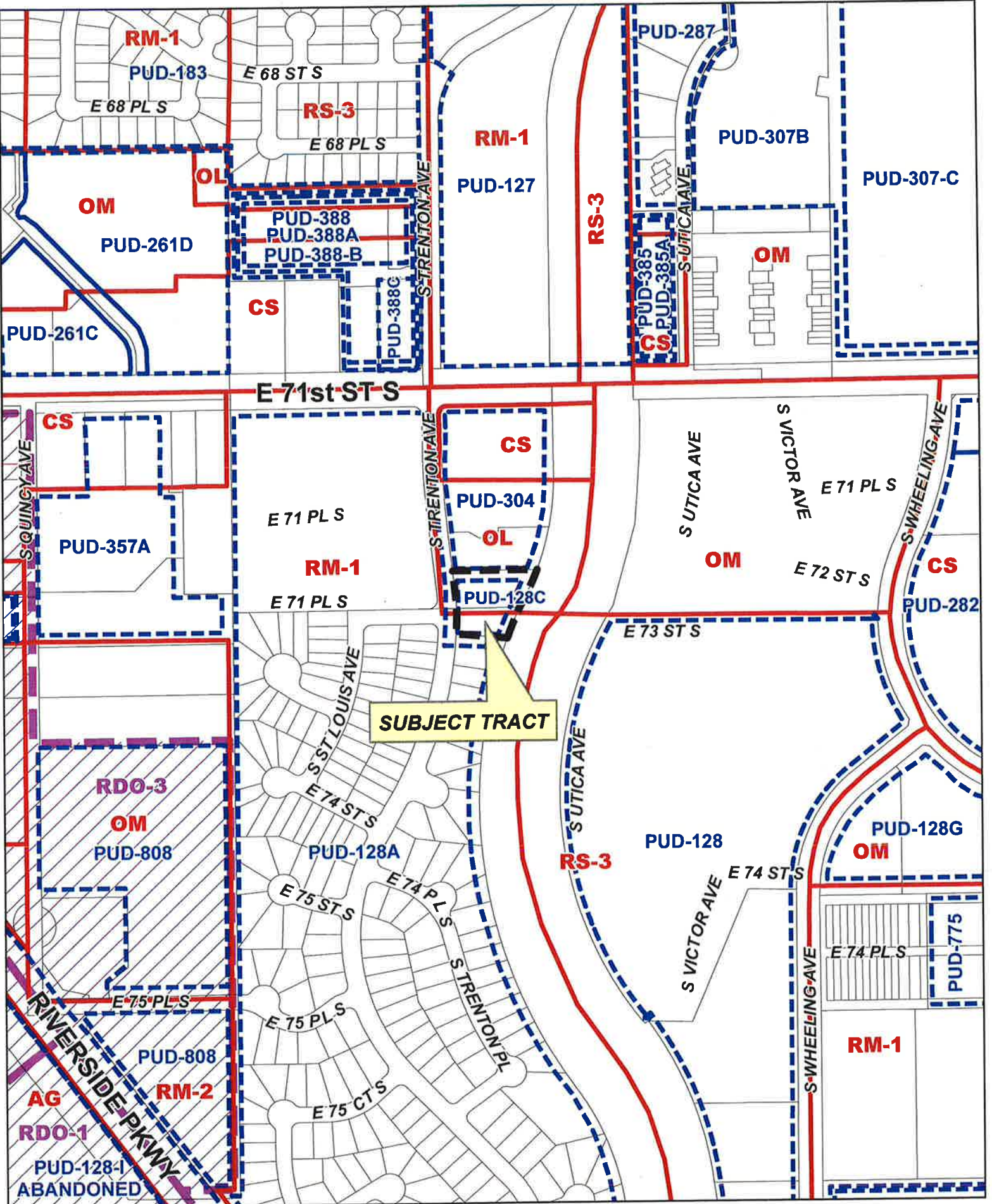
should another liquor store or other conflicting use be established prior to the establishment of this liquor store, on property located at the southeast corner of South Trenton Avenue and East 71st Street South (PUD-304).

PUD-304-2 August 2012: All concurred in **approval**, on consent agenda, of a *minor amendment* to PUD-304 to add Use Unit 16 (Mini Storage) with the limitation that the storage facility will be included inside the existing building and will be a climate controlled facility, on property located on the southeast corner of East 71st Street South and South Trenton Avenue.

PUD-304-1 May 2012: All concurred in **approval**, on consent agenda, of a *minor amendment* to PUD-304 to add a Children's Nursery (Use Unit 5), on property located on the southeast corner of East 71st Street South and South Trenton Avenue.

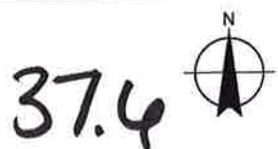
Z-5778/PUD-304 January 1983: All concurred in **approval** of a request for rezoning a 5.1± acre tract of land from OL to OL and CS; and in approval of a proposed Planned Unit Development on property located at the southeast corner of South Trenton Avenue and East 71st Street South (PUD-304).

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Z-7434

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0 200 400 Feet



Subject Tract

Z-7434

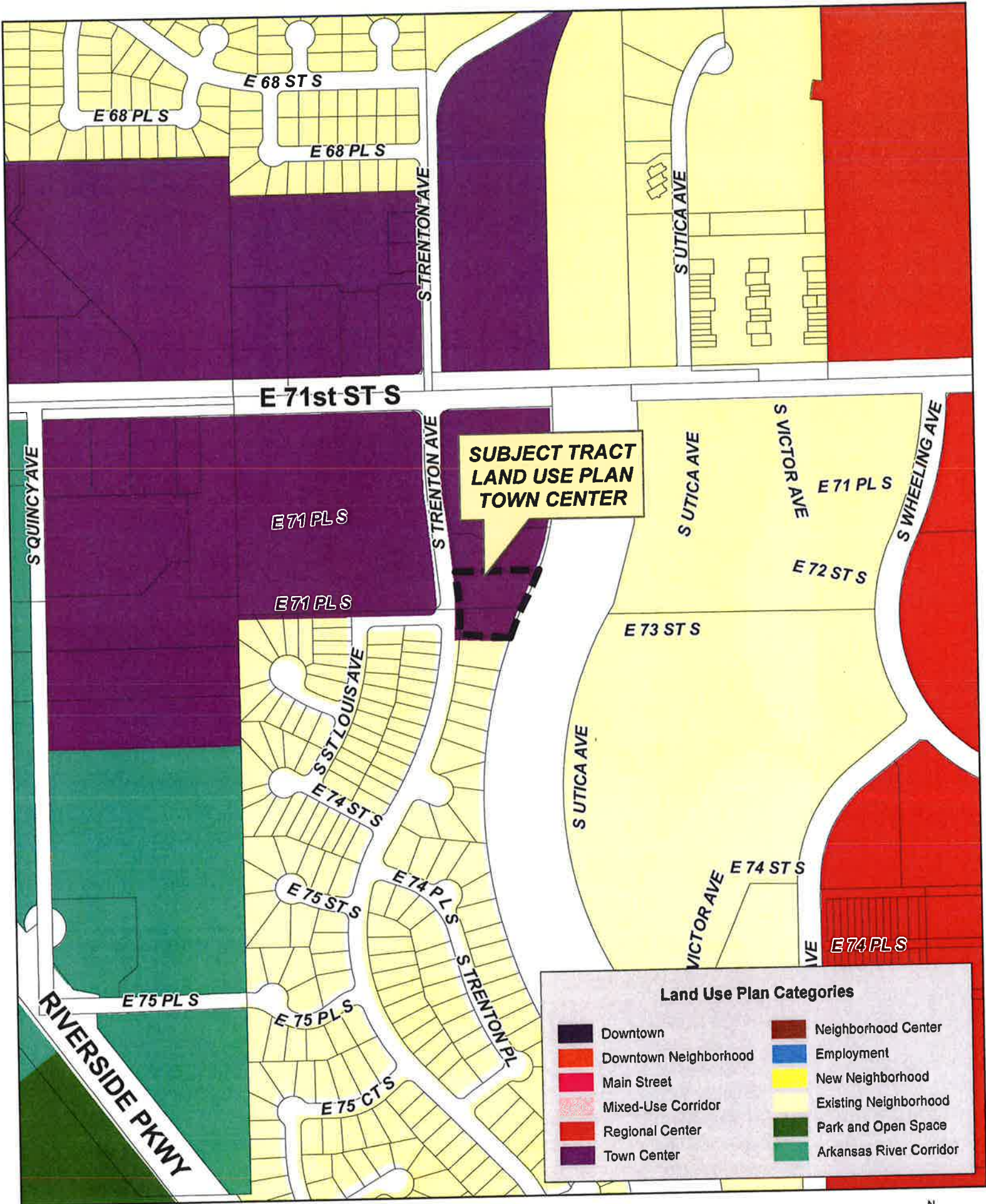
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

377





**SUBJECT TRACT
LAND USE PLAN
TOWN CENTER**

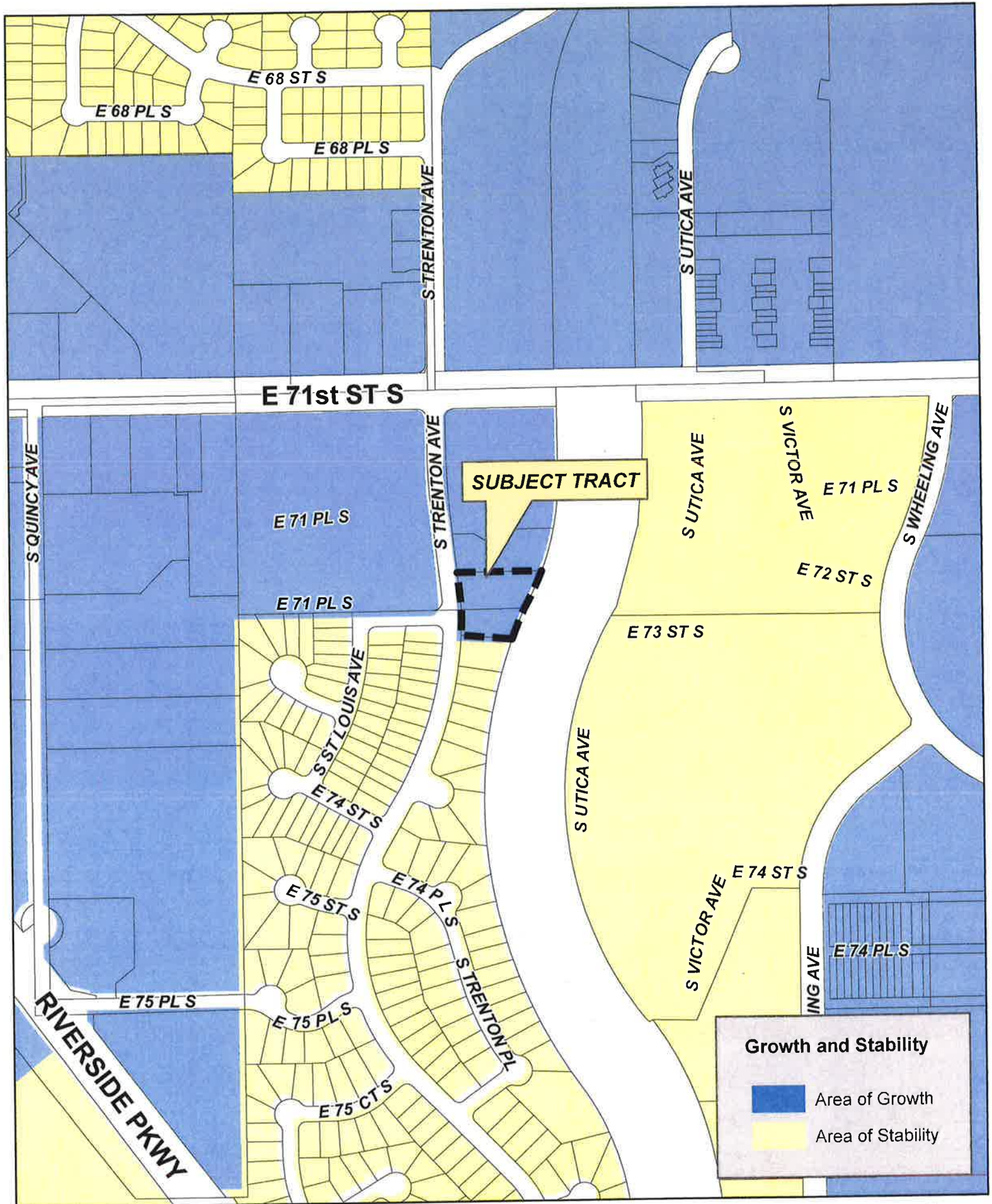
Land Use Plan Categories

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



Z-7434
18-13 07





Z-7434

18-13 07

37.9



Tulsa Metropolitan Area
Planning Commission

Case Number: PUD-128-J
Related to Z-7434

Hearing Date: March 7, 2018

Case Report Prepared by:

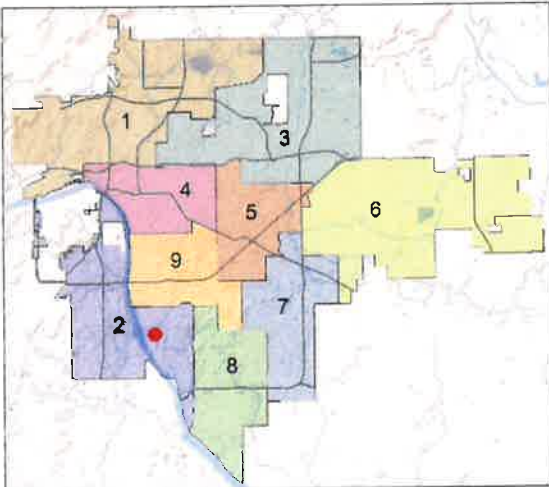
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Tulsa City Council

Property Owner: RAMSAY, CHARLES L JR
FAMILY TRUST,

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Empty lot

Proposed Use: Abandonment of PUD-128-C

Concept summary: Rezoning request as part of the mixed-use zoning initiative associated with the bus rapid transit system. Associated with this item the property owner has submitted a concurrent request to rezone the site to MX3-V-55.

Tract Size: 1.08 ± acres

Location: S of the SE/c of E 71st St S & S Trenton Ave.

Zoning:

Existing Zoning: PUD-128-C, OL, RM-1

Proposed Zoning: MX3-V-55 and
abandonment of PUD-128-C

Comprehensive Plan:

Land Use Map: Town Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval to abandon PUD 128-C only if MX zoning is approved.

Staff Data:

TRS: 8307
CZM: 52

Atlas: 1139

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

38.1

SECTION I: PUD-128-J

DEVELOPMENT CONCEPT: This request for rezoning is responsive to a City Council initiative to encourage mixed-use development along the proposed bus rapid transit system route. The current zoning on the site is OL/RM-1/PUD 128-C. PUD 128-C only allows office uses and surface parking. A concurrent request to rezone the site to MX3-U-55 is being considered at the same time as this PUD abandonment request. The PUD abandonment will be withdrawn if the MX zoning is not approved.

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

DETAILED STAFF RECOMMENDATION:

PUD-128-J is only appropriate with approval of the rezoning on this site as referenced in Case Z-7434.

Case Z-7434 requesting MX3-V-55 is consistent with the expected development pattern in the area and,

MX3-V-55 is not injurious to the surrounding property owners and,

The MX3 requested is considered more of a Regional Mixed-Use district intended to accommodate larger scale development and supports the anticipated uses in this area location along South Peoria. The rezoning request is consistent with the Bus Rapid Transit System initiative and its land use recommendations and,

MX3-V-55 is consistent with the Town Center land use vision in the Tulsa Comprehensive Plan therefore,

Staff recommends Approval of PUD128-J which will abandon PUD128-C but only if the concurrent request to rezone property from OL,RM-1,PUD128-C to MX3-V-55 is also approved.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: MX3-V-55 is consistent with the land use vision in the Tulsa Comprehensive Plan and is consistent with the goals and objectives that support the Bus Rapid Transit System. The existing PUD creates obstacles that prohibit closer setbacks to the street and certain uses including mixed use with a residential component that are desired as part of the Bus Rapid Transit System and the Town Center vision of the Tulsa Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: Town Center

38.2

REVISED 3/1/2018

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 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: South Trenton Avenue is a residential collector.

Trail System Master Plan Considerations: The east property line is abutting the Joe Creek trail that has been recently improved. Access to that trail should be encouraged with any redevelopment.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The existing site is undeveloped.

Environmental Considerations: None that might affect site development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Trenton Avenue	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	PUD-304	Town Center	Growth	Mixed use building
East Across Joe Creek	OM	Existing Neighborhood	Stability	Multi Family
South	PUD-128-RS-3	Town Center	Growth	Single Family
West Across Trenton	PUD-128A/ RM-1	Town Center	Growth	Multi Family

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 15954 dated February 24, 1984, amended zoning for the subject property.

Subject Property:

PUD-128-C November 1979: All concurred in **approval**, per conditions, to develop 1± acres on property located on the northeast corner of 73rd Street and South Trenton Avenue. (Ordinance 15954 dated February 24, 1984 amended (14629) zoning for the subject property.)

PUD-128-A November 1979: All concurred in **approval**, per conditions, to develop 118± acres on property located at 71st Street and west of the Joe Creek Channel for residential purposes. (Ordinance 14629 dated December 11, 1979 amended (11828) zoning for the subject property.) (Ordinance 11828 dated June 26, 1970 established zoning for the subject property.)

PUD-128 October 1972: All concurred in **approval** of a proposed Planned Unit Development on a 278± acre tract of land allowing a total of 4,441 residential units on property located between 71st Street South to 81st Street South, from Lewis Avenue to the east boundary of the Arkansas River.

Z-4245 October 1972: All concurred in **approval** of a request for rezoning a 348± acre tract of land from AG to RS-3, RM-1, and RM-2, on property located between 71st Street South to 81st Street South, from Lewis Avenue to the east boundary of the Arkansas River.

Surrounding Property:

PUD-304-3 March 2016: All concurred in **approval**, on consent agenda, of a *minor amendment* to PUD-304 to add seasonal outdoor storage for a use of a tenant, "The Hamlet" its successors or assigns. The period of operation would be limited annually to the 76 day period from November 1 through January 15 and a 31 day period from 3 calendar weeks before Easter through 10 days after Easter, on property located on the southeast corner of East 71st Street South and South Trenton Avenue

BOA-21926 July 2015: The Board of Adjustment **accepted** the applicant's verification of the spacing requirement for the proposed liquor store of 300 feet subject to the action of the Board being void

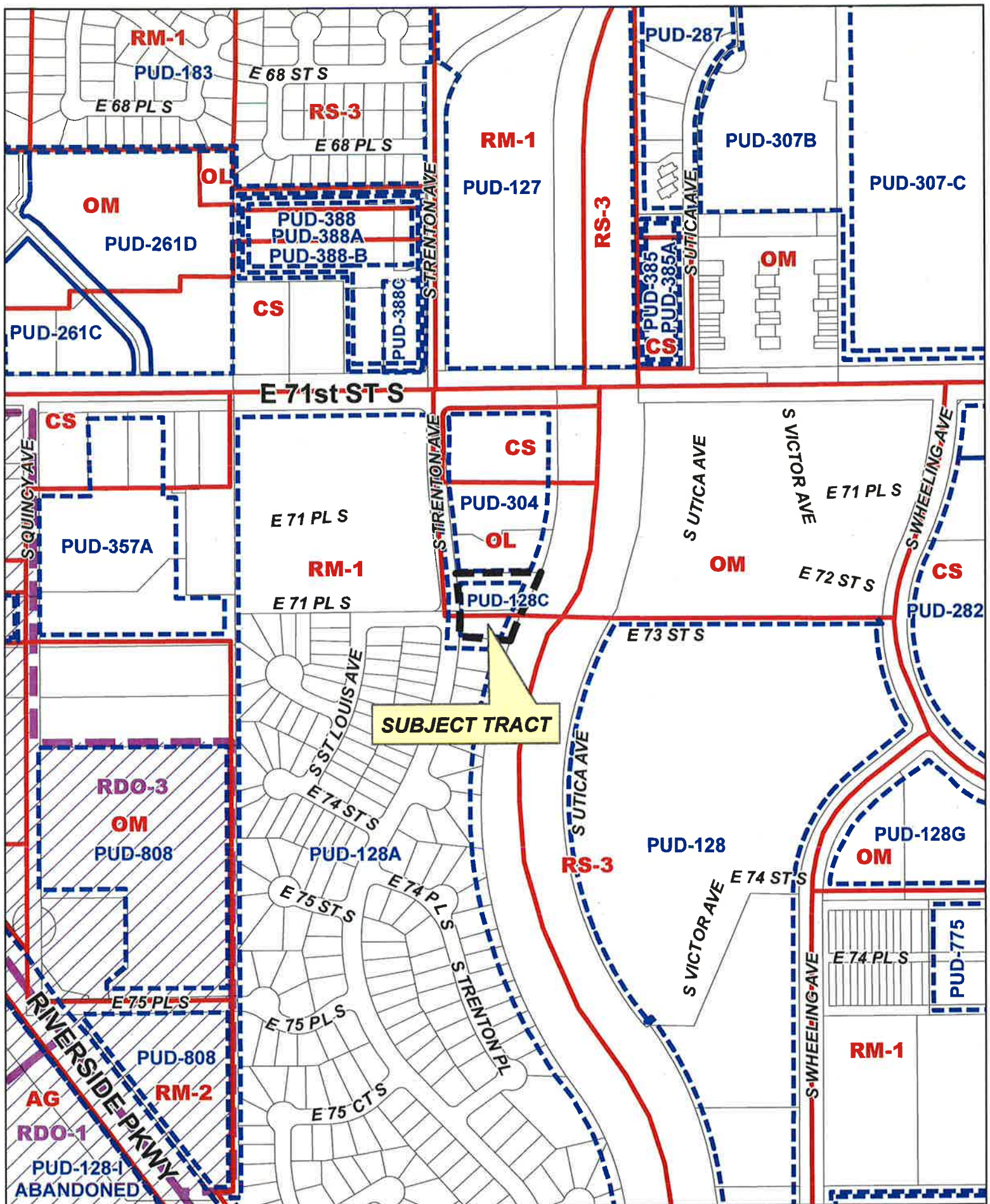
should another liquor store or other conflicting use be established prior to the establishment of this liquor store, on property located at the southeast corner of South Trenton Avenue and East 71st Street South (PUD-304).

PUD-304-2 August 2012: All concurred in **approval**, on consent agenda, of a *minor amendment* to PUD-304 to add Use Unit 16 (Mini Storage) with the limitation that the storage facility will be included inside the existing building and will be a climate controlled facility, on property located on the southeast corner of East 71st Street South and South Trenton Avenue.

PUD-304-1 May 2012: All concurred in **approval**, on consent agenda, of a *minor amendment* to PUD-304 to add a Children's Nursery (Use Unit 5), on property located on the southeast corner of East 71st Street South and South Trenton Avenue.

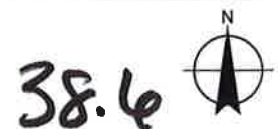
Z-5778/PUD-304 January 1983: All concurred in **approval** of a request for rezoning a 5.1± acre tract of land from OL to OL and CS; and in approval of a proposed Planned Unit Development on property located at the southeast corner of South Trenton Avenue and East 71st Street South (PUD-304).

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Z-7434/PUD-128-J

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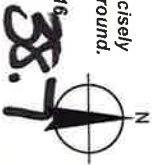
Subject
Tract

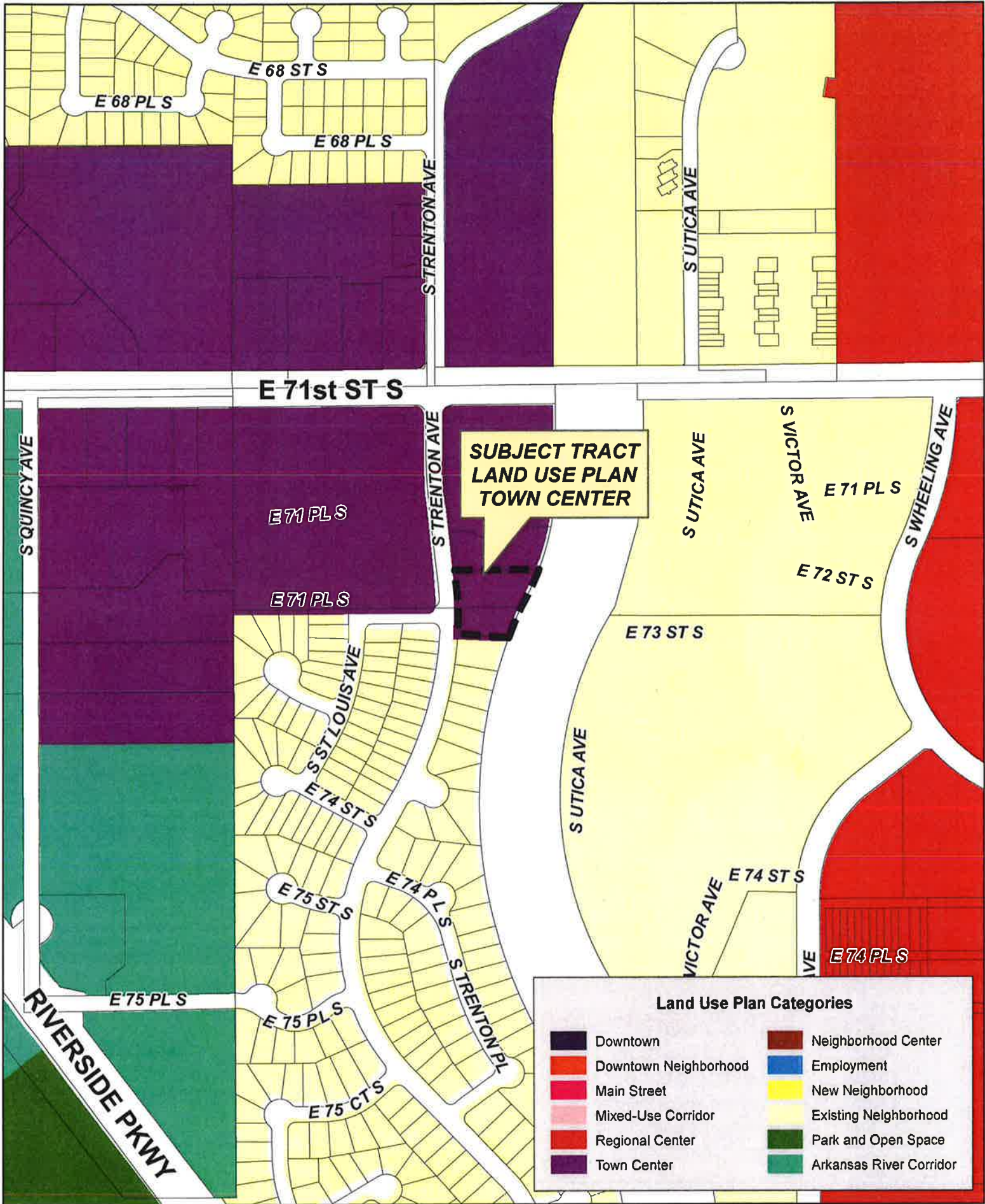
Z-7434/PUD-128-J

18-13 07

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

Aerial Photo Date: February 2016





PUD-128-J

18-13 07

