

TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2792

April 17, 2019, 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: A work session will be held on May 1, 2019 at 11:30 am to discuss Strategic Planning, Revisions to TMAPC Policies and Procedures and Tulsa County Comprehensive Plan amendments.

Director's Report:

Review TMAPC Receipts for the month of March 2019

1. Minutes of March 20, 2019, Meeting No. 2790

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. **PUD-713-8 Nick Puma** (CD 8) Location: Southeast corner of East 117th Place South and South Kingston Avenue requesting a **PUD Minor Amendment** to reduce required front setback from 30 feet to 25 feet
3. **PUD-148-6 Carolyn Back/KKT Architects** (CD 6) Location: South and east of the Southeast corner of East 31st Street South and South 129th East Avenue requesting a **PUD Minor Amendment** to allow dynamic display sign
4. **PUD-714-A-2 John Krumme/Riverside Lots, LLC** (CD 2) Location: Southeast corner of South Delaware Avenue and East 101st Street South requesting a **PUD Minor Amendment** to increase the allowable driveway width
5. **Crosstown Industrial No. 2** (CD 3) Reinstatement of Preliminary Plat, Location: East of the southeast corner of East Pine Street and North Garnett Road

PUBLIC HEARINGS:

6. **Z-7475 Sheena Grewal** (CD 7) Location: South of the southeast corner of East 61st Street South and South 75th East Avenue requesting rezoning from **RS-3 to OL** (Related to PUD-187-A) (Continued from March 20, 2019) **(Staff requests a continuance to May 15, 2019)**
7. **PUD-187-A Sheena Grewal** (CD 7) Location: South of the southeast corner of East 61st Street South and South 75th East Avenue requesting a **PUD Major Amendment** to allow office use (Related to Z-7475) (Continued from March 20, 2019) **(Staff requests a continuance to May 15, 2019)**
8. **MPD-2 Nathan Cross** (CD 1) Location: West and north of the northwest corner of West Edison Street and North 41st West Avenue requesting a **Master Plan Development** for private street mixed-use community (Continued from February 20, 2019, March 6, 2019 and March 20, 2019) **(Staff requests a continuance to May 1, 2019)**
9. **Z-7473 Phil Frazier** (CD 6) Location: South of the southeast corner of East 4th Place South and South 129th East Avenue rezoning from **RS-2 to CG with optional development plan** (Continued from April 3, 2019)
10. **Z-7477 C. Brody Glenn** (CD 2) Location: West of the southwest corner of East 91st Street South and South Delaware Avenue rezoning from **AG to CG with optional development plan**
11. **CZ-486 John Sayre** (County) Location: Southeast corner of North Harvard Avenue and East 96th Street North rezoning from **AG to RE**
12. **PUD-633-A Mary Anne Moura** (CD 3) Location: South of the southeast corner of South Sheridan Road and East 4th Street South requesting a **PUD Major Amendment** to allow Personal Vehicle Sales and Rentals

OTHER BUSINESS

13. Consider initiation of revisions and executive summary of West Highlands/Tulsa Hills Small Area Plan (Continued from April 3, 2019)
14. **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 Tulsa Planning Office, INCOG. Ringling/sound on all cell phones 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.



Case Number: PUD-713-8
Minor Amendment

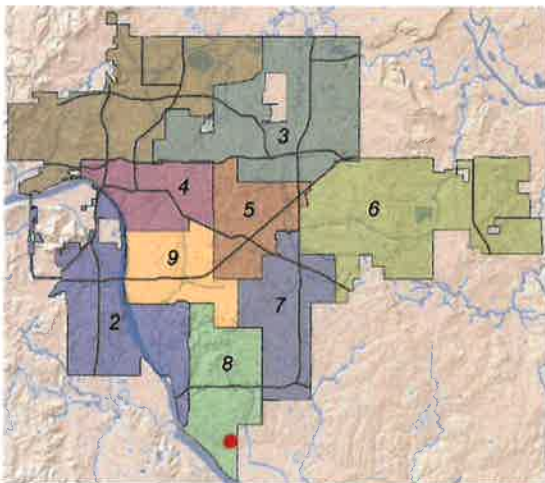
Hearing Date: April 17, 2019

Case Report Prepared by:
 Jay Hoyt

Owner and Applicant Information:
 Applicant: Nick Puma

Property Owner: Bullock & Associates

Location Map:
 (shown with City Council Districts)



Applicant Proposal:

Concept summary: PUD minor amendment to reduce required front setback from 30 ft to 25 ft.

Gross Land Area: 0.51 acres

Location: SE/c E 117th Pl S and S Kingston Ave

Lot 10 Block 2 Estates at River Oaks Amended

Zoning:
 Existing Zoning: RS-1/PUD-713
 Proposed Zoning: No Change

Comprehensive Plan:
 Land Use Map: Existing Neighborhood
 Growth and Stability Map: Stability

Staff Recommendation:
 Staff recommends **approval**.

Staff Data:
 TRS: 8334

City Council District: 8
Councilor Name: Phil Lakin, Jr.

County Commission District: 3
Commissioner Name: Ron Peters

SECTION I: PUD-713-8 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Revise the development standards to reduce the front yard setback from 30 ft to 25 ft.

The requested revised setback has been submitted to and approved by the Home Owner's Association of this development. The home is to be located on a lot with an angular shape and frontage on a cul-de-sac, limiting the usable lot area. This request would eliminate 5 ft from the required setback.

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."

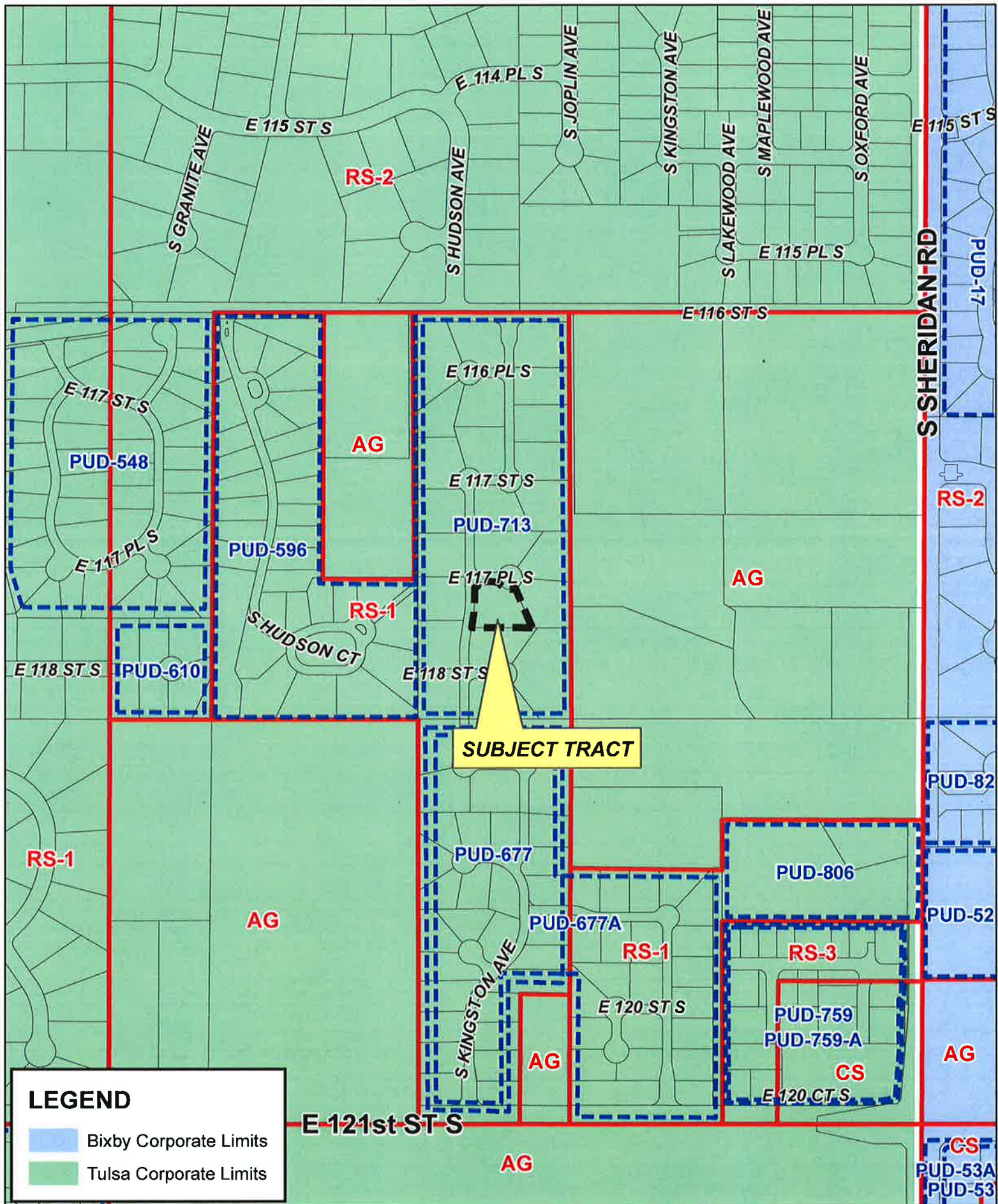
Staff has reviewed the request and determined:

- 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-713 and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map
INCOG aerial photo
INCOG aerial photo (enlarged)
Applicant Plot Plan

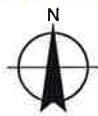
With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the front yard setback from 30 ft to 25 ft.



PUD-713-8

18-13 34

2.3





0 200 400
Feet



Subject
Tract

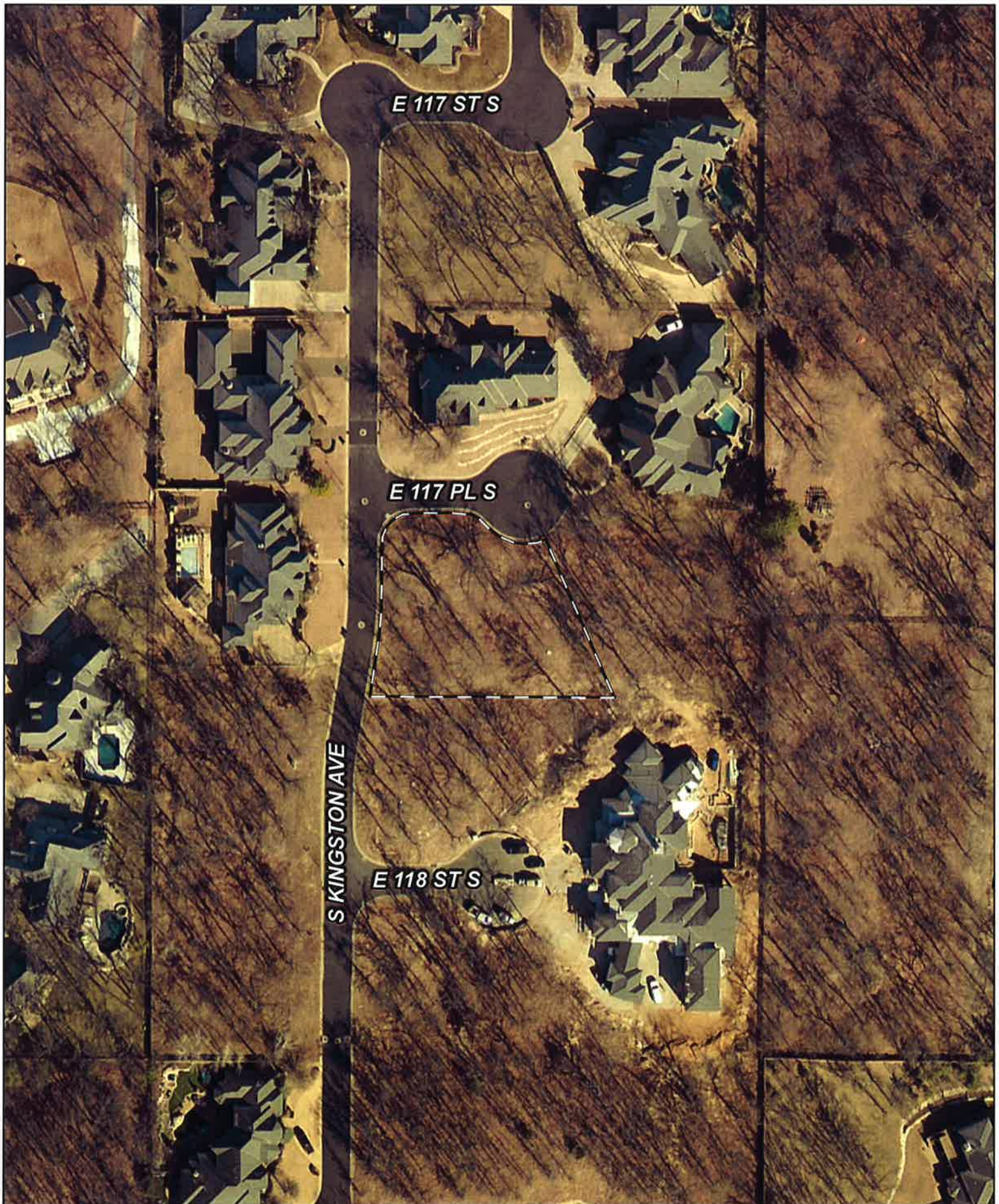
PUD-713-8

18-13 34

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

Aerial Photo Date: February 2018





E 117 ST S

E 117 PL S

S KINGSTON AVE

E 118 ST S

0 50 100
Feet



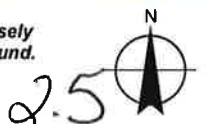
Subject
Tract

PUD-713-8

18-13 34

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

Aerial Photo Date: February 2018



Case Number: PUD-148-6
Minor Amendment

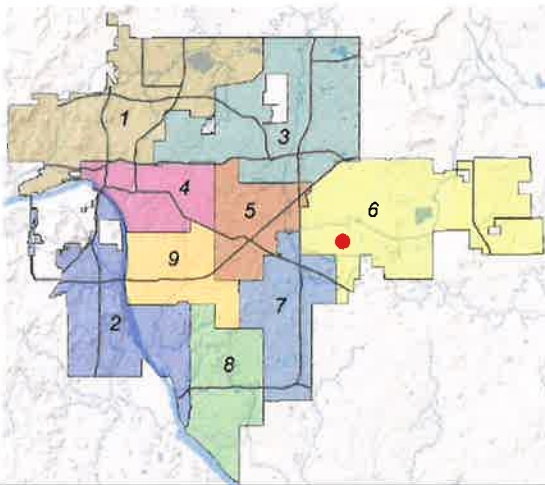
Hearing Date: April 17, 2019

Case Report Prepared by:
Jay Hoyt

Owner and Applicant Information:
Applicant: Carolyn Back – KKT Architects

Property Owner: Union Schools – ISD No. 9

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Concept summary: PUD minor amendment to allow dynamic display sign.

Gross Land Area: 8.8 acres

Location: South and East of the SE/c E 31st St S and S 129th E Ave

3433 S 133rd E Ave

Lot 6, Block 4, Briarglen Park Extended

Zoning:
Existing Zoning: RS-3/PUD-148
Proposed Zoning: No Change

Comprehensive Plan:
Land Use Map: Existing Neighborhood
Growth and Stability Map: Stability

Staff Recommendation:
Staff recommends **approval**.

Staff Data:
TRS: 2194

City Council District: 6
Councilor Name: Connie Dodson

County Commission District: 1
Commissioner Name: Stan Sallee

SECTION I: PUD-148-6 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Revise the development standards to allow a dynamic display for a proposed new monument sign for Union School's Boevers Elementary.

Currently, the development standards restrict sign illumination to constant light. This amendment proposes to allow a dynamic display to be included within a new monument sign for the elementary school. The proposed sign, itself, is within the height and area restrictions of the PUD with the dynamic display technology proposed being the item that does not currently comply. The sign is of an identical design to other signs that have been installed at other Union Schools locations, as illustrated in the example provided by the applicant.

With the exception of adding the allowance for a dynamic display, no other signage 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(12) of the City of Tulsa Zoning Code.*

"Modifications to approved signage, provided the size, location, number and character (type) of signs is not substantially altered."

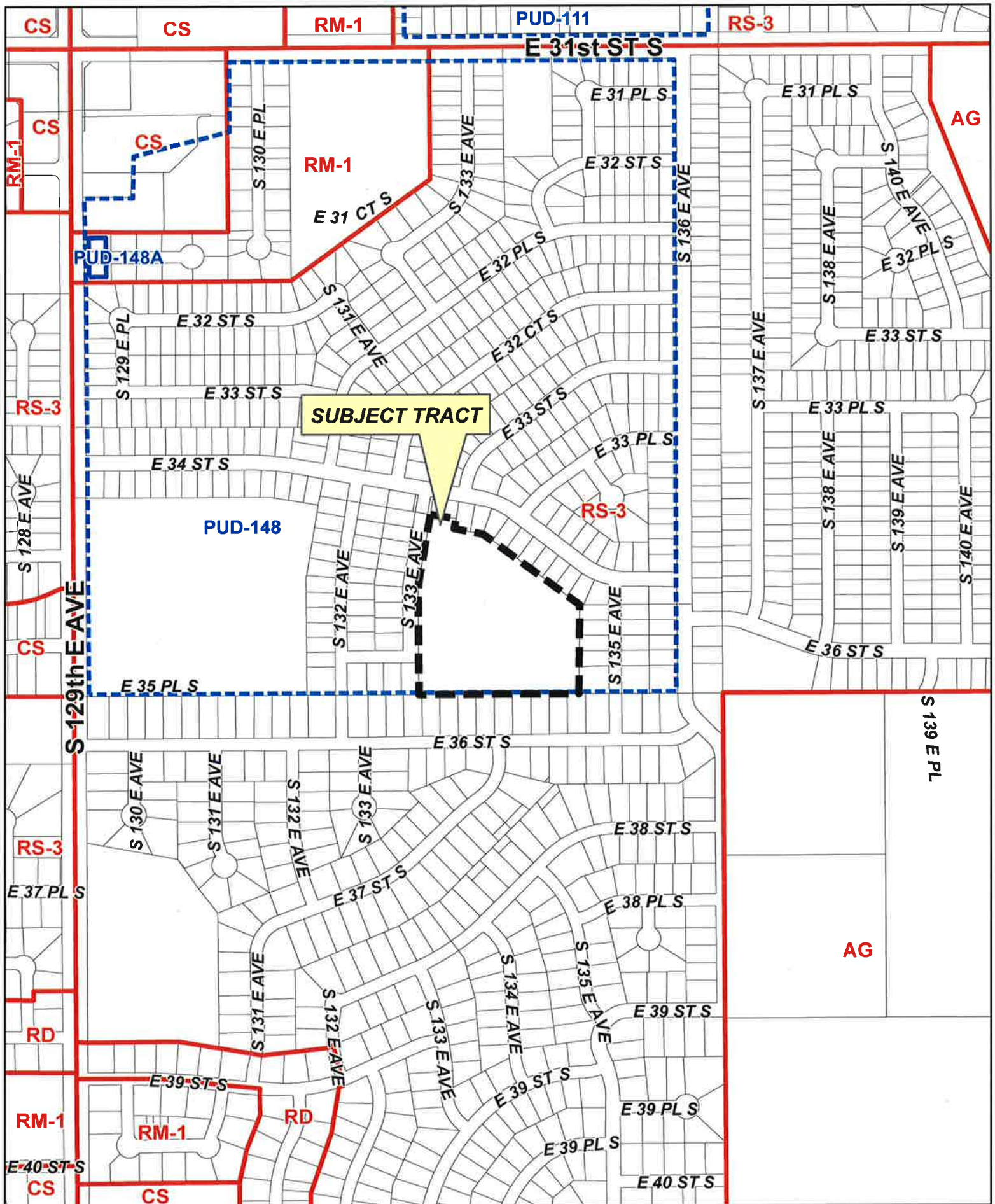
Staff has reviewed the request and determined:

- 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-148 and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

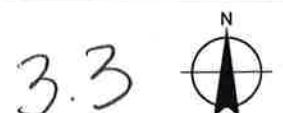
INCOG zoning case map
INCOG aerial photo
INCOG aerial photo (enlarged)
Applicant Site Plan w/ Signage Details
Applicant Rendering of Proposed Sign
Applicant Example of Existing Sign

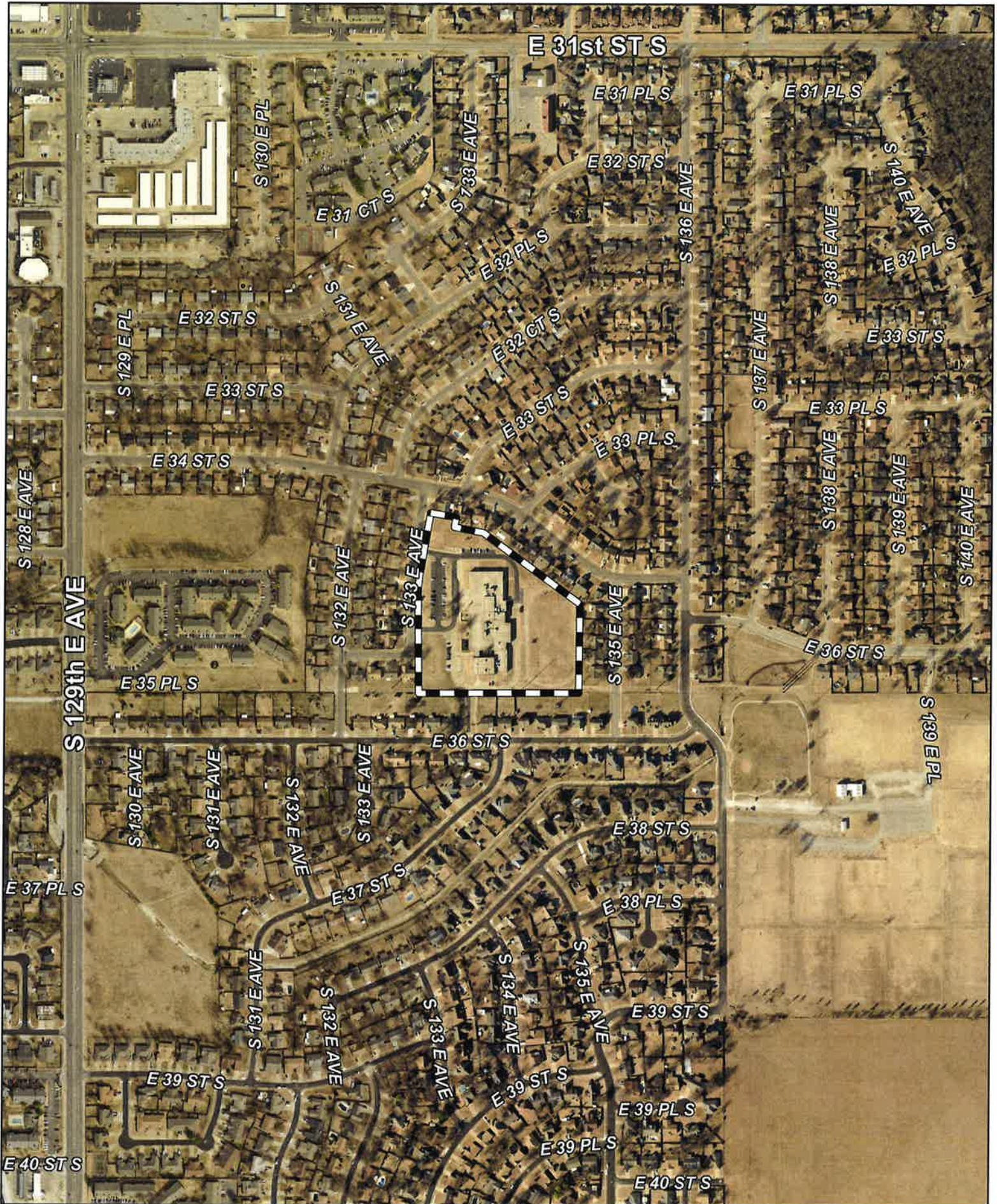
With considerations listed above, staff recommends **approval** of the minor amendment request to allow dynamic display signage for the subject lot.



PUD-148-6

19-14 21





Feet

0 250 500



**Subject
Tract**

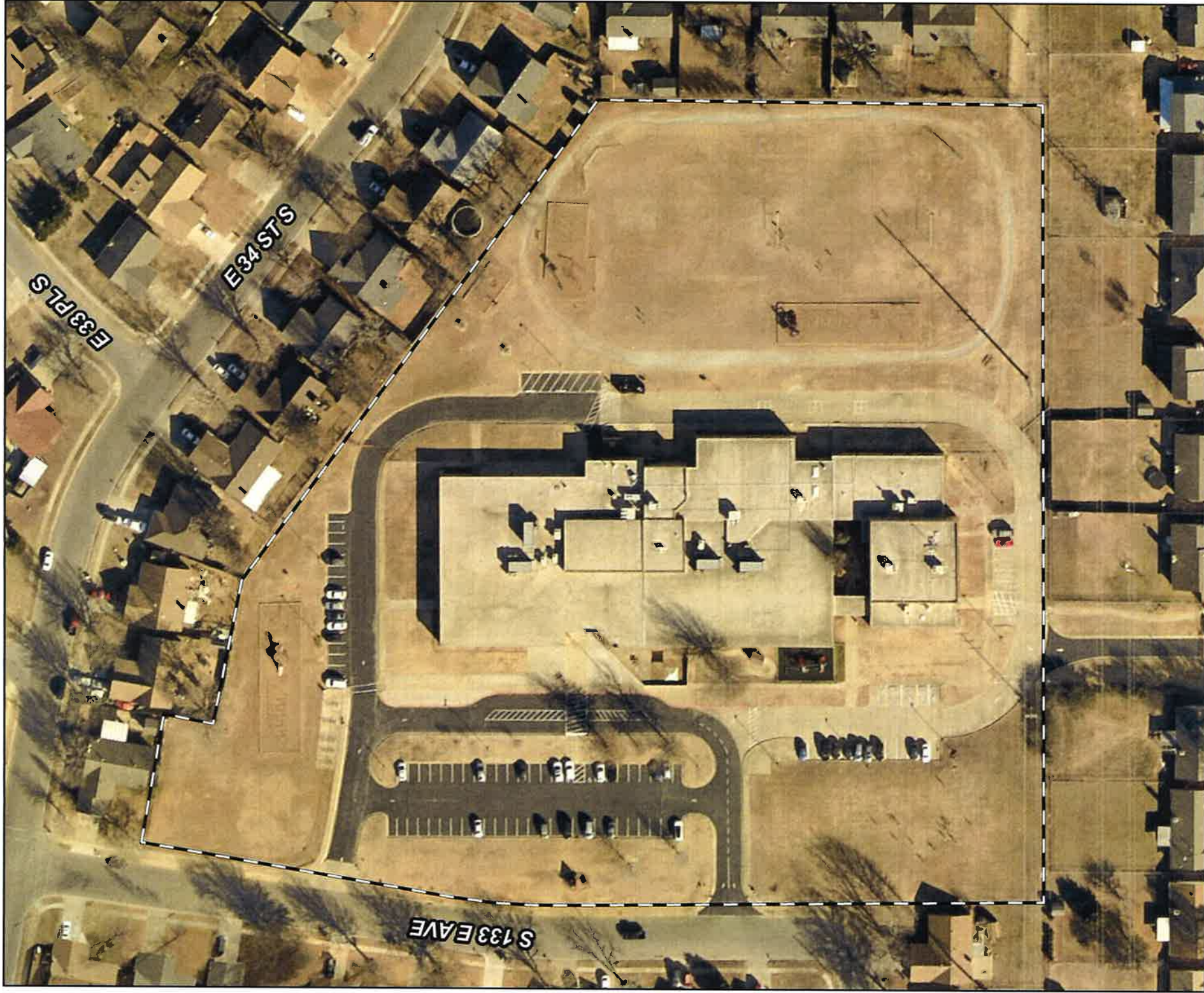
PUD-148-6

19-14 21

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

Aerial Photo Date: February 2018

¹⁸3.4



Feet
0 50 100



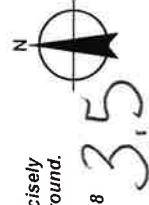
Subject
Tract

PUD-148-6

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

19-14 21

Aerial Photo Date: February 2018



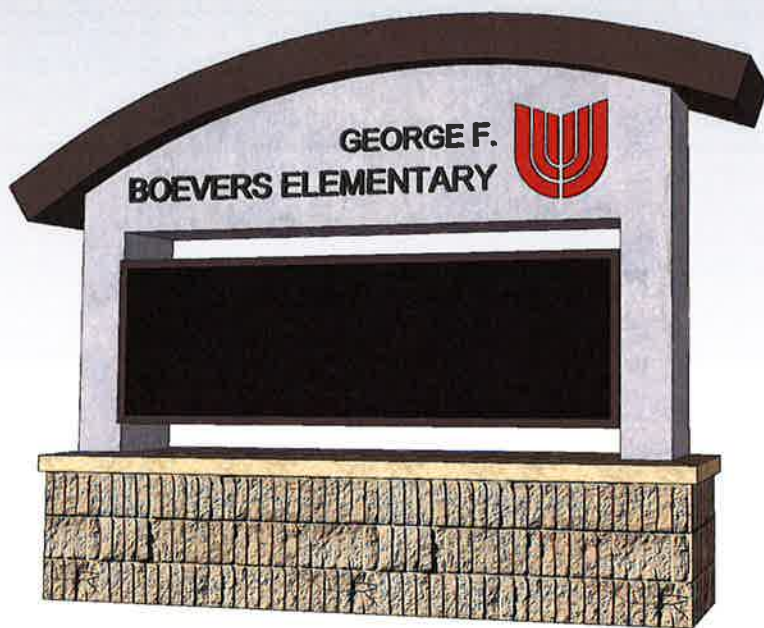
UNION
PUBLIC
SCHOOLS

3433 S 133RD E AVE
TULSA
OK 74134



SITE PLAN
B-AS1.1

65





**Picture of Sign Model
(constructed at another school campus)**



Case Number: PUD-714-A-2
Minor Amendment

Hearing Date: April 17, 2019

Case Report Prepared by:

Jay Hoyt

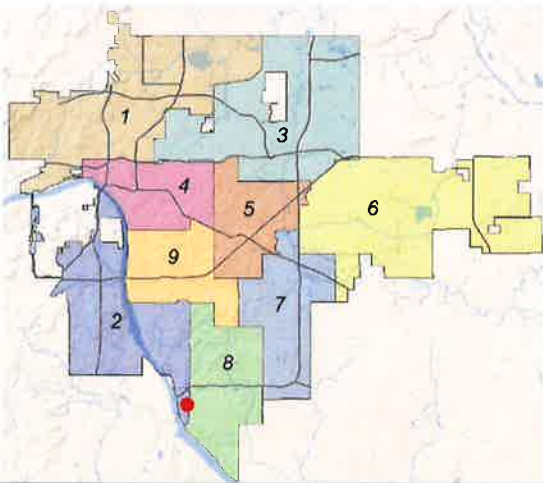
Owner and Applicant Information:

Applicant: John Krumme w/ Riverside Lots, LLC

Property Owner: Various (See attached Applicant Proposal Information)

Location Map:

(shown with City Council Districts)



Applicant Proposal:

Concept summary: PUD minor amendment to increase the allowable driveway width.

Gross Land Area: 15 acres ±

Location: SE/c S Delaware Ave and E 101st St S

Lots 1-3, 5-24 Block 4, Lots 1-9, 11-26, 28-33, Block 5, Lots 2-4, 9 of Block 6 Riverview Park Estates

Zoning:

Existing Zoning: RS-3/PUD-714-A

Proposed Zoning: No Change

Comprehensive Plan:

Land Use Map: Existing Neighborhood

Growth and Stability Map: Stability

Staff Recommendation:

Staff recommends **approval**.

Staff Data:

TRS: 1813

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 3

Commissioner Name: Ron Peters

4.1

SECTION I: PUD-714-A-2 Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Revise the development standards to permit increase the allowable driveway width.

Currently, the development standards for driveway widths are determined by the maximum percent coverage from the older City of Tulsa Zoning Code that was replaced in 2016. The applicant is proposing to allow wider driveway widths measured by a maximum width within the right-of-way and within street setback in relation to the lot width. The applicant proposes 32 ft driveway width allowed within the street right-of-way for lots 46 ft in width, 30 ft for lots between 30-35 ft and 12 ft for lots less than 30 ft in width. Also proposed is allowing 32 ft in width within the street setback for all lots greater than 30 ft in width.

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."

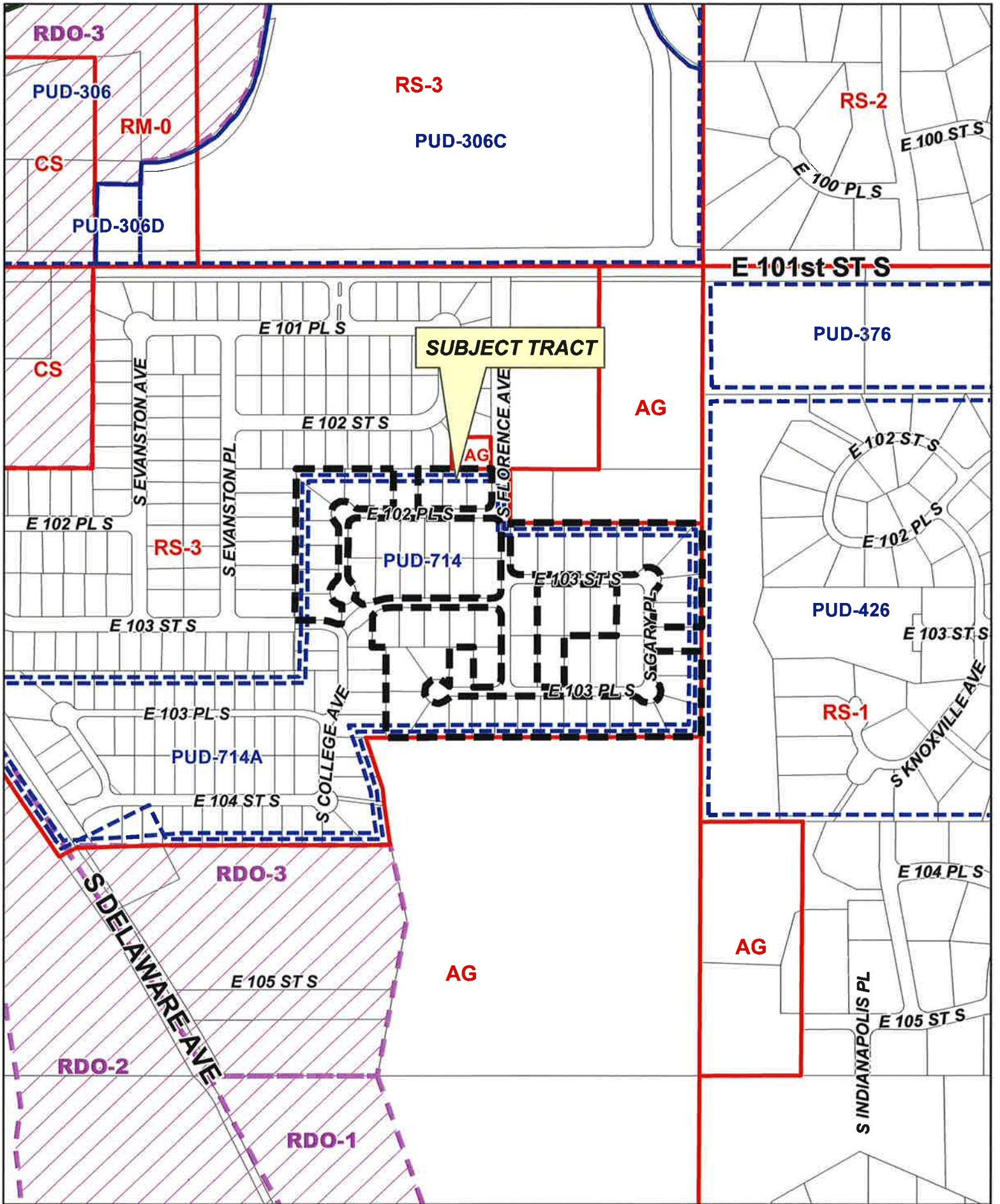
Staff has reviewed the request and determined:

- 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-714-A and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map
INCOG aerial photo
Applicant Proposal Information

With considerations listed above, staff recommends **approval** of the minor amendment request to increase the allowable driveway width.



PUD-714-A-2

18-13 29

4.3



0 200 400
Feet



Subject
Tract

PUD-714-A-2

18-13 29

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

Aerial Photo Date: February 2018



Attachment to Minor Amendment to PUD

Legal Description:

Listing of property for requested minor amendment all in Riverview Park Estates Blocks 4, 5 and 6 a subdivision of part of the NE/4 of Section 29, T-18-N, R-13-E PUD 714A:

Lot	Block	Owner	Lot	Block	Owner
1	4	Paloma Capital, LLC	7	5	Paloma Capital, LLC
2	4	Paloma Capital, LLC	8	5	Paloma Capital, LLC
3	4	Paloma Capital, LLC	9	5	Paloma Capital, LLC
5	4	Riverside Lots, LLC	11	5	Paloma Capital, LLC
6	4	Paloma Capital, LLC	12	5	Paloma Capital, LLC
7	4	Paloma Capital, LLC	13	5	Riverside Lots, LLC
8	4	Paloma Capital, LLC	14	5	Paloma Capital, LLC
9	4	Paloma Capital, LLC	15	5	Paloma Capital, LLC
10	4	Riverview Park Estates, LLC	16	5	Paloma Capital, LLC
11	4	Paloma Capital, LLC	17	5	Paloma Capital, LLC
12	4	Paloma Capital, LLC	18	5	Paloma Capital, LLC
13	4	Paloma Capital, LLC	19	5	Paloma Capital, LLC
14	4	Paloma Capital, LLC	20	5	Paloma Capital, LLC
15	4	Paloma Capital, LLC	21	5	Paloma Capital, LLC
16	4	Paloma Capital, LLC	22	5	Paloma Capital, LLC
17	4	Paloma Capital, LLC	23	5	Paloma Capital, LLC
18	4	Paloma Capital, LLC	24	5	Paloma Capital, LLC
19	4	Paloma Capital, LLC	25	5	Paloma Capital, LLC
20	4	Paloma Capital, LLC	26	5	Paloma Capital, LLC
21	4	Paloma Capital, LLC	28	5	Riverside Lots, LLC
22	4	Paloma Capital, LLC	29	5	Paloma Capital, LLC
23	4	Paloma Capital, LLC	30	5	Paloma Capital, LLC
24	4	Paloma Capital, LLC	31	5	Paloma Capital, LLC
1	5	Chase Ryan Homes, LLC	32	5	Paloma Capital, LLC
2	5	Chase Ryan Homes, LLC	33	5	Paloma Capital, LLC
3	5	Chase Ryan Homes, LLC	2	6	Chase Ryan Homes, LLC
4	5	Paloma Capital, LLC	3	6	Riverview Park Estates, LLC
5	5	Paloma Capital, LLC	4	6	Paloma Capital, LLC
6	5	Paloma Capital, LLC	9	6	Riverview Park Estates, LLC

Description of Proposal:

As it relates to City of Tulsa Standard Specifications and Details for Residential Driveways #701-704 and pursuant to Section 30.010-I2, we request an increase of the Maximum Driveway Width to 32' for both the Driveway Within Right-of-Way and Driveway Within Street Setback for lots with frontage greater than 45 feet. We also request an increase of Driveway Within Right-of-Way to 30 feet and Driveway Within Street Setback to 32 feet for lots with frontage 30 feet to 45 feet. This request is made due to the increase in size of standard cars and garages for homes with 3+ covered garage spaces.

The chart shows the requested changes which are shown in red and highlighted in yellow:

Maximum Driveway Width					
Lot Frontage	75'+	60' – 74'	46' – 59'	30' – 45'	Less than 30'
Driveway Within Right-of-Way (feet)	32'	32'	32'	30'	12'
Driveway Within Street Setback (feet)	32'	32'	32'	32'	-

Property Owner Information:

Owner	Address	City, ST, Zip	Daytime Phone	Email
Paloma Capital, LLC	1751 E. 71 st Street	Tulsa, OK, 74136	918-496-4242	jkrumme@krummeoil.com
Riverside Lots, LLC	1751 E. 71 st Street	Tulsa, OK, 74136	918-496-4242	jkrumme@krummeoil.com
Riverview Park Estates, LLC	1820 Walnut Street E, Ste 3	Devils Lake, ND, 58301	918-408-7536	info@riverviewparkestates.com
ChaseRyan Homes, LLC	1119 W. 108 th Place South	Jenks, OK, 74037	918-760-5679	crhomes@cox.net

All property owners listed above have consented to the requested modification.



Tulsa Metropolitan Area
Planning Commission

Case : Crosstown Industrial No. 2

Hearing Date: April 17, 2019

Case Report Prepared by:

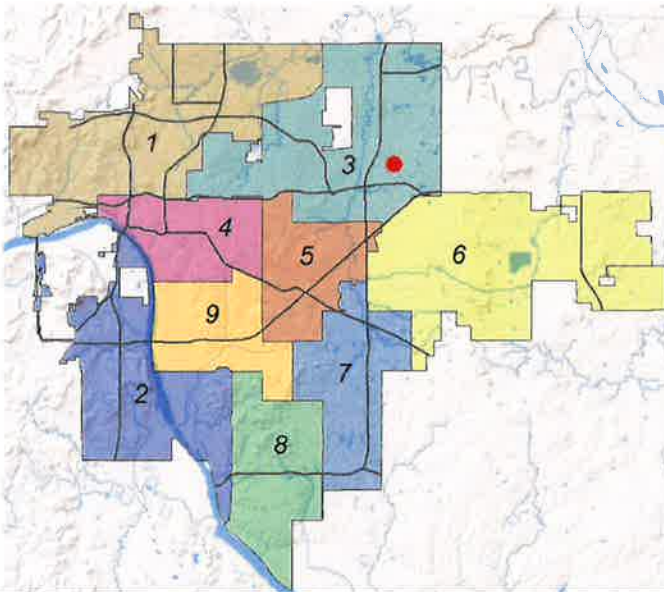
Nathan Foster

Owner and Applicant Information:

Applicant: Alan Betchan, AAB Engineering

Owner: Crosstown in Tulsa, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Reinstatement of a preliminary plat

Location: East of the southeast corner of
East Pine Street and North Garnett Road

Zoning: IL

Staff Recommendation:

Staff recommends **approval** of the
reinstatement

City Council District: 3

Councilor Name: Christa Patrick

County Commission District: 1

Commissioner Name: Stan Sallee

EXHIBITS:

Applicant's request, approved Crosstown Industrial No. 2 preliminary plat



AAB Engineering, LLC
PO Box 2136
Sand Springs, OK 74063
Office: 918.514.4283 Fax: 918.514.4288

March 21, 2019

Tulsa Metropolitan Area Planning Commission
c/o INCOG
2 West Second Street, Suite 800
Tulsa, OK 74103

Re: Crosstown Industrial #2 Plat Reinstatement

Commissioners,

Crosstown Industrial #2 is located on the Southwest corner of 129th East Avenue and Pine Street. The property is zoned IL. On October 10, 2016 we submitted an Application for Preliminary Plat. This preliminary plat was approved by the Tulsa Metropolitan Area Planning Commission on January 18, 2017.

Unfortunately, the time necessary to fully develop the proposed plans and the construction of necessary improvements has extended beyond the two-year limitation on the approval of the preliminary plat. A regional detention facility is currently planned in lieu of site specific detention for Crosstown Industrial #2, and will serve the ±200 acre overall development as well. The design of the regional detention facility along with a submittal to FEMA for floodplain modification has delayed the normal construction and platting process. Infrastructure Development Plans have been submitted, reviewed, revised and resubmitted for this development and are nearing approval. We are prepared to submit a draft final plat reflecting the easements necessitated by those plans and respectfully request that the preliminary plat be reinstated.

Respectfully,

Alan Betchan, P.E., CFM
President
AAB Engineering, LLC
CA# 6318 Exp: June 30, 2020



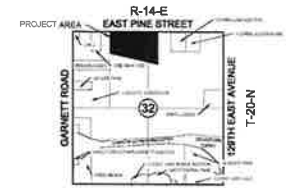
PRELIMINARY PLAT
FOR

Crosstown Industrial No. 2

A SUBDIVISION OF A PART OF THE NORTH-EAST QUARTER OF THE NORTH-WEST QUARTER (NE/4 NW/4) AND A PART OF THE
NORTH-EAST QUARTER (NE/4) OF SECTION 32, TOWNSHIP 20 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF
TULSA, TULSA COUNTY, STATE OF OKLAHOMA

OWNER/DEVELOPER
CROSSTOWN IN TULSA, LLC
320 S. BOSTON AVE. SUITE 200
TULSA, OK
ATTN: CHRIS BUNGARNER

ENGINEER/SURVEYOR
AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 8318, EXP. JUNE, 30, 2018
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4283
FAX: 918.514.4289
EMAIL: ALAN@AABENG.COM



LOCATION MAP
SCALE: 1"=200'

FLOODPLAIN

PORTIONS OF THIS PROPERTY ARE LOCATED WITHIN
ZONE 'AE' PER FIRM PANEL '40143C0282L' AND
'40143C0281L' DATED OCTOBER 19, 2012. PORTIONS
OF THE PROPERTY ARE LOCATED IN THE CITY OF
TULSA REGULATORY FLOODPLAIN

SUBDIVISION STATISTICS

BLOCK 1	20.93 ACRES - 11 LOTS
BLOCK 2	8.49 ACRES - 8 LOTS
STREET R.O.W.	1.29 ACRES
TOTAL	20.71 ACRES - 17 LOTS

LEGEND

BL	BUILDING LINE
LNA	LIMITS OF NO ACCESS
LA	LIMITS OF ACCESS
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
ROW	RIGHT OF WAY
UE	UTILITY EASEMENT
MAE	MUTUAL ACCESS EASEMENT
RWE	RESTRICTED WATERLINE EASEMENT
OCE	OVERLAND DRAINAGE EASEMENT
BL	BLOCK
PG	PAGE
IPF	IRON PIN FOUND
IPN	IRON PIN NOT
XXXX	STREET ADDRESS
STAT R.O.W.	STATUTORY RIGHT OF WAY

CONTACTS

MUNICIPAL AUTHORITY

CITY OF TULSA
175 EAST 2ND STREET, SUITE 600
TULSA, OK 74103

UTILITY CONTACTS

OKLAHOMA NATURAL GAS COMPANY	PUBLIC SERVICE COMPANY
2219 W. EDISON ST.	OF OKLAHOMA
TULSA, OK 74127	212 E. 8TH ST.
918-854-8000	TULSA, OK 74119
	1-800-215-3533
AT&T	COX COMMUNICATIONS
5303 E. 71ST STREET	11811 EAST 51ST STREET
TULSA, OK 74136	TULSA, OK 74145
918-588-6422	918-285-4655

SITE DATA

BENCHMARK
5/8" REBAR-1 1/2" ALUMINUM CAP/FLUSH SET IN CONCRETE
STAMPED 'B' SET NORTHEAST OF THE INTERSECTION OF PINE
ST AND 14TH AVE
ELEVATION = 717.78 (NAVD 88)

BASIS OF BEARINGS
GRID BEARINGS BASED ON THE OKLAHOMA STATE PLANE
COORDINATE SYSTEM - ZONE 3501 NORTH

LAND AREA
1250799 SF ± 1.28 71 ACRES ±

MONUMENTATION
ALL CORNERS WERE SET USING 3/4" X 18" REBAR WITH A YELLOW
PLASTIC CAP STAMPED 'AAB CA 8318', UNLESS OTHERWISE
NOTED

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

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

5.3

PRELIMINARY PLAT
FOR

Crosstown Industrial No. 2

A SUBDIVISION OF A PART OF THE NORTHEAST QUARTER OF THE NORTHWEST QUARTER (NE¼ NW¼) AND A PART OF THE
NORTHEAST QUARTER (NE¼) OF SECTION 32, TOWNSHIP 20 NORTH, RANGE 14 EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF
TULSA, TULSA COUNTY, STATE OF OKLAHOMA.

OWNER/DEVELOPER
CROSSTOWN IN TULSA, LLC
320 S. BOSTON AVE, SUITE 200
TULSA, OK
ATTN: CHRIS BUNGARNER

ENGINEER/SURVEYOR
AAB ENGINEERING LLC
CERTIFICATE OF AUTHORIZATION NO. 6316, EXP. JUNE, 30, 2018
PO BOX 2136
SAND SPRINGS, OK 74063
PHONE: 918.514.4263
FAX: 918.514.4268
EMAIL: ALAN @ AABENG.COM

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS
CROSSTOWN IN TULSA, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, 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 TRACT OF LAND THAT IS PART OF THE NORTHEAST QUARTER (NE¼) AND THE NORTHWEST QUARTER (NW¼)
OF SECTION THIRTY-TWO (32), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN
BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY
THEREOF SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTH-WEST CORNER OF THE NORTH-EAST QUARTER (NE¼) OF SAID SECTION THIRTY-TWO
(32), THENCE NORTH 88°27'04" EAST ALONG THE NORTH LINE OF SAID SECTION THIRTY-TWO
(32), THENCE NORTH 32°17'00" EAST, THENCE SOUTH 81°02'27" EAST A DISTANCE OF 1187.88 FEET,
THENCE SOUTH 88°27'04" WEST A DISTANCE OF 24.00 FEET, THENCE NORTH 07°38'09" WEST A DISTANCE OF
59.88 FEET, THENCE NORTH 82°42'42" WEST A DISTANCE OF 1318.98 FEET, THENCE NORTH 01°23'05" WEST A
DISTANCE OF 520.73 FEET TO THE NORTH LINE OF THE NORTH-EAST QUARTER OF SAID SECTION THIRTY-TWO
(32), THENCE NORTH 88°26'32" EAST ALONG SAID NORTH LINE A DISTANCE OF 1130.51 FEET TO THE POINT OF
BEGINNING.

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND
SUBDIVIDED INTO 17 LOTS IN 2 BLOCKS IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS
DEDICATED THE SUBDIVISION AS "CROSSTOWN INDUSTRIAL NO. 2," A SUBDIVISION OF THE CITY OF TULSA,
TULSA COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "CROSSTOWN INDUSTRIAL NO. 2" OR THE
"SUBDIVISION").

THE OWNER DOES HEREBY MAKE THE FOLLOWING DEDICATIONS AND GRANTS AND AGREES TO BE BOUND BY
THE FOLLOWING PROTECTIVE COVENANTS AND RESTRICTIONS:

SECTION I. UTILITIES

A. PUBLIC 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
DEPICTED AS "U" OR "UT" UTILITY EASEMENTS FOR THE SEVERAL PURPOSES OF CONSTRUCTING,
MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES,
INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE LINES 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
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 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 HERIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE
BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, AND
BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE THAT WITHIN THE UTILITY EASEMENTS DEPICTED
ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND
OBSTRUCTION THAT INTERFERES WITH THE STATED USES AND PURPOSES OF THE UTILITY EASEMENTS
SHALL BE PLACED, ERRECTED, INSTALLED, OR MAINTAINED, PROVIDED NOTHING HEREIN SHALL BE
DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING
FENCES WHICH DO NOT CONSTITUTE AN OBSTRUCTION.

B. WATER, SANITARY SEWERS, AND STORM SEWER SERVICE

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.
2. WITHIN UTILITY EASEMENTS AND RESTRICTED WATERLINE EASEMENTS 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, IN THE JUDGMENT OF THE CITY OF TULSA,
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 SYSTEMS, SANITARY SEWER MAINS, AND STORM SEWERS,
BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR
NECESSITATED BY ACTS OF THE OWNER OR 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 AND RESTRICTED WATERLINE 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 SEWERS, OR STORM SEWER FACILITIES.
5. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE CITY OF
TULSA, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND
BY THESE COVENANTS.

C. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

D. CERTIFICATE OF OCCUPANCY RESTRICTIONS

NO CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN THE SUBDIVISION SHALL BE ISSUED BY THE
CITY OF TULSA, OKLAHOMA UNTIL CONSTRUCTION OF THE REQUIRED INFRASTRUCTURE (STREETS,
WATER, SANITARY SEWER, STORM SEWER SYSTEMS AND SIDEWALKS) SERVING THE ENTIRE

SUBDIVISION HAS BEEN COMPLETED AND ACCEPTED BY THE CITY. NOTWITHSTANDING THE FOREGOING,
THE CITY MAY AUTHORIZE THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY IF, IN THE
CITY'S SOLE DISCRETION, THE CIRCUMSTANCES SUPPORT THE ISSUANCE. FURTHER NOTWITHSTANDING
THE FOREGOING, THE CITY MAY AUTHORIZE THE PHASING OF THE CONSTRUCTION OF INFRASTRUCTURE
WITHIN THE SUBDIVISION, AND IF PHASING IS AUTHORIZED, A CERTIFICATE OF OCCUPANCY FOR A
BUILDING WITHIN AN AUTHORIZED PHASE MAY 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 RISK OF THE OWNER OF THE LOT.
NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR OF A TEMPORARY CERTIFICATE OF
OCCUPANCY.

D. UTILITY SERVICE

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES
MAY BE LOCATED WITHIN THE PERMITTER EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES
OR STANDARDS MAY BE SERVED BY OVERHEAD LINE OR UNDERGROUND CABLE, AND ELSEWHERE
THROUGHOUT THE SUBDIVISION, ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE
TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS DEDICATED FOR
GENERAL UTILITY SERVICES AND IN THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED
ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF
SUPPLY AT SECONDARY VOLTAGES MAY ALSO BE LOCATED IN 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 PEDESTAL, OR
TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF
SUCH STRUCTURE UPON THE INSTALLATION OF A SERVICE CABLE OR GAS
SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE
DEEMED TO HAVE A DEFINITIVE PERMANENT, EFFECTIVE AND NON-EXCLUSIVE EASEMENT ON THE
LOT COVERING A 3 FOOT STRIP EXTENDING 3 FEET FROM EACH SIDE OF THE SERVICE CABLE OR
LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE
ENTRANCE ON THE STRUCTURE.
3. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS 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, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE
SUPPLIER OF THE UTILITY SERVICE.
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 ALTERATION OF
GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC,
TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL
BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER
SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY
ACTS OF THE OWNER OR THE OWNERS' AGENTS OR CONTRACTORS.
5. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY EACH SUPPLIER OF
THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF ANY LOT
AGREES TO BE BOUND BY THESE COVENANTS.

E. 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 ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND
GAS FACILITIES LOCATED WITHIN THE LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR
ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH GAS SERVICE. THE
SUPPLIER OF GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF ITS
FACILITIES, BUT THE OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR
NECESSITATED BY ACTS OF THE OWNER, OR THE OWNERS' AGENTS OR CONTRACTORS.
3. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE SUPPLIER OF
THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND BY THESE COVENANTS.

F. LIMITS OF NO ACCESS

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

G. SURFACE DRAINAGE

EACH LOT WITHIN CROSSTOWN INDUSTRIAL NO. 2 SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED
MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION.
NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCES OR OTHER
OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND
ACROSS THE OWNERS LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE
ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF TULSA.

H. OVERLAND DRAINAGE EASEMENTS

1. THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER, AND
ACROSS THOSE AREAS DESIGNATED ON THE ACCOMPANYING PLAT AS "OVERLAND DRAINAGE
EASEMENT" FOR THE PURPOSE OF PERMITTING THE OVERLAND FLOW, CONVEYANCE, AND DISCHARGE
OF STORMWATER DRAINING FROM VARIOUS LOTS WITHIN THE SUBDIVISION AND FROM PROPERTIES
OUTSIDE THE SUBDIVISION.
2. DRAINAGE FACILITIES LOCATED WITHIN OVERLAND DRAINAGE EASEMENTS SHALL BE CONSTRUCTED IN
ACCORDANCE WITH THE ADOPTED STANDARDS OF THE CITY OF TULSA, OKLAHOMA, PLANS AND
SPECIFICATIONS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF TULSA,
OKLAHOMA.
3. NO FENCE, WALL, BUILDING OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED WITHIN AN
OVERLAND DRAINAGE EASEMENT NOR SHALL THERE BE ANY ALTERATION OF THE GRADE IN THE
EASEMENTS UNLESS APPROVED BY THE DEPARTMENT OF PUBLIC WORKS OF THE CITY OF TULSA,
OKLAHOMA, PROVIDED THAT THE PLANTING OF TURF SHALL NOT REQUIRE THE APPROVAL OF THE

DEPARTMENT OF PUBLIC WORKS OF THE CITY OF TULSA, OKLAHOMA

OVERLAND DRAINAGE EASEMENTS LOCATED WITHIN A LOT SHALL BE MAINTAINED BY THE OWNER OF
THE LOT AT THE OWNER'S EXPENSE IN ACCORDANCE WITH STANDARDS PRESCRIBED BY THE CITY OF
TULSA, OKLAHOMA. IN THE EVENT THE OWNER OF THE LOT FAILS TO PROPERLY MAINTAIN THE
EASEMENTS LOCATED THEREON OR IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION WITHIN
SUCH EASEMENTS, OR THE ALTERATION OF GRADE THEREIN, THE CITY OF TULSA, OKLAHOMA, OR ITS
DESIGNATED CONTRACTOR MAY ENTER THE EASEMENTS AND PERFORM MAINTENANCE NECESSARY
TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT
ANY ALTERATION OF GRADE, AND THE COSTS SHALL BE PAID BY THE LOT OWNER. IN THE EVENT THE
LOT OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER 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 IN THE LAND RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE
A LIEN AGAINST THE LOT. A LIEN ESTABLISHED AS PROVIDED ABOVE MAY BE FORECLOSED BY THE CITY
OF TULSA, OKLAHOMA.

K. 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 ALL SUCH
SIDEWALKS SHALL BE CONSTRUCTED BY THE OWNER PRIOR TO THE ISSUANCE OF THE FIRST
OCCUPANCY PERMIT FOR ANY BUILDING WITHIN THE SUBDIVISION. THE OWNER SHALL CONSTRUCT
SIDEWALKS IN CONFORMANCE WITH THE STANDARDS OF THE CITY OF TULSA ENGINEERING DESIGN
STANDARDS.

SECTION II. 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.
UTILITIES ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING
THEREIN AND WHETHER OR NOT THEREIN SO STATED, THE COVENANTS WITHIN SECTION I SHALL INURE
TO THE BENEFIT OF, AND BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA.

B. DURATION

THESE RESTRICTIONS SHALL REMAIN IN FULL FORCE AND EFFECT FOR 25 YEARS AND SHALL
AUTOMATICALLY BE CONTINUED THEREAFTER FOR SUCCESSIVE PERIODS OF 10 YEARS, UNLESS
TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I, UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY
TIME BY WRITTEN INSTRUMENTS 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.

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 OF ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN
FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, CROSSTOWN IN TULSA, LLC, HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF
_____, 2018.

CROSSTOWN IN TULSA, LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY

By _____
CHRIS BUNGARNER, MANAGER

STATE OF OKLAHOMA)
COUNTY OF TULSA)

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF _____, 2018, BY
CHRIS BUNGARNER, AS MANAGER OF CROSSTOWN IN TULSA, LLC.

NOTARY PUBLIC
MY COMMISSION EXPIRES: NOVEMBER 30, 2018
COMMISSION NUMBER: 11070522

CERTIFICATE OF SURVEY

I, ERIC ROLLSTON, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I
HAVE SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE TRACT DESIGNATED AS "CROSSTOWN INDUSTRIAL
NO. 2" A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS AN
ACCURATE REPRESENTATION OF SAID SURVEY.

ERIC ROLLSTON
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA #6-1781

STATE OF OKLAHOMA)
COUNTY OF TULSA)

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS ____ DAY OF
2018, PERSONALLY APPEARED ERIC ROLLSTON TO ME KNOWN TO BE THE IDENTICAL PERSON WHO
SUSCRIBED HIS NAME 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.

NOTARY PUBLIC
MY COMMISSION EXPIRES: NOVEMBER 30, 2019
COMMISSION NUMBER: 11070522

5.5

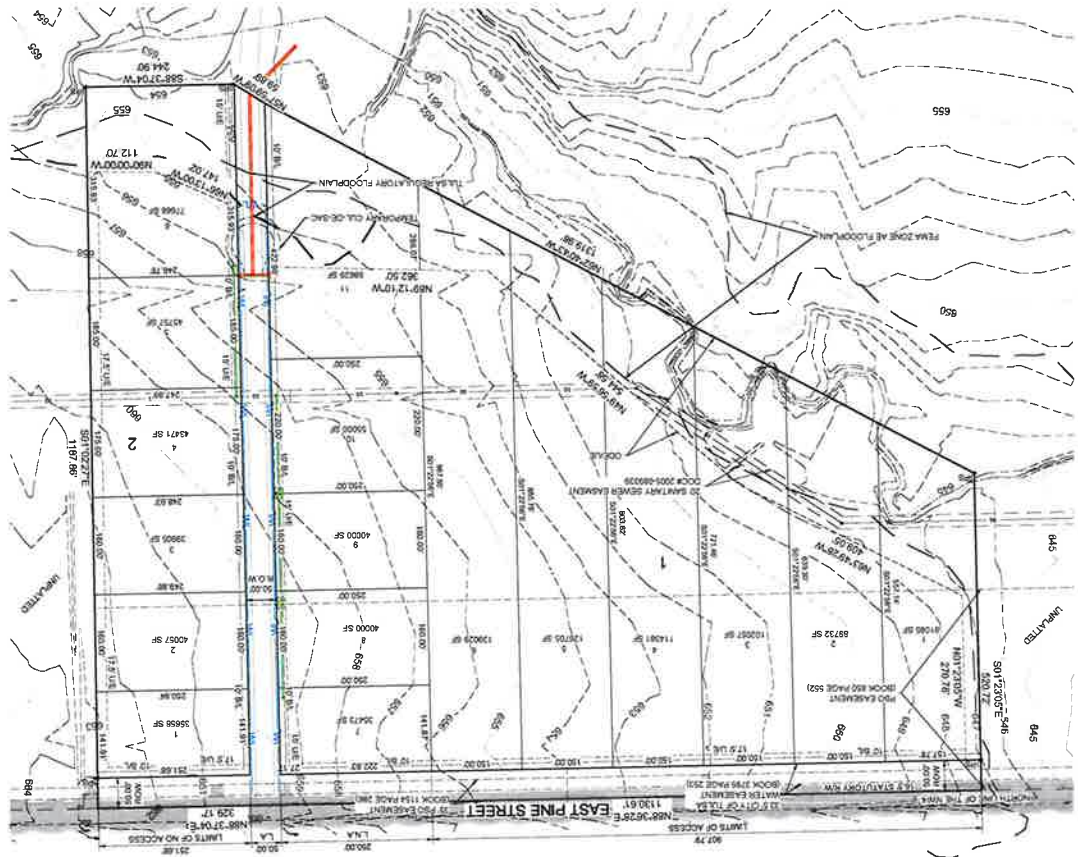


ENGINEER
AAB ENGINEERING LLC
PO BOX 2136
SAVOY, OHIO 43080
PHONE 614 514 4283
FAX 614 514 4288



Crostown Industrial No. 2

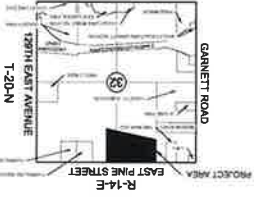
CONCEPTUAL IMPROVEMENT PLAN
FOR



LEGEND

- WL PROPOSED WATERLINE
- SS PROPOSED SANITARY SEWER
- SS PROPOSED SANITARY SEWER EXTENSION

SCALE: 1"=200'



PRELIMINARY SUBDIVISION PLAT

Crosstown Industrial No. 2 - (CD 3)

East of southeast corner of East Pine Street and Garnett Road

This plat consists of 17 Lots, 2 Blocks, on 28.71 acres.

The Technical Advisory Committee (TAC) met on October 20, 2016 and provided the following conditions:

1. **Zoning:** The property is zoned IL and RS-3. The RS-3 portion of the lot has been approved for rezoning to IL (Z-7370 approved by TMAPC 12/7/16).
2. **Streets:** Provide 5 foot wide sidewalks. Access ramps must be shown on the Final Plat. Sidewalks must be located a minimum of 18 inches from property line and 2 foot behind curb. Industrial streets are required 60 feet of right-of-way per the Subdivision Regulations; current right-of-way shown at 50 feet. Cul-de-sac radius should be 60 feet in diameter and be dedicated by separate instrument.
3. **Sewer:** 10 feet of horizontal separation between sanitary sewer and the water main line must be maintained in those areas where they parallel each other.
4. **Water:** Provide a 17.5 foot utility easement along the roadway. Provide protection over the existing 12 inch water mainline along Pine Street during construction.
5. **Storm Drainage:** The need for storm sewer easements will be greater than what was provided in the single road right of way. There is offsite drainage area from the east, per atlas sheet, which will need a system to convey storm water across the site. There will need to be a storm sewer system to convey all onsite and offsite flows to the creek. The proposed storm sewer system needs to stay on-site, or placed in an easement. The text for overland easements in the covenants needs to remove all reference to "Public Works". Detention may be required hence a detention easement may also be required. **Floodplain:** Portions of the subject property are located within the Eagle Creek Floodplain. All delineated floodplain boundaries including City of Tulsa Regulatory Floodplain, FEMA Floodplain (Zone AE) and Zone A) and Floodway as well as base flood elevations (BFE) must be clearly and accurately identified on plans. Since a portion of the proposed development is greater than 5 acres and appears to be located within Zone A, a detailed floodplain study shall be required to determine the BFE's and floodway. 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.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comments.

7. **Other: Fire:** Fire hydrants shall be installed at 1000 feet intervals along all unimproved roads and at every 500 feet if there are any improved lots on the road.
8. **Other: GIS:** Add missing subdivisions in location map. Provide individual addresses. Graphically label each lot with unique address. Remove contours on final plat submittal. Submit a subdivision control data sheet with final plat. State/provide basis of bearing between two known points. Provide bearing angle under the Basis of Bearings heading. Provide street name for plat. Add date of preparation to the plat in either lower corner. Graphically add a north arrow for the location map in the upper right-hand corner. Label all other land "unplatted" in the location map. The bearing angle on the west side of the plat does not match the written legal description. Clarify.

Waivers of Subdivision Regulations:

1. Waiver of the condition that industrial streets provide 60' of right-of-way

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations. Staff recommends **DENIAL** of the requested waiver of Subdivision Regulations to permit a 50' right-of-way.

Sawyer, Kim

Z-7475

From: Wilkerson, Dwayne
Sent: Wednesday, April 10, 2019 4:03 PM
To: Sheena Grewal
Cc: Sawyer, Kim; Miller, Susan
Subject: RE: Continuance Request for Z-7475 with ODP and PUD-187-A

Thanks Sheena,

Lets move this to the May 15th meeting. That will give us plenty of time to work with the neighbors and be specific about the details that may come out of that meeting.

Kim:
Please forward this request as a continuance request from the applicant and staff.

Thanks

Dwayne Wilkerson, ASLA, RLA
Principal Planner | Current Planning
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9475
dwilkerson@incog.org



From: Sheena Grewal <sheenakgrewal@gmail.com>
Sent: Wednesday, April 10, 2019 3:04 PM
To: Wilkerson, Dwayne <DWilkerson@incog.org>
Subject: Moving TMAPC Date

Hi Dwayne,

I spoke with the property owners and they are fine with moving the date. So, I'll take some time to finish out the development standards in a more thorough fashion. Would you mind if I let you know whether 5/1 or 5/15 is more convenient by tomorrow? (Jay Hoyt had also mentioned 5/15 as an option.) I'm currently working with them to figure out when they'll be available.

Quick Question: I've attached a few pictures of the lot here. The trees to the south side of the lot are actually more substantial than I had remembered once I went back and checked, so it would make sense to keep those.

If there's a 50 foot set back from the 75th on the West, how many trees do you think would be acceptable to include in our development standards?

6.1

Thanks for your advice today, I think you likely saved us from having to redo this process a second time!

Best Regards,
Sheena



Sawyer, Kim

PUD-187-A

From: Wilkerson, Dwayne
Sent: Wednesday, April 10, 2019 4:03 PM
To: Sheena Grewal
Cc: Sawyer, Kim; Miller, Susan
Subject: RE: Continuance Request for Z-7475 with ODP and PUD-187-A

Thanks Sheena,

Lets move this to the May 15th meeting. That will give us plenty of time to work with the neighbors and be specific about the details that may come out of that meeting.

Kim:

Please forward this request as a continuance request from the applicant and staff.

Thanks

Dwayne Wilkerson, ASLA, RLA
Principal Planner | Current Planning
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9475
dwilkerson@incog.org



From: Sheena Grewal <sheenakgrewal@gmail.com>
Sent: Wednesday, April 10, 2019 3:04 PM
To: Wilkerson, Dwayne <DWilkerson@incog.org>
Subject: Moving TMAPC Date

Hi Dwayne,

I spoke with the property owners and they are fine with moving the date. So, I'll take some time to finish out the development standards in a more thorough fashion. Would you mind if I let you know whether 5/1 or 5/15 is more convenient by tomorrow? (Jay Hoyt had also mentioned 5/15 as an option.) I'm currently working with them to figure out when they'll be available.

Quick Question: I've attached a few pictures of the lot here. The trees to the south side of the lot are actually more substantial than I had remembered once I went back and checked, so it would make sense to keep those.

If there's a 50 foot set back from the 75th on the West, how many trees do you think would be acceptable to include in our development standards?

Thanks for your advice today, I think you likely saved us from having to redo this process a second time!

Best Regards,
Sheena



Sawyer, Kim

MPD-2

From: Wilkerson, Dwayne
Sent: Wednesday, April 10, 2019 5:36 PM
To: Sawyer, Kim
Cc: Miller, Susan; Nathan S. Cross (ncross@dsda.com)
Subject: Staff Continuance Request for MPD-2

Kim,

We are continuing to work with the applicant on MPD-2. Please forward our staff request for a continuance to May 1st.

Thanks.

Dwayne Wilkerson, ASLA, RLA
Principal Planner | Current Planning
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9475
dwilkerson@incog.org



From: Wilkerson, Dwayne
Sent: Wednesday, April 10, 2019 2:12 PM
To: Nathan S. Cross (ncross@dsda.com) <ncross@dsda.com>
Subject: FW: Revised MPD-2 [IWOV-Active.FID421174]

Mr. Cross,

Thank you for your recent submittal and conversations, I am very happy with the progress that we are making on MPD-2. It is very important that we work through the details of your application with the other offices inside the City of Tulsa as we move forward and I am recommending another continuance to May 1st to finalize our efforts.

Please let me know if you support the request for that continuance.

Respectfully,



Dwayne Wilkerson, ASLA, RLA
Principal Planner | Current Planning
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9475
dwilkerson@incog.org

From: Wilkerson, Dwayne
Sent: Monday, April 8, 2019 2:11 PM
To: 'Cross, Nathan S.' <ncross@dsda.com>
Subject: RE: Revised MPD-2 [IWOV-Active.FID421174]

I am available now until about 3:15.



Dwayne Wilkerson, ASLA, RLA
Principal Planner | Current Planning
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9475
dwilkerson@incog.org

From: Cross, Nathan S. <ncross@dsda.com>
Sent: Monday, April 8, 2019 1:56 PM
To: Wilkerson, Dwayne <DWilkerson@incog.org>
Subject: Re: Revised MPD-2 [IWOV-Active.FID421174]

Thanks, Dwayne. Do you have time to talk today or tomorrow?

Nathan

Sent from my iPhone

On Apr 8, 2019, at 1:36 PM, Wilkerson, Dwayne <DWilkerson@incog.org> wrote:

Thanks Nathan,

I have not had a chance to look at this with complete detail but please provide the following:

- 1) The transect zone map includes color for each zone that is not identifiable with a black and white print that will be included in the newspaper publication. Please add a reference in each transect zone area on the map
- 2) Please make sure public streets all have a right of way of 50 feet or greater and identify those on the thoroughfare plan. The references on the key of the thorough fare plan seem to reference cross sections that are not included in our MPD and do not meet the minimum right of way width standards. I am confident that the alleys, eco lanes private driveways and pedestrian path are not going to be publicly maintained.
- 3) I have concerns about how many 30 foot signs might be allowed within "xxx" feet of the street right of way and if those signs can include a dynamic display.
 - a. My first thought is that from the City perspective we should limit ground signage within 200 feet of the Edison planned right of way.
 - i. Maximum of two ground signs with a maximum display surface area of 120 square feet and a maximum height of 30 feet and no dynamic display.
 - b. Wall signage as may be allowed by the property owners association within 200 feet of the frontage facing Edison Street shall not include any dynamic display.

I'm anxious to look further into your application.

Respectfully

<image003.png> **Dwayne Wilkerson, ASLA, RLA**
Principal Planner | Current Planning
Tulsa Planning Office
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9475
dwilkerson@incog.org

From: Cross, Nathan S. <ncross@dsda.com>
Sent: Thursday, April 4, 2019 11:13 AM
To: Wilkerson, Dwayne <DWilkerson@incog.org>
Subject: Revised MPD-2 [IWOV-Active.FID421174]

Dwayne:

Attached is the revised MPD-2 application. Please substitute the entirety of our submission except the application page with the attached.

Nathan

<image004.png> **Nathan S. Cross | attorney**
Two West Second Street, Suite 700 | Tulsa, OK 74103-3117 | p: 918.591.5252 | f: 918.925.5252
ncross@dsda.com | www.dsda.com

CONFIDENTIALITY NOTICE: This e-mail and any attachments are intended only for the use of those to whom it is addressed and may contain information that is confidential and prohibited from further disclosure under law. If you have received this e-mail in error, its review, use, retention and/or distribution is strictly prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message and any attachments.

TAX NOTICE: This communication may contain federal tax advice. IRS regulations require us to advise you that unless expressly stated otherwise, nothing in this communication was intended or written to be used and cannot be used or relied upon by any taxpayer to avoid any penalty under federal tax law or to promote, market or recommend any transaction or matter addressed herein. Only formal, written tax opinions meeting IRS requirements may be relied upon for the purpose of avoiding tax-related penalties. Please contact one of the firm's tax attorneys if you have any questions regarding federal tax advice.



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7473 with optional development plan

Hearing Date: April 17, 2019

Continued from 4.3.2019 for preparation of optional development plan

Case Report Prepared by:

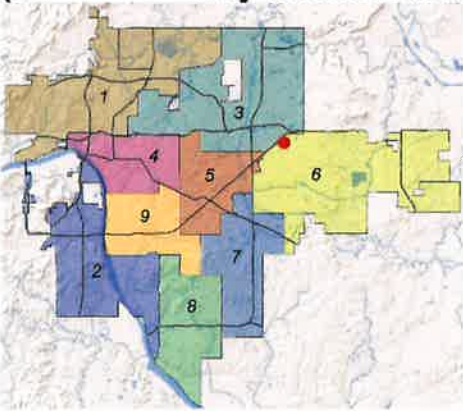
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Phil Frazier

Property Owner: BEST DUMP TRUCKING INC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Trucking and Transportation Terminal

Proposed Use: Trucking and Transportation Terminal

Concept summary: Existing use is not allowed in an RS-2 district. Notice of violation requires rezoning

Tract Size: 1.51 ± acres

Location: South of Southeast Corner of East 4th Place South & South 129th East Avenue

Zoning:

Existing Zoning: RS-2

Proposed Zoning: CG with optional development plan

Comprehensive Plan:

Land Use Map: Mixed-use Corridor

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval for CG zoning with the provisions of the development plan outlined in the Section II of the staff report.

Staff Data:

TRS: 9404

CZM: 39

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: Stan Saltee

9.1

SECTION I: Z-7473

DEVELOPMENT CONCEPT: The trucking company has been a non-conforming use on the property for several years and it has come to the attention of the property owner that the site must be zoned to bring the use into compliance. The request from the applicant is for CG zoning but limits the uses to a trucking company.

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:
Letter from applicant dated April 2, 2019

SECTION II: Z-7473 Development Plan Standards

The following Use Categories, Subcategories and Specific Uses shall be allowed in conjunction with all supplemental regulations and all other zoning regulations as defined in the Tulsa Zoning Code except as further limited below:

PERMITTED USE CATEGORIES:

1. Commercial Use Category: Limited to the following Subcategories and specific uses
 - a. Public, Civic and Institutional
 - i. College or University
 - ii. Day Care
 - iii. Hospital
 - iv. Library or Cultural Exhibit
 - v. Religious Assembly
 - vi. Safety Service
 - vii. School
 - viii. Utilities and Public Service Facility (Minor)
 - b. Commercial
 - i. Animal Service and all specific uses
 - ii. Assembly and Entertainment (Small)
 - iii. Broadcast or Recording Studio
 - iv. Commercial Service and all specific uses
 - v. Financial Services and all specific uses
 - vi. Funeral or Mortuary Service
 - vii. Lodging (Hotel/motel)
 - viii. Office and all specific uses
 - ix. Restaurants and Bars and all specific uses
 - x. Retail Sales with all specific uses
 - xi. Studio, Artist or Instructional Service
 - xii. Trade School
2. Wholesale, Distribution and Storage Use Category limited to the following subcategories
 - i. Equipment and Materials Storage Outdoor
 - ii. Trucking and Transportation Terminal

VEHICULAR ACCESS AND PARKING:

Vehicular access to and from East 4th Place and South 130th East Avenue is prohibited for all uses in the Wholesale, Distribution and Storage Use Category of the Zoning Code.

9.2

All parking and outside storage areas shall be paved with an all-weather dust free surface

All gravel or pavement in the planned right of way shall be removed and replaced with top soil and sod except for a single access to S. 129th East Avenue.

SCREENING

A screening fence with a minimum height of 6 feet is required along the property line adjoining and adjacent to property which is currently zoned RS and OL.

DETAILED STAFF RECOMMENDATION:

Z-7473 requesting CG with the development plan provisions outlined in Section II above are consistent with the Mixed-use land use designation in the Tulsa Comprehensive Plan and,

Z-7473 is consistent with the expected development pattern in the area and,

The development plan restrictions outlined in section II provide additional screening and access provisions from the abutting property while being used for wholesale, distribution and storage and is non-injurious to the surrounding property owners therefore,

Staff recommends approval of Z-7473 to rezone property from RS-2 to CG but only with the optional development plan.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Z-7473 is consistent with the Mixed-use Corridor land use designation.

Land Use Vision:

Land Use Plan map designation: Mixed-use Corridor

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. The streets usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods.

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: Secondary arterial with no Tulsa street designation.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The property includes a residential structure with gravel parking and storage area for a trucking and transportation business. The use is not allowed in the existing RS-2 zoning district.

Street view snippet from southwest looking northeast:



9.4

Street view snippet from intersection of 4th Pl at S. 130th East Avenue looking west:



Environmental Considerations: None that would affect site redevelopment

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 129 th East Avenue	Secondary Arterial	100 feet	4
East 4 th Place	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	CG /PUD 537	Mixed-use Corridor	Growth	Mini Storage
East	CG /PUD 537 and RS-2	Mixed-use Corridor and New Neighborhood	Growth	Mini Storage and Church
South	CG /PUD 537	Mixed-use Corridor	Growth	Single family residence
West	IL/PUD 618 and CO (No development plan)	Mixed-use Corridor	Growth	Commercial

SECTION III: Relevant Zoning History

History: Z-7473

ZONING ORDINANCE: Ordinance number 11817 dated June 26, 1970 established zoning for the subject property.

Subject Property:

BOA-13649 July 1985: The Board of Adjustment **denied** a *variance* of the conditions of approval to allow access on 5th Street and outside repair of vehicles in an RS-2 zoned district, on property located South of the Southeast corner of East Skelly Drive and South 129th East Avenue.

BOA-11497 August 1981: The Board of Adjustment **approved** an *exception* to permit the operation of a truck repair business in an RS-2 District and a **variance** to *permit the operation* of a truck repair business in an RS-2 District subject to conditions, on property located South of the Southeast corner of East Skelly Drive and South 129th East Avenue.

Surrounding Property:

BOA-18759 May 2000: The Board of Adjustment **approved** a *special exception* to allow a church and related uses in an RS-2 zoned district, with conditions of landscaping and other building requirements be met, on property located at the Southeast corner of East 4th street and 130th East Avenue.

PUD-623/Z-6726 November 1999 : All concurred in **approval** of a proposed *Planned Unit Development* on a tract of land for CG zoning on property located at the Southeast corner of South 129th East Avenue and East 5th Place South.

PUD-618/Z-6720 October 1999: All concurred in **approval** of a proposed *Planned Unit Development* on a 2.12± acre tract of land from CO to IL zoning on property located South of the Southwest corner of the Skelly By-pass (I-44) and South 129th East Avenue.

BOA-18380 April 1999: The Board of Adjustment **approved** a *variance* of the 200' setback requirement for an arterial collector street in a CO zoned district, on property located at the Southwest corner of South 129th East Avenue and I-44E.

BOA-17749 June 1997: The Board of Adjustment **approved** a *variance* of the required parking spaces for outdoor/open-air display area from 221-30, on property located at the Southwest corner of South 129th East Avenue and I-44E.

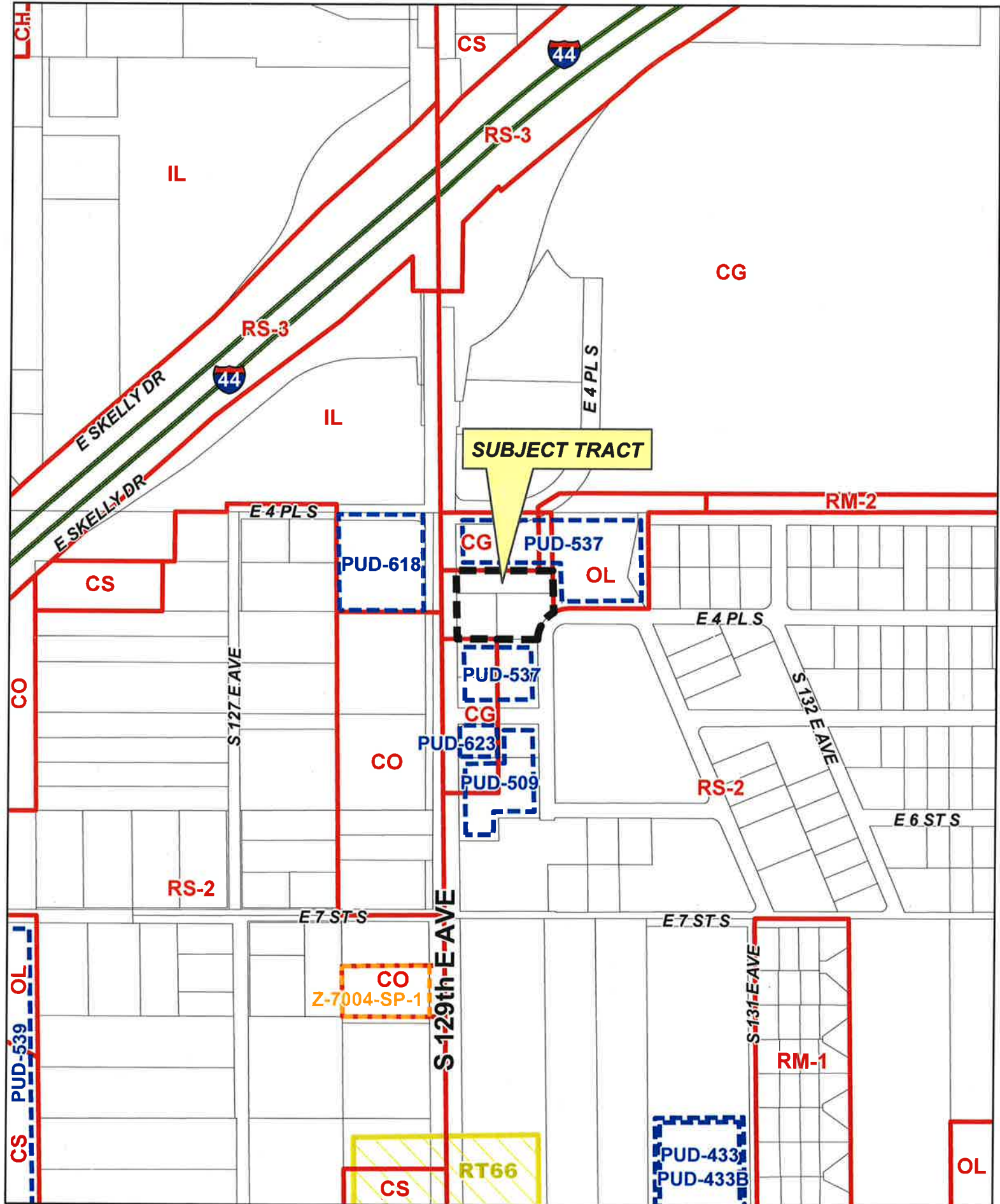
PUD-537/Z-6485 June 1995: All concurred in **approval** of a proposed *Planned Unit Development* on a tract of land for CG zoning on property located at the Southeast corner of South 129th East Avenue and East 4th Place South.

PUD-509/Z-6439 April 1994: All concurred in **approval** of a proposed *Planned Unit Development* on a tract of land for CG zoning on property located South of the Southeast corner of South 129th East Avenue and East 5th Place South.

Z-6217 March 1989: All concurred in **approval** of a request for *rezoning* a tract of land from RS-2 to OL on property located South and East of the Southeast corner of East Skelly Drive and South 129th East Avenue.

9.6

Z-5763 February 1983: All concurred in **approval** of a request for *rezoning* a tract of land from RS-2 to CO on property located South of the Southwest corner of the Skelly By-pass (I-44) and South 129th East Avenue.



Z-7473

19-14 04

9.8





0 50 100
Feet



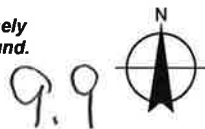
Subject
Tract

Z-7473

19-14 04

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

Aerial Photo Date: February 2018





0 Feet 200 400



Subject Tract

Z-7473

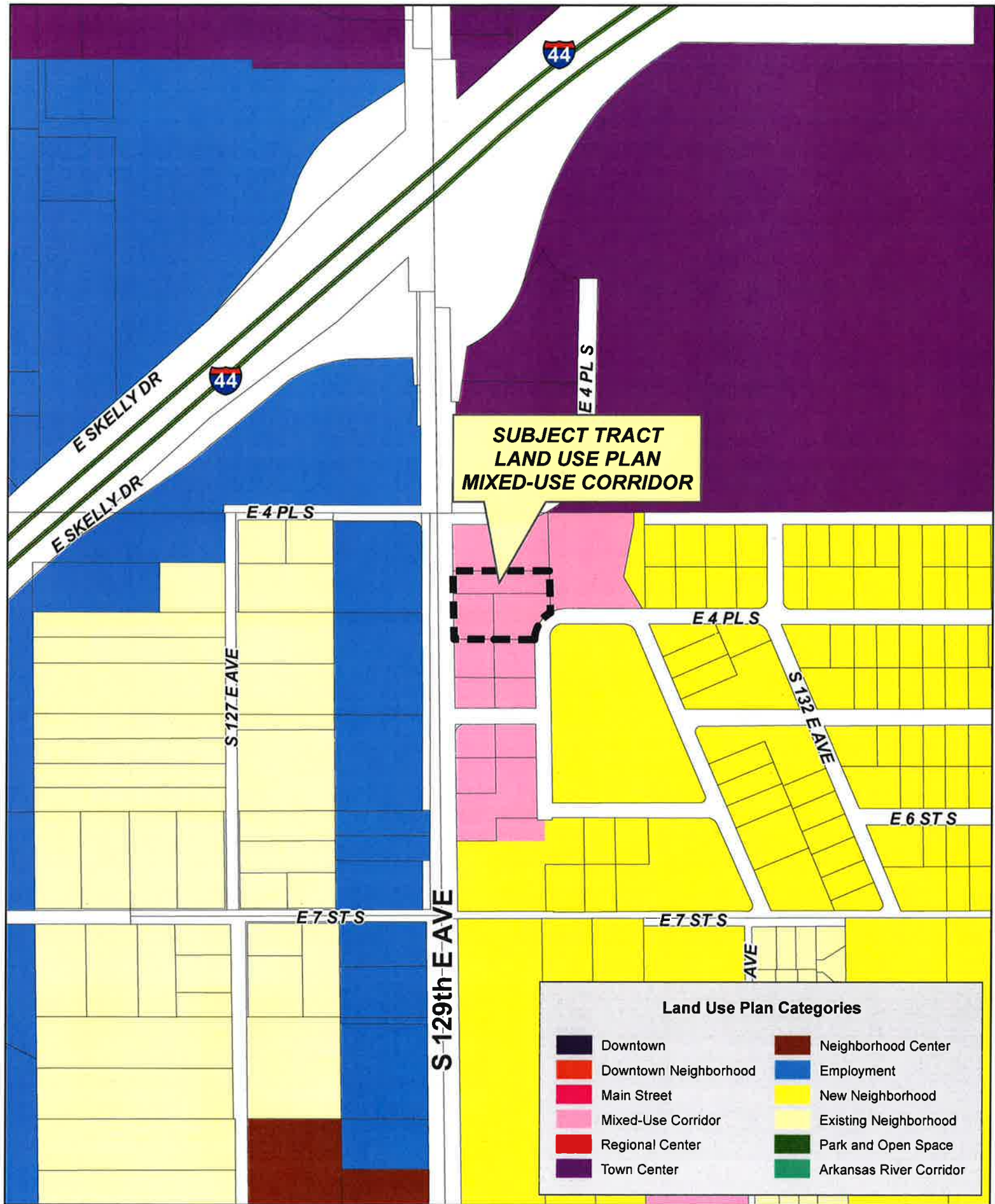
19-14 04

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

Aerial Photo Date: February 2018

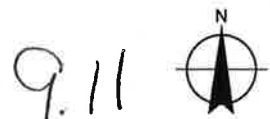
910

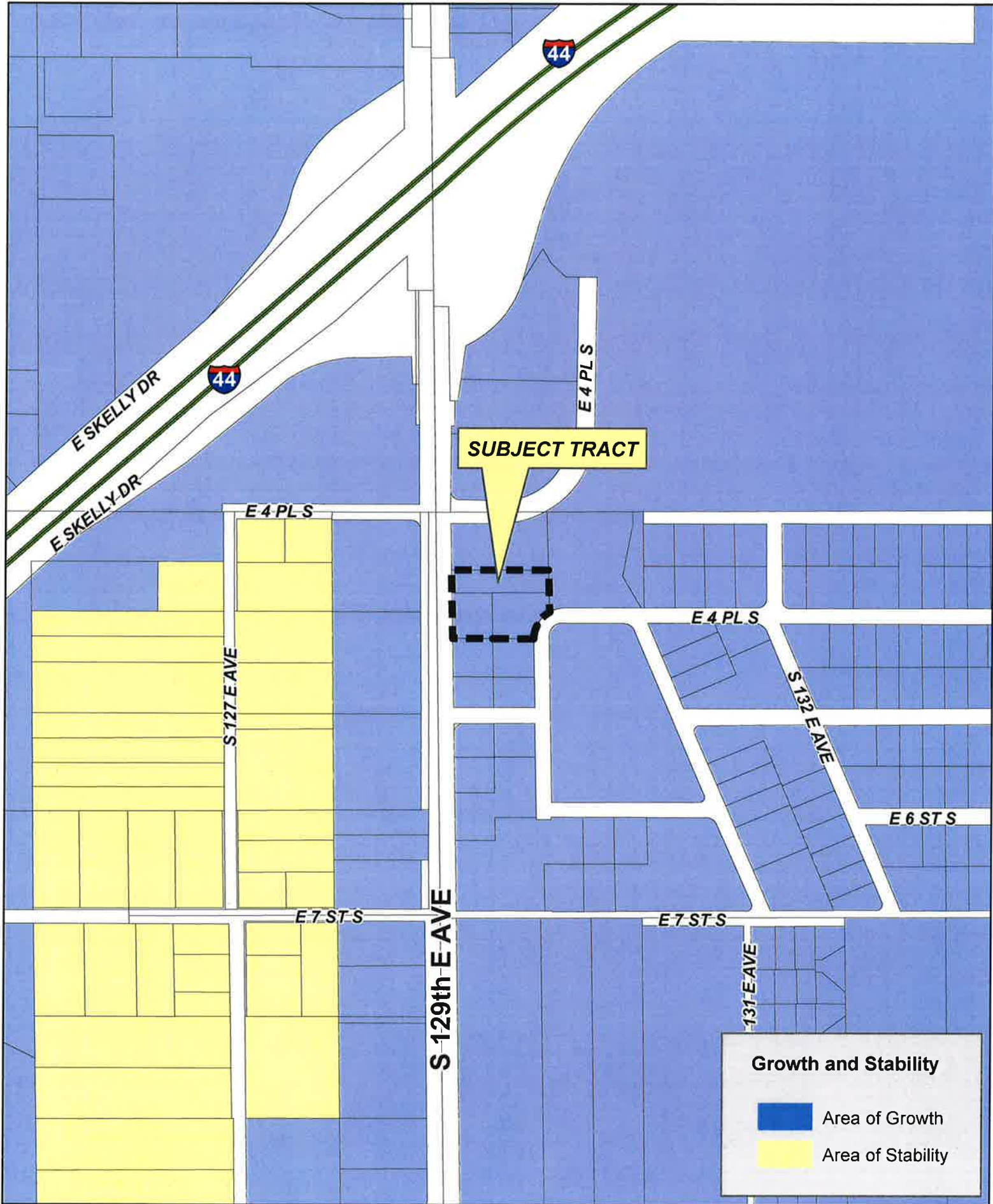




Z-7473

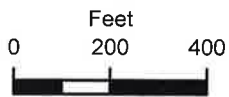
19-14 04





Z-7473

19-14 04



PHIL FRAZIER
pfrazlaw@swbell.net

Frazier & Phillips
Attorneys at Law
A Professional Association

SHARON PHILLIPS
sharon.phillips@swbell.net

1424 Terrace Drive • Tulsa, Oklahoma 74104-4626
Phone (918) 744-7200 • FAX (918) 744-7210

April 2, 2019

Mr. Dwayne Wilkerson
INCOG
2 West Second Street, Suite 800
Tulsa, OK 74103

Re: Best Dump Trucking Inc. Application Case No. Z-7473

Dear Mr. Wilkerson:

This letter is in keeping with our conversation March 29, 2019, regarding the application by Best Dump Trucking for a change in zoning. You suggested a continuance from the hearing date, April 3, 2019, to give us time to present a development plan in connection with the zoning request. We've agreed to the continuance and presentment of a development plan statement. The additional fee of \$250 has been paid.

1. The applicant agrees that access to the residential street will be closed and the only access will be to 129th East Avenue.
2. The fence presently surrounding the property will be converted to a privacy fence along the property line adjoining and adjacent to property which is zoned RS and OL.
3. The property has been continually utilized for the parking of the applicant's dump trucks when they are not in use. Applicant will continue to restrict the property to that use although private maintenance and service may be performed on applicant's trucks.
4. Parking will be restricted to owner/occupant trucks and no accessory use is intended.
5. Applicant understands that the city code requires hard surfacing of parking areas.

It is my understanding that the covenants set forth herein shall satisfy the requirement for a development plan inasmuch as no construction or development upon the property is expected to occur.

9.13

Mr. Dwayne Wilkerson
INCOG
April 2, 2019
Page Two

Thank you for your assistance and guidance in this matter. Please do not hesitate to call if you have any questions, as well as to give us the new date of hearing.

Yours truly,



Phil Frazier
Attorney at Law

PF/ccf

Copy to Paula Best

9.14



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7477

Hearing Date: April 17, 2019

Case Report Prepared by:

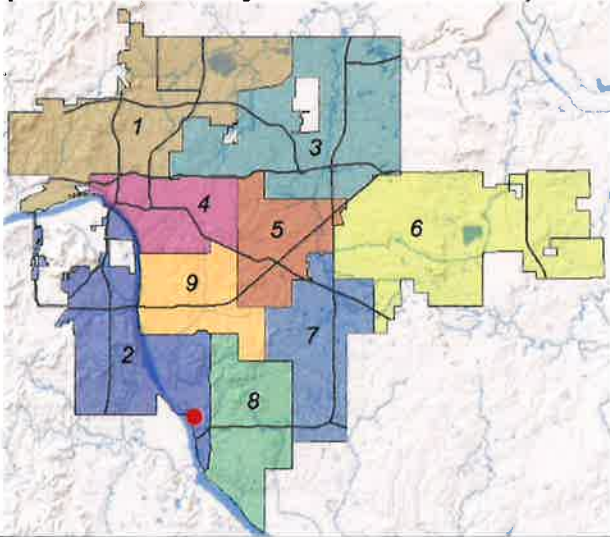
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: C Brody Glenn

Property Owner: LEJ-I LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Self Contained Climate Controlled
Self Storage

Concept summary: The applicant proposes to
construct a climate controlled self-storage facility on
property that is currently zoned AG.

Tract Size: 2.24 ± acres

Location: W. of the SW/c of E. 91st St. S. & S.
Delaware Ave

Zoning:

Existing Zoning: AG

Proposed Zoning: CG with with optional
development plan

Comprehensive Plan:

Land Use Map: Town Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

**Staff recommends approval for CG zoning with
the provisions of the development plan outlined
in Section II of the staff report.**

Staff Data:

TRS: 8320

CZM: 56

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 3

Commissioner Name: Ron Peters

10.1

SECTION I: Z-7477

DEVELOPMENT CONCEPT:

The applicant proposes to construct a climate controlled self-storage facility on property that is currently zoned AG. The self-storage use is allowed by right in a CG district however other uses that are objectionable to the surrounding properties are also allowed in that classification. The development plan will restrict the property to uses compatible to the area and provide architectural guidelines that are also suitable for the abutting property owners.

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:
 - Conceptual site plan
 - Conceptual building elevations

DETAILED STAFF RECOMMENDATION:

CG zoning with the optional development plan identified in Section II is consistent with the provisions of the Tulsa Zoning Code and,

Z-7477 is consistent with the Town Center vision of the Comprehensive Plan and,

Z-7477 is considered non injurious to the proximate properties and,

Z-7477 is consistent with the anticipated future development of this area therefore,

Staff Recommends approval of Z-7477 to change zoning from AG to CG but only with the optional development plan as defined in Section II.

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS:

Z-7477 with the optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in a CG zoning district and its supplemental regulations except as further refined below. All uses categories, subcategories or specific uses outside of the permitted uses defined below are prohibited.

PERMITTED USE CATEGORIES:

Commercial

- a. Office (includes all subcategories)
- b. Self-Storage Facilities

BUILDING REQUIRMENTS:

- a. Buildings shall not exceed 3 stories and will not exceed 45 feet height as measured from the finished floor elevation of the first floor.

10.2

LIGHTING and SIGNAGE REQUIREMENTS:

Lighting:

- a. All lighting shall conform to the Lighting standards in the Tulsa Zoning Code except that all lighting shall be limited to a maximum height of 16 feet.

Signage:

- a. No signage shall be placed on any west or south facing walls or fences.
- b. One monument sign with a maximum height of 25 feet and display surface area not exceeding 250 square feet will be allowed. Monument signs are prohibited on the lot except that it is allowed on the lot within 50 feet of the planned right of way for East 91st Street South.
- c. Pole signs are prohibited

SELF-STORAGE ARCHITECTURAL REQUIREMENTS: (refer to site plan and building elevations attached)

- a. Self-storage uses shall be consistent with the architectural style represented in the conceptual plan.
- b. Overhead doors for vehicular access to an individual storage unit are prohibited on the North, West and South side of a building. A single vehicular access overhead door is allowed on the West and East side as illustrated on the concept plan and building elevations.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The commercial uses proposed at this location are consistent uses that can be normally found in a Town Center. The optional development plan provides appropriate site design standards that help integrate this project into the edges of a residential neighborhood and Arkansas River Corridor.

Land Use Vision:

Land Use Plan map designation: Town Center

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

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan:

East 91st Street South is a secondary arterial with no particular street designation.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None except that this site abuts the east edge of the Arkansas River Corridor

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is an undeveloped flat site and heavily wooded.*

Environmental Considerations: None that would affect site development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 91 st Street South	Secondary Arterial	100 feet	5 (4 with a center turn lane)

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 across E. 91 st Street South	MX2-V-U	Regional Center	Growth	Industrial use that has been recently rezoned for new mixed-use development

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11832 dated June 26, 1970 established zoning for the subject property.

Subject Property: *No relevant history.*

Surrounding Property:

Z-7453 September 2018: All concurred in **approval** of a request for *rezoning* a tract of land from IL to MX2-V-U on property located at the Northeast corner of South Lewis Avenue and East 91st Street South.

SA-1 September 2016: The Board of Adjustment **approved** a request for a Special Area Overlay on multiple properties along the Arkansas River extending from W. 11th St. S. to E. 121st St. S., to establish the River Design Overlay as a supplemental zoning, RDO-1, RDO-2, or RDO-3, to establish regulations governing form function, design and use for properties located within the boundaries of the River Design Overlay District. The regulations are generally intended 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.

BOA-21863 March 2015: The Board of Adjustment **accepted** a verification of the *spacing requirement* for a proposed liquor store, on property located at the southeast corner of East 91st Street South and South Delaware Avenue.

BOA-21427 May 2012: The Board of Adjustment **approved** a *variance* of the 100 feet of separation between ground signs within a PUD with conditions, on property located South of the Southeast corner of Riverside Parkway and East 91st Street South.

PUD-696-B April 2011: All concurred in **approval** of a proposed *Major Amendment* to PUD-696 on a tract of land for the development of upscale apartments on property located South of the Southeast corner of Riverside Parkway and East 91st Street South.

BOA-20711-A September 2008: The Board **approved** a *Variance* of the frontage requirement on an arterial street from 150 ft. to 18 ft. to permit a lot split in an IL district, on property located on the northwest corner and north of the northwest corner of East 91st Street South and South Delaware Avenue.

BOA-20711 June 2008: The Board **approved** a *Variance* of the minimum required frontage on an arterial street in an IL district from 150 ft. to 50 ft. and a *Variance* of the required building setback from the centerline of S. Delaware Ave. from 100 ft. to 90 ft., on property located on the northwest corner and north of the northwest corner of East 91st Street South and South Delaware Avenue.

PUD-696 January 2004: All concurred in **approval** of a proposed *Planned Unit Development* on a tract of land for retail use on property located South of the Southeast corner of Riverside Parkway and East 91st Street South.

Z-6923 January 2004: All concurred in **approval** of a request for *rezoning* a tract of land from AG to CS on property located South of the Southeast corner of Riverside Parkway and East 91st Street South.

10.5

BOA-18266 December 1998: The Board of Adjustment **approved** a *variance* of height requirement in RS-1 district from 35' to 40', on property located at the Northeast corner of Riverside Parkway and East 91st Street South.

PUD-563 August 1997: All concurred in **approval** of a proposed *Planned Unit Development* on a tract of land on property located at the Southeast corner of Riverside Parkway and East 91st Street South (Ordinance 19054).

PUD-563 July 1997: All concurred in **approval** subject to supplemental development standards of a proposed *Planned Unit Development* on a 10.45± acre tract of land to permit multifamily apartments on property located at the Southeast corner of Riverside Parkway and East 91st Street South.

Z-6185 March 1985: All concurred in **approval** of a request for *rezoning* a tract of land from AG to CS and OL on property located at the Southeast corner of Riverside Parkway and East 91st Street South (Ordinance 18420).

Z-5986 October 1984: All concurred in **approval** of a request for *rezoning* a tract of land from AG to CS on property located on the southwest corner of East 91st Street South and South Delaware Avenue (Ordinance 16167)

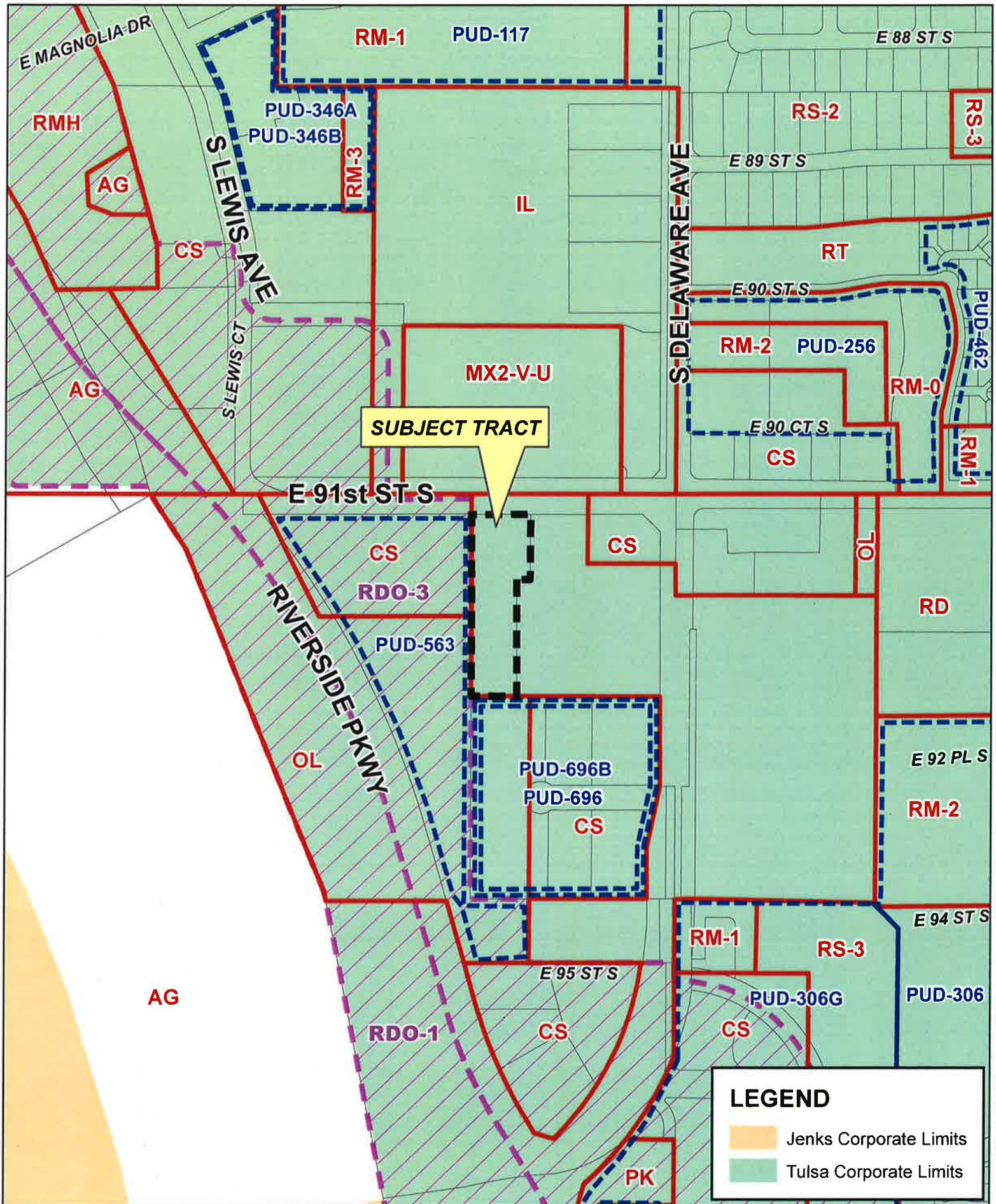
Z-5966 October 1984: All concurred in **approval** of a request for *rezoning* a tract of land from RS-1 and CS to CS on property located at the Northeast corner of Riverside Parkway and East 91st Street South (Ordinance 16175).

Z-4934 January 1977: All concurred in **approval** of a request for *rezoning* tract of land from RS-1 to CS on property located at the Northeast corner of Riverside Parkway and East 91st Street South (Ordinance 13769).

Z-4603 April 1974: All concurred in **approval** of a request for *rezoning* a tract of land from AG to CS on property located at the Southeast corner of Riverside Parkway and East 91st Street South (Ordinance 13126).

4/17/2019 1:30 PM

10.6



SUBJECT TRACT

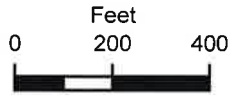
LEGEND

- Jenks Corporate Limits
- Tulsa Corporate Limits

Z-7477

**with Optional
Development Plan**

10.7



18-13 20



0 Feet 200 400



Subject Tract

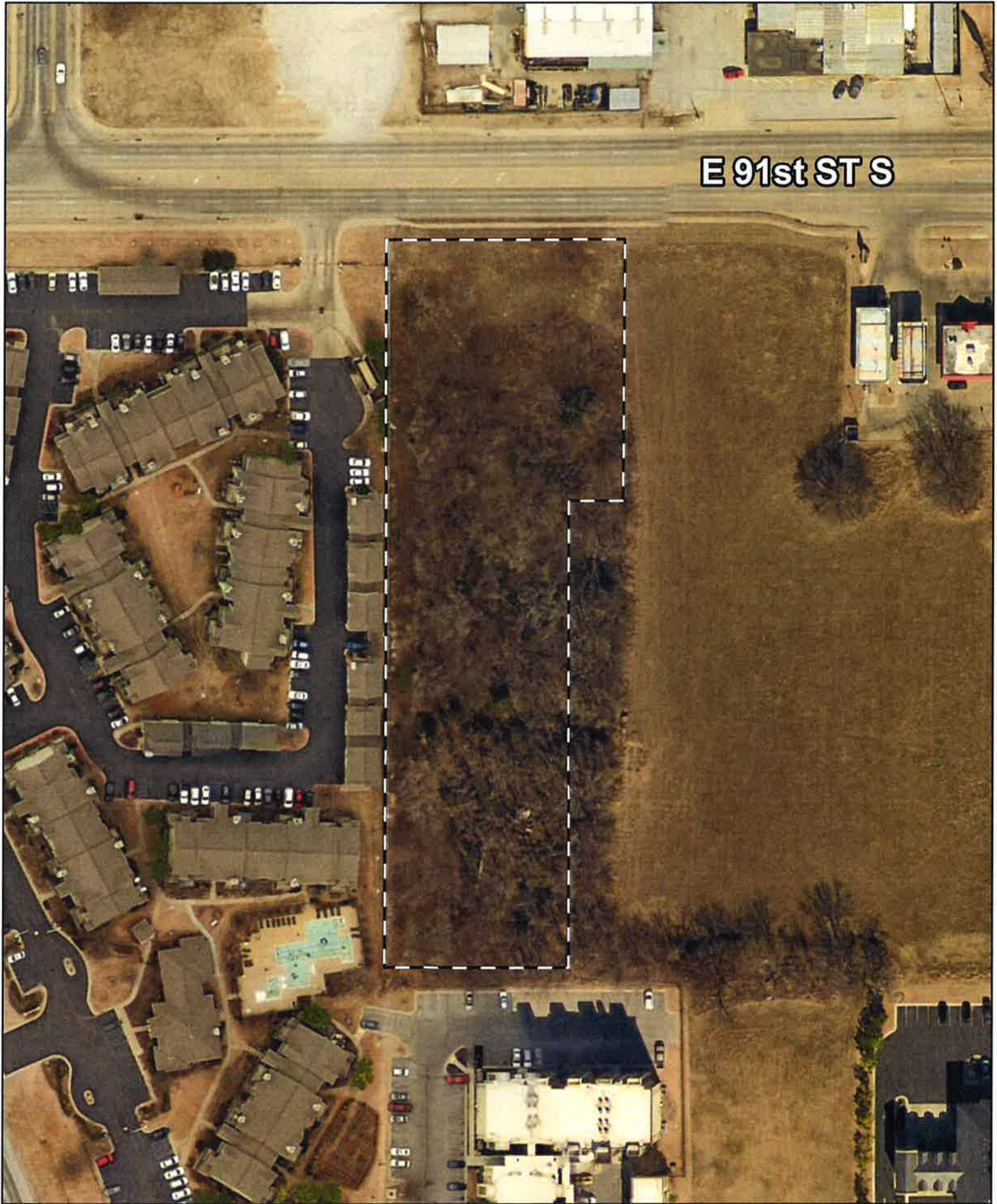
18-13 20

Z-7477
with Optional
Development Plan

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

Aerial Photo Date: February 2018





E 91st ST S

0 Feet 50 100



**Subject
Tract**

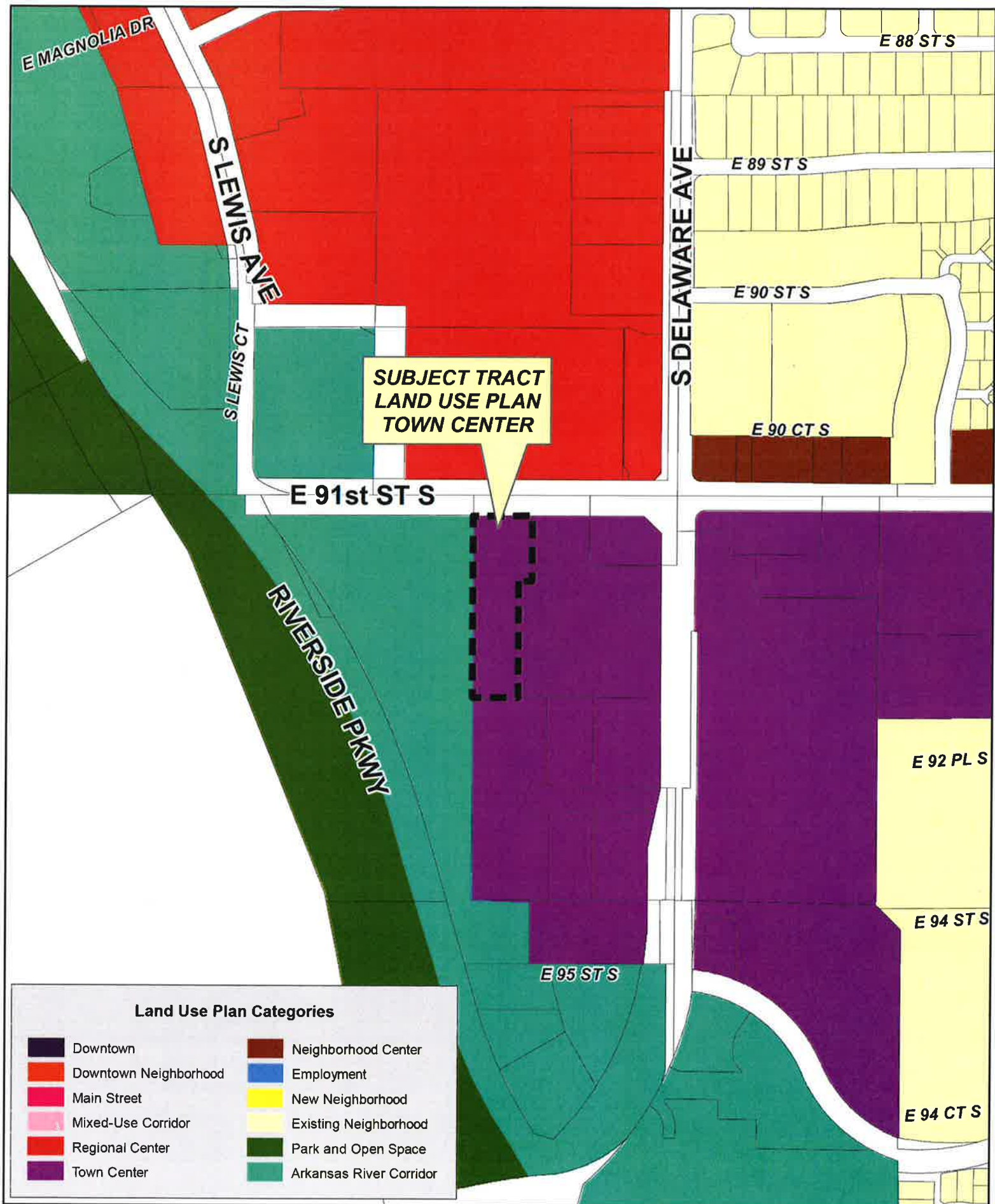
18-13 20

**Z-7477
with Optional
Development Plan**

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

Aerial Photo Date: February 2018

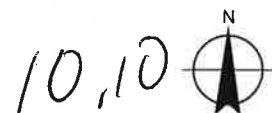


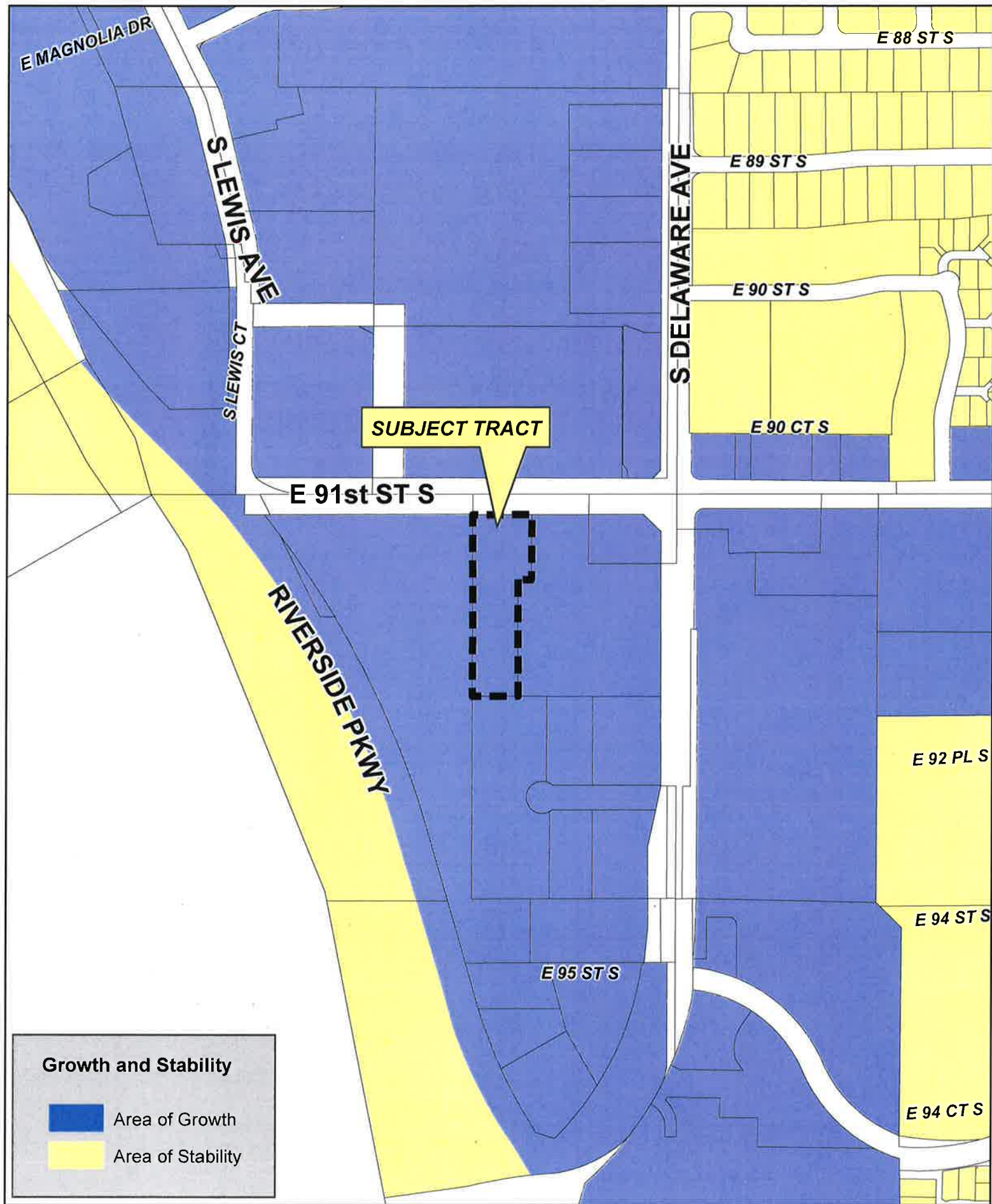


Feet
0 200 400

18-13 20

Z-7477
with Optional
Development Plan

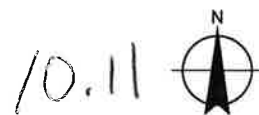




0 200 400
Feet

18-13 20

Z-7477
with Optional
Development Plan



10.12

GENERAL NOTES

1. PROPERTY LINES BASED ON INFORMATION PROVIDED BY DEVELOPER.
2. BOUNDARIES, SETBACKS, EASEMENTS, ETC. TO BE VERIFIED BY SURVEY AND ZONING REQUIREMENTS.



Proposed Development

East 91st Street & South Delaware Avenue

Tulsa, Oklahoma

For

Centennial American Properties

935 South Main Street, Suite 201

Greenville, SC 29601

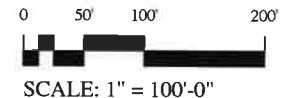
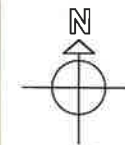
(800) 504-0046

Storage Facility

Total Land Area	2.24	Acres
Total Building Area	103,050	S.F.
Parking Required	--	Cars
Parking Provided	19	Cars

Option 2

September 13, 2018



P.O. Box 5482
Knoxville, TN 37928
(865) 687-6500

10.13



2 WEST ELEVATION
3/32" = 1' - 0"



1 NORTH (E. 91ST ST.) ELEVATION
3/32" = 1' - 0"

OPTION 1
FEBRUARY 6, 2019



BARRY BYRD
ARCHITECTURE

SOUTH DELAWARE AVE.
TULSA, OK
CLIMATE CONTROLLED STORAGE BLDG.



10.13



Tulsa Metropolitan Area
Planning Commission

Case Number: CZ-486

Hearing Date: April 17, 2019

Case Report Prepared by:

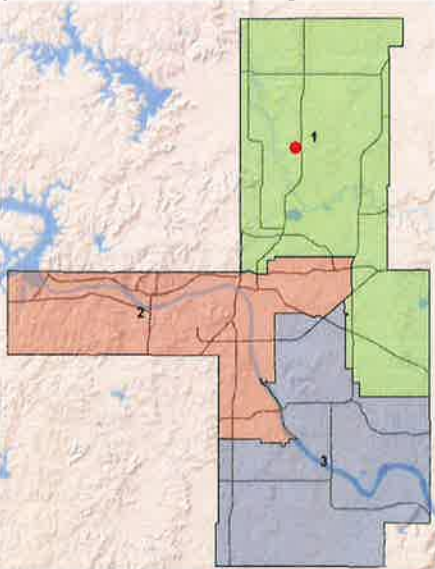
Jay Hoyt

Owner and Applicant Information:

Applicant: John Sayre

Property Owner: STRUCTURAL SOLUTIONS USA
INC

Location Map:
(shown with County Commission Districts)



Applicant Proposal:

Present Use: pasture

Proposed Use: Residential Development
(Commercial Development has been removed from
the request)

Concept summary: Rezone from AG to RE to permit
residential development.

Tract Size: 150 acres (Proposed RE lots)

205.36 ± acres (Total Original Request)

Location: SE/c of N. Harvard Ave & E. 96th St. N.

Zoning:

Existing Zoning: AG

Proposed Zoning: RE (CS has been removed
from request.)

Comprehensive Plan:

Land Use Map: N/A

Stability and Growth Map: N/A

Staff Recommendation:

Staff recommends approval or RE zoning.

CS zoning has been removed from this request.

Staff Data:

TRS: 1321

CZM: 10, 16

County Commission District: 3

Commissioner Name: Ron Peters

SECTION I: CZ-486

DEVELOPMENT CONCEPT: The applicant is proposing to rezone the subject lots from AG to RE and CS. No specific concept was presented for the CS lots requested. A preliminary layout of the RE lots and possible roadways has been presented on the Site Sketch provided by the applicant.

Without a Planned Unit Development, staff feels that the possible uses and impacts of the proposed CS zoning would not be compatible with the existing area. The RE zoning, however would be appropriate and is supported by the Residential designation in the North Tulsa County Comprehensive Plan (1980-2000).

The applicant has agreed to remove the proposed CS lots from consideration in this request.

EXHIBITS:

- INCOG Case map
- INCOG Case map with RE and CS Proposed Lots highlighted
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Applicant Exhibits:
 - Sketch Plan
 - Site Sketch

DETAILED STAFF RECOMMENDATION:

CS zoning is not compatible with the existing area and has been removed from the request;

RE zoning is non-injurious to the existing proximate properties and;

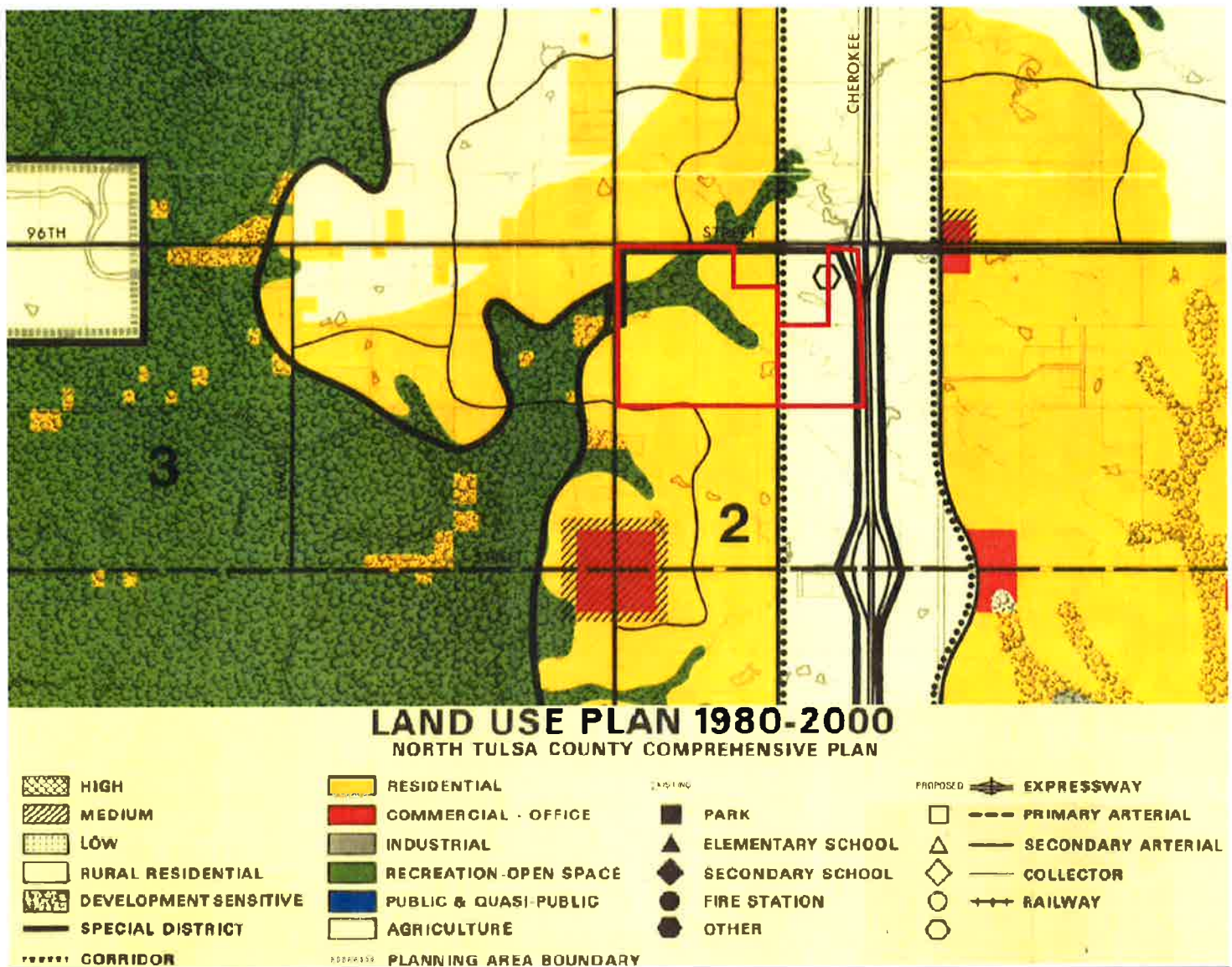
RE zoning is consistent with the anticipated future development pattern of the surrounding property therefore;

Staff recommends Approval of CZ-486 to rezone the revised subject lots from AG to RE, with the lots previously proposed as CS removed from this zoning request.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This area is outside of the City of Tulsa Comprehensive Plan area, but is located within the boundaries of the North Tulsa County Comprehensive Plan 1980-2000. The lots within the proposed RE zoning area are designated as Residential / Recreation-Open Space, which is compatible.



Land Use Vision:

Land Use Plan map designation: N/A

Areas of Stability and Growth designation: N/A

Transportation Vision:

Major Street and Highway Plan: E 96th St N is designated as a Secondary Arterial

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

11.3

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is currently vacant land with some forested areas.*

Environmental Considerations: Portions of the site are within the Tulsa County 100 year floodplain. The applicant will need to work with Tulsa County in order to mitigate any impacts or issues if developing within these areas.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
E 96 th St N	Secondary Arterial	100 Feet	2

Utilities:

The subject tract has municipal water available. Sewer is anticipated to be provided by ODEQ approved septic system.

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	AG	N/A	N/A	Single-Family/Vacant
South	AG	N/A	N/A	Single-Family/Vacant
East	AG	N/A	N/A	Single-Family/Commercial
West	AG	N/A	N/A	Single-Family

SECTION III: Relevant Zoning History

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

Subject Property:

CBOA-999 November 1990: The County Board of Adjustment **approved** a *variance* to waive the all-weather surfacing requirement for a parking lot for a period of one year only; **approved** a *special exception* to permit a mobile unit to be used as an office for a period of five years only, on property located East of the Southeast corner of East 96th Street North and North Harvard Avenue.

CBOA-67 May 1981: The County Board of Adjustment **approved** a *variance* (Section 1224 (a) .3 – Oil and Gas Extraction) to permit drilling closer than 300' from any residence, subject to conditions, on property located South and East of the Southeast corner of East 96th Street North and North Harvard Avenue.

Surrounding Property:

CZ-464 December 2017: All concurred in **approval** of a request for *rezoning* a 16.48± acre tract of land from AG to CS on property located property located at the Northeast corner of Highway 75 and East 96th Street North.

CBOA-2570 March 2016: The County Board of Adjustment **approved** a *special exception* to permit mini-storage in the CS District with conditions, on property located at the Northeast corner of Highway 75 and East 96th Street North.

CZ-444 September 2015: All concurred in **approval** of a request for *rezoning* the western half of the property as measured along the north property line of land from AG to CS, and recommend **denial** of *rezoning* the eastern portion of the property to CS, on property located at the Northeast corner of Highway 75 and East 96th Street North.

CBOA-1959 May 2002: The County Board of Adjustment **approved** a *special exception* to allow Use Unit 2 (fireworks stand) in a CS zoned district with conditions, on property located East of the Northeast corner of North Harvard Avenue and East 96th Street North.

CBOA-1841 April 2001: The County Board of Adjustment **approved** a *special exception* to permit a mini-storage in a CS district; **approved** a *special exception to permit* a dwelling unit in a CS district to provide security for a mini storage with conditions, on property located East of the Northeast corner of North Harvard Avenue and East 96th Street North.

CBOA-1677 August 1999: The County Board of Adjustment **approved** a *variance* of the minimum lot area in the AG district from 2 acres to 1.48 acres; **approved** a *variance* of the minimum land area per dwelling unit in the AG district from 2.2 acres to 1.7 acres, on property located at the Southwest corner of North Harvard Avenue and East 96th Street North.

CBOA-1626 March 1999: The County Board of Adjustment **approved** a *use variance* per section 1670.2 to permit a boarding kennel in an AG district, subject to conditions, on property located at the Northeast corner of East 96th Street North and North Harvard Avenue.

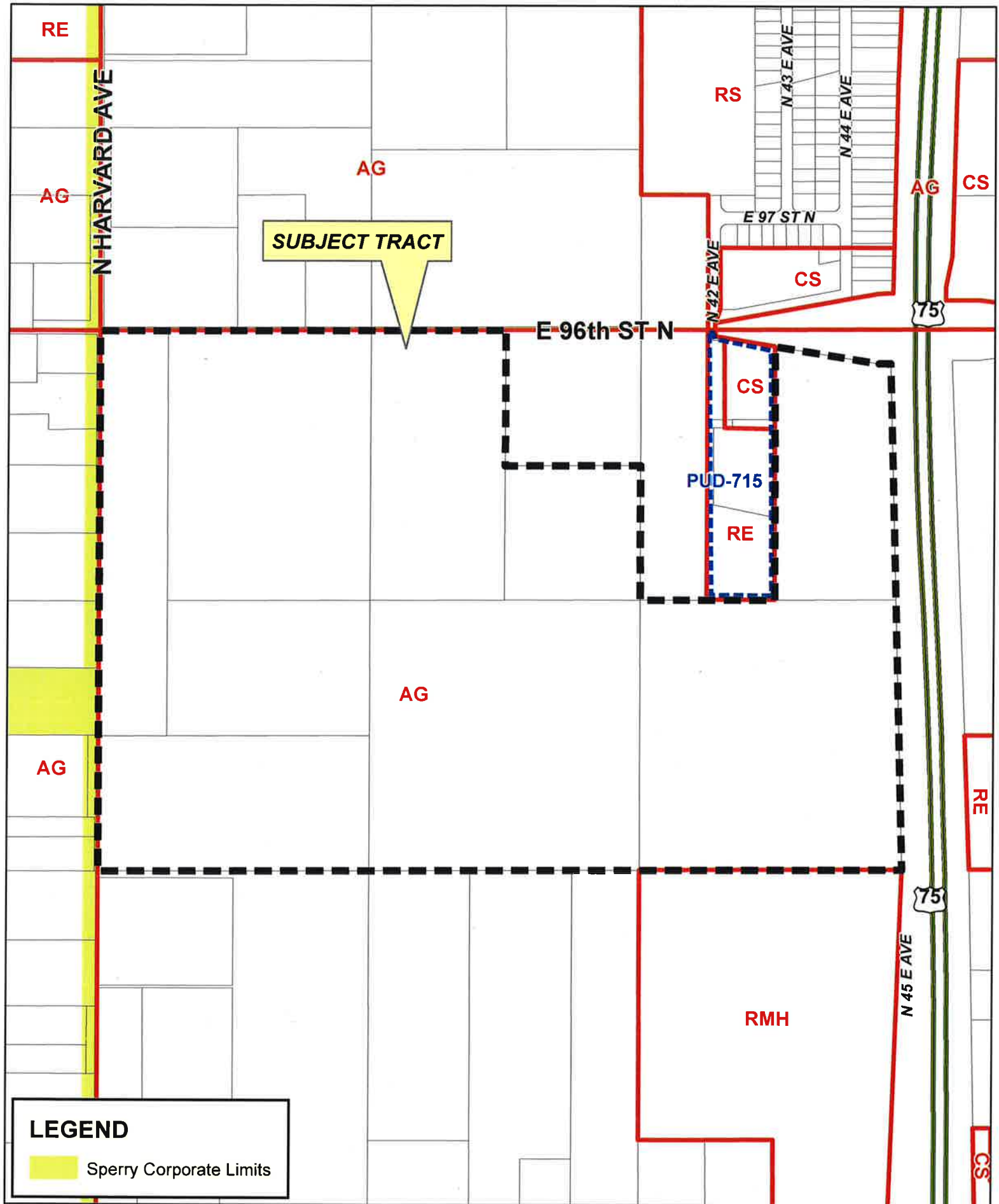
CBOA-999 November 1990: The County Board of Adjustment **approved** a *variance* to waive the all-weather surfacing requirement for a parking lot for a period of one year only; **approved** a *special exception* to permit a mobile unit to be used as an office for a period of five years, on property located at the Southwest corner of Highway 75 and East 96th Street North.

CBOA-329 March 1983: The County Board of Adjustment **approved** a *special exception* to permit a mobile home in an RS zoned district, on property located at the Northeast corner of Highway 75 and East 96th Street North.

CBOA-262 January 1983: The County Board of Adjustment **approved** a *special exception* to allow mobile homes in an RS district subject to conditions; **approved** the final plat, subject to the P.S.O. letter being recorded in the abstract to permit, on property located at the Northwest corner of Highway 75 and East 96th Street North.

CBOA-293 November 1982: The County Board of Adjustment **approved** a *variance* to locate two dwellings on one lot of record, on property located South of the Southwest corner of East 96th Street North and North Harvard Avenue.

BOA-9105 June 1976: The Board of Adjustment **approved** a *special exception* to permit a mobile home for a period of five years; **approved** a *variance* of the five acre minimum for a mobile home in an AG district, on property located South of the Southwest corner of North Harvard Avenue and East 96th Street North.



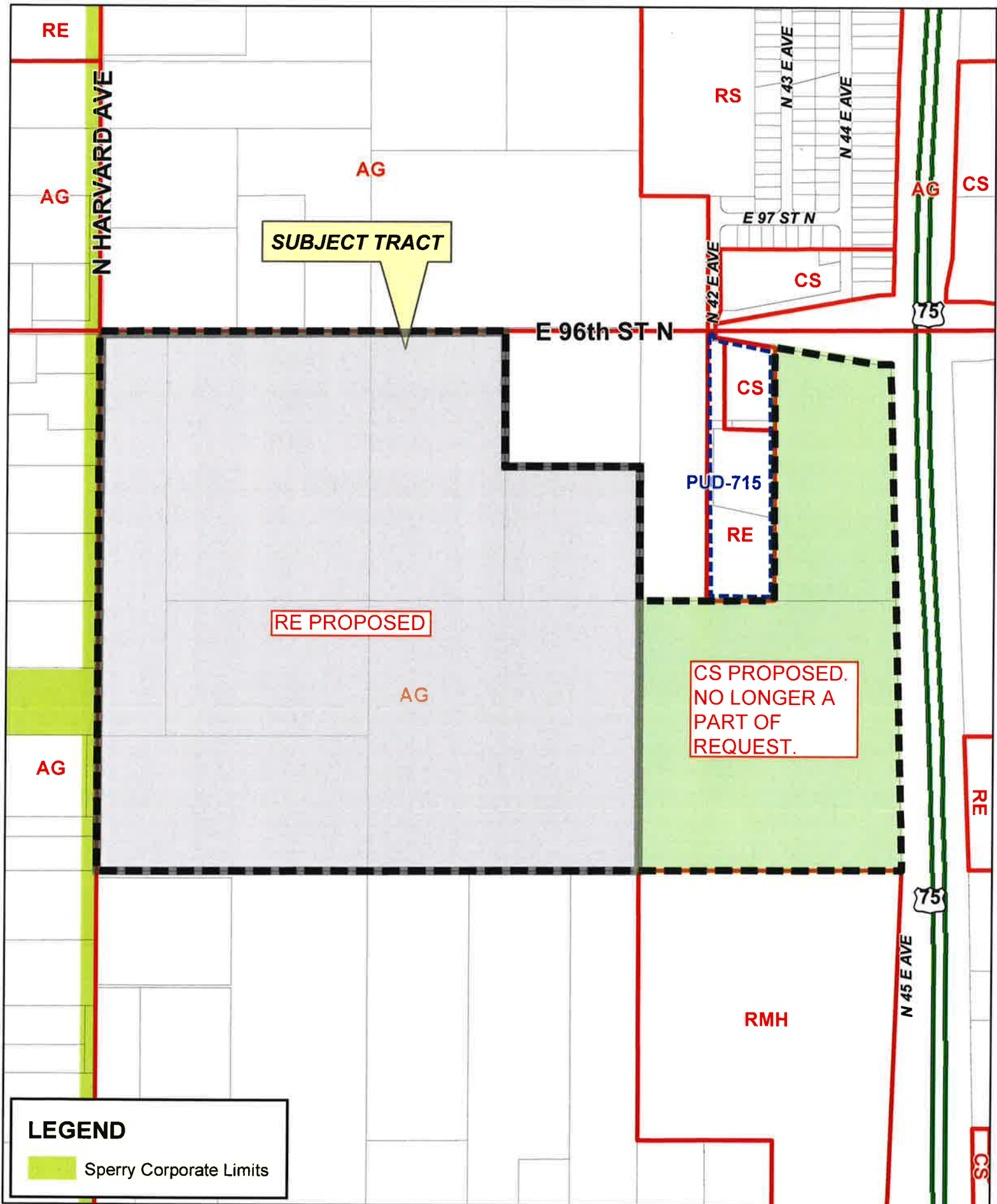
LEGEND

 Sperry Corporate Limits

CZ-486

21-13 21





LEGEND

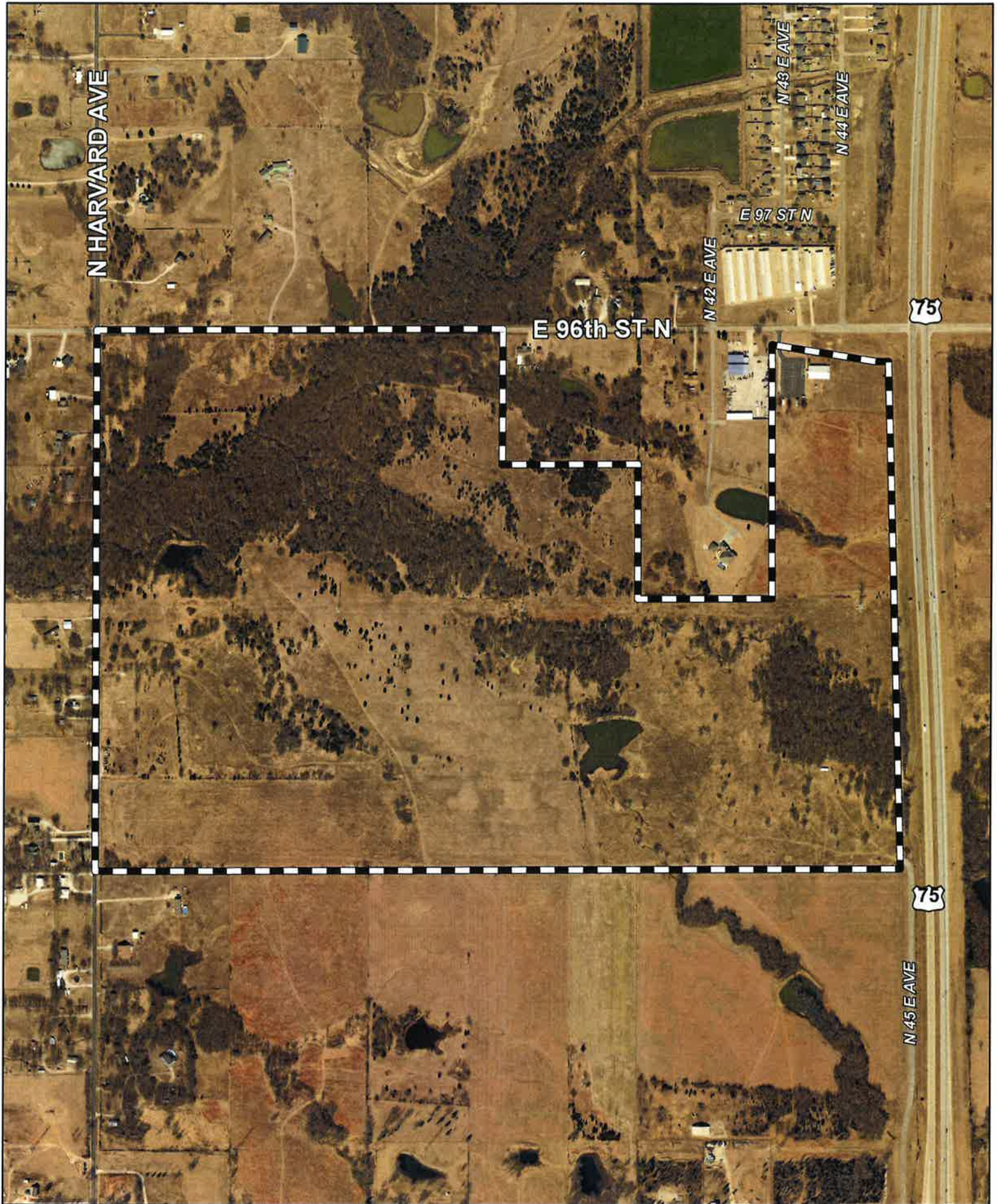
Sperry Corporate Limits



CZ-486

21-13 21





N HARVARD AVE

N 43 E AVE

N 44 E AVE

E 97 ST N

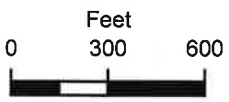
N 42 E AVE

E 96th ST N

75

75

N 45 E AVE



Subject
Tract

CZ-486

21-13 21

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

Aerial Photo Date: February 2018





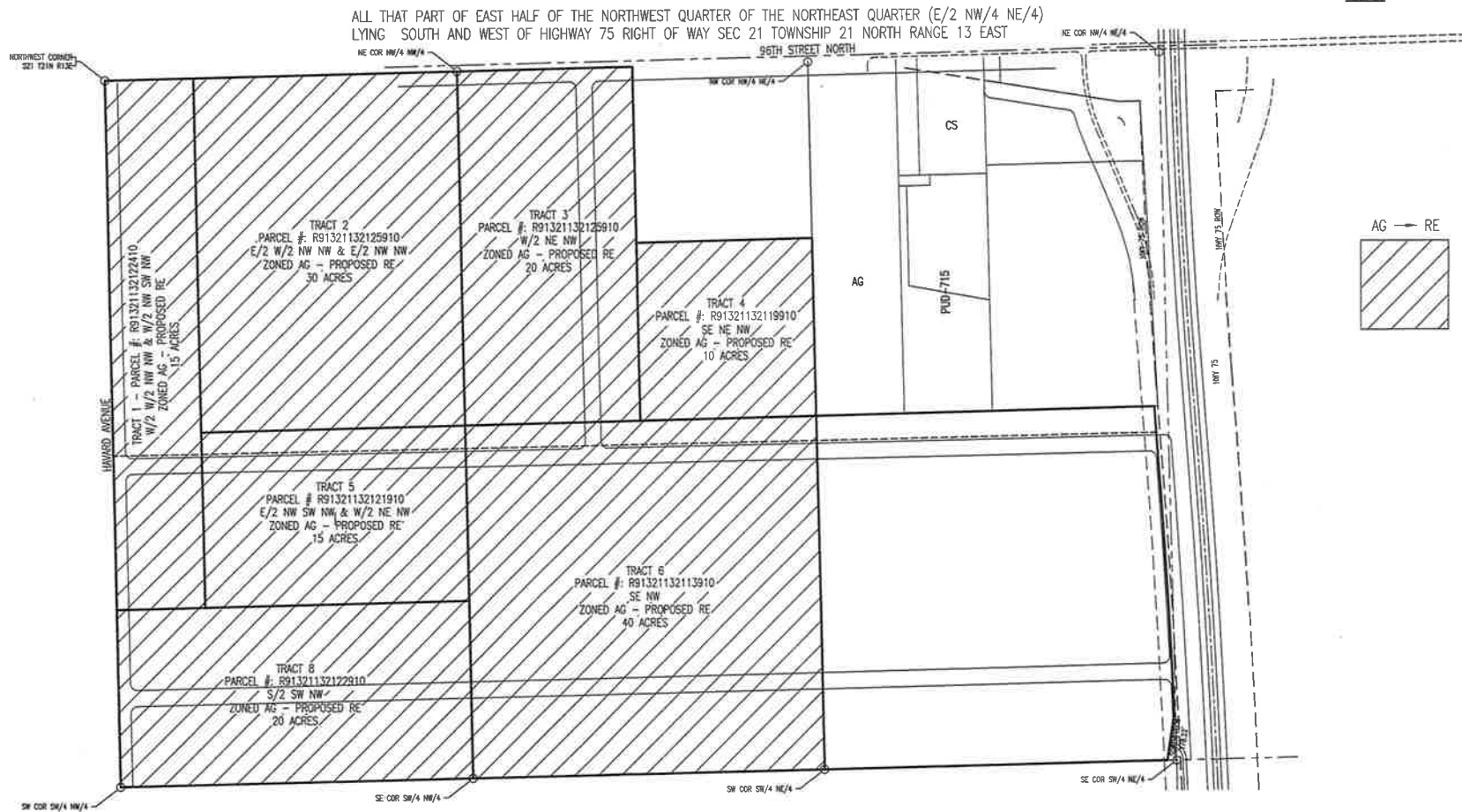
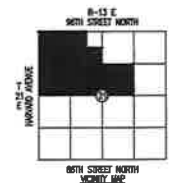
OWNER/DEVELOPER
DEER GLEN ESTATES LAND TRUST
BROKEN ARROW, OKLAHOMA
918-644-3780
jag@deerglen.com

Sketch Plat

TULSA COUNTY
A TRACT OF LAND IN THE NORTHWEST QUARTER OF SECTION TWENTY-ONE (21), TOWNSHIP TWENTY-ONE (21) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN AND HEREIN IN TULSA COUNTY, STATE OF OKLAHOMA.

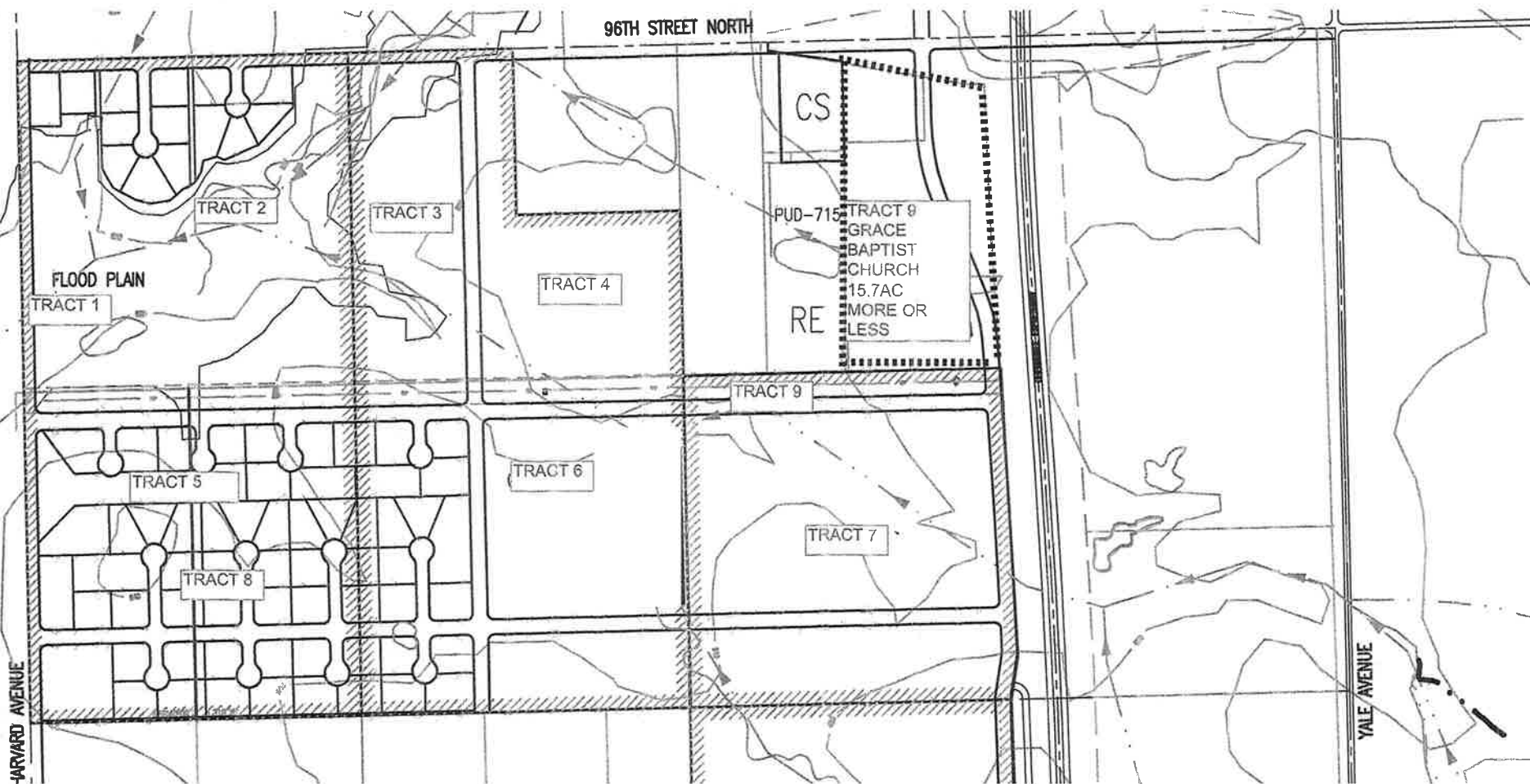
A PARCEL OF LAND IN THE NORTHEAST QUARTER (NE/4) OF SECTION TWENTY-ONE (21), TOWNSHIP TWENTY-ONE (21), RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE US GOVERNMENT SURVEY THEREOF. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ENGINEER/SURVEYOR
BROD SURVEYING & DESIGN, PLLC
9020 NORTH 17TH EAST AVE
OKMUS, OKLAHOMA 74055
918-645-8382
broad@broad.net
CA 4454 / PE 18512



AG

11.9



11.10

within 300 ft

HEARING BEFORE TULSA METROPOLITAN AREA PLANNING COMMISSION

In Re: Protest Petition

)
)
)

Case No: CZ-486 (205.36 acres)


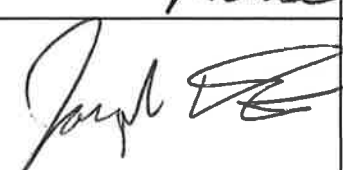
PROTEST PETITION

My signature certifies that I am protesting the proposed county re-zoning application seeking to re-zone AG property to CS Commercial Shopping / RE Residential Single-Family Estate zoning. I am 18 years of age or older, I hold record title to the property described below and I request this board to deny the Applicant's re-zoning.

#	Owner Name - printed	Signature	Address
1	Connie Edwards	Connie Edwards	3201 E 96th St N Sperry
2	Gene Edwards Jr	Gene Edwards Jr	3201 E 96th St N Sperry
3	Kristie Swindell	Kristie Swindell	9514 N Harvard Sperry OK 74073
4	John Swindell	John Swindell	9514 N. Harvard Sperry 74073
5	TERRY Toothman	Terry Toothman	9440 N Harvard Ave Sperry, OK 74073
6	Mary Toothman	Mary Toothman	9440 N. Harvard Sperry, OK 74073
7	CHERYL JURY	Cheryl Jury	3296 E 96th St N Sperry

11.12

My signature certifies that I am protesting the proposed county re-zoning application seeking to re-zone AG property to CS Commercial Shopping / RE Residential Single-Family Estate zoning. I am 18 years of age or older, I hold record title to the property described below and I request this board to deny the Applicant's re-zoning.

8	Suzanne Dosssett	Chrysine Dosssett	9104 North Harvard Avenue Sperry, OK 74073
9	Rick Dosssett	Rick Dosssett	↑ Same
10	JOANNE Mottney	Joanne Mottney	8705 N. Harvard SPERRY, OK. 74073
11	Sharon Roberts	Sharon Roberts	9020 N. Harvard Sperry, OK 74073
12	Mai Yang STOWERS INVESTMENTS LLC	Chunyan	9604 N. Harvard Ave Sperry OK 74073
13	GARY D. Joby		3296 E. 96th St N Sperry, OK 74073
14	Charlotte McCause	Charlotte McCause	10772 N 31st West Ave Sperry OK 74073 9200 N Harvard
15	Joseph Dosssett		9108 N Harvard Sperry OK 74073

My signature certifies that I am protesting the proposed county re-zoning application seeking to re-zone AG property to CS Commercial Shopping / RE Residential Single-Family Estate zoning. I am 18 years of age or older, I hold record title to the property described below and I request this board to deny the Applicant's re-zoning.

16	Ashley Dosselt	<i>Ashley Dosselt</i>	9108 N. Harvard Sperry, OK 74073
17	Trisha Watkins	<i>T. Watkins</i>	3276 E. 96 th St. N Sperry, OK 74073
18	Justin Hagan	<i>Justin Hagan</i>	3900 East 96 th St N. Sperry OK 74073
19	Lisa Hagan	<i>Lisa Hagan</i>	3900 E. 96 th St n Sperry OK 74073
20	DEAN MATTHEWS	<i>Dean Matthews</i>	9611 N HARVARD AVE SPERRY OK 74073
21	Judy L. Horst	<i>Judy L. Horst</i>	3555 E 96 th N Sperry, OK 74073
22	Brian Cummings	<i>Brian Cummings</i>	3559 E. 96 th St N.
23	Mary Cummings	<i>Brian Mary Cummings</i>	3559 E 96 th St N. Sperry, OK 74073

HEARING BEFORE TULSA METROPOLITAN AREA PLANNING COMMISSION

In Re: Protest Petition

)

)

)

Case No: CZ-486 (205.36 acres)

PROTEST PETITION

My signature certifies that I am protesting the proposed county re-zoning application seeking to re-zone AG property to CS Commercial Shopping / RE Residential Single-Family Estate zoning. I am 18 years of age or older, I hold record title to the property described below and I request this board to deny the Applicant's re-zoning.

#	Owner Name - printed	Signature	Address
1	Marylou Macario	Marylou Macario	9400 N Harvard
2	Surviving spouse of David Macario, deceased		
3			
4			
5			
6			
7			

11.15

My signature certifies that I am protesting the proposed county re-zoning application seeking to re-zone AG property to CS Commercial Shopping / RE Residential Single-Family Estate zoning. I am 18 years of age or older, I hold record title to the property described below and I request this board to deny the Applicant's re-zoning.

24	Kevin Watkins		3276 E. 96th St SPerry OK 74073
25			
26			
27			
28			
29			
30			
31			

within 300 feet

HEARING BEFORE TULSA METROPOLITAN AREA PLANNING COMMISSION

In Re: Protest Petition

)
)
)

Case No: CZ-486 (205.36 acres)

PROTEST PETITION

My signature certifies that I am protesting the proposed county re-zoning application seeking to re-zone AG property to CS Commercial Shopping / RE Residential Single-Family Estate zoning. I am 18 years of age or older, I hold record title to the property described below and I request this board to deny the Applicant's re-zoning.

#	Owner Name - printed	Signature	Address
1	Kenneth Bryant Kenneth Dwayne Bryant		9397 N. 42nd E. Ave.
2	Ermaleen Rowe		4110 E 94th St N.
3	Virgil L. Lang Jr. Daveco Mechanical		4248 E 96 St. N.
4	Stan Kent Park Meadows Mini St.		4335 E 96th St N
5	Glenda Bryant		9397 N 42nd E Ave Sperry OK
6	Sandra K Lang		9481 N 42nd E. Ave. Sperry OK 740703
7	Virgil L. Lang Jr		9481 N. 42nd St. N Sperry OK 74073

11.17

My signature certifies that I am protesting the proposed county re-zoning application seeking to re-zone AG property to CS Commercial Shopping / RE Residential Single-Family Estate zoning. I am 18 years of age or older, I hold record title to the property described below and I request this board to deny the Applicant's re-zoning.

8	Stanley G. Holcomb	Stanley G. Holcomb	4005 E 96th ST. N.
9	Sandra K Holcomb	Sandra K. Holcomb	4005 E. 96th ST. North
10	Susan H. Tiller	Susan H. Tiller	9825 N 43rd E Ave Sperry, OK 74073
11			
12			
13			
14			
15			

Signed
Wrong
PETITION
LIVES OUTSIDE
300 ft

~~24~~ 34
within
300'

outside 300 feet

HEARING BEFORE TULSA METROPOLITAN AREA PLANNING COMMISSION

In Re: Protest Petition

)
)
) Case No: CZ-486 (205.36 acres)

PROTEST PETITION BY THOSE OUTSIDE THE 300 FOOT AFFECTED AREA

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

No.	Name - printed	Signature	Address
1	Jeffrey Jones	Jeffrey Jones	2219 E 96th St N.
2	Tonda Hagan	Tonda Hagan	2420 E. 96th St N
3	Shannon Hagan	Shannon Hagan	2420 E. 96th St N
4	Glen Shouder	Glen Shouder	9821 N. Harvard
5	Kelly Matthews	Kelly Matthews	9611 N. Harvard Ave
6	Jowanna William	Jowanna William	8928 N. Harvard
7	BURL L. LINDSAY SR.	Burl Lindsay	3208 E 96th St N.


11.19

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

8	Glenda Lindsay	Glenda Lindsay	3208 E. 96 th St. W.
9	Sam Bradley	Sam Bradley	11534 N Harvard
10	Warren Dickey	Warren Dickey	11227 N. Harvard
11	Thomas McGuse	Thomas McGuse	9200 N Harvard
12	INVESTMENT HOME GREG McCall	Greg McCall	9656 N. HARVARD
13	Kim McCall	Kim McCall	9656 N Harvard
14	Patricia Pulliam	Patricia Pulliam	8928 N HARVARD
15	Tim Simmons	Tim Simmons	10224 N. New Haven

STOWER

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

16	Kelli Bradley	Kelli Bradley	11534 N HARVARD SPERRY OK 74073
17	Melanie Shoulders	Melanie Shoulders	9821 N Harvard Sperry, OK 74073
18	Linda G. Seely	Linda G. Seely	2937 E. 96 th St. No Sperry, OK 74073
19	JON SEELY		2937 E 96 th ST N SPERRY OK 74073
20	NAN MULLINS	Nan Mullins	10308 No Harvards Sperry OK 74073
21			
22			
23			

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

24			
25			
26			
27			
28			
29			
30			
31			

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

32			
33			
34			
35			
36			
37			
38			
39			

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

40			
41			
42			
43			
44			
45			
46			
47			

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

48			
49			
50			
51			
52			
53			
54			
55			

HEARING BEFORE TULSA METROPOLITAN AREA PLANNING COMMISSION

In Re: Protest Petition

)
)
)

Case No: CZ-486 (205.36 acres)

PROTEST PETITION BY THOSE OUTSIDE THE 300 FOOT AFFECTED AREA

Although my property lies more than 300 feet from the affected area of CZ-486,
I live close enough to be adversely affected by the re-zoning application and wish to oppose the
application.

No.	Name - printed	Signature	Address
1	Pamela Jo (Colvin) Broadrick	(Colvin) Pam Broadrick	5018 E 106th St No Sperry, OK 74073
2	Durinda Smith	Durinda Smith	10437 N. Yale Sperry OK 74073
3	Johnny Douglas	John D.	10484 N. Yale Sperry OK 74073
4	Eric Crandell	Eric Crandell	11210 N Yale Sperry OK 74073
5	Deanna Oakley Deanna Oakley	Deanna Oakley	5008 E. 96th St. N Sperry, OK 74073
6	Chuck Martin	Chuck Martin	8717 N Yale Ave Sperry OK 74073
7	Johnny Ivy	Johnny Ivy	8732 N YALE SPERRY OK 74073

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

8	Marco Antonio Mora	<i>M A M</i>	8812 N Yale ave Sperry OK 74073
9	Roy Brinkley	<i>Roy Brinkley</i>	8829 N Yale SPERRY OK 74073
10	Brent Case	<i>Brent Case</i>	8840 N Yale Ave Sperry OK 74073
11	Melba Jackson <i>Melba Jackson</i>	<i>Melba Jackson</i>	8903 N. Yale Ave. Sperry, OK. 74073
12	Mark Lutzler	<i>ML</i>	9017 N Yale Ave Sperry OK 74073
13	Lon Barnett	<i>Lon Barnett</i>	9029 N. YALE AVE SPERRY OK 74073
14	Letitia Tumeson	<i>LT</i>	9031 N Yale Ave SPERRY OK 74073
15	DALE ELIISO	<i>Dale Eliiso</i>	9161 S Yale SPERRY OK 74073

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

16	Frederick Gott Charles Grant	Frederick Gott Charles Grant	9345 N Yale Ave Sperry OK 74073
17	Charles Grant	Charles Grant	9623 N. Yale Sperry OK 74073
18	Steve Holt	Steve Holt	5015 E. 106th St N Sperry, OK 74073
19	Patricia D. North	Patricia D. North	10429 N. Yale Sperry, Oklahoma 74073
20	Henry North	Henry North	10429 N Yale Sperry OK 74073
21	Rickey L Currier	Rickey L Currier	11110 N Yale Av. Sperry OK 74073
22	DeAnna M. Mays	DeAnna M. Mays	11010 N Yale Sperry OK 74073
23	Leroy Brindley	Leroy Brindley	5018 E 106th St N Sperry OK 74073

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

Print Name

Sign Name

Address

1	27	CLAUDE E LANDSAU	Claude E Landsau	9802 N H SPERRY OK 74073
2	28	PATRICK SCHUMACHER	P. Schumacher	9919 N. HARVARD SPERRY OK 74073
3	29	RONALD FANCHER	Ronald Fancher	8609 N De LEWIS AVE SPERRY OK 74073
4	30	Tracy Fancher	Tracy Fancher	8609 N Delaware Ave. Sperry, OK. 74073
5	31	Billie Walters	Billie Walters	3102 E. 100 th St Wk Sperry OK 74073
6		Pearlie Walters	Pearlie Walters	
7	32	ANDREW BEATS	Andrew Beats	9831 N. Lewis Ave Sperry, OK 74073
8	33	Ashley Beats	Ashley Beats	
9	34	April Bowman	April Bowman	9912 N. Harvard
10	35	Byron Bowman	Byron Bowman	Sperry OK 74073
11	36	William Philpott	William Philpott	10810 N. Harvard
12	37	Sharon Philpott	Sharon Philpott	Sperry OK 74073
	38	Sharon Philpott	Sharon Philpott	

HEARING BEFORE TULSA METROPOLITAN AREA PLANNING COMMISSION

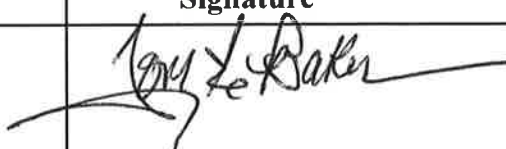


In Re: Protest Petition

)
)
)


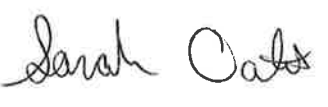


Case No: CZ-486 (205.36 acres)

PROTEST PETITION BY THOSE OUTSIDE THE 300 FOOT AFFECTED AREA

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

No.	Name - printed	Signature	Address
1	Thomas E. Baker		3821 E. 106th St. North Sperry, OK 74073
2	Amy Sanders		208 W. Ash Pl. Sperry OK 74073
3	Barret Bowman		9912 N. Harvard Sperry, OK 74073
4	Debra A. Baker	Debra A Baker	3821 E. 106th St. No. Sperry, OK 74073
5	Deanna Delk	Deanna Delk	4224 E. 106th St N Sperry, OK 74073
6	William E. Cameron	William E Cameron	10520 N. New Heaven Ave. Sperry OK.
7	Ruthie M Cameron	Ruthie M. Cameron	10500 N New Heaven Sperry OK 74073

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

8	Billy Lawrence		10510 N New haven Sperry OK
9	Sarah Oates		10510 N. New Haven Sperry OK
10	Naomi Brown		10535 N New Haven Ave Sperry OK 74073
11	Nathan Brown		10535 N. New Haven Ave Sperry OK
12	Sandra Brown	Sandra Brown	10535 N. New Haven Sperry, OK 74073
13	Jim Brown	Jim Brown	10535 N. New Haven Sperry. OK. 74073
14	JAMES DAVE	JAMES ADAM	4702 E 106 N Sperry 74073
15	Jessie Sperry Blaine	Larry Jackson Blaine	3910 E 106th N Sperry. OK 74073







HEARING BEFORE TULSA METROPOLITAN AREA PLANNING COMMISSION

In Re: Protest Petition

Case No: CZ-486 (205.36 acres)

PROTEST PETITION BY THOSE OUTSIDE THE 300 FOOT AFFECTED AREA

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

No.	Name - printed	Signature	Address
1	William F Gaffey		2611 E 96 th ST N. Sperry OK 74073
2	Martha L. Hughes		9562 N. Birmingham Sperry OK 74073
3	Becky Maybae	Becky maybae	9340 N. Birmingham Ave Sperry, OK 74073
4	Beryl G Hughes		9562 N. Birmingham Ave Sperry, OK 74073
5	Jesse Maxwell		820 Black Sack Ln Collinsville, OK 74021
6	Dalton Hagan		8757 N 97 th E AVE OWASSO OK 74055
7	Kelsea Hagan		8757 N 97 th E AVE OWASSO OK 74055

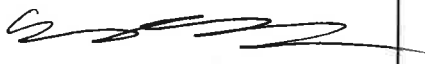

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

8	Judy Spradling	Judy Spradling	9651 N 26 th E Ave
9	Jerry Spradling	Jerry Spradling	9451 N 26 th E Ave
10	Catherine Queen	Catherine Queen	9421 N. Birmingham
11	MARCUS R Queen	Marcus R Queen	9421 N Birmingham
12	Melissa Ervin	Melissa Ervin	9391 N. Birmingham Ave
13	John Harrell	John Harrell	9391 N. Birmingham Ave.
14	Gladys Dick	Silinda Dick	1988 E. 96 th St. N
15	Steve Dick	Steven Dick	1988 E. 96 th St. N

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

16	Ray Allen	Ray Allen	2502 E 96th St N. Sperry OK 74073
17	Patricia Allen	Patricia L Allen	2502 E. 96 St N Sperry OK 74073
18	JEREMY W ALLEN	Jey W Allen	2510 E 96 St N Sperry OK 74073
19	Geneva Hagan	Geneva Hagan	9575 N Hewitt Ave Sperry OK 74073
20	Daren Martin	Daren Martin	9360 N. Delaware Ave Sperry, OK 74073
21	Bryan Miramontes	Bryan Miramontes	9202 N Delaware Ave. Sperry OK. 74073
22	Brandon McFarland	Brandon McFarland	9202 N Delaware Ave, Sperry 74073
23	Linda Williams	Linda Williams	9202-B-N Delaware Ave. SPERRY OK 74073


Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

24	Julie McFarland	Julie McFarland	9202 N. Delaware Ave Sperry
25	Ashley McFarland	Ashley McFarland	9202 N Delaware ave Sperry OK
26	Suzanne McFarland		4833 n 44th ave Sperry, OK
27	Amanda Beaman	Amanda Beaman	9340 N. Delaware Sperry, OK
28	Kyle Beaman		9340 N. Delaware Sperry, OK
29	Cherri Martin	Cherri Martin	9350 N. Delaware Sperry OK 74073
30	Glen Martin	Glen Martin	9350 N. Delaware Ave. Sperry OK. 74073
31	Clarence Hagan	Clarence Hagan	9575 N. Lewis Sperry OK. 74013

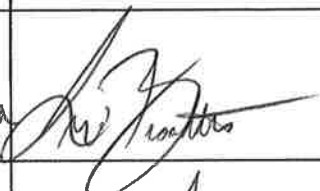

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

32	Mamie Dick	Mamie Dick	Sperry, Okla 74073 2012 E. 96 th St N.
33	Lonnie Dick	Lonnie Dick	Sperry, Okla 74073 2012 E. 96 th St N.
34	David Dick	David Dick	2008 E 96 th St N
35	master Sheri Rogers	master Sheri Rogers	9411 N. Lewis
36	Tyler Martin	Tyler Martin	9411 N. Lewis
37			
38			
39			

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

40	Jane Bash	5009 E 94th St Sperry OK	
41	Matt Bash	5009 E 94th St Sperry OK	
42	Capitol S Duan	5322 E 94th Sperry	
43	Chen Paul	5321 E 94th St. Sperry	
44		5321 E 94th St Sperry	
45	Frank Smith	5405 E 94th St Sperry	
46	WARD Duncutt	5402 E 94th St N Sperry, OK 74073	
47	Ruby Duckett	5402 E 94th St N. Sperry, OK	

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

24	Sam Colvin	Sam Colvin	5018 E 106 th St N Sperry OK 74073
25	Dustin Levi Broadbich		5018 E 106 th St N Sperry OK 74073
26	Pedro Aguirre		10589 N Yale Ave Sperry OK 74073
27			
28			
29			
30			
31			

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

13	32	Joe Bridgeman	Joe Bridgeman	2248 E. 96th St North SPERRY, OK 74073
14	33	Joe Bridgeman	Joe Bridgeman	10920 N. HARVARD AVE SPERRY, OK 74073
	34			
	35			
	36			
	37			
	38			
	39			

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

16	Lorita Davis	LOHITA DAVIS	4202 E 106 th St N Sperry
17			
18			
19			
20			
21			
22			
23			

Park
Meadows

outside 300 ft

HEARING BEFORE TULSA METROPOLITAN AREA PLANNING COMMISSION


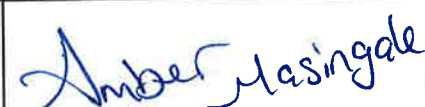




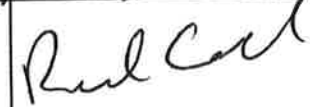
In Re: Protest Petition

)
)
)

Case No: CZ-486 (205.36 acres)






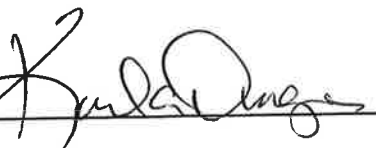


PROTEST PETITION BY THOSE OUTSIDE THE 300 FOOT AFFECTED AREA

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

No.	Name - printed	Signature	Address
1	Travis Dean		4009 E. 96th 4009 St. N.
2	Amber Masingale		4009 E. 96th St. N.
3	Sharay Henry		4013 E 96th St. N
4	Bryan Jennings		4013 E 96th St N Sperry, OK 74073
5	JASON JENNINGS		4312 E 97th St N Sperry, OK 74073
6	Mike Dykstra		4308 E 97th St N Sperry OK 74073
7	Rachael Goodman		9712 N. 48th E Ave Sperry, OK 74073




Pack
Mondays

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

8	James Blake Goodman		9712 N. 43rd E. Ave Sperry, OK 74073
9	Allison Thomas		9717 N 43rd E AVE Sperry, OK 74073
10	Penny Thomas		9721 N 43rd E AVE Sperry, OK 74073
11	James Cupler		9720 N 43rd
12	Buddy Koss		9731 N 43rd E Ave
13	Karla Dungan Karla Dungan		9735 N. 43rd E AVE
14	Bonnie Smith		9829 N. 43rd E Ave
15	Terry Domack		9836 N 43rd E Ave

Park
Meadows

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

16	Gwen Womack	Gwen Womack	9836 N. 43rd East Ave Sperry 74073
17	Wendy Rivas And Juan Rivas		9901 N. 43RD East Ave Sperry, OK 74073
18	Maxine Choate		9911 N 43rd E Ave SPERRY OK 74073
19	Emma Lovelace	Emma Lovelace	9936 N. 43rd E. Ave.
20	RYAN AND ISRAEL GILES		10008 N 43rd E AVE SPERRY, OK 74073
21	Carson Paulley	Carson Paulley	10027 N. 43rd E Ave. Sperry OK 74073
22	Carol Pollak	Carol Pollak	4109 East 101st N Sperry OK 74073
23	Janet S. Endress	Janet S. Endress	4123 E. 101st N. Sperry, OK 74073

Park
meadows

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

24	TIM DOCKSON		E 101st N
25	Seth Sweet	Seth Sweet	10111 W 44th E AVE
26	Blake Hankins	Blake Hankins	E 101st N
27	BRANDI CODY	Brandi Cody	10005 N. 44th E AVE
28	Robby L. Cody	Robby L. Cody	10005 N. 44th
29	Savanna McFarland		9833 N 44th E Ave
30	Unatacha Copeland	Unatacha Copeland	9802 N 44th E Ave Sperry, OK 74073
31	TERESA SALLER		9714 N. 44th E. AVE. 74073

Park
Meadows

outside 300 ft







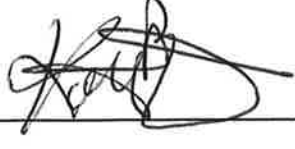
HEARING BEFORE TULSA METROPOLITAN AREA PLANNING COMMISSION

In Re: Protest Petition

Case No: CZ-486 (205.36 acres)

PROTEST PETITION BY THOSE OUTSIDE THE 300 FOOT AFFECTED AREA

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

No.	Name - printed	Signature	Address
1	Regina Beck		9636 N. 44th E Ave. Sperry, OK 74073
2	christine whitening madison		9832 N. 43rd E. Ave. Sperry, OK 74073
3	Matt Madison		9832 N. 43rd E. Ave. Sperry, OK 74073
4	David Campbell		9903 N Harvard Ave Sperry, OK 74073
5	Nick Estrada		10017 N 43rd Ave
6	Kyle Kirby		10014 N 43rd E Ave Sperry, OK 74073
7	Katie Bellinger		10014 N. 43rd E. Ave Sperry, OK 74073

Park
Meadows

Although my property lies more than 300 feet from the affected area of CZ-486, I live close enough to be adversely affected by the re-zoning application and wish to oppose the application.

32	Mihayla Webb	Mihayla Webb	9704 N. 44th - E. Ave Sperry, OK. 74073
33			
34			
35			
36			
37			
38			
39			

~~120~~ 159
Outside
300'



Tulsa Metropolitan Area
Planning Commission

Case Number: PUD-633-A

Hearing Date: April 17, 2019

Case Report Prepared by:

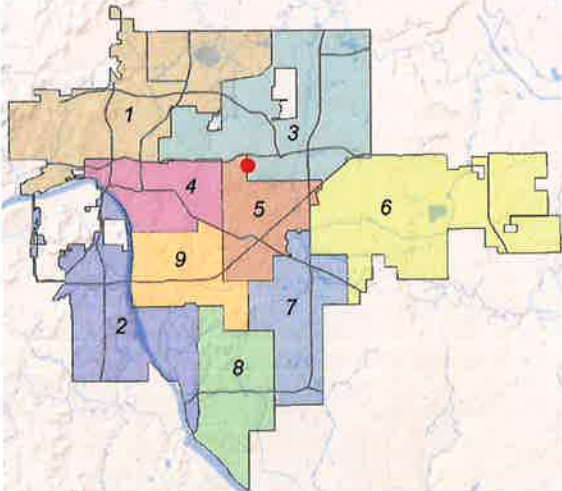
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Mary Anne Moura

Property Owner: MOURA, PAULO J & MARY ANNE

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: vacant

Proposed Use: Add Use - Personal Vehicle Sales and Rental

Concept summary: Major amendment request to allow Personal Vehicle Sales and Rentals

Tract Size: 0.29 ± acres

Location: South of the Southeast corner of South Sheridan Road and East 4th Street South

Zoning:

Existing Zoning: PUD-633, CS

Proposed Zoning: PUD-633-A / no underlying zoning change

Comprehensive Plan:

Land Use Map: Mixed-use Corridor

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends denial.

Staff Data:

TRS: 9302
CZM: 38

City Council District: 3

Councilor Name: Crista Patrick

County Commission District: 2

Commissioner Name: Karen Keith

12.1

SECTION I: PUD-633-A

DEVELOPMENT CONCEPT:

The applicant has submitted a zoning clearance permit and received a letter of deficiency from the building permit office to allow automotive sales and rental. The PUD on the site prohibits that use.

The original PUD-633 as approved in June 2000 specifically prohibited automotive sales. and the uses were limited to Use Unit 11 (office, studios and support services), Use Unit 13 (convenience goods and services) and Use Unit 14 (shopping goods and services) and Use unit 17 but limited to moving truck and trailer rental with a maximum 20 feet in length.

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:
 - Letter of Deficiency from Development Services
 - Plat of Survey
 - PUD-633

DETAILED STAFF RECOMMENDATION:

PUD 633-A could be consistent with the Mixed-use corridor land use designation in the Comprehensive Plan however it was specifically prohibited by PUD-633 approximately 19 years ago. land use along this corridor has not significantly changed and,

Uses identified in the letter of deficiency from Development Services indicate that the request is for Commercial/Vehicle Sales and Service/Personal Vehicle Sales and Rentals. Those uses are not consistent with the expected development in the area and,

PUD 633-A request adding a use to the area that is considered injurious to the surrounding property owners therefore,

Staff recommends **denial** of PUD-633-A to rezone property from PUD-633, CS/ to PUD 633-A CS for a request to add Personal Vehicle Sales and Rentals and all specific uses.

SECTION II PUD-633-A PROPOSED DEVELOPMENT STANDARDS:

Add Vehicle Sales and Service subcategory and all specific uses:

All other provisions of PUD-633 as attached to this staff report shall remain in effect.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The personal vehicle sales and rentals as requested by the applicant may be considered consistent with some Mixed-use corridors in the City however this particular site is surrounded by uses that are not compatible with the proposed automotive uses.

12.2
REVISED 4/11/2019

Land Use Vision:

Land Use Plan map designation: Mixed-use Corridor

A Mixed-use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. The streets usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods.

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: Multi Modal Corridor

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is occupied by a residential style office building with a surface parking lot.*

Street view snippet from southwest looking northeast:



Environmental Considerations: None that affect site development

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Sheridan Road	Secondary Arterial with Multi Modal Corridor designation	100 feet	4

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	OL	Mixed-use Corridor	Growth	Residential / office
East	RS-3	Existing Neighborhood	Stability	Single family residential
South	CS	Mixed-use Corridor	Growth	automobile repair
West	CS	Mixed-use Corridor	Growth	Residential and commercial

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 14966 dated February 13, 1981 established zoning for the subject property.

Subject Property:

Z-5483 February 1981: All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to OL on property located South of the Southeast corner of South Sheridan Road and East 4th Street South (Ordinance 14966).

Surrounding Property:

BOA-17805 April 1998: The Board of Adjustment **approved** a special exception to allow an existing auto body repair shop in a CS district; and a *special exception* to allow an auto paint shop in a CS district to permit, on property located at the Northeast corner of South Sheridan Road and East 4th Place South.

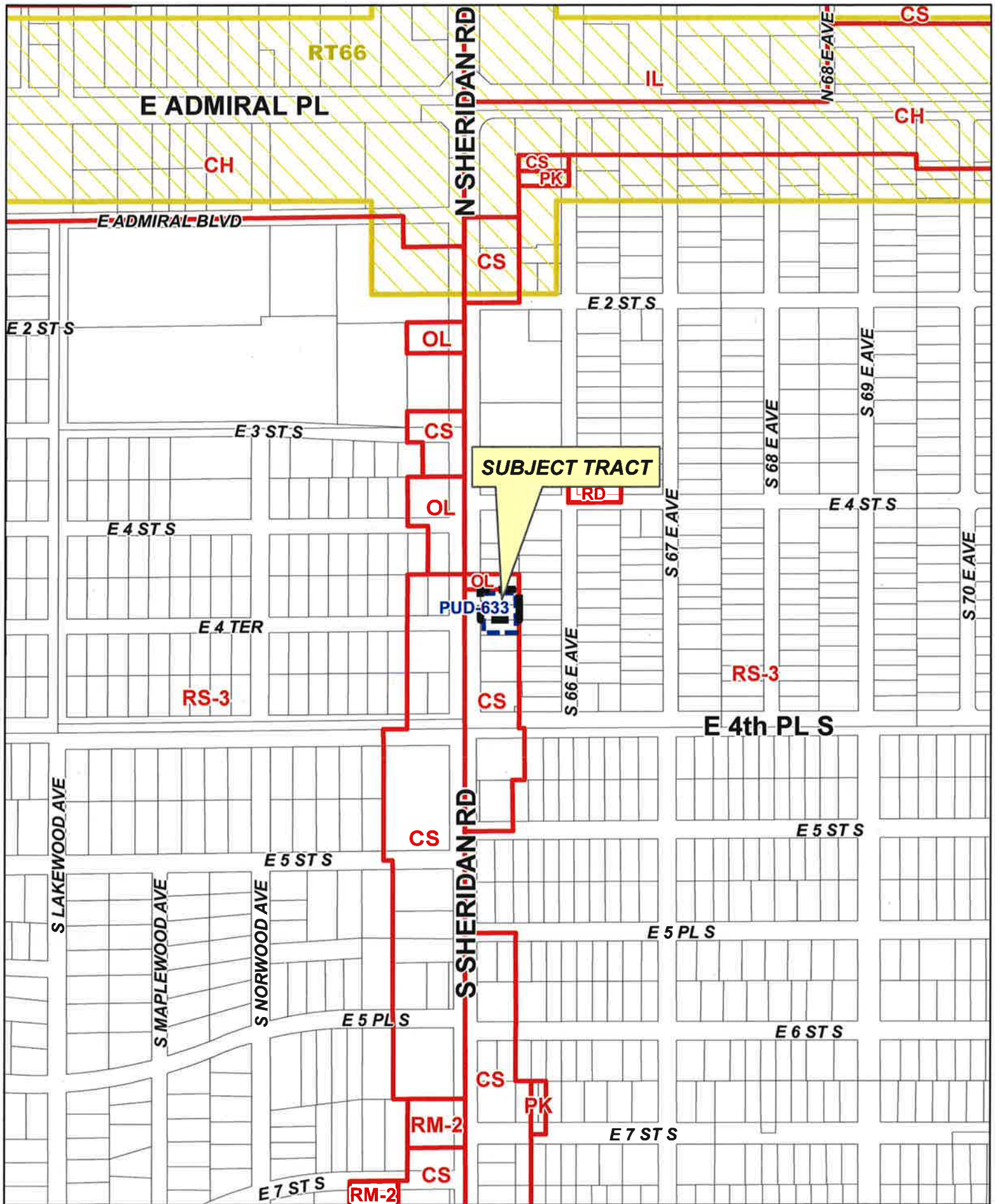
BOA-17748 June 1997: The Board of Adjustment **denied** a variance of the required 300' from any R district for open air storage or display of merchandise offered for sale finding that the applicant failed to present a hardship unique to the property for granting a variance; and **denied** a special exception to allow auto sales in CS, on property located South of the Southwest corner of East 4th Street South and South Sheridan Road.

Z-6566 December 1996: All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to OL on property located South of the Southeast corner of South Sheridan Road and East 4th Street South (Ordinance 18885).

BOA-13082 April 1984: The Board of Adjustment **approved** a *special exception* to permit a retail tire center in a CS district with conditions, on property located South of the Southeast corner of South Sheridan Road and East 4th Street South.

Z-4709 October 1974: All concurred in **approval** of a request for *rezoning* a tract of land from RS-3 to OL on property located at the Southwest corner of East 4th Street South and South Sheridan Road (Ordinance 13284).

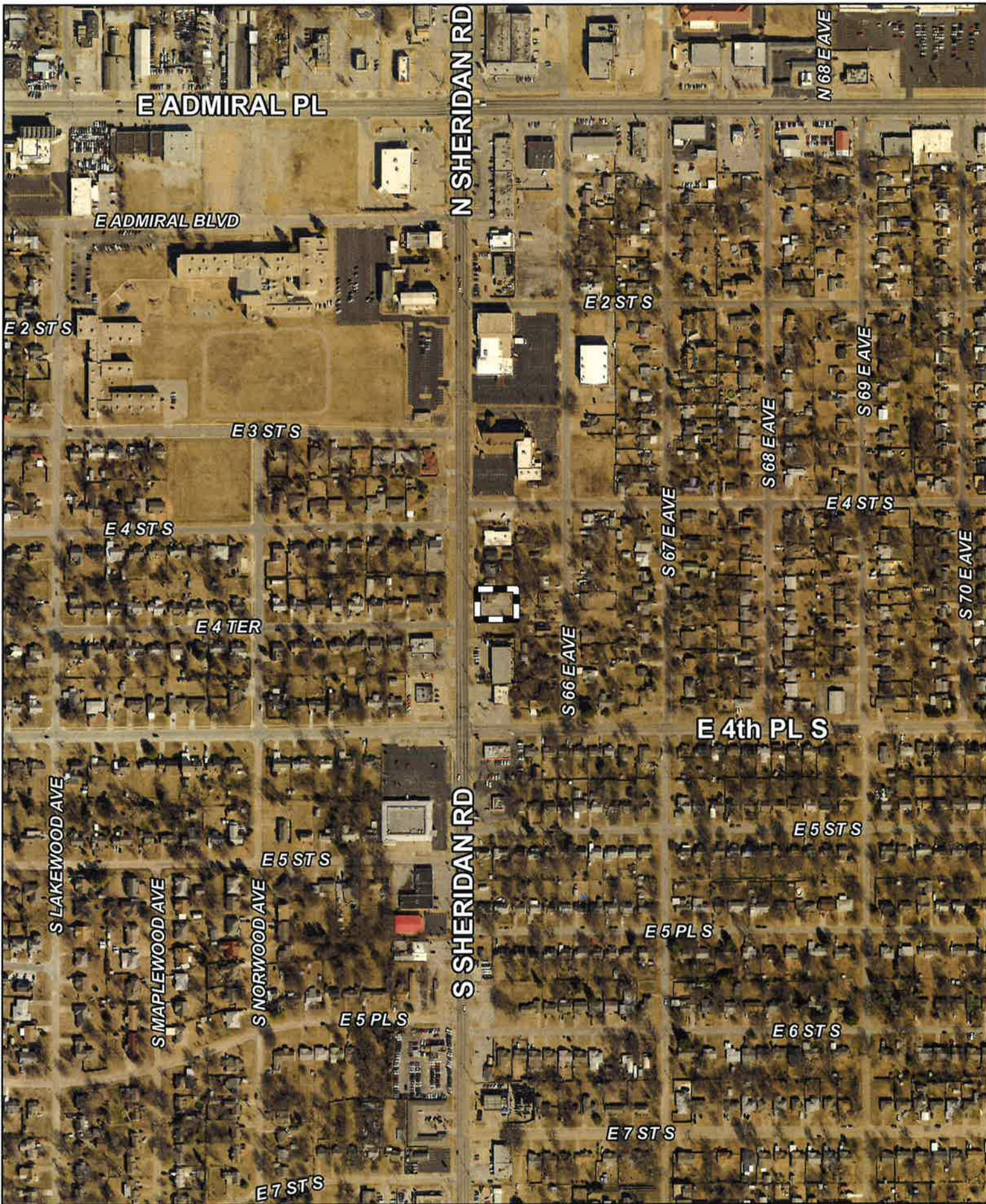
4/17/2019 1:30 PM



PUD-633-A

19-13 02

12.6



Feet

0 200 400



**Subject
Tract**

PUD-633-A

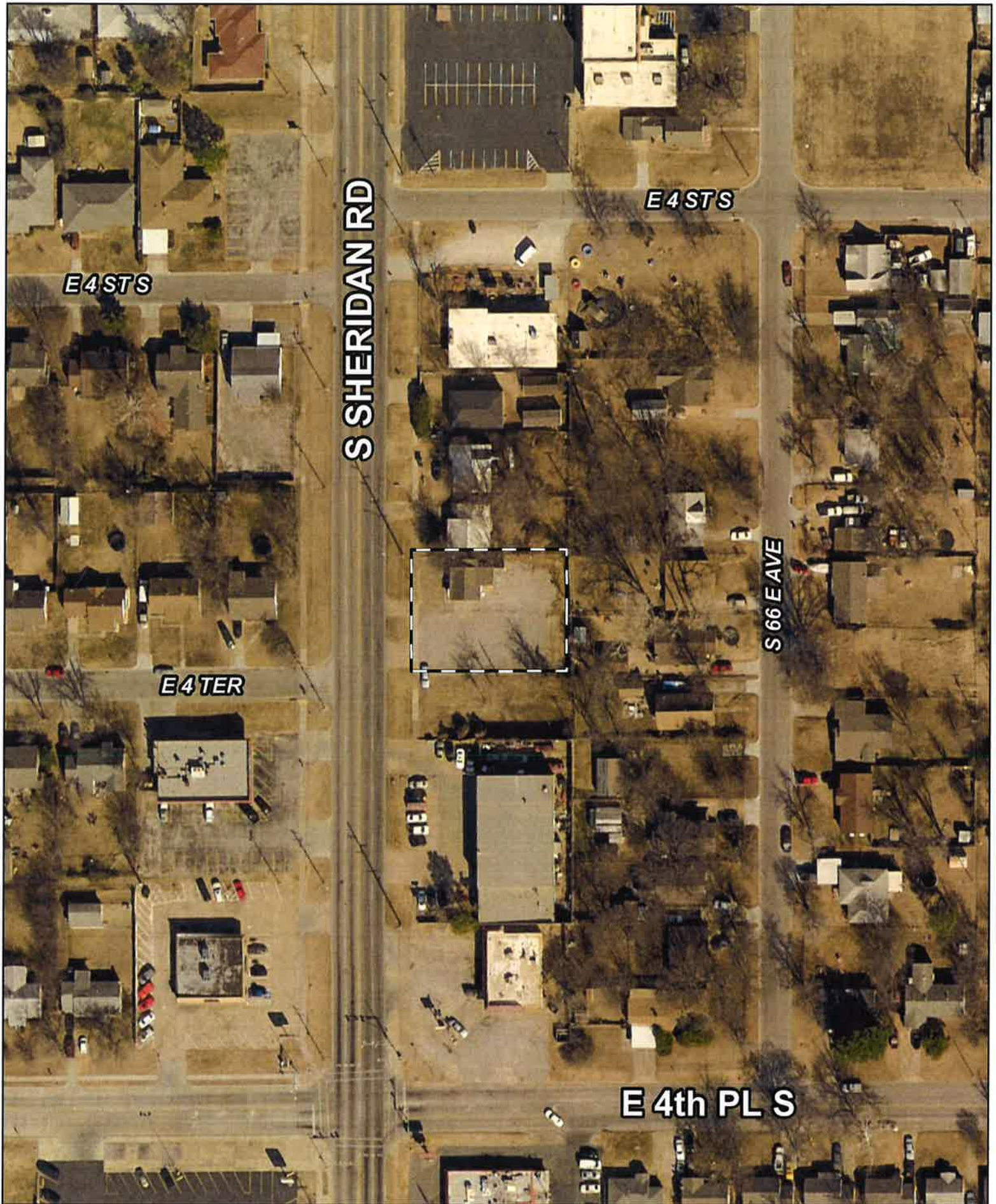
19-13 02

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

Aerial Photo Date: February 2018



12.7



0 50 100
Feet



Subject
Tract

PUD-633-A

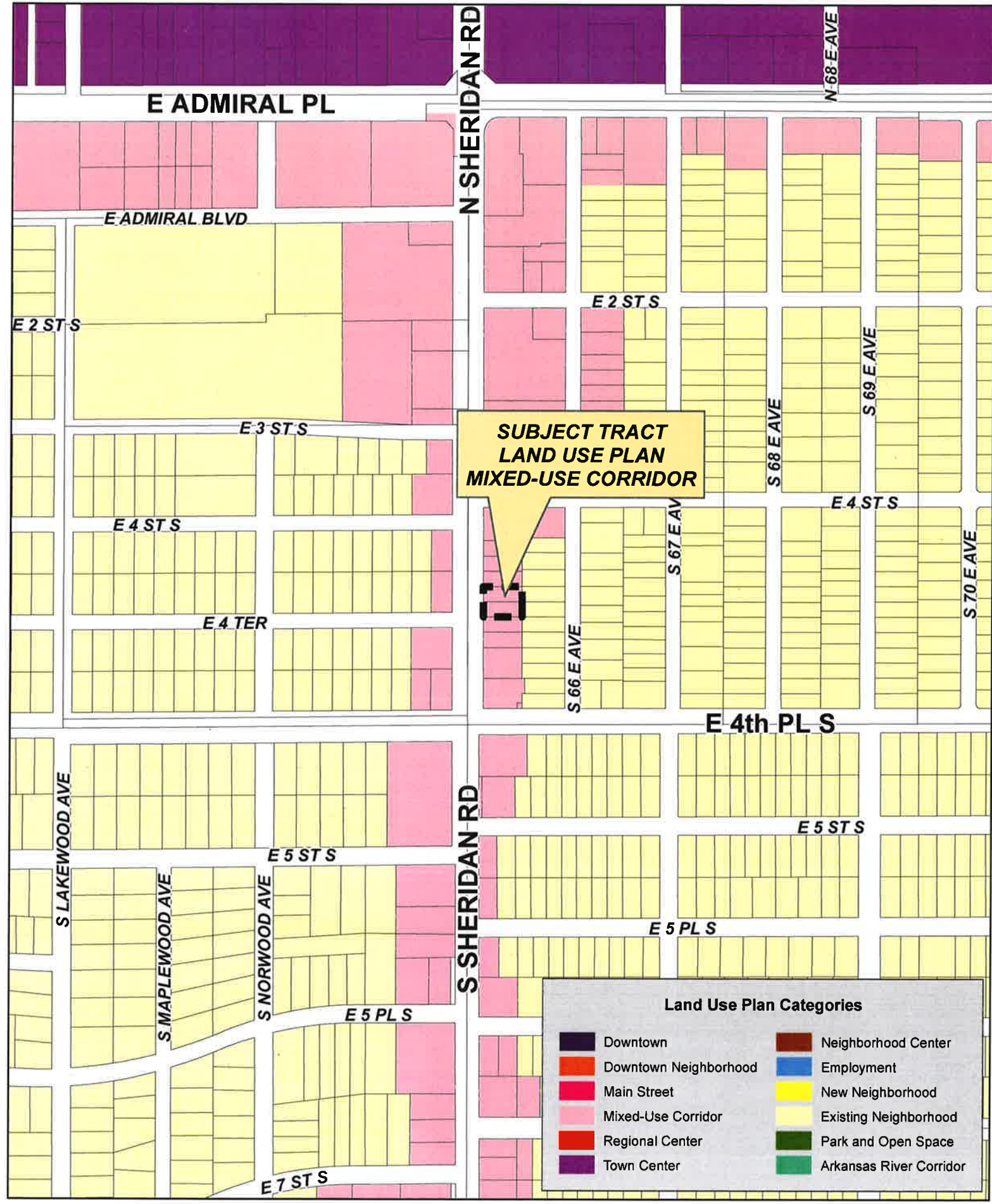
19-13 02

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

Aerial Photo Date: February 2018

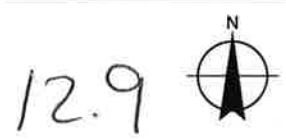
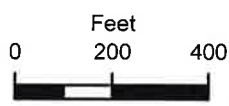


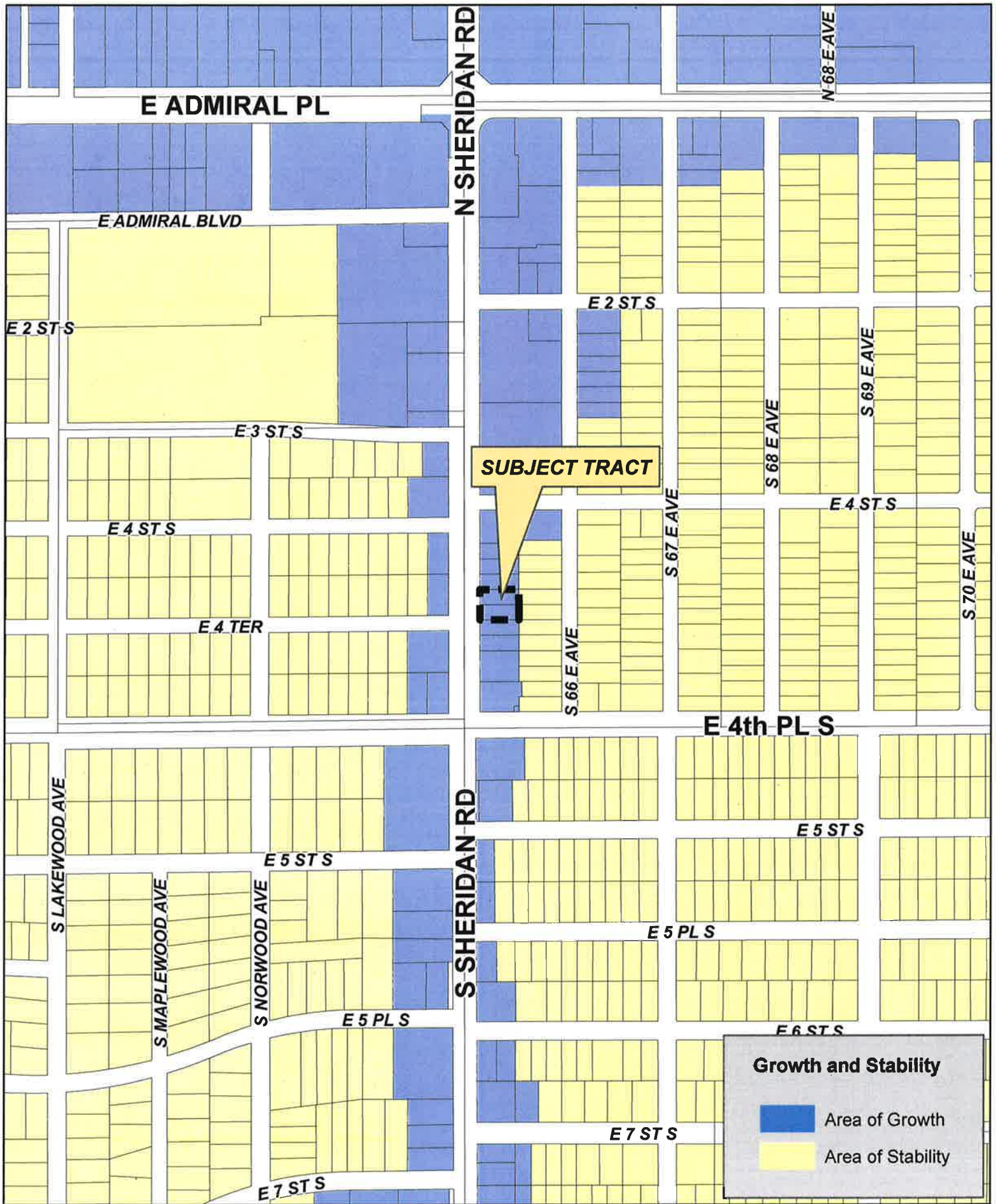
12.8



PUD-633-A

19-13 02





PUD-633-A

19-13 02

12.10



CHUCK LANGE
ZONING OFFICIAL
PLANS EXAMINER

TEL (918)596-9688
clange@cityoftulsa.org



DEVELOPMENT SERVICES

175 EAST 2nd STREET, SUITE 450
TULSA, OKLAHOMA 74103

ZONING CLEARANCE PLAN REVIEW

LOD Number: 1

February 15, 2019

Mary Anne Moura
3112 E Admiral PL
Tulsa, OK

Phone: 918.902.1495

APPLICATION NO: **ZCO-023330-2019**

(PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)

Location: **427 S Sheridan Rd**
Description: **Used Car Sales**

INFORMATION ABOUT SUBMITTING REVISIONS

OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.

REVISIONS NEED TO INCLUDE THE FOLLOWING:

1. A COPY OF THIS DEFICIENCY LETTER
2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED
3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)
4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.

IMPORTANT INFORMATION

1. IF A DESIGN PROFESSIONAL IS INVOLVED, HIS/HER LETTERS, SKETCHES, DRAWINGS, ETC. SHALL BEAR HIS/HER OKLAHOMA SEAL WITH SIGNATURE AND DATE.
2. SUBMIT TWO (2) SETS OF DRAWINGS IF SUBMITTED USING PAPER, OR SUBMIT ELECTRONIC REVISIONS IN "SUPPORTING DOCUMENTS", IF ORIGINALLY SUBMITTED ON-LINE, FOR REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.
3. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT WWW.INCOG.ORG OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.
4. A COPY OF A "RECORD SEARCH" **[X] IS [] IS NOT** INCLUDED WITH THIS LETTER. PLEASE PRESENT THE "RECORD SEARCH" ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).

(continued)

12.11

REVIEW COMMENTS

SECTIONS REFERENCED BELOW ARE FROM THE CITY OF TULSA ZONING CODE TITLE 42 AND CAN BE VIEWED AT
WWW.CITYOFTULSA-BOA.ORG

ZCO-023330-2019

427 S Sheridan Rd

February 15, 2019

Note: As provided for in Section 70.130 you may request the Board of Adjustment to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf. Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

PUD 633: You are proposing a Commercial/Vehicle Sales & Service/Personal Vehicle Sales & Rental use at this location. This is in Planned Unit Development (PUD) 633. This is not a permitted use in this PUD.

Review comment: A Personal Vehicle Sales and Rental use will require a Major Amendment to this PUD. Contact Jay Hoyt for information on PUD Major Amendments. He can be reached at 918-584-7526.

Note: All references are to the City of Tulsa Zoning Code. Link to Zoning Code:
<http://www.tmapc.org/Documents/TulsaZoningCodeAdopted110515.pdf>

Please notify the reviewer via email when your revisions have been submitted

This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter.

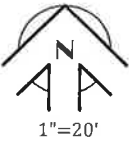
A hard copy of this letter is available upon request by the applicant.

END – ZONING CODE REVIEW

NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.

12.12
2



WHITE SURVEYING COMPANY

providing land surveying services since 1940

9936 E. 55th Place • Tulsa, OK 74148 • 918.663.6924 • 918.664.8366 fax

PLAT OF SURVEY

INVOICE NO.: STK 19-96021
CLIENT: MARY ANNE MOURA

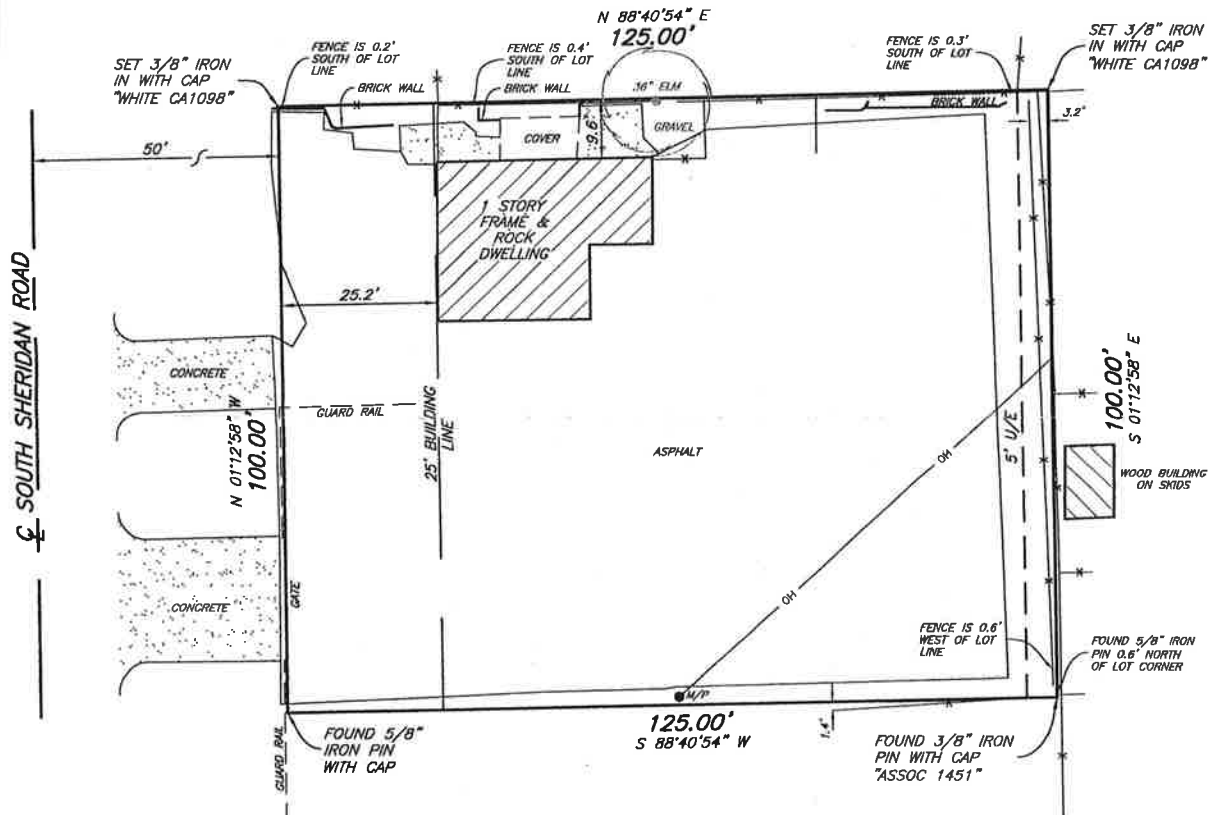
LEGEND

— FENCE
U/E UTILITY EASEMENT
D/E DRAINAGE EASEMENT
M/P METERING POINT
CB CHORD BEARING
B/E BURIED ELECTRIC & TELEPHONE CABLE EASEMENT (APPROXIMATE LOCATION)

GENERAL NOTES

THE BEARINGS SHOWN HEREON ARE BASED ON: THE OKLAHOMA STATE PLANE COORDINATE SYSTEM.

FIELD WORK COMPLETED FEBRUARY 4, 2019.



LEGAL DESCRIPTION:

LOT TWENTY (20), BLOCK G, CREST VIEW ESTATES, AN ADDITION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

AND

LOT TWENTY-ONE (21), BLOCK G, CREST VIEW ESTATES, AN ADDITION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

SURVEYOR'S STATEMENT

WHITE SURVEYING COMPANY, AN OKLAHOMA CORPORATION, AND THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY STATE THAT IN OUR PROFESSIONAL OPINION THE ABOVE PLAT OF SURVEY IS AN ACCURATE REPRESENTATION OF A CAREFUL BOUNDARY SURVEY OF THE PROPERTY DESCRIBED HEREON, AND MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION. WE FURTHER STATE THAT THE ABOVE AND FOREGOING PLAT OF SURVEY ACCURATELY SHOWS THE LOCATION OF THE BOUNDARY CORNERS AND THEIR MONUMENTATION, THE DIMENSIONS OF THE PROPERTY, THE LOCATIONS OF ALL BUILDINGS ON PERMANENT FOUNDATIONS, ALL RECORDED PLAT EASEMENTS AND BUILDING SETBACK LINES (IF APPLICABLE), AND ALL OTHER SUCH EASEMENTS WHICH HAVE BEEN DISCLOSED BY A CURRENT TITLE OPINION OR COMMITMENT FOR TITLE INSURANCE AND COPIES THEREOF PROVIDED TO US PRIOR TO THE TIME OF THIS SURVEY; THAT UNDERGROUND OR ABOVE GROUND UTILITIES WERE NOT FIELD LOCATED AND THEREFORE ARE NOT SHOWN ON THIS PLAT OF SURVEY UNLESS SPECIFICALLY REQUESTED PRIOR TO THE TIME OF THIS SURVEY; THAT EXCEPT AS SHOWN, THERE ARE NO ENCROACHMENTS FROM ADJOINING PREMISES ONTO THE PROPERTY DESCRIBED HEREON OR ONTO ADJOINING PREMISES FROM THE PROPERTY DESCRIBED HEREON BY VISIBLE PERMANENT IMPROVEMENTS; AND THAT THIS PLAT OF SURVEY IS PREPARED SOLELY FOR THE PARTIES LISTED HEREON AS OF THIS DATE AND MAY NOT BE USED FOR ANY SUBSEQUENT LOAN CLOSING, REFINANCE, OR OTHER TRANSACTION.



WHITE SURVEYING COMPANY
CERTIFICATE OF AUTHORIZATION NO.
CA1098 (RENEWAL 6/30/2019)

BY: DATE: 2/5/19
REGISTERED PROFESSIONAL LAND
SURVEYOR OKLAHOMA NO. 1052



BEFORE YOU GO,
CALL OKE FOR
LOCATION OF
UNDERGROUND UTILITIES.
DIAL 811

Copyright 2017 by White Surveying Company. All Rights reserved. No part of this plat may be reproduced, stored in a retrieval system, or transmitted in any form without prior written permission of White Surveying Company, P.O. Box 471875, Tulsa, Oklahoma.

MA - S:\01085\Block G\LO20\96021PS19.dwg 02/01/19

12.13

TMAPC Comments:

Mr. Carnes asked Mr. Schuller if he has a letter from the neighborhood stating that they have no objections. In response, Mr. Schuller answered negatively.

Mr. Westervelt expressed concerns with pools being displayed where children from the surrounding neighborhoods could possibly get into harm's way.

Mr. Jackson asked Mr. Schuller about the fencing along 93rd Street. In response, Mr. Schuller stated that there are six-foot walls, staggered and then trees in between the staggered sections of walls.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **3-5-0** (Jackson, Midget, Pace, "aye"; Boyle, Carnes, Collins, Hill, Westervelt "nays"; none "abstaining"; Harmon, Horner, Ledford "absent") to recommend **APPROVAL** of a major amendment for PUD-166-L.

MOTION FAILED.

TMAPC Action; 8 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **5-3-0** (Boyle, Carnes, Collins, Hill, Westervelt "aye"; Jackson, Midget, Pace "nays"; none "abstaining"; Harmon, Horner, Ledford "absent") to recommend **DENIAL** of the major amendment for PUD-166-L as recommended by staff.

APPLICATION NO.: Z-6771/PUD-633

Applicant: Stephen A. Schuller

Location: South of southeast corner of East 4th Street South and South Sheridan Road

OL TO CS/PUD

(PD-5) (CD-3)

Staff Recommendation Z-6771:

RELEVANT ZONING HISTORY:

BOA-17805 April 1998: The Board of Adjustment approved a request for a special exception to allow an existing auto body repair shop and paint shop in a CS-zoned district on property abutting the subject tract on the south.

Z-6602 March 1998: A request to rezone the three lots adjoining the subject property on the south from CS to IL was withdrawn after many requests by the applicant and his failure to appear for public hearing.

Z-6566 December 1996: All concurred in approval of a request to rezone the south two lots of the subject parcel and the lot abutting the subject property on the north from RS-3 to OL for a proposed mini-storage facility.

BOA-13082 April 1984: The Board of Adjustment approved a special exception to permit a retail tire center in a CS-zoned district on the two lots abutting the subject tract to the south.

Z-5483 February 1980: All concurred in approval of a request to rezone the north 50' x 155' lot of the subject property from RS-3 to OL.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 125' x 150' in size and is located south of the southeast corner of East 4th Street and South Sheridan Road. The property is flat, non-wooded, contains an office on the northernmost lot, a single-family dwelling on the southern lot; the middle lot is vacant but used as a parking lot and is zoned OL.

STREETS:

<u>Existing Access</u>	<u>MSHP Design.</u>	<u>Exist. No. Lanes</u>	<u>Surface</u>	<u>Curbs</u>
South Sheridan Road	100'	4 lanes	Paved	Yes

The Major Street Plan designates South Sheridan Road as a secondary arterial street. The City of Tulsa 1996-1997 traffic counts indicate 23,300 trips per day on South Sheridan Road between East 4th Street and East 11th Street.

UTILITIES: Water and sewer are available to the subject property.

SURROUNDING AREA: The subject tract is abutted on the north by a single-family dwelling, zoned OL; to the south by an auto body repair and paint facility, zoned CS; to the west across South Sheridan are commercial businesses, zoned CS and single-family dwellings, zoned RS-3; and to the west by single-family dwellings, zoned RS-3.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 5 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as a Medium Intensity – Commercial land use.

According to the Zoning Matrix the requested CS is in accordance with the Plan Map.

STAFF RECOMMENDATION:

The Comprehensive Plan supports CS zoning in this area and specifies that screening be provided to adequately buffer such uses from adjacent residential uses. Based on the Comprehensive Plan, existing development and trends in

the area, staff recommends **APPROVAL** of CS zoning for Z-6771, provided that the accompanying PUD-633 is approved.

AND

Staff Recommendation For PUD-633:

The PUD proposes office, commercial and automotive uses on a 0.48-acre (net) tract located south of the southeast corner of East 4th Street and South Sheridan Road. The tract has 150 feet of frontage on Sheridan Road and is 125 feet deep.

The subject tract is zoned OL. Concurrently an application has been filed (Z-6771) to rezone the tract to CS. The tract is abutted on the east by single-family dwellings zoned RS-3, on the north by a single-family dwelling, zoned OL and on the south by an automotive use zoned CS. There is a dwelling and a commercial use to the west, across Sheridan Road, zoned CS.

The Comprehensive Plan designates the subject tract as a Medium Intensity Linear Development Area. The plan states that a PUD will be required to develop at this density. The plan also states that parking areas within the development should be screened from abutting residential properties and arterial streets by fences, peripheral berms, and landscaping. Setbacks, transitional uses, and other separations shall be used to increase compatibility of uses with adjacent and abutting low intensity residential areas.

Staff cannot support the proposed automotive uses on this tract, but if CS zoning is approved as recommended by staff, staff finds the uses and intensities of development proposed and as modified by staff to be in harmony with the spirit and intent of the Code. Based on the following conditions, staff finds PUD-633, as modified by staff, to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of PUD-633 subject to the following conditions:

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

2. Development Standards:

Land Area:

Net:	21,000 SF	0.48 acre
Gross:	28,500 SF	0.65 acre

Permitted Uses:

Uses permitted in Use Unit 11 (Office, Studios, and Support Services); Use Unit 13 (Convenience Goods and Services); and Use Unit 14 (Shopping Goods and Services); and Moving Truck and Trailer Rental (maximum 20 feet in length) and Customarily Incidental Accessory Uses only as allowed in Use Unit 17 (there shall be no repair onsite).

Minimum Lot Width:	50 FT
Minimum Lot Frontage:	50 FT
Minimum Lot Area:	7,000 SF
Maximum Building Floor Area Ratio per Lot:	.50
Minimum Building Setbacks:	
From centerline of Sheridan Road	75 FT, for existing buildings, 100 FT for new construction
From North Boundary of PUD	5 FT
From South Boundary of PUD	5 FT
From East Boundary of PUD	10 FT*

*Plus two feet of setback for each one-foot building height exceeding 15 feet.

Other Bulk and Area Requirements:	As established within a CS district.
-----------------------------------	--------------------------------------

Signs:

Signs accessory to permitted principal uses shall be permitted, subject to compliance with the restrictions of the Tulsa Zoning Code and the following standards:

One double-faced ground sign, not exceeding 25 feet in height, shall be permitted, on the northernmost lot in the PUD (along Sheridan Road) and shall be set back at least 40' 20' from the north boundary of the PUD. Such sign shall not exceed an aggregate display surface area of 200 square feet per side. No other ground sign is permitted in the PUD.

Wall signs shall not exceed an aggregate display surface area of two square feet per each lineal foot of the building wall to which the signs are affixed, except that no wall signs shall be erected or installed upon the east sides of any building within the PUD. Wall signs shall not exceed the height of the building.

No roof or projecting signs shall be permitted.

Open Space and Landscaping:

Minimum internal landscaped open space area	10% of lot area
Minimum width of landscaped areas along street	5 FT
Minimum width of landscaped area along north and east boundaries of PUD	5 FT

Landscaping of open space shall be in accordance with the provisions of the Zoning Code. The landscaping materials utilized in all landscaped areas shall be maintained and replaced as needed.

Screening:

All uses within the PUD shall be screened from view from the east side of the PUD as required by the applicable provisions of the Tulsa Zoning Code for the uses permitted and conducted upon the property. There shall be an eight-foot solid screening fence along the RS boundary. (Modified by staff to reflect TMAPC's motion.)

Parking areas within the PUD will be screened from the abutting residential properties to the east and from Sheridan Road by fences, peripheral berms, and landscaping to be approved by TMAPC at detail site plan review.

Public and Private Traffic Circulation System:

Access to the PUD shall be limited to a single access point, 40 feet in width, at the center of the three lots comprising the PUD. Access to and from the southern lot, and parking to be provided for the uses on the southern lot, will be by a mutual and reciprocal access and parking agreement within and across the center lot.**

**Access points shall be approved by Traffic Engineering.

3. ~~No Zoning Clearance Permit~~ Building Permit shall be issued for a lot within the PUD until a Detail Site Plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
4. A Detail Landscape Plan for each lot shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved Landscape Plan for the lot, prior to issuance of an

Occupancy Permit. The landscaping materials required under the approved Plan shall be maintained and replaced as needed, as a continuing condition of the granting of an Occupancy Permit.

5. No sign permits shall be issued for erection of a sign on a lot within the PUD until a Detail Sign Plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.
6. All trash, mechanical and equipment (including building mounted) areas shall be screened from public view by persons standing at ground level.
7. All parking lot lighting shall be hooded and directed downward and away from adjacent residential areas. No light standard nor building-mounted light shall exceed 20 feet in height and all such lights shall be set back at least 20 feet from an RS district.
8. The Department Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit on that lot.
9. No building permit shall be issued until the requirements of Section 1107F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants that relate to PUD conditions.
10. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
11. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during Detail Site Plan review or the subdivision platting process.
12. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, ~~nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded.~~ Truck trailers shall not be used for storage.

Applicant's Comments:

Stephen A. Schuller, 100 West 5th Street, Suite 500, Tulsa, Oklahoma 74103, stated that there would be no new uses on the subject property. He indicated that the subject property is already in use and his client has not received any fines or deficiency letters. Mr. Schuller stated that he spoke with Ms. Dotty Herd,

McClure Neighborhood Association, and Councilor Turner and they have no objections to this application.

Mr. Schuller stated that his client would like to use a sign pole that is already in existence for advertising. He explained that the existing pole does create a setback problem.

TMAPC Comments:

Mr. Carnes asked the applicant if his client planned to improve the landscaping for the front of the lot. In response, Mr. Schuller stated that he did not agree with the term berming and questioned the reasoning for staff including this in their staff recommendation.

Ms. Hill asked if the vehicles are being repaired on the subject property. In response, Mr. Schuller stated that the vehicles are not repaired on the property. He further stated that if the vehicles become disabled they are removed from the subject property and taken somewhere to be serviced.

Interested Parties Comments:

Bertha Fink, 428 South 66th East Avenue, Tulsa, Oklahoma 74112, stated that the neighbors are complaining about the noise, bright lights, smell of fuel, the constant noise from the trucks backing up against her fence. She indicated that there is no solid wood fence screening the business from her home.

Ms. Fink stated that she is concerned regarding the business abutting her property. She explained that she couldn't let her children play in the backyard because of the strangers on the subject property looking at the trucks. She stated that her daughter works at night and sleeps during the day and it is impossible to sleep with the constant noise generated from the trucks while they are backing up and being moved around the subject property. She commented that there is a bright light that shines into her bedroom windows at night.

TMAPC Comments:

Mr. Westervelt explained to Ms. Fink that with the PUD there are some conditions that the Planning Commission can put in place to reduce the noise and lights and require a solid screening fence be put in place. In response, Ms. Fink stated that a six-foot screening fence would not help with the noise, odors from the engines being revved up and trucks banging into the fence. In response, Mr. Westervelt stated that the Planning Commission could impose a condition that the screening fence be an eight-foot solid wood fence.

Applicant's Rebuttal:

Mr. Schuller stated that his client was already in business before retaining his services. He indicated that he would agree to an eight-foot solid wood fence, lights hooded and pointed downward. He commented that the beeping noise the interested party described is a safety mechanism on the trucks for when they are

backing up. He stated that the general traffic noise in the subject area is probably louder than the trucks backing up.

TMAPC Comments:

Ms. Pace expressed concerns for the multiple uses on the subject property since it is a small tract of land.

TMAPC Action; 8 members present:

On **MOTION** of **BOYLE**, the TMAPC voted 7-1-0 (Boyle, Carnes, Collins, Hill, Jackson, Midget, Westervelt "aye"; Pace "nay"; none "abstaining"; Harmon, Horner, Ledford "absent") to recommend **APPROVAL** of CS zoning for Z-6771 and to recommend **APPROVAL** of PUD-633, subject to an eight-foot solid screening fence along RS boundary; light hooded and directed downward; add Moving Truck and Trailer Rental (maximum 20 feet in length) and Customarily Incidental Accessory Uses only as allowed in Use Unit 17 uses (there shall be no repair onsite); allow use of the existing sign pole as modified and recommended by the TMAPC. (Language in the staff recommendation that was deleted by TMAPC is shown as ~~strikeout~~; language added or substituted by TMAPC is underlined.)

Legal Description for Z-6771:

Lots 19, 20, and 21, Block G, Crest View Estates, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, **from OL (Office Low Intensity District) to CS (Commercial Shopping Center District).**

Legal Description for PUD-633:

Lots 19, 20, and 21, Block G, Crest View Estates, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma according to the recorded plat thereof **from OL (Office Low Intensity District) to CS/PUD (Commercial Shopping Center District/Planned Unit Development).**

APPLICATION NO.: PUD-619-1

Applicant: Ricky Jones

Location: West side of Memorial at 106th Street South

MINOR AMENDMENT

(PD-26) (CD-8)

Staff Recommendation:

Development Area A-1 of PUD-619 was approved for uses permitted as a matter of right in an OL district and Drive-in Banking Services by the City Council in November 1999. The maximum building height allowed is 35 feet and the minimum building setback from the north boundary of the Development Area is 20 feet. Bulk trash containers were required to be setback a minimum of 75 feet from all boundaries of the Development Area.

Prepared by Luisa Krug, lkrug@incog.org, 918.579.9454

Item

Consider initiation of proposed revisions and executive summary of West Highlands/Tulsa Hills Small Area Plan, an amendment to the Comprehensive Plan (planitulsa).

Background

The West Highlands/Tulsa Hills Small Area Plan was adopted in 2014 after a two-year community engagement process. The plan area included an area in the southwest corner of Tulsa (approximately 33rd Ave. W. to Elwood Ave and 91st St. S to 61st St. S).

This plan aimed for development predictability and attempts to balance future demand for land development with respect for existing aesthetics, open space preservation, transportation improvements and other key concerns of local stakeholders (residents, business owners, and others). The goal is that West Highlands/Tulsa Hills remains as attractive an area in which to live, locate and invest 20 years from now as it is today.

Recommendations 16.2 and 16.3 state 'Revisit this plan every five (5) years to review progress in implementing these recommendations to achieve the plan's vision' and 'Revise the plan if necessary if benchmarks and indicators show insufficient progress towards vision.'

Additionally, throughout the past five years, there has been continued discussion on the intent of the plan and attempts to clarify a variety of sections that appear contradictory. This plan also does not have an adopted executive summary with recommendations and is therefore inconsistent with the format of other adopted small area plans.

Staff Recommendation

Initiate plan revisions and executive summary of West Highlands/Tulsa Hills Small Area Plan, an amendment to the Comprehensive Plan (planitulsa).

