

AMENDED
TULSA METROPOLITAN AREA PLANNING COMMISSION
Meeting No. 2825

September 2, 2020, 1:00 PM
175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber

The meeting will be held in the Tulsa City Council Chamber and by videoconferencing and teleconferencing via **GoToMeeting**, an online meeting and web conferencing tool.

Commissioners and members of the public may attend the meeting in the Tulsa City Council Chamber, but are encouraged to attend and participate in the TMAPC meeting via videoconferencing and teleconferencing by joining from a computer, tablet or smartphone using the following link:

<https://www.gotomeet.me/CityOfTulsa3/tmapc-goto-meeting-in-council-chambers-september-2>

Commissioners and members of the public can also dial in using their phone by dialing:

United States: +1 (872) 240-3311

Participants must then enter the following **Access Code: 599-695-021**

The following Commissioners plan to attend remotely via GoToMeeting, provided that they may still be permitted to appear and attend at the meeting site, the Tulsa City Council Chambers, Second Floor of City Hall, at One Technology Center, 175 East Second Street, Tulsa Oklahoma: Chair Covey, Commissioner Craddock, Commissioner Doctor, Commissioner Kimbrel, Commissioner McArtor, Commissioner Reeds, Commissioner Ritchey, Commissioner Shivel, Commissioner Van Cleave, Commissioner Walker

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Call to Order:

REPORTS:

Chairman's Report:

Work session Report:

Director's Report:

1. Minutes of August 5, 2020 Meeting No. 2823
2. Minutes of August 19, 2020 Meeting No. 2824

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.

3. **PUD-803-7 Erik Enyart, Tanner Consulting, LLC** (CD 8) Location: South and east of the southeast corner of East 121st Street South and South Yale Avenue requesting a **PUD Minor Amendment** to allow smaller lots

PUBLIC HEARINGS

4. **MPD-3 Katy O'Meilia, Planning Design Group** (CD 9,4) Location: Southeast corner of East 31st Street South and South Peoria Avenue requesting a Master Plan Development for mixed use community (**Staff requests a continuance to October 7, 2020**)
5. **River West Phase III & IV** (CD 2) Preliminary Plat & Modification of the Subdivision & Development Regulations to remove requirements for performance guarantees, Location: Northwest corner of West 21st Street South and South Jackson Avenue (Continued from August 19, 2020)
6. **The Estates at the River IV-VI** (CD 8) Preliminary Plat, Location: South of the southwest corner of East 121st Street South and South Hudson Avenue
7. **Islamic Cemetery** (County) Minor Subdivision Plat, Location: South of the southeast corner of East 191st Street South and South Memorial Drive
8. **Z-7562 Janet McKinney** (CD 1) Location: East of the northeast corner of East Apache Street and North Peoria Avenue requesting rezoning from **RS-3 to CS**
9. **Z-7569 Tulsa City Council** (CD 2) Location: Multiple properties north of West 81st Street South and South of West 78th Street South between South 33rd West Avenue and South Union Avenue and south of the southeast corner of West 81st Street South and South 33rd West Avenue requesting rezoning from **RS-3 to AG-R**

10. **PUD-490-A Alan Betchan, AAB Engineering LLC** (CD 8) Location: Southwest corner of East 131st Street South and South Sheridan Road requesting a Major Amendment to abandon PUD-490 (related to Z-7570)
11. **Z-7570 Alan Betchan, AAB Engineering LLC** (CD 8) Location: Northwest corner and southwest corner of East 131st Street South and South Sheridan Road requesting rezoning from **AG,RS-1 and PUD-490 to RS-3 and RS-4** (related to PUD-490-A)
12. **CPA-89 CBC Builds c/o AAB Engineering LLC** (CD 9) Location: East of the Northeast corner of East 36th Street South and South Peoria Avenue requesting to amend the Land Use Map designation from Existing Neighborhood to Main Street. (Related to Z-7571)
13. **Z-7571 CBC Builds c/o AAB Engineering LLC** (CD 9) Location: East of the Northeast corner of East 36th Street South and South Peoria Avenue requesting rezoning from **RS-3 to MX1-U-40** (related to CPA-89)
14. Consider motion and vote to enter Executive Session pursuant to Title 25 O.S. Section 307(B)(4) for the purpose of allowing confidential communications between the Commission and its legal counsel regarding pending litigation filed by the Tulsa Development Authority in the Tulsa County District Court, Case No. CV-2020-1021, in which the Commission is named as a defendant.
15. Exit the Executive Session following confidential communications between the Commission and its legal counsel regarding pending litigation in Tulsa County District Court Case No. CV-2020-1021, for the purpose of taking any appropriate related actions.

OTHER BUSINESS

16. Commissioners' Comments

ADJOURN

CD = Council District

NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify the Tulsa Planning Office at 918-584-7526. Exhibits, petitions, pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained Tulsa Planning Office at INCOG. All electronic devices must be silenced during the Planning Commission meeting.

Visit our website at tulsaplanning.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-803-7
Minor Amendment

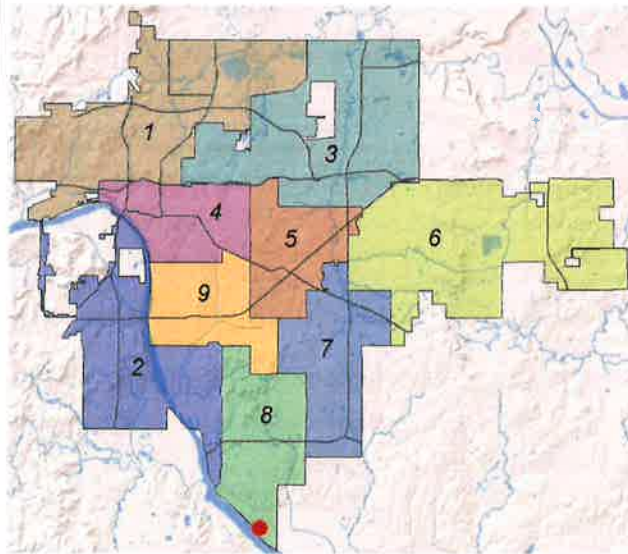
Hearing Date: September 2, 2020

Case Report Prepared by:
Jay Hoyt

Owner and Applicant Information:
Applicant: Tanner Consulting, LLC.

Property Owner: EATRLLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Concept summary: PUD minor amendment to revise bulk and area requirements to allow smaller lots within the development.

Gross Land Area: 44.8+ acres

Location: South and East of the SE/c of E 121st St S & S Yale Ave

All of The Estates At The River IV

Zoning:
Existing Zoning: RS-3/PUD-803
Proposed Zoning: No Change

Staff Recommendation:
Staff recommends approval

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

Staff Data:
TRS: 7303

City Council District: 8
Councilor Name: Phil Lakin

County Commission District: 3
Commissioner Name: Ron Peters

SECTION I: PUD-803-7 Minor Amendment

Amendment Request:

Amend the development standards to revise bulk and area requirements to allow for smaller lots within the development.

As shown on the applicant's minor amendment text, included with this report, the applicant is proposing to revise the maximum number of lots, the lot width, lot area/lot area per unit, livability space, front, rear and garage setbacks as well as the maximum driveway width. The PUD currently allows either public or private streets, so the proposed gated nature of the smaller lots, would currently be allowed.

Staff Comment: *This request is 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."

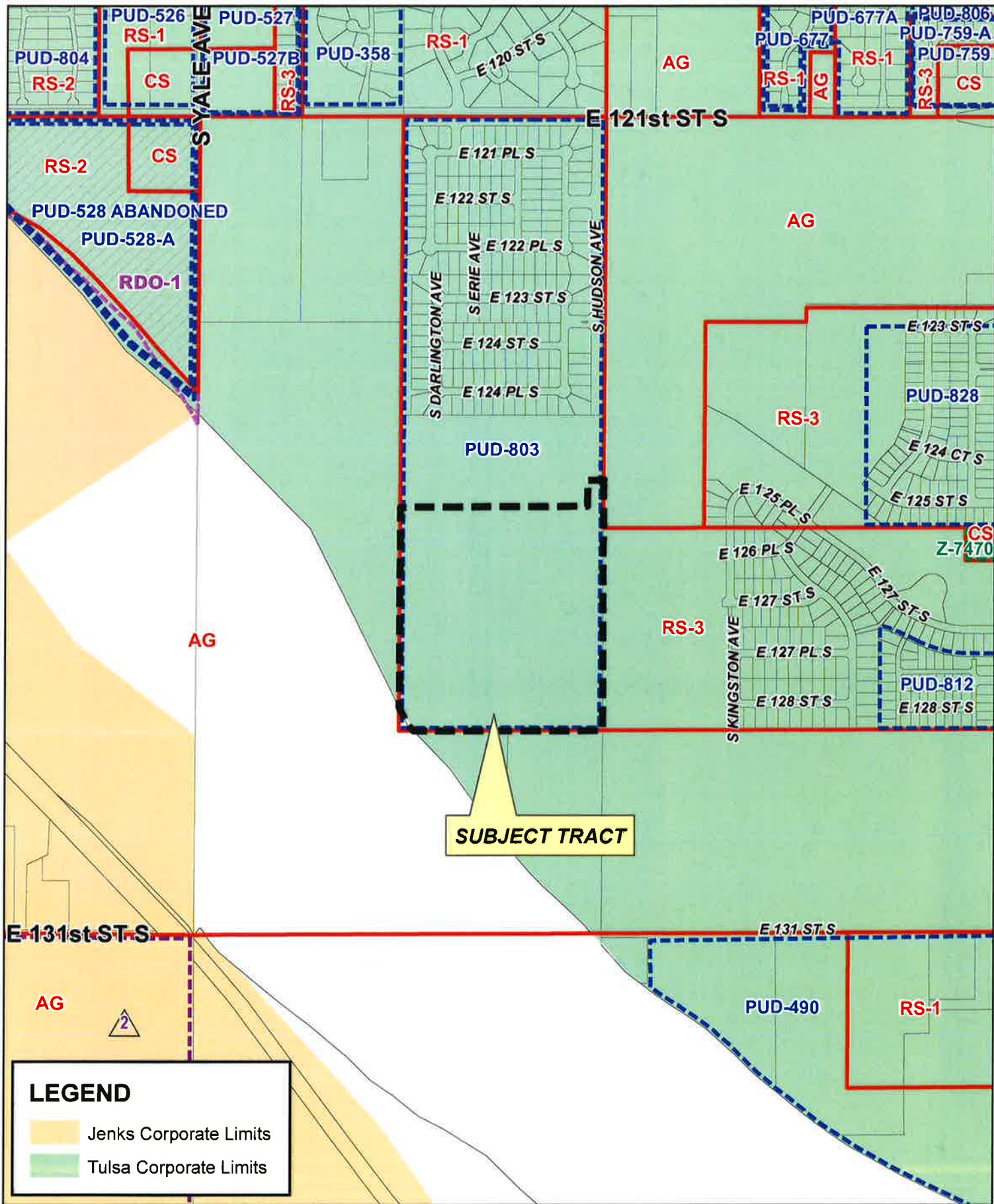
Staff has reviewed the request and determined:

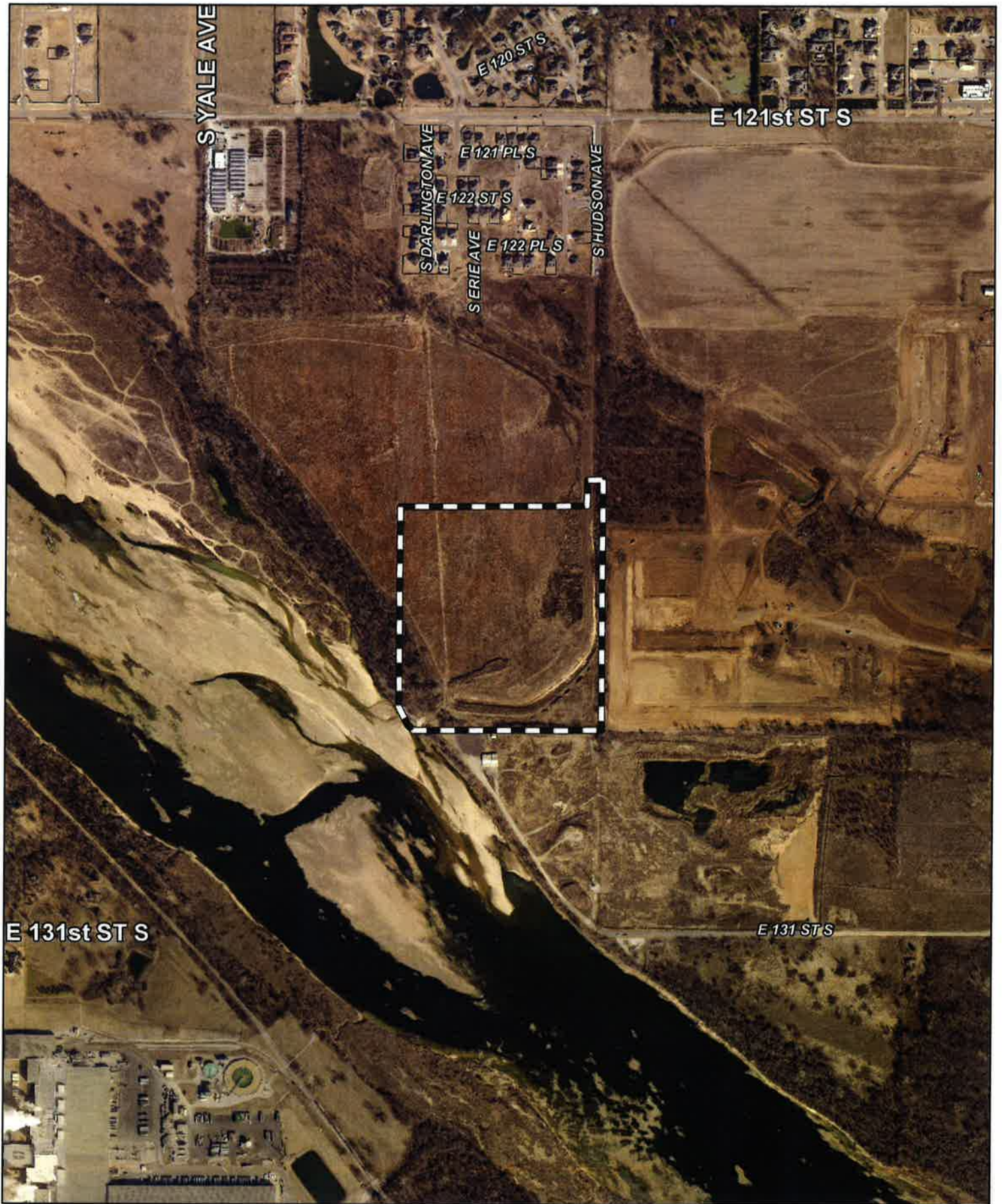
- 1) The requested amendment does not represent a significant departure from the approved development standards in PUD-803.
- 2) All remaining development standards defined in PUD-803 and subsequent amendments shall remain in effect.

With considerations listed above, staff recommends **approval** of the minor amendment to revise the development standards to allow smaller lots within the development.

Section II: Exhibits included with staff report:

INCOG zoning case map
INCOG aerial photo
Applicant Minor Amendment Letter
Estates At The River Conceptual Site Plan





0 400 800
Feet



Subject
Tract

PUD-803-7

17-13 03

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

Aerial Photo Date: February 2018



3.4

**Minor Amendment
PUD-803-6**

Since initially planned in 2013, The Estates at the River (PUD-803) was originally designed to allow for public and/or private, gated streets. As the highly successful neighborhood has built out, the need for a range of price points, with and without gated, private streets, has been evident. Market demand for gated "cottage" style lots, ranging between 50' and 60' in lot width, is presently missing and is proposed by this application for Minor Amendment to PUD-803. Except as specifically provided herein, no other changes are proposed by this Minor Amendment.

Request a PUD Minor Amendment to update the following Development Standards:

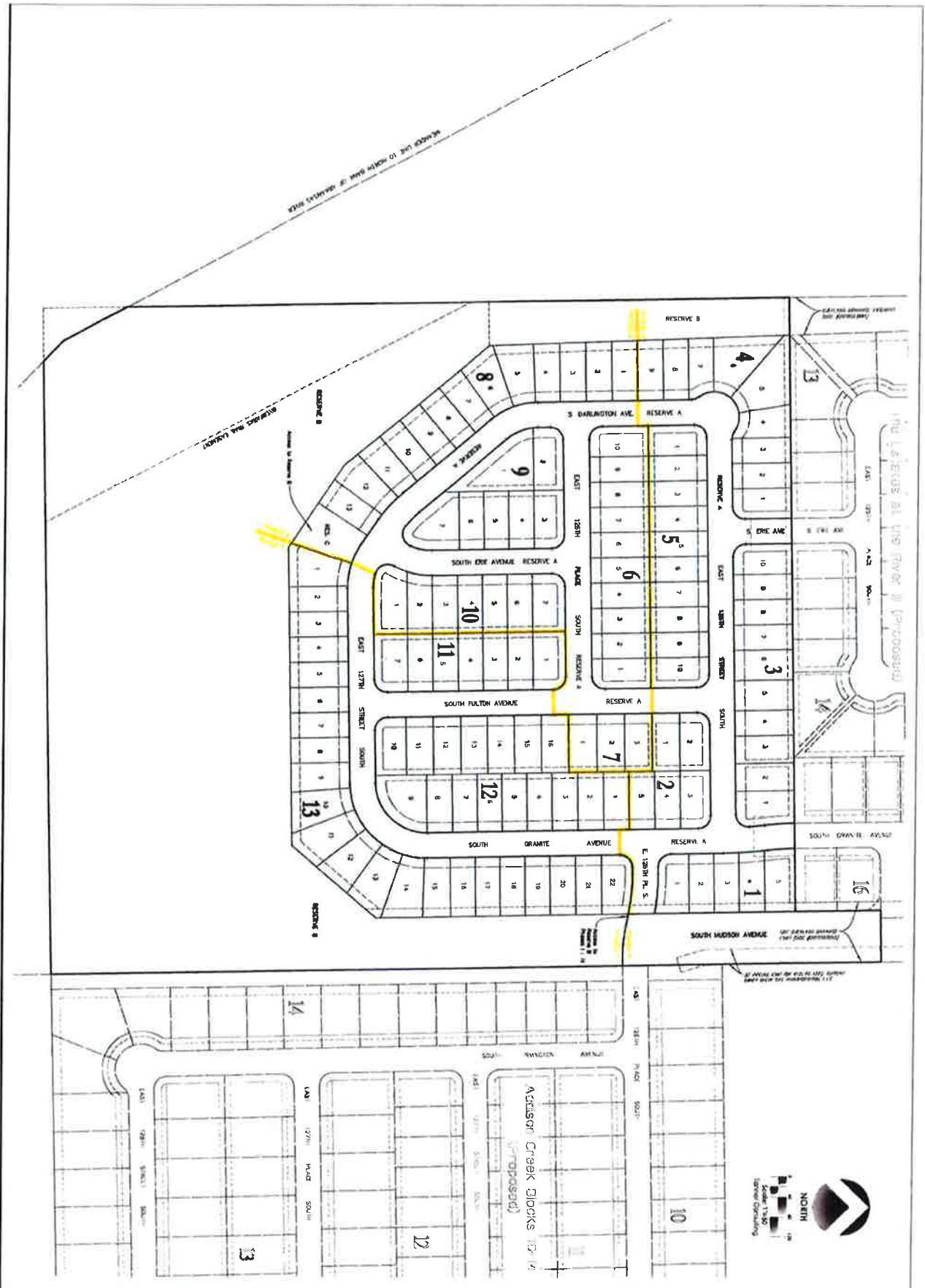
Gross Land Area:	1,952,353 SF 44.820 AC <i>(balance of PUD-803)</i>
Net Land Area:	1,952,353 SF 44.820 AC <i>(balance of PUD-803)</i>
Maximum Number of Lots:	130 <i>(previously 116, balance of PUD-803)</i>
Minimum Lot Width †:	50 FT <i>(previously 60 FT per PUD-803-1)</i>
Minimum Lot Area:	5,500 SF <i>(previously 7,200 SF per PUD-803-1)</i>
Minimum Lot Area per Unit:	5,500 SF <i>(previously 7,200 SF per PUD-803-1)</i>
Minimum Livability Space per Lot ††:	1,575 SF <i>(previously 4,000 SF per PUD-803)</i>
Minimum Building Setbacks †††:	
Front Yard:	20 FT <i>(previously 25 FT per PUD-803)</i>
Rear Yard:	15 FT <i>(previously 20 FT per PUD-803)</i>
Side Yard:	5 FT
Side Yard Abutting a Street:	15 FT
Garage Facing Side Street:	20 FT <i>(previously 15 FT per PUD-803)</i>
Maximum Driveway Width:	
Within Street Right-of-way:	26 FT <i>(previously 40% front yard coverage per PUD-803)</i>
Within Street Setback:	26 FT <i>(previously 40% front yard coverage per PUD-803)</i>

† Lot width is as defined in the Tulsa Zoning Code per PUD-803-4.

†† In consideration for the reduction in livability space, all lots shall have access to common open space containing not less than 315,250 SF, or 2,425 SF per lot if platted in phases. Livability space is defined herein as "The open space of a lot which is not allocated to or used for off-street parking areas or for paved access to off-street parking areas. However, unenclosed parking areas or paved access to parking areas within the rear yard accessory to a single-family or duplex dwelling shall be considered livability space."

††† Setbacks may be increased where easements exceed yard setbacks provided herein.

3.4



Sawyer, Kim

From: Wilkerson, Dwayne
Sent: Thursday, August 27, 2020 11:24 AM
To: Sawyer, Kim
Cc: Miller, Susan
Subject: MPD-3 (Staff Continuance Request to October 7, 2020)

FILE COPY

Good morning Kim,

Please send the following staff continuance to the Planning Commission for consideration. We will not include the current applicant information in the packet.

Staff has received over 200 emails and many phone calls from the neighborhood property owners and interested organizations near MPD-3. Some of the email has opposed the project completely, some have supported the project as submitted but many of the emails are concerned about the details of the MPD and have requested further opportunity for review and input. Many of the continuance request are for 120 days, 180 days and specifically to the January 6th meeting.

Additionally we have received open ended request to delay the Planning Commission meeting until after the new City Council has been established and after they are in a position to vote on this zoning request.

The applicant has also organized and attended several meetings. We have received valuable input from the applicant and the surrounding property owners. With respect to all of the information we have received staff believes a single continuance is appropriate and at least 30 days is necessary.

Staff request a continuance to the October 7th Planning Commission.

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





Tulsa Metropolitan Area
Planning Commission

Case: River West Phase III
River West Phase IV
(Continued from August 19, 2020)

Hearing Date: September 2, 2020

Case Report Prepared by:

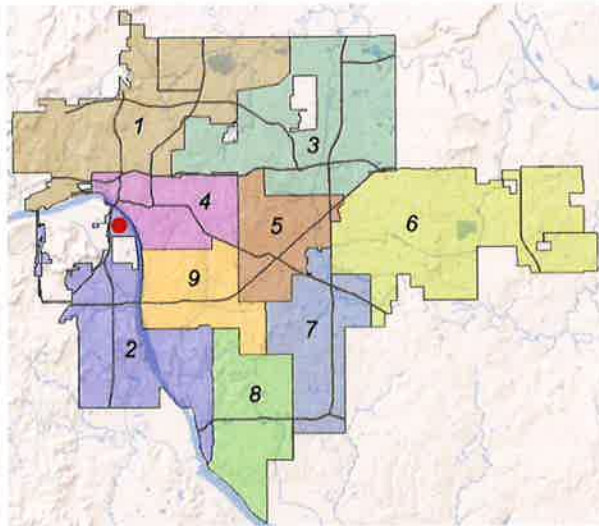
Nathan Foster

Owner and Applicant Information:

Applicant: Wallace Engineering

Owner: City of Tulsa, Housing Authority of
the City of Tulsa

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Preliminary Plat & Modification to
Subdivision & Development Regulations

Phase III
2 lots, 1 block, 6.08 \pm acres

Phase IV
2 lots, 1 block, 4.72 \pm acres

Location: Northwest corner of West 21st
Street South and South Jackson Avenue

Zoning:
MX-1-U-55

Staff Recommendation:

Staff recommends **approval** of the
preliminary plat & the modification

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

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

PRELIMINARY SUBDIVISION PLAT

River West Phase III-IV - (CD 2)
(Continued from August 19, 2020)

Northwest corner of West 23rd Street South and South Jackson Avenue

This preliminary plat review consists of 2 phases:

1. River West Phase III – 2 lots, 1 block, 6.08 ± acres
2. River West Phase IV – 2 lots, 1 block, 4.72 ± acres

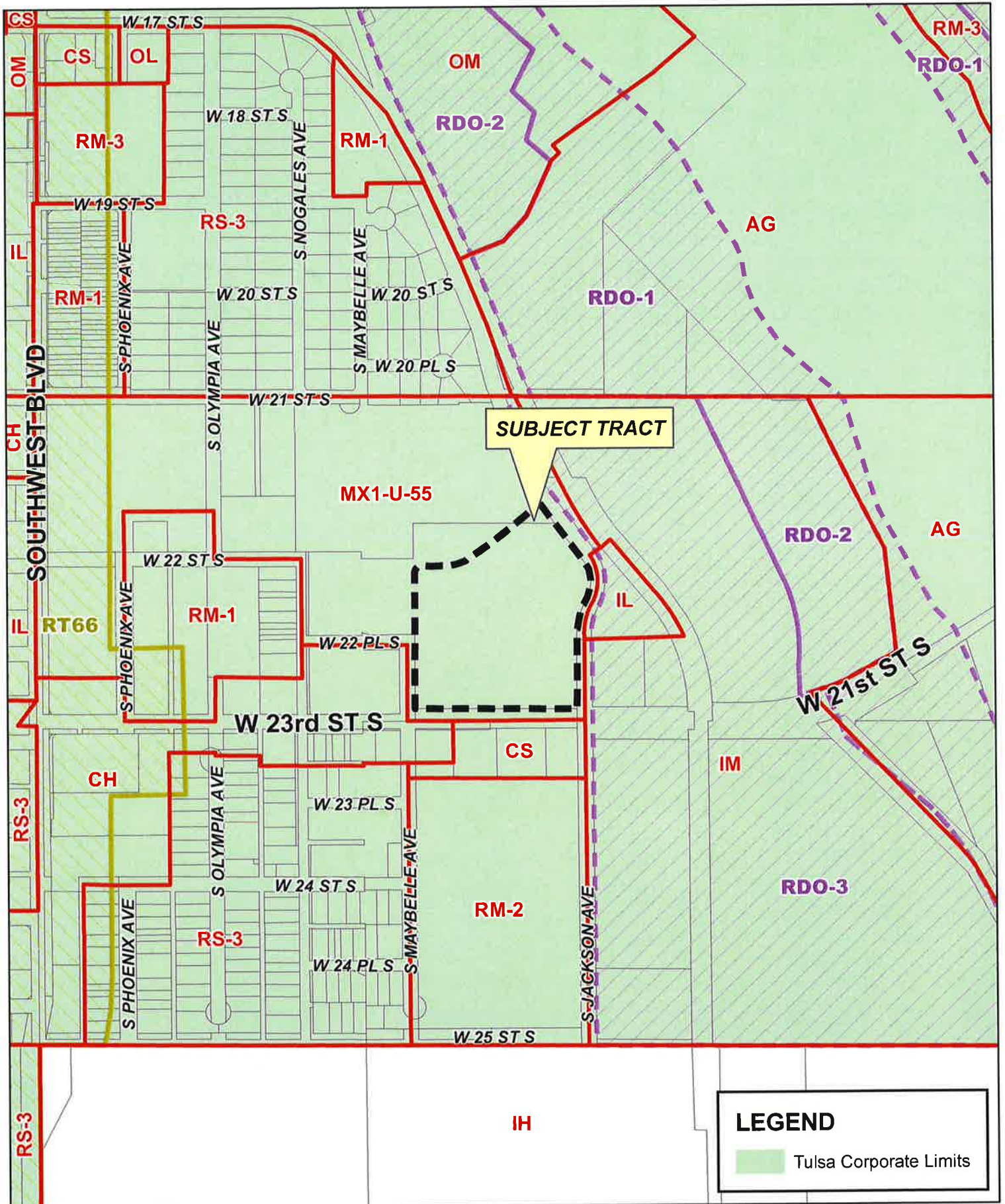
The Technical Advisory Committee (TAC) met on August 6, 2020 and provided the following conditions:

1. **Zoning:** The property is zoned MX1-U-55. Proposed lots conform to the requirements of the MX district.
2. **Addressing:** City of Tulsa will assign addresses to each lot as phasing begins. Assigned address is required to be affixed to the face of the final plat prior to approval.
3. **Transportation & Traffic:** Sidewalks are required to be installed along all streets. Indicate which street rights-of-way are dedicated by plat and recording information for any existing dedications to remain.
4. **Sewer/Water:** Sewer and water extension are being constructed through a capital project with public funds. Publicly funded infrastructure must have final plans for infrastructure prepared prior to final plat approval and filing to ensure accuracy of all easements/ROW. Designate mutual access easement as utility/sanitary sewer easement between building 4 and 5. Reserve A along 23rd Street must also be a utility easement.
5. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Show all platted properties in the location map and label all other property has unplatted. Label subject property. Graphically show all property pins found or set associated with this plat. Provide a bearing angle from the face of the plat to be basis of bearing. Surveyor CA is expired and will need to be updated.
6. **Stormwater, Drainage, & Floodplain:** Publicly funded infrastructure must have final plans for infrastructure prepared prior to final plat approval and filing to ensure accuracy of all easements/ROW. Any privately funded improvements to the stormwater system must obtain IDP approval prior to final plat approval.
7. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Modification to the Subdivision & Development Regulations:

The applicant has requested a modification to Section 10-110.6-C of the *Subdivision and Development Regulations* which would require the developer to submit a financial guarantee to the City of Tulsa for outstanding infrastructure improvements required for the project. The public infrastructure supporting this project is being done through a publicly funded capital improvement project. Because the infrastructure is already being funded by the City, the performance guarantee would not be necessary. Staff supports the request for modification.

Staff recommends **APPROVAL** of the preliminary subdivision plat and the modification to the Subdivision & Development Regulations subject to the conditions provided by TAC and all other requirements of the Subdivisions Regulations. City of Tulsa release letter is required prior to final plat approval.

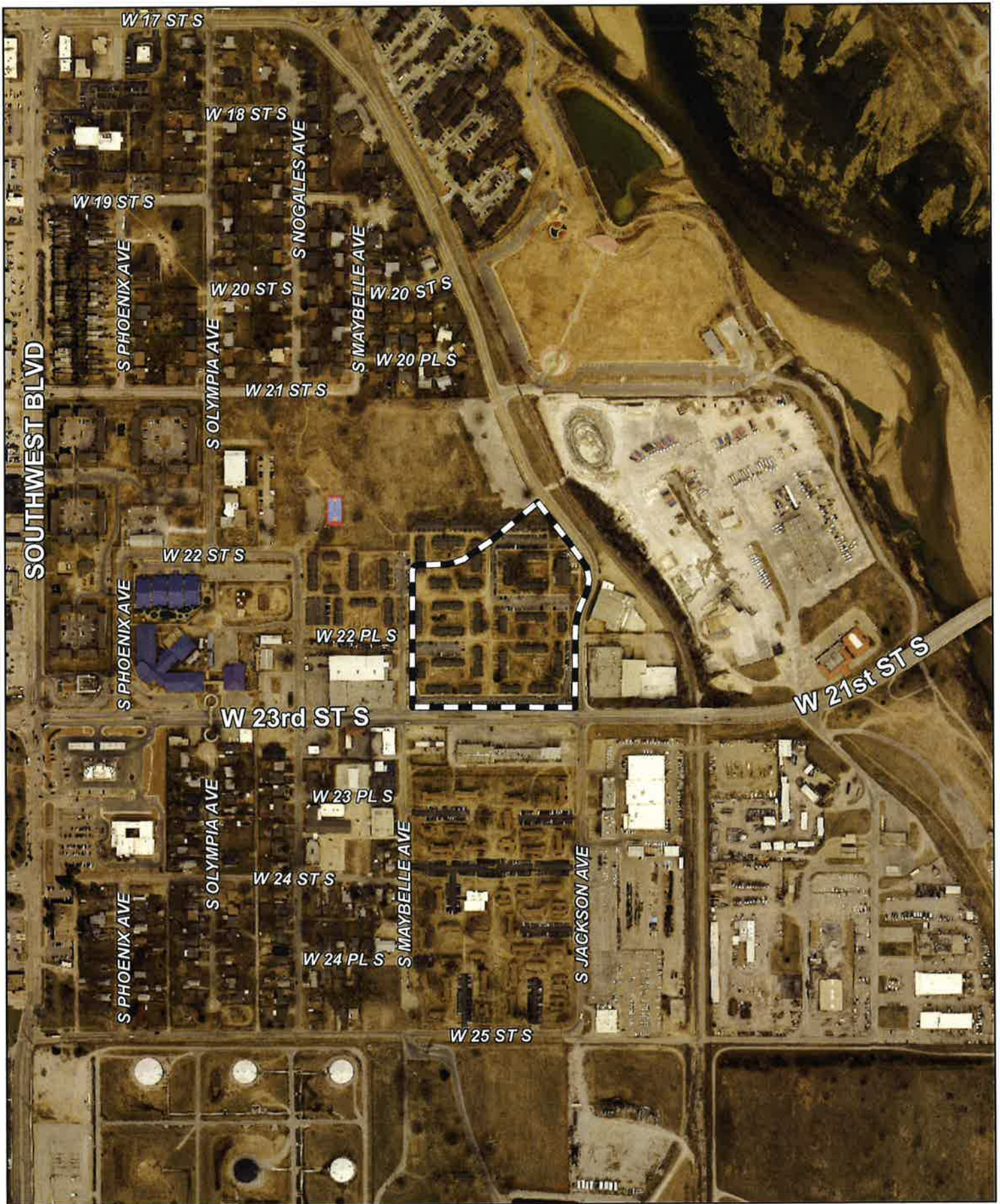


RIVER WEST PHASES III & IV

19-12 14

5.4





SOUTHWEST BLVD

W 17 ST S

W 18 ST S

W 19 ST S

W 20 ST S

W 20 ST S

W 20 PL S

W 21 ST S

W 22 ST S

W 22 PL S

W 23rd ST S

W 23 PL S

W 24 ST S

W 24 PL S

W 25 ST S

S PHOENIX AVE

S NOGALES AVE

S MAYBELLE AVE

S OLYMPIA AVE

S PHOENIX AVE

S OLYMPIA AVE

S PHOENIX AVE

S MAYBELLE AVE

S JACKSON AVE

W 21st ST S



Subject
Tract

RIVER WEST PHASES III & IV

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

Aerial Photo Date: February 2018



19-12 14

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W 23rd ST S

S JACKSON AVE

0 50 100
Feet



Subject
Tract

RIVER WEST PHASES III & IV

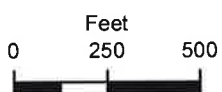
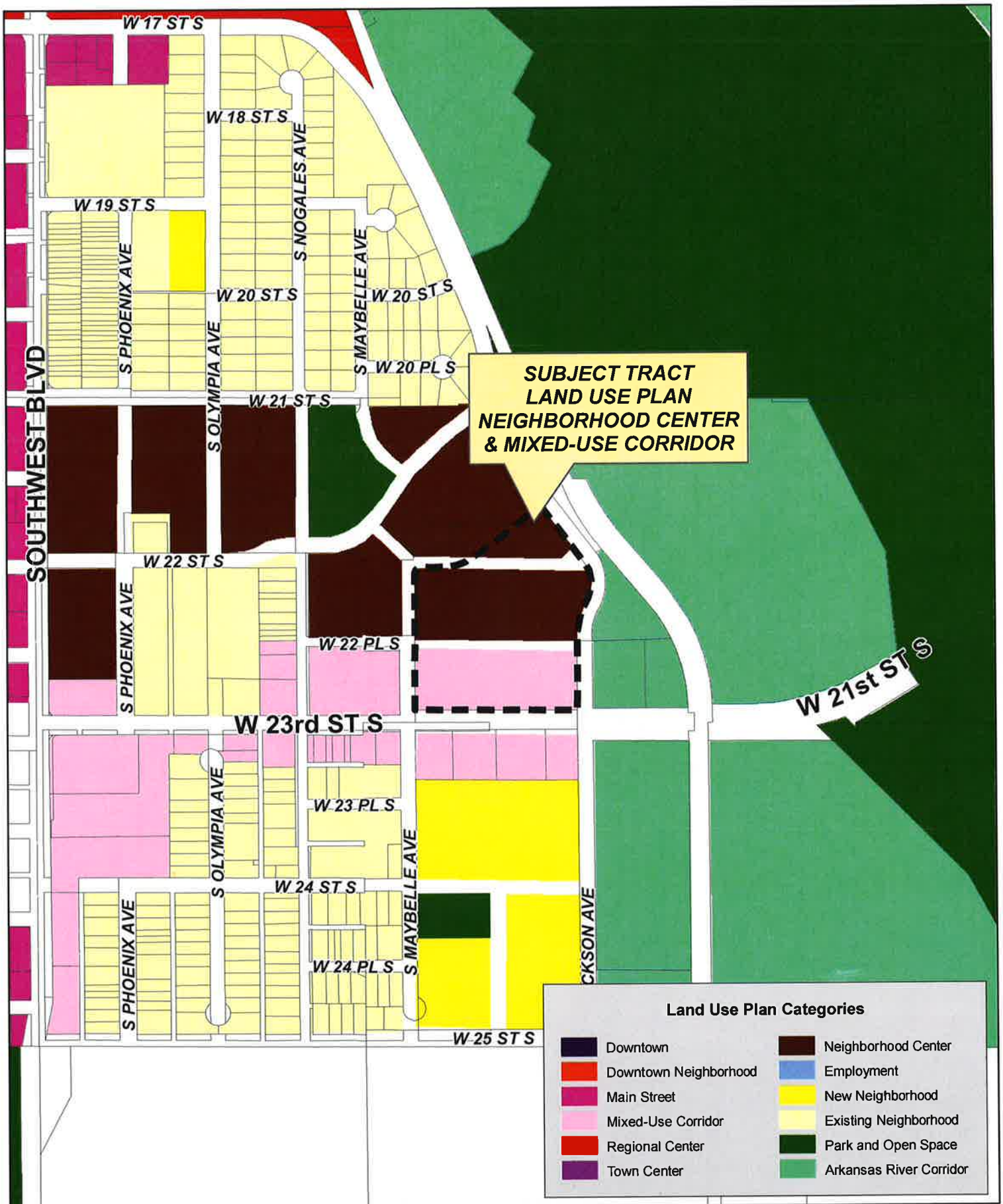
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Aerial Photo Date: February 2018



19-12 14

5.4

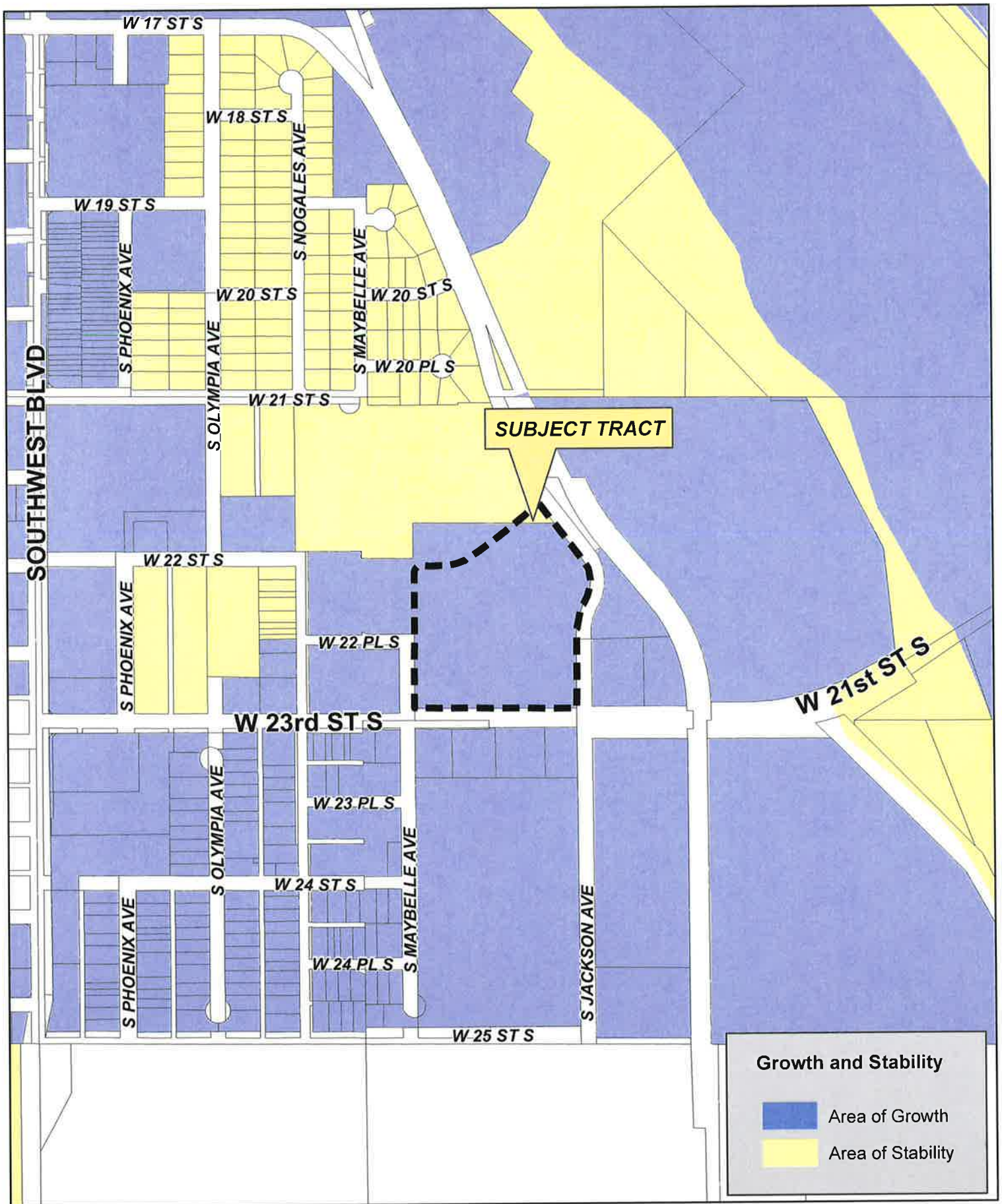


RIVER WEST PHASES III & IV

19-12 14

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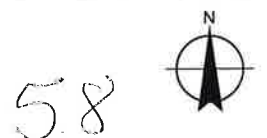




Feet
0 250 500

RIVER WEST PHASES III & IV

19-12 14



**LEGAL DESCRIPTION
FOR
RIVER WEST PHASE III**

A PART OF BLOCKS I AND III OF RIVER VIEW PARK ADDITION, A REPLAT OF BLOCK 1 AND A PLAT OF BLOCKS 2-13, CITY OF TULSA, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, RECORDED AS PLAT NUMBER 3128.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF RIVER WEST PHASE I, A RE-SUBDIVISION OF PART OF BLOCK I AND BLOCK III OF RIVERVIEW PARK ADDITION IN THE NORTH HALF (N/2) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF AND RECORDED AS PLAT NO. 6913 IN THE OFFICE OF THE TULSA COUNTY CLERK; THENCE S 22° 11' 39" E, ALONG THE EAST LINE OF SAID RIVER WEST PHASE I, A DISTANCE OF 212.29 FEET; THENCE S 24° 02' 20" E, CONTINUING ALONG THE EAST LINE OF SAID RIVER WEST PHASE I, A DISTANCE OF 169.37 FEET; THENCE S 38° 34' 14" E, CONTINUING ALONG THE EAST LINE OF SAID RIVER WEST PHASE I, A DISTANCE OF 78.38 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING S 38° 34' 14" E, AND ALONG THE EAST LINE OF BLOCK III OF RIVER VIEW PARK ADDITION, A REPLAT OF BLOCK 1 AND A PLAT OF BLOCKS 2-13, CITY OF TULSA, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, RECORDED AS PLAT NUMBER 3128, A DISTANCE OF 98.44 FEET, TO THE NORTHEAST CORNER OF BLOCK I OF SAID RIVERVIEW PARK ADDITION; THENCE CONTINUING S 38° 34' 14" E, AND ALONG THE EAST LINE OF SAID BLOCK I, A DISTANCE OF 191.02 FEET, TO A POINT OF CURVATURE; THENCE ALONG A TANGENT CURVE TO THE RIGHT, CONTINUING ALONG THE EAST LINE OF SAID BLOCK I, HAVING A RADIUS OF 140.00 FEET, AN ARC LENGTH OF 161.98 FEET, A CENTRAL ANGLE OF 66° 17' 21", A CHORD BEARING OF S 05° 25' 33" E AND A CHORD DISTANCE OF 153.09 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG A TANGENT CURVE TO THE LEFT, CONTINUING ALONG THE EAST LINE OF SAID BLOCK I, HAVING A RADIUS OF 344.71 FEET, AN ARC LENGTH OF 171.00 FEET, A CENTRAL ANGLE OF 28° 25' 21", A CHORD BEARING OF S 13° 30' 27" W AND A CHORD DISTANCE OF 169.25 FEET; THENCE S 00° 47' 32" E, CONTINUING ALONG THE EAST LINE OF SAID BLOCK III, A DISTANCE OF 309.88 FEET, TO THE SOUTHEAST CORNER OF SAID BLOCK I; THENCE S 89° 07' 09" W, ALONG THE SOUTH LINE OF SAID BLOCK I, A DISTANCE OF 330.00 FEET; THENCE N 00° 47' 32" W, PARALLEL WITH AND 330.00 FEET WEST OF LAST SAID EAST LINE, A DISTANCE OF 705.20 FEET, TO A POINT ON THE SOUTH RIGHT OF WAY OF WEST 22ND STREET ACCORDING TO SAID PLAT OF RIVER WEST PHASE I; THENCE ALONG A NON-TANGENT CURVE TO THE LEFT, ALONG SAID SOUTH RIGHT OF WAY LINE, HAVING A RADIUS OF 5000.00 FEET, AN ARC LENGTH OF 117.87 FEET, A CENTRAL ANGLE OF 01° 21' 02", A CHORD BEARING OF N 50° 18' 10" E AND A CHORD DISTANCE OF 117.87 FEET, TO A POINT ON THE NORTH LINE OF SAID BLOCK III; THENCE CONTINUING ALONG LAST SAID CURVE TO THE LEFT, ALONG SAID SOUTH RIGHT OF WAY LINE, HAVING A RADIUS OF 5000.00 FEET, AN ARC LENGTH OF 118.45 FEET, A CENTRAL ANGLE OF 01° 21' 26", A CHORD BEARING OF N 48° 56' 56" E AND A CHORD DISTANCE OF 118.45 FEET, TO THE POINT OF BEGINNING;

SAID TRACT OF LAND CONTAINING 6.08 ACRES / 264,875.30 SQUARE FEET.

THIS LEGAL DESCRIPTION WAS CREATED ON JULY 9, 2020 BY ALBERT R. JONES, III, OK PLS #1580, WITH THE BASIS OF BEARING BEING S 22° 11' 39" E, ALONG THE EAST LINE OF RIVER

PREPARED BY ATLAS LAND OFFICE, Inc.

Page 1

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\\CIVIL-SERVER\Projects\1940026 River West Choice Neighborhood\Survey\In\2020.07.15 Legals for III IV\Phase 3 Final Plat LEGAL.docx

5.9

WEST PHASE I, A RE-SUBDIVISION OF PART OF BLOCK I AND BLOCK III OF RIVERVIEW PARK ADDITION IN THE NORTH HALF (N/2) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF AND RECORDED AS PLAT NO. 6913 IN THE OFFICE OF THE TULSA COUNTY CLERK.

**LEGAL DESCRIPTION
FOR
RIVER WEST PHASE IV**

A PART OF BLOCK I OF RIVER VIEW PARK ADDITION, A REPLAT OF BLOCK 1 AND A PLAT OF BLOCKS 2-13, CITY OF TULSA, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, RECORDED AS PLAT NUMBER 3128.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF RIVER WEST PHASE I, A RE-SUBDIVISION OF PART OF BLOCK I AND BLOCK III OF RIVERVIEW PARK ADDITION IN THE NORTH HALF (N/2) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF AND RECORDED AS PLAT NO. 6913 IN THE OFFICE OF THE TULSA COUNTY CLERK; THENCE S 22° 11' 39" E, ALONG THE EAST LINE OF SAID RIVER WEST PHASE I, A DISTANCE OF 212.29 FEET; THENCE S 24° 02' 20" E, CONTINUING ALONG THE EAST LINE OF SAID RIVER WEST PHASE I, A DISTANCE OF 169.37 FEET; THENCE S 38° 34' 14" E, CONTINUING ALONG THE EAST LINE OF SAID RIVER WEST PHASE I, A DISTANCE OF 78.38 FEET; THENCE CONTINUING S 38° 34' 14" E, AND ALONG THE EAST LINE OF BLOCK III OF RIVER VIEW PARK ADDITION, A REPLAT OF BLOCK 1 AND A PLAT OF BLOCKS 2-13, CITY OF TULSA, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, RECORDED AS PLAT NUMBER 3128, A DISTANCE OF 98.44 FEET, TO THE NORTHEAST CORNER OF BLOCK I OF SAID RIVERVIEW PARK ADDITION; THENCE CONTINUING S 38° 34' 14" E, AND ALONG THE EAST LINE OF SAID BLOCK I, A DISTANCE OF 191.02 FEET, TO A POINT OF CURVATURE; THENCE ALONG A TANGENT CURVE TO THE RIGHT, CONTINUING ALONG THE EAST LINE OF SAID BLOCK I, HAVING A RADIUS OF 140.00 FEET, AN ARC LENGTH OF 161.98 FEET, A CENTRAL ANGLE OF 66° 17' 21", A CHORD BEARING OF S 05° 25' 33" E AND A CHORD DISTANCE OF 153.09 FEET TO A POINT OF REVERSE CURVATURE; THENCE ALONG A TANGENT CURVE TO THE LEFT, CONTINUING ALONG THE EAST LINE OF SAID BLOCK I, HAVING A RADIUS OF 344.71 FEET, AN ARC LENGTH OF 171.00 FEET, A CENTRAL ANGLE OF 28° 25' 21", A CHORD BEARING OF S 13° 30' 27" W AND A CHORD DISTANCE OF 169.25 FEET; THENCE S 00° 47' 32" E, CONTINUING ALONG THE EAST LINE OF SAID BLOCK III, A DISTANCE OF 309.88 FEET, TO THE SOUTHEAST CORNER OF SAID BLOCK I; THENCE S 89° 07' 09" W, ALONG THE SOUTH LINE OF SAID BLOCK I, A DISTANCE OF 330.00 FEET, TO THE POINT OF BEGINNING; THENCE CONTINUING S 89° 07' 09" W, CONTINUING ALONG THE SOUTH LINE OF SAID BLOCK I, A DISTANCE OF 328.90 FEET, TO THE SOUTHWEST CORNER OF SAID BLOCK I; THENCE N 00° 52' 53" W, ALONG THE WEST LINE OF SAID BLOCK I, A DISTANCE OF 302.63 FEET, TO AN INTERIOR CORNER OF SAID BLOCK I; THENCE CONTINUING N 00° 52' 53" W A DISTANCE OF 273.21 FEET, TO A TANGENT POINT OF CURVATURE; THENCE ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 25.00 FEET, AN ARC LENGTH OF 39.27 FEET, A CENTRAL ANGLE OF 90° 00' 14", A CHORD BEARING OF N 44° 07' 14" E AND A CHORD DISTANCE OF 35.36 FEET; THENCE N 89° 07' 20" E A DISTANCE OF 49.40 FEET, TO THE SOUTHWEST CORNER OF SAID RIVER WEST PHASE I; THENCE CONTINUING N 89° 07' 20" E, ALONG THE SOUTH LINE OF SAID RIVER WEST PHASE I, A DISTANCE OF 23.28 FEET, TO A TANGENT POINT OF CURVATURE; THENCE ALONG A TANGENT CURVE TO THE LEFT, CONTINUING ALONG THE SOUTH LINE OF SAID RIVER WEST PHASE I, HAVING A RADIUS OF 285.00 FEET, AN ARC LENGTH OF 185.44 FEET, A CENTRAL ANGLE OF 37° 16' 47", A CHORD BEARING OF N 70° 28' 57" E AND A CHORD DISTANCE OF 182.18 FEET, TO A POINT OF COMPOUND CURVATURE; THENCE ALONG A TANGENT CURVE TO THE LEFT, CONTINUING ALONG THE SOUTH LINE OF SAID RIVER WEST PHASE I, HAVING A RADIUS

PREPARED BY ATLAS LAND OFFICE, Inc.

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5.11

OF 5000.00 FEET, AN ARC LENGTH OF 75.44 FEET, A CENTRAL ANGLE OF 00° 51' 52", A CHORD BEARING OF N 51° 24' 37" E AND A CHORD DISTANCE OF 75.44 FEET; THENCE S 00° 47' 32" E A DISTANCE OF 705.20 FEET, TO THE POINT OF BEGINNING;

SAID TRACT OF LAND CONTAINING 4.72 ACRES / 205,798.70 SQUARE FEET.

THIS LEGAL DESCRIPTION WAS CREATED ON JULY 9, 2020 BY ALBERT R. JONES, III, OK PLS #1580, WITH THE BASIS OF BEARING BEING S 22° 11' 39" E, ALONG THE EAST LINE OF RIVER WEST PHASE I, A RE-SUBDIVISION OF PART OF BLOCK I AND BLOCK III OF RIVERVIEW PARK ADDITION IN THE NORTH HALF (N/2) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF AND RECORDED AS PLAT NO. 6913 IN THE OFFICE OF THE TULSA COUNTY CLERK.

WATER	
EW	ELECTRIC METER
GM	GAS METER
GW	GAS WIRE DOWN
GV	GAS VALVE
OC	OVERHEAD CABLE
OE	OVERHEAD ELECTRIC
OT	OVERHEAD TELEPHONE
PCP	POWER POLE CONNECT
UP	UNDERGROUND CABLE
UG	UNDERGROUND ELECTRIC
WS	WATER SUPPLY
WE	WELDING SEWAGE LINE
WT	WATER TREATMENT

PRELIMINARY PLAT

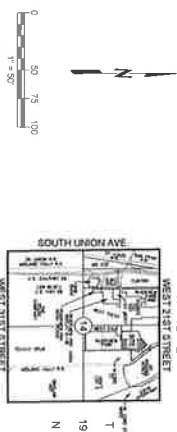
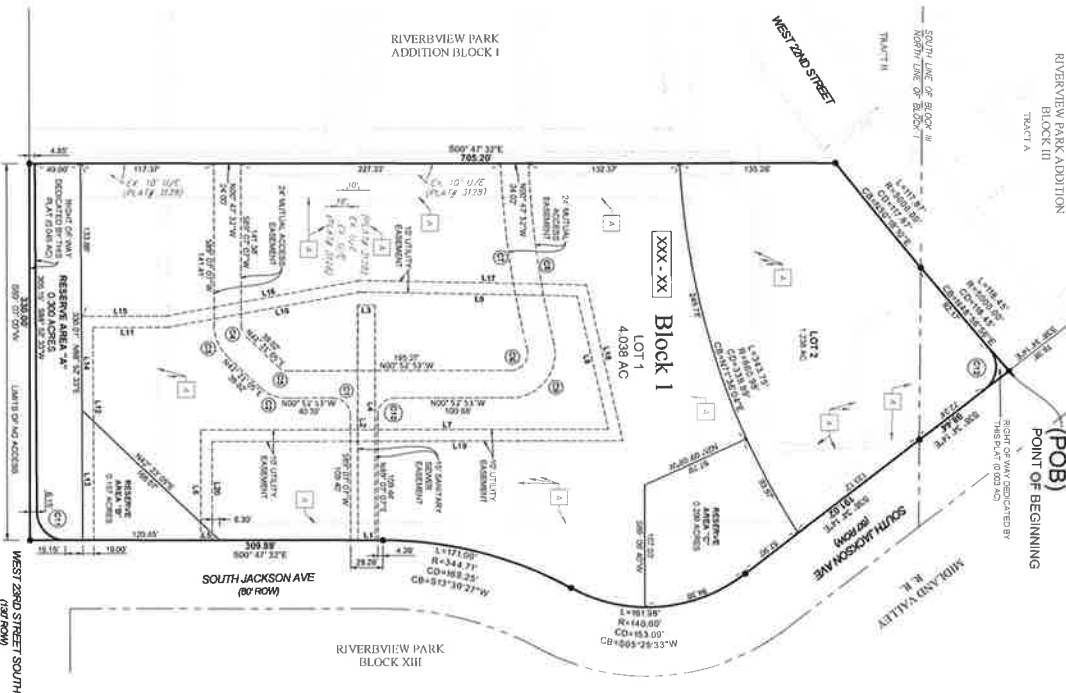
RIVER WEST PHASE III

A RESUBDIVISION OF PART OF BLOCK 1 AND BLOCK III OF THE RIVERVIEW PARK ADDITION IN THE NORTH HALF (N/2) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA



LINE TABLE			
LINE NO	LENGTH (ft)	BEARING	LINE NO
L1	50.72	S 87° 22' E	L11
L2	256.71	S 89° 27' 30" E	L12
L3	15.03	S 87° 22' E	L13
L4	256.73	S 89° 27' 30" E	L14
L5	42.06	S 87° 22' E	L15
L6	164.13	S 87° 22' E	L16
L7	359.45	S 87° 22' E	L17
L8	164.13	S 87° 22' E	L18
L9	17.01	S 87° 22' E	L19
L10	164.13	S 87° 22' E	L20
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CLIMATE TABLE					
CURVE #	LENGTH	THICKNESS	DELTA	CLASO BEARING	CLASO DISTANCE
C1	23.85	1.00	00070000	21.71	
C2	23.85	34.00	00170000	N03.0000E	25.80
C3	19.07	15.00	00000000	0000.0000E	30.00
C4	19.07	15.00	00000000	0000.0000E	11.00
C5	17.00	15.00	00070000	N03.0000E	23.00
C6	27.10	15.00	00070000	N03.0000E	27.00
C7	16.60	18.00	00170000	N03.0000E	16.60
C8	16.60	18.00	00170000	N03.0000E	16.60
C9	17.00	39.00	10030000	S02.0000E	01.00
C10	39.00	15.00	00070000	N03.0000E	37.00

[illegible]

SUBDIVISION STATISTICS

SUBDIVISION CONTAINS TWO (2) LOTS IN ONE (1) BLOCK AND THREE (3) RESERVES. BLOCK (1) CONTAINS 204,975 SQUARE FEET OR 4.66 ACRES.

HORIZONTAL DATUM BASED UPON NAD 83 (1983) OKLAHOMA
STATE PLANE COORDINATE SYSTEM NORTH ZONE 3607
VERTICAL DATUM BASED UPON NAVD 88 USING THE BEARING
BASED ON THE EAST LINE OF RIVER WEST PHASE I AS BEING
02211307 E

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

A PUBLIC RIGHT OF WAY OR EXISTING EASEMENTS TO BE RELEASED OR VACATED

FINAL PLAT
ENDORSEMENT OF APPROVAL
TULSA METROPOLITAN AREA PLANNING COMMISSION
APPROVAL DATE _____

TWAP	
CITY E	

COUNCIL OF THE CITY OF TULSA, OKLAHOMA

CITY ATTORNEY

DATE 7/15/2008
WEST HALL
JANUARY 2008

PRELIMINARY PLAT RIVER WEST PHASE 3

A RE-SUBDIVISION OF PART OF BLOCK I AND BLOCK III OF THE RIVERVIEW PARK ADDITION IN THE NORTH HALF (N/2) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.

KNOW ALL MEN BY THESE PRESENTS, THAT THE HOUSING AUTHORITY OF THE CITY OF TULSA, A PUBLIC BODY CORPORATE AND POLITICAL ORGANIZATION EXISTING UNDER THE LAWS OF THE STATE OF OKLAHOMA (THAT) IS THE OWNER OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A PART OF BLOCKS I AND II OF RIVERVIEW PARK ADDITION, A REPLAT OF BLOCK I AND A PLAT OF BLOCKS 2-13, CITY OF TULSA, BEING A SUBDIVISION OF PART OF THE NORTH-EAST QUARTER (NE/4) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, RECORDED AS PLAT NUMBER 3128.

MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTH-EAST CORNER OF RIVER WEST PHASE I, A RE-SUBDIVISION OF PART OF BLOCK I AND BLOCK II OF RIVERVIEW PARK ADDITION IN THE NORTH HALF (N/2) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF AND RECORDED AS PLAT NO. 8913 IN THE OFFICE OF THE TULSA COUNTY CLERK, THENCE S 22° 11' 39" E, ALONG THE EAST LINE OF SAID RIVER WEST PHASE I, A DISTANCE OF 212.23 FEET, THENCE S 24° 02' 20" E, CONTINUING ALONG THE EAST LINE OF SAID RIVER WEST PHASE I, A DISTANCE OF 189.37 FEET, THENCE S 36° 34' 44" E, CONTINUING ALONG THE EAST LINE OF SAID RIVER WEST PHASE I, A DISTANCE OF 75.58 FEET, TO THE POINT OF BEGINNING, THENCE CONTINUING S 36° 34' 44" E, AND ALONG THE EAST LINE OF BLOCK III OF RIVERVIEW PARK ADDITION, A REPLAT OF BLOCK I AND A PLAT OF BLOCKS 2-13, CITY OF TULSA, BEING A SUBDIVISION OF PART OF THE NORTH-EAST QUARTER (NE/4) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, RECORDED AS PLAT NUMBER 3128, A DISTANCE OF 88.44 FEET, TO THE NORTH-EAST CORNER OF BLOCK I OF SAID RIVERVIEW PARK ADDITION, THENCE CONTINUING S 36° 34' 44" E, AND ALONG THE EAST LINE OF SAID BLOCK I, A DISTANCE OF 191.02 FEET, TO A POINT OF CURVATURE, THENCE ALONG A TANGENT CURVE TO THE RIGHT, CONTINUING ALONG THE EAST LINE OF SAID BLOCK I, HAVING A RADIUS OF 140.00 FEET, AN ARC LENGTH OF 161.98 FEET, A CENTRAL ANGLE OF 86° 17' 21", A CHORD BEARING OF S 02° 25' 39" E, AND A CHORD DISTANCE OF 153.09 FEET, TO A POINT OF REVERSE CURVATURE, THENCE ALONG A TANGENT CURVE TO THE LEFT, CONTINUING ALONG THE EAST LINE OF SAID BLOCK I, HAVING A RADIUS OF 344.71 FEET, AN ARC LENGTH OF 171.00 FEET, A CENTRAL ANGLE OF 28° 29' 21", A CHORD BEARING OF S 13° 30' 27" W, AND A CHORD DISTANCE OF 189.25 FEET, THENCE S 02° 47' 32" E, CONTINUING ALONG THE EAST LINE OF SAID BLOCK II, A DISTANCE OF 338.88 FEET, TO THE SOUTHEAST CORNER OF SAID BLOCK I, THENCE S 89° 07' 09" W, ALONG THE SOUTH LINE OF SAID BLOCK I, A DISTANCE OF 111.87 FEET, TO A POINT OF CURVATURE, THENCE ALONG A TANGENT CURVE TO THE RIGHT, CONTINUING ALONG THE SOUTH LINE OF SAID BLOCK I, HAVING A RADIUS OF 5000.00 FEET, AN ARC LENGTH OF 111.87 FEET, A CENTRAL ANGLE OF 01° 21' 39", A CHORD BEARING OF S 11° 37' 39" E, AND A CHORD DISTANCE OF 111.87 FEET, TO A POINT ON THE NORTH LINE OF SAID BLOCK II, THENCE CONTINUING ALONG SAID SOUTH LINE TO THE LEFT, ALONG SAID SOUTH RIGHT OF WAY LINE, HAVING A RADIUS OF 5000.00 FEET, AN ARC LENGTH OF 114.45 FEET, A CENTRAL ANGLE OF 01° 21' 39", A CHORD BEARING OF S 14° 58' 35" E, AND A CHORD DISTANCE OF 115.45 FEET, TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 0.08 ACRES / 264.875 30 SQUARE FEET.

THE OWNER HAVE CAUSED THE SUBJECT PROPERTY TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO TWO LOTS IN ONE BLOCK, AND 3 RESERVES IN CONFORMITY WITH THE ACCOMPANYING PLAT AND HAVE DESIGNATED THE SUBDIVISION AS "RIVER WEST PHASE III, HEREINAFTER REFERRED TO AS THE SUBDIVISION, A SUBDIVISION IN THE CITY OF TULSA, STATE OF OKLAHOMA.

SECTION I. PUBLIC STREET, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND UTILITY EASEMENTS

THE OWNERS HEREBY DEDICATE TO THE PUBLIC, THOSE PORTIONS OF STREET RIGHTS, OF WAY OF WEST 23RD STREET, AS DEPICTED ON THE ACCOMPANYING PLAT, AND FURTHER DEDICATES TO THE PUBLIC, THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT, AS "11'E" OR UTILITY EASEMENT, FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, MANHOLES AND EQUIPMENT, FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHT-OF-WAY INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES STATED, PROVIDED EACH OF THE OWNERS 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 REPLACING OVER ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT. WITHIN THE PROPERTY OWNED BY THE PARTICULAR OWNER, PROVIDED SUCH OWNER HAS A WATER AND/OR SEWER SERVICES TO AREAS DEPICTED ON THE PLAT, THE OWNER HEREIN IMPOSES 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 OBSTRUCTIVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH STATED USES AND PURPOSES OF THE UTILITY EASEMENTS SHALL BE PLACED, REJECTED, INSTALLED OR MAINTAINED, PROVIDED NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT OR RESTRICT THE INSTALLATION OF SIGNAGE, LANDSCAPING AND CUSTOMARY SCREENING FENCES THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UTILITY SERVICE

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED ALONG THE WEST SIDE OF SOUTH JACKSON AVENUE BOUNDARY, AND NORTH SIDE OF EAST 23RD STREET BOUNDARY OF THE SUBDIVISION AS NECESSARY IF LOCATED IN AN EASEMENT AS DEPICTED ON THE ACCOMPANYING PLAT. STREET LIGHT POLES OR STANDARDS SHALL BE SERVED BY UNDERGROUND CABLES AND ELSEWHERE THROUGHOUT THE SUBDIVISION, ALL SUPPLY LINES, INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS DEDICATED FOR UTILITY SERVICES AND TO 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 LOT, PROVIDED THAT UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE THE SUPPLIER OF SERVICE SHALL, THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE EASEMENT ON THE LOT, COVERING A 5 FOOT 8 IN 1 P EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

3. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS 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 OWNER'S LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE CITY OF TULSA, OKLAHOMA, SHALL BE RESPONSIBLE FOR THE FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR THE LOT OWNER'S 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.

C. WATER, SANITARY SEWER AND STORM SEWER SERVICE

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

2. WITHIN UTILITY 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 LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR THE LOT OWNER'S AGENTS AND/OR CONTRACTORS.

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

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

D. 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 OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

2. THE OWNER OF 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 UNDERGROUND GAS FACILITIES, BUT THE CITY OF TULSA, OKLAHOMA, SHALL BE RESPONSIBLE FOR THE FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER, OR THE LOT OWNER'S 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.

E. SURFACE DRAINAGE

EACH LOT SHALL RECEIVE AND DRAIN IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION TO LOT OWNER SHALL BE CONSTRUCTED OR PERMIT TO BE CONSTRUCTED, ANY REMOVAL OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE LOT. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY CITY OF TULSA, OKLAHOMA.

F. SIDEWALKS

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED BY THE OWNERS ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH THE TULSA METROPOLITAN AREA SUBDIVISION AND DEVELOPMENT REGULATIONS AND ORDINANCES OF THE CITY OF TULSA. SIDEWALKS SHALL BE CONSTRUCTED IN CONFORMANCE WITH THE STANDARDS OF THE CITY OF TULSA.

OKLAHOMA, SIDEWALKS SHALL BE CONSTRUCTED PRIOR TO THE ISSUANCE OF A CERTIFICATE OF OCCUPANCY FOR ANY BUILDING WITHIN THE SUBDIVISION.

G. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

H. CERTIFICATE OF OCCUPANCY

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 THE RISK OF THE OWNER OF THE LOT, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR OF A TEMPORARY CERTIFICATE OF OCCUPANCY.

I. MUTUAL ACCESS EASEMENT

MUTUAL ACCESS EASEMENTS, DEPICTED AS "M/AE" OR "MUTUAL ACCESS EASEMENT" ON THE ACCOMPANYING PLAT, ARE HEREBY ESTABLISHED FOR THE PURPOSES OF PERMITTING VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM ALL STREETS AND AREAS ADJACENT TO AND WITHIN THE SUBDIVISION. SUCH EASEMENTS SHALL BE FOR THE MUTUAL USE AND BENEFIT OF EACH AFFECTED LOT OWNER, THEIR GUESTS AND INVITEES AND SHALL BE AVAILABLE TO EACH AFFECTED LOT OWNER, PROVIDED GOVERNMENTAL AGENCIES AND THE SUPPLIERS OF UTILITY SERVICES SHALL HAVE THE REASONABLE USE OF SUCH EASEMENTS INCIDENTAL TO THE PROVISION OF SERVICES TO THE LOTS WITHIN THE SUBDIVISION.

J. RESERVE AREAS "A" - OPEN SPACE AND PEDESTRIAN WALKWAY

THE USE OF RESERVE AREAS "A" SHALL BE LIMITED TO OPEN SPACE, RECREATION, LANDSCAPING, PEDESTRIAN WALKWAYS AND WALLS.

K. RESERVE AREAS "B" & "C" - OPEN SPACE

THE USE OF RESERVE AREAS "B" & "C" SHALL BE LIMITED TO OPEN SPACE AND BIODIVERSITY BIODIVERSITY.

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 OWNERS, THEIR RESPECTIVE GRANTEES, SUCCESSORS AND ASSIGNS WITHIN THE PROVISIONS OF SECTION I, PUBLIC STREETS, EASEMENTS AND UTILITIES. ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO 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, IF EITHER OF THE UNDERSIGNED OWNERS, OR ANY OF THEIR RESPECTIVE GRANTEES, SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION I, THE SUPPLIER OF UTILITY SERVICE OR CITY OF TULSA, OKLAHOMA, MAY BRING AN ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

B. DURATION

THE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL, BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN FIFTY (50) YEARS FROM THE DATE OF RECORDATION OF THIS DEED OF DEDICATION, UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I, PUBLIC STREETS, EASEMENTS AND UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME BY WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS AND CITY OF TULSA, OKLAHOMA. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING THE RESTRICTIONS OR COVENANTS SHALL BE EFFECTIVE UPON AND AFTER THE INSTRUMENT IS RECORDED IN THE OFFICE OF THE TULSA COUNTY CLERK.

D. SEVERABILITY

IN VALIDATION 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 HEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, THE HOUSING AUTHORITY OF THE CITY OF TULSA HAS EXECUTED THIS INSTRUMENT THIS _____ DAY OF _____, 2020.

HOUSING AUTHORITY OF THE CITY OF TULSA

BY: AARON DARDEN, PRESIDENT / CEO

STATE OF OKLAHOMA }
COUNTY OF TULSA } SS.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 2020, BY AARON DARDEN, AS PRESIDENT / CEO OF THE HOUSING AUTHORITY OF THE CITY OF TULSA.

CERTIFICATE OF SURVEY

I, _____, OF _____, A LICENSED LAND SURVEYOR REGISTERED IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS STONE CREEK HOLLOW, A SUBDIVISION IN THE CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA, IS A REPRESENTATION OF THE SURVEY MADE ON THE GROUND, USING ANY ACCEPTED LAND SURVEYING PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2020.

LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA # _____

ACKNOWLEDGEMENT

STATE OF OKLAHOMA }
COUNTY OF TULSA } SS.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2020.

NOTARY PUBLIC

MY COMMISSION NO.: 000002020
MY COMMISSION EXPIRES: 12-11-2020



DATE: 7/14/2020
THE RIVER WEST PARK PHASE III
PRELIMINARY PLAT
SHEET 2 OF 2

5/14

Legend

EM ELECTRIC METER
DM GAS METER
DWD GUY WIRE DOWN
DVC GAS VALVE
DC OVERHEAD CABLE
DE OVERHEAD ELECTRIC
DT OVERHEAD TELEPHONE
P POWER POLE
RCP ALUMINUM CONCRETE PIPE
UC UNDERGROUND CABLE
UE UNDERGROUND ELECTRIC
UL UNDERGROUND LIGHT
XPM TRANSPONER
ES BUILDING SETBACK LINE
SE BUILDING EASEMENT (PRIVACY FENCE)
UE UTILITY EASEMENT

OWNER

TULSA HOUSING AUTHORITY
#13 WEST INDEPENDENCE STREET
TULSA, OK 74120
ATTN: CITY CLERK, SUITE 205

ENGINEER

WALLACE ENGINEERING
STRUCTURAL CONSULTANTS, INC.
123 MARTIN LUTHER KING JR. BLVD.
TULSA, OK 74103
(918) 584-5658
OKLAHOMA CA #1400
EXP. DATE 8/2021
SCOTT RODENBERGER P.E.
srod@wallaceinc.com

SURVEYOR

ATLAS LAND OFFICE
202 SOUTH MAIN
WAGONER, OK 74467
TULSA, OK 74103
618-485-8887
RPLS 1580, CA #0080
EXP. DATE 8/2020
a@atlaslandoffice.com

SUBDIVISION STATISTICS

SUBDIVISION CONTAINS TWO (2) LOTS IN ONE (1) BLOCK AND ONE (1) RESERVE. BLOCK (1) CONTAINS 305,799 SQUARE FEET OR 4.72 ACRES.

MONUMENTATION

3/8" IRON PINS FOUND AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.

BASIS OF BEARINGS

HORIZONTAL DATUM BASED UPON NAD 83 (1983) OKLAHOMA STATE PLANE COORDINATE SYSTEM NORTH ZONE 3501
VERTICAL DATUM BASED UPON NAVD 88, USING THE BEARINGS BASED ON THE EAST LINE OF RIVER WEST PHASE I AS BEING S 22° 11' 38" E.

ADDRESS NOTE

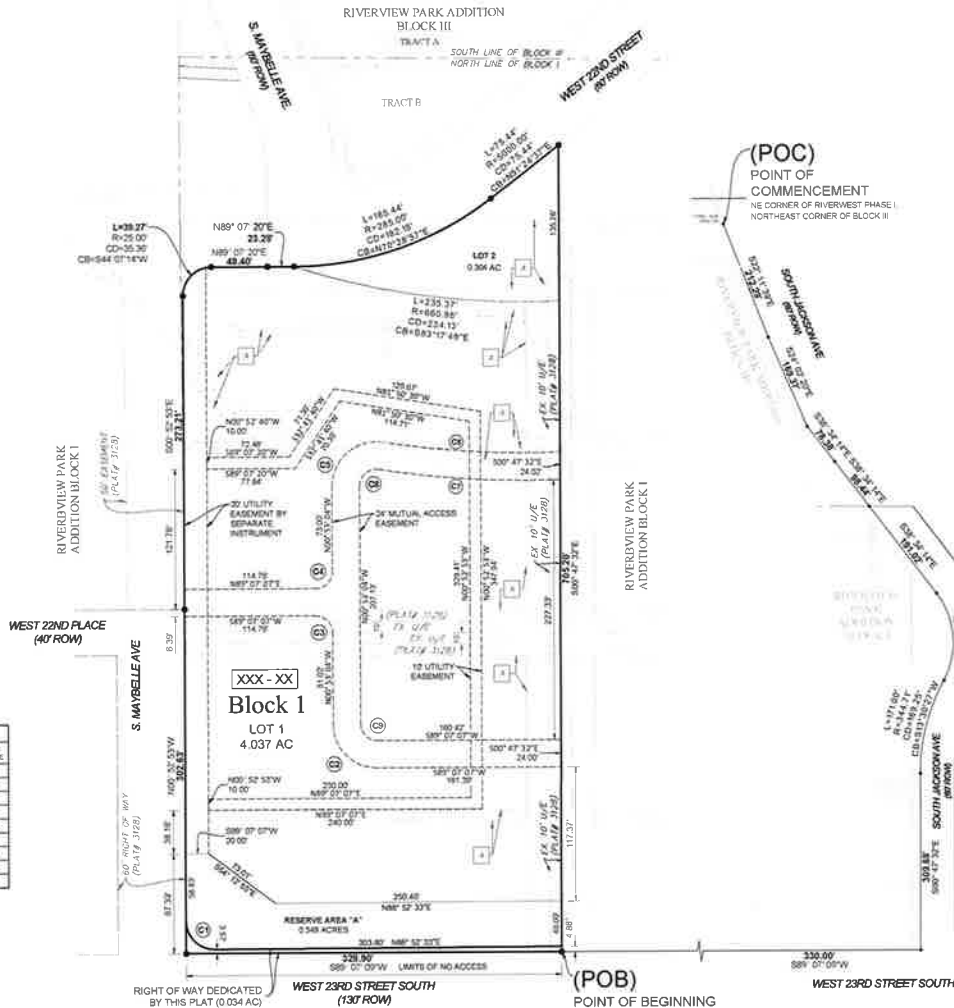
ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS ADDRESSED ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.

SITE NOTE:

A PUBLIC RIGHT OF WAY OR EXISTING EASEMENTS TO BE RELEASED OR VACATED.

FINAL PLAT ENDORSEMENT OF APPROVAL	
TULSA METROPOLITAN AREA PLANNING COMMISSION	
APPROVAL DATE	
THMPC / INDOG	
CITY ENGINEER	
COUNCIL OF THE CITY OF TULSA OKLAHOMA	
APPROVAL DATE	
CHAIRMAN	
MAYOR	
ATTORNEY CITY CLERK	
CITY ATTORNEY	
THE APPROVAL OF THIS FINAL PLAT WILL EXPIRE ONE YEAR FROM THIS DATE OF CITY COUNCIL APPROVAL IF NOT FILED IN THE OFFICE OF THE COUNTY CLERK BEFORE THAT DATE.	

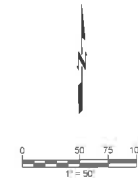
CURVE TABLE					
CURVE #	LENGTH	RADIUS	CHORD BEARING	CHORD DISTANCE	CHORD BEARING
C1	38.39	25.00	N89°14'30"E	35.45	
C2	38.39	25.00	N89°14'30"E	35.45	
C3	25.00	15.00	N89°14'30"E	21.21	
C4	25.00	15.00	N89°14'30"E	21.21	
C5	37.42	25.00	N89°14'30"E	35.45	
C6	38.39	25.00	N89°14'30"E	35.45	
C7	38.39	25.00	N89°14'30"E	35.45	
C8	25.00	15.00	N89°14'30"E	21.21	
C9	25.00	15.00	N89°14'30"E	21.21	



PRELIMINARY PLAT

RIVER WEST PHASE IV

A RE-SUBDIVISION OF PART OF BLOCK 1 AND BLOCK III OF RIVERVIEW PARK ADDITION IN THE NORTH HALF (N/2) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA



PRELIMINARY PLAT RIVER WEST PHASE IV

A RE-SUBDIVISION OF PART OF BLOCK 1 AND BLOCK III OF
RIVERVIEW PARK ADDITION IN THE NORTH HALF (N/2) OF SECTION FOURTEEN (14), TOWNSHIP
NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE MERIDIAN, CITY OF TULSA,
TULSA COUNTY, STATE OF OKLAHOMA

KNOW ALL MEN BY THESE PRESENTS
THAT THE HOUSING AUTHORITY OF THE CITY OF TULSA A PUBLIC BODY CORPORATE AND POLITIC
ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF OKLAHOMA (THAT) IS THE OWNER
OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE CITY OF TULSA, TULSA COUNTY,
STATE OF OKLAHOMA, TO-WIT:

A-213 CITY OF TULSA, BEING A SUBDIVISION OF PART OF THE NORTHEAST QUARTER (NE1/4) OF
SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE
INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S.
GOVERNMENT SURVEY THEREOF, RECORDED AS PLAT NUMBER 3128

MORE PARTICULARLY DESCRIBED AS FOLLOWS

COMMENCING AT THE NORTHEAST CORNER OF RIVER WEST PHASE I, A RE-SUBDIVISION OF PART
OF BLOCK I AND BLOCK III OF RIVERVIEW PARK ADDITION IN THE NORTH HALF (N/2) OF SECTION
FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE
AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT
SURVEY THEREOF AND RECORDED AS PLAT NO. 8913 IN THE OFFICE OF THE TULSA COUNTY
CLERK, THENCE S 22° 11' 36" E, ALONG THE EAST LINE OF SAID RIVER WEST PHASE I, A DISTANCE OF
212.23 FEET, THENCE S 24° 02' 20" E, CONTINUING ALONG THE EAST LINE OF SAID RIVER WEST
PHASE I, A DISTANCE OF 189.37 FEET, THENCE S 38° 34' 14" E, CONTINUING ALONG THE EAST LINE
OF SAID RIVER WEST PHASE I, A DISTANCE OF 78.38 FEET, THENCE CONTINUING S 38° 34' 14" E
AND ALONG THE EAST LINE OF BLOCK II OF RIVERVIEW PARK ADDITION, A REPLAT OF BLOCK I
AND A PLAT OF BLOCKS 2-13, CITY OF TULSA, BEING A SUBDIVISION OF PART OF THE NORTHEAST
QUARTER (NE1/4) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE
(12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING
TO THE U.S. GOVERNMENT SURVEY THEREOF, RECORDED AS PLAT NUMBER 3128, A DISTANCE OF
88.4 FEET, TO THE NORTHEAST CORNER OF BLOCK I OF SAID RIVERVIEW PARK ADDITION, THENCE
CONTINUING S 38° 34' 14" E, ALONG THE EAST LINE OF SAID BLOCK I, A DISTANCE OF 191.02
FEET, TO A POINT OF CURVATURE, THENCE ALONG A TANGENT CURVE TO THE RIGHT, CONTINUING
ALONG THE EAST LINE OF SAID BLOCK I, HAVING A RADIUS OF 140.60 FEET, AN ARC LENGTH OF
161.88 FEET, A CENTRAL ANGLE OF 66° 17' 21", A CHORD BEARING OF S 02° 28' 3" E AND A CHORD
DISTANCE OF 153.09 FEET, TO A POINT OF REVERSE CURVATURE, THENCE ALONG A TANGENT
CURVE TO THE LEFT, CONTINUING ALONG THE EAST LINE OF SAID BLOCK I, HAVING A RADIUS OF
344.71 FEET, AN ARC LENGTH OF 171.02 FEET, A CENTRAL ANGLE OF 20° 25' 21", A CHORD BEARING
OF S 19° 30' 27" W AND A CHORD DISTANCE OF 168.25 FEET, THENCE S 00° 47' 32" E, CONTINUING
ALONG THE EAST LINE OF SAID BLOCK II, A DISTANCE OF 308.81 FEET, TO THE SOUTHEAST
CORNER OF SAID BLOCK I, THENCE S 89° 07' 58" W, ALONG THE SOUTH LINE OF SAID BLOCK I, A
DISTANCE OF 338.00 FEET, TO THE POINT OF BEGINNING, THENCE CONTINUING S 89° 07' 58" W,
CONTINUING ALONG THE SOUTH LINE OF SAID BLOCK I, A DISTANCE OF 328.90 FEET, TO THE
SOUTHWEST CORNER OF SAID BLOCK I, THENCE N 00° 52' 53" W, ALONG THE WEST LINE OF SAID
BLOCK I, A DISTANCE OF 300.83 FEET, TO AN INTERIOR CORNER OF SAID BLOCK I, THENCE
CONTINUING N 00° 52' 53" W, A DISTANCE OF 273.21 FEET, TO A TANGENT POINT OF CURVATURE,
THENCE ALONG A TANGENT CURVE TO THE RIGHT, HAVING A RADIUS OF 25.50 FEET, AN ARC
LENGTH OF 39.27 FEET, A CENTRAL ANGLE OF 80° 02' 14", A CHORD BEARING OF N 04° 07' 14" E AND
A CHORD DISTANCE OF 35.36 FEET, THENCE N 80° 07' 20" E, A DISTANCE OF 48.40 FEET, TO THE
SOUTHWEST CORNER OF SAID RIVER WEST PHASE I, THENCE CONTINUING N 80° 07' 20" E, ALONG
THE SOUTH LINE OF SAID RIVER WEST PHASE I, A DISTANCE OF 32.28 FEET, TO A TANGENT POINT
OF CURVATURE, THENCE ALONG A TANGENT CURVE TO THE LEFT, CONTINUING ALONG THE
SOUTH LINE OF SAID RIVER WEST PHASE I, HAVING A RADIUS OF 285.20 FEET, AN ARC LENGTH OF
185.44 FEET, A CENTRAL ANGLE OF 37° 16' 47", A CHORD BEARING OF N 70° 21' 57" E AND A CHORD
DISTANCE OF 182.18 FEET, TO A POINT OF COMPOUND CURVATURE, THENCE ALONG A TANGENT
CURVE TO THE LEFT, CONTINUING ALONG THE SOUTH LINE OF SAID RIVER WEST PHASE I, HAVING
A DISTANCE OF 800.20 FEET, AN ARC LENGTH OF 75.41 FEET, A CENTRAL ANGLE OF 30° 51' 52", A
CHORD BEARING OF N 51° 20' 37" E AND A CHORD DISTANCE OF 72.41 FEET, THENCE S 00° 47' 32" E
A DISTANCE OF 70.20 FEET, TO THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINING 4.72 ACRES / 205,798.70 SQUARE FEET.

THE OWNER HAS CAUSED THE SUBJECT PROPERTY TO BE SURVEYED, STAKED, PLATTED AND
SUBDIVIDED INTO TWO LOTS IN ONE BLOCK, AND 1 RESERVE IN CONFORMITY WITH THE
ACCOMPANYING PLAT AND HAS DESIGNATED THE SUBDIVISION AS RIVER WEST PHASE IV,
HEREINAFTER REFERRED TO AS THE "SUBDIVISION," A SUBDIVISION IN THE CITY OF TULSA, STATE
OF OKLAHOMA.

SECTION I. PUBLIC STREET, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND UTILITY EASEMENTS

THE OWNERS HEREBY DEDICATE TO THE PUBLIC, THOSE PORTIONS OF STREET RIGHTS - OF-
WAY OF WEST 23RD STREET, AS DEPICTED ON THE ACCOMPANYING PLAT AND FURTHER
DEDICATE TO THE PUBLIC THE UTILITY DEDICATED ON THE ACCOMPANYING PLAT
AS "U/I" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING,
OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES,
INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC
POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES,
TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CABLES, PIPES, VALVES, METER
METERS, MANHOLES AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER
APPURTENANCES THERETO, WITH THE RIGHT OF INGRESS AND EGRESS TO AND UPON THE
UTILITY EASEMENTS FOR THE USES AND PURPOSES EACH OF THE ABOVE, PROVIDED EACH OF THE
OWNERS RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND REPAIR OR
REPLACE WATER LINES, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC
POWER LINES, GAS LINES, WATER LINES, CABLE TELEVISION LINES, AND ANY OTHER
EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING AND
REPLACING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT.
WITHIN THE PROPERTY OWNERS' PARTICULAR INTEREST FOR THE PURPOSES OF CONSTRUCTING,
MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC
UTILITIES AND SEWER SERVICES TO AREAS DEPICTED ON THE PLAT, THE OWNER HEREBY
IMPOSES RESTRICTIVE COVENANTS, WHICH COVENANTS SHALL BIND EACH LOT OWNER
AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, AND BY THE SUPPLIER OF
ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE
ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND
OBSTRUCTION THAT INTERFERES WITH STATED USES AND PURPOSES OF THE UTILITY
EASEMENTS SHALL BE PLACED THEREON, PROVIDED HOWEVER, THAT NOTHING IN THIS
HURDEN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING
AND CUSTOMARY SCREENING FENCES THAT DO NOT CONSTITUTE AN OBSTRUCTION

B. UTILITY SERVICE

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION
SERVICES MAY BE LOCATED ALONG THE WEST SIDE OF SOUTH JACKSON AVENUE
BOUNDARY, AND NORTH SIDE OF EAST 23RD STREET BOUNDARY OF THE SUBDIVISION AS
NECESSARY IF LOCATED IN AN EASEMENT AS DEPICTED ON THE ACCOMPANYING PLAT.
STREET LIGHT POLES OR STANDARDS SHALL BE SERVED BY UNDERGROUND CABLES
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 LOT - PROVIDED THAT UPON THE
INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE,
THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE,
PERMANENT, EFFECTIVE AND NON-EXCLUSIVE EASEMENT ON THE LOT, COVERING A 5
FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE
EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE
ENTRANCE ON THE STRUCTURE.

3. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS 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 CONSTRUCTION, MAINTENANCE, REPAIRING 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 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 THE ORDINARY MAINTENANCE OF UNDERGROUND
FACILITIES, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH
FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR THE LOT OWNER'S
AGENTS OR CONTRACTORS.

5. STAKE 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.

C. WATER, SANITARY SEWER 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 OWNER'S
LOT.

2. WITHIN UTILITY 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 LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH
FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR THE LOT OWNER'S
AGENTS AND/OR CONTRACTORS.

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

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

D. 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, MAINTAINING, REMOVING 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 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 LOT OWNER SHALL PAY
FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE
LOT OWNER, OR THE LOT OWNER'S 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.

E. SURFACE DRAINAGE

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND
SURFACE WATER FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION, NO LOT OWNER
SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER
OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS

OVER AND ACROSS THE LOT, THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION
SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY CITY OF TULSA, OKLAHOMA.

F. SIDEWALKS

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED BY THE OWNERS ALONG STREETS
DESIGNATED BY AND IN ACCORDANCE WITH THE TULSA METROPOLITAN AREA SUBDIVISION
AND DEVELOPMENT REGULATIONS AND ORDINANCES OF THE CITY OF TULSA. SIDEWALKS
SHALL BE CONSTRUCTED IN CONFORMANCE WITH THE STANDARDS OF THE CITY OF TULSA,
OKLAHOMA. SIDEWALKS SHALL BE CONSTRUCTED PRIOR TO THE ISSUANCE OF A CERTIFICATE
OF OCCUPANCY FOR ANY BUILDING WITHIN THE SUBDIVISION.

G. FENCING AND LANDSCAPING WITHIN EASEMENTS

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

H. CERTIFICATE OF OCCUPANCY

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 ISSUING OF THE CONSTRUCTION OF INFRASTRUCTURE WITHIN
THE SUBDIVISION AND IF FINANCING IS AUTHORIZED, A CERTIFICATE OF OCCUPANCY FOR A
BUILDING WITHIN AN AUTHORIZED PHASE MAY ISSUE UPON THE COMPLETION AND
ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE. BUILDING
CONSTRUCTION OCCURRING PRIOR TO THE CITY'S ACCEPTANCE OF THE INFRASTRUCTURE
SHALL BE AT THE RISK OF THE OWNER OF THE LOT, NOTWITHSTANDING THE ISSUANCE OF A
BUILDING PERMIT OR A TEMPORARY CERTIFICATE OF OCCUPANCY.

I. MUTUAL ACCESS EASEMENT

MUTUAL ACCESS EASEMENTS, DEPICTED AS "M/AE" OR "MUTUAL ACCESS EASEMENT" ON THE
ACCOMPANYING PLAT, ARE HEREBY ESTABLISHED FOR THE PURPOSES OF PERMITTING
VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM ALL STREETS AND AREAS ADJACENT TO
AND CONTAINED WITHIN THE SUBDIVISION. SUCH EASEMENTS SHALL BE FOR THE MUTUAL USE
AND BENEFIT OF EACH AFFECTED LOT OWNER, THEIR GUESTS AND INVITEES, AND SHALL BE
APPLICABLE TO EACH AFFECTED LOT OWNER, PROVIDED GOVERNMENTAL AGENCIES AND
THE SUPPLIERS OF UTILITY SERVICES SHALL HAVE THE REASONABLE USE OF SUCH
EASEMENTS INCIDENTAL TO THE PROVISION OF SERVICES TO THE LOTS WITHIN THE
SUBDIVISION.

J. RESERVE AREAS "A" - OPEN SPACE AND PEDESTRIAN WALKWAY

THE USE OF RESERVE AREAS "A" SHALL BE LIMITED TO OPEN SPACE, RECREATION,
LANDSCAPING, PEDESTRIAN WALKWAYS, AND WALLS.

K. RESERVE AREAS "B, C" - OPEN SPACE

THE USE OF RESERVE AREAS "B, C" SHALL BE LIMITED TO OPEN SPACE AND BIODETENTION
RAIN GARDENS.

SECTION II. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

A. ENFORCEMENT

THE RESTRICTIONS HEREBY SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL
BE BINDING UPON THE OWNERS, THEIR RESPECTIVE GRANTEEES, SUCCESSORS AND ASSIGNS
WITHIN THE PROVISIONS OF SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES ARE SET
FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO 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, IF EITHER OF THE
UNDERGROUND OWNERS, OR ANY OF THEIR RESPECTIVE GRANTEEES, SUCCESSORS OR
ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION I, THE SUPPLIER OF
UTILITY SERVICE OR CITY OF TULSA, OKLAHOMA, MAY BRING AN ACTION AT LAW OR IN EQUITY
AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH
COVENANT, TO PREVENT THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH
THE COVENANT OR TO RECOVER DAMAGES IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE
THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE
PARTY VIOLATING THE COVENANT IS PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS
HEREBY WAIVED.

B. DURATION

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

C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION I, PUBLIC STREETS EASEMENTS AND UTILITIES,
SECTION II, ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY, SHALL NOT BE
TERMINATED OR AMENDED BY ANY TIME BY THE CITY OF TULSA, OKLAHOMA, NOR SHALL
BE 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 CITY OF TULSA, OKLAHOMA. THE PROVISIONS OF ANY
INSTRUMENT AMENDING OR TERMINATING THE RESTRICTIONS OR COVENANTS SHALL BE
EFFECTIVE UPON AND AFTER THE INSTRUMENT IS RECORDED IN THE OFFICE OF THE TULSA
COUNTY CLERK.

D. SEVERABILITY

IN VALIDATION 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 HEREOF AS SET FORTH HEREIN,
WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, THE HOUSING AUTHORITY OF THE CITY OF TULSA HAS EXECUTED
THIS INSTRUMENT THIS ____ DAY OF ____, 2020.

HOUIS NO AUTHORITY OF THE CITY OF TULSA

BY:
AARON DARDEN, PRESIDENT/CEO

STATE OF OKLAHOMA }
COUNTY OF TULSA } ss.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS ____ DAY OF
____, 2020, BY AARON DARDEN, AS PRESIDENT/CEO OF THE HOUSING AUTHORITY
OF THE CITY OF TULSA.

CERTIFICATE OF SURVEY

I, _____, OF _____, A LICENSED LAND
SURVEYOR REGISTERED IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE
CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF
LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS
STONE CREEK HOLLOW, A SUBDIVISION IN THE CITY OF BROKEN ARROW, WAGONER
COUNTY, STATE OF OKLAHOMA, IS A REPRESENTATION OF THE SURVEY MADE ON THE
GROUND USING GENERALLY ACCEPTED LAND SURVEYING PRACTICES AND MEETS OR
EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND
SURVEYING AS ADOPTED.

WITNESS MY HAND AND SEAL THIS ____ DAY OF ____, 2020.

LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA # _____

ACKNOWLEDGMENT

STATE OF OKLAHOMA }
COUNTY OF TULSA } ss.

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME, THIS ____ DAY OF
____, 2020.

MY COMMISSION NO. #00020202
MY COMMISSION EXPIRES: 12-11-2020

(SEAL)



NOTARY PUBLIC

DATE 7/14/2020
THE RIVER WEST PHASE IV
PRELIMINARY PLAT
SHEET 2 OF 2

5.14

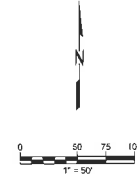
Legend
 EM ELECTRIC METER
 CH GAS METER
 CUY CUY WIRE DOWN
 CUY OVERHEAD CABLE
 RS OVERHEAD ELECTRIC
 RS OVERHEAD TELEPHONE
 PP POWER POLE
 RCP REINFORCED CONCRETE PIPE
 LC UNDERGROUND CABLE
 LC UNDERGROUND ELECTRIC
 LC UNDERGROUND GAS
 LC UNDERGROUND SANITARY
 LC TRANSFORMER
 R/S BUILDING SETBACK LINE
 S/L SETBACK LINE (PROPERTY FENCE)
 U/L UTILITY EASEMENT

IMPROVEMENTS LEGEND

- EXISTING STORM LINE
- PROPOSED STORM LINE
- EXISTING WATER LINE
- PROPOSED WATER LINE
- EXISTING SANITARY SEWER LINE
- PROPOSED SANITARY SEWER LINE
- NEW ELECTRICAL & COMMUNICATIONS
- NEW GAS LINE

CONCEPTUAL IMPROVEMENTS PLAN RIVER WEST PHASE III & IV

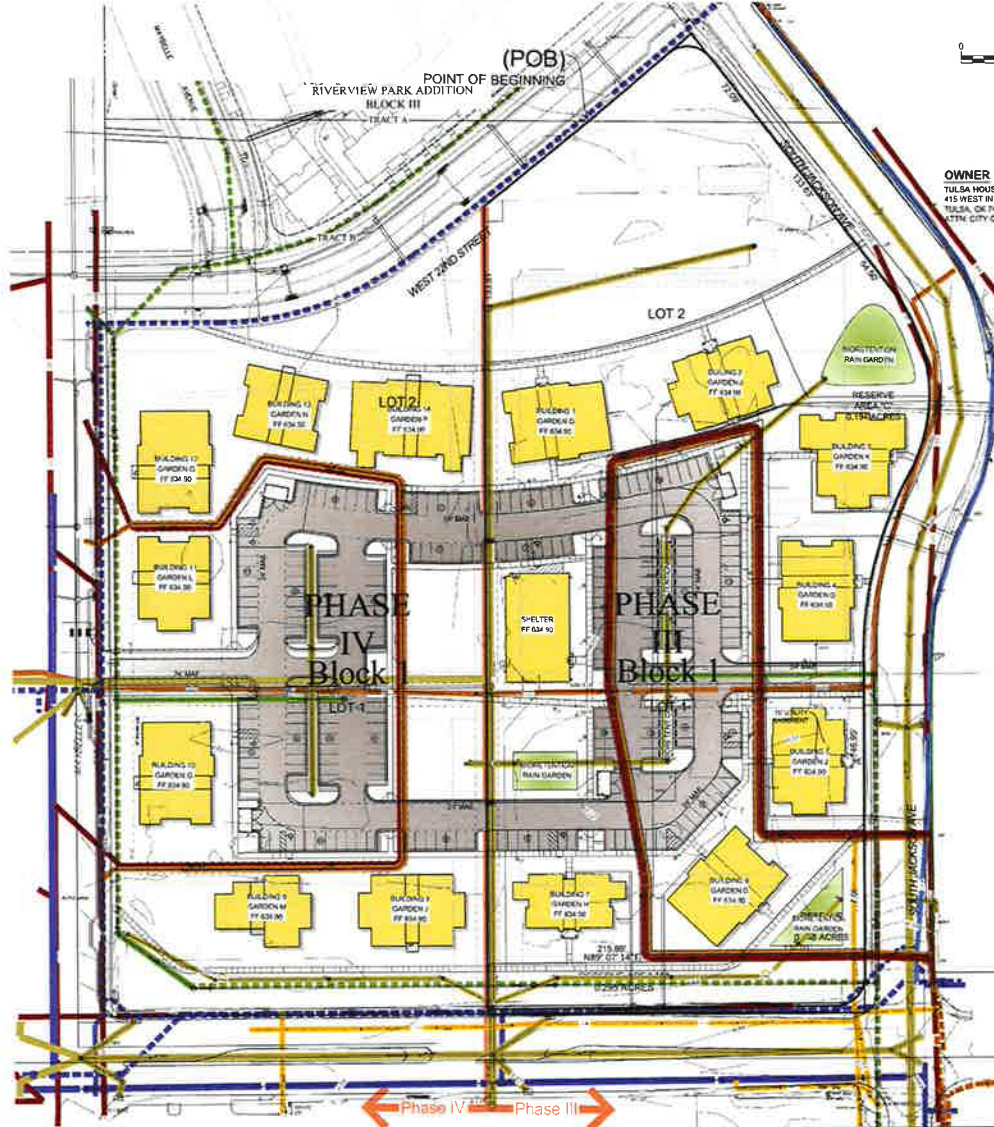
A RE-SUBDIVISION OF PART OF BLOCK I AND BLOCK III OF THE RIVERVIEW PARK ADDITION IN THE NORTH HALF (N/2) OF SECTION FOURTEEN (14), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.



OWNER
 TULSA HOUSING AUTHORITY
 415 WEST INDEPENDENCE STREET
 TULSA, OK 74122
 ATTN: CITY CLERK, SUITE 208

ENGINEER
 WALLACE ENGINEERING
 STRUCTURAL CONSULTANTS, INC.
 123 MARTIN LUTHER KING JR. BLVD.
 TULSA, OK 74103
 (918) 584-2858
 OKLAHOMA CA #1460
 EXP. DATE 6/30/21
 SCOTT RODENHOFER P.E.
 krodene@wallhouse.com

SURVEYOR
 ATLAS LAND OFFICE
 202 SOUTH MAIN
 WAGONER, OK 74467
 516-485-2887
 RPLS 1590, CA #6060
 EXPIRES 8/30/2020
 z@gatesandoffice.com





Tulsa Metropolitan Area
Planning Commission

Case : The Estates at the River IV-VI

Hearing Date: September 2, 2020

Case Report Prepared by:

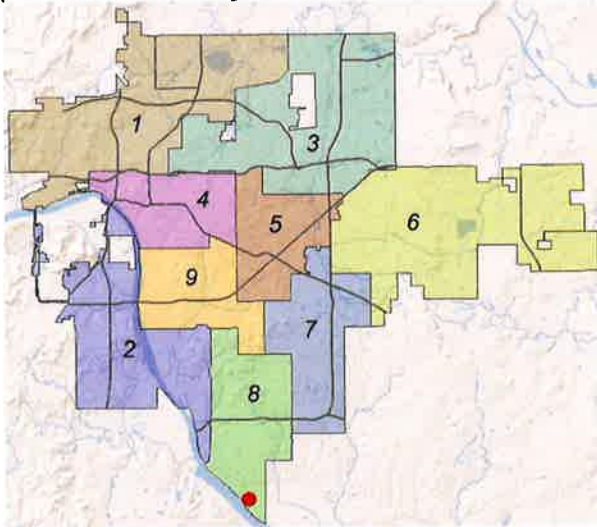
Nathan Foster

Owner and Applicant Information:

Applicant: Tanner Consulting, LLC

Owner: EATR, LLC

Location Map:
(Shown with City Council districts)



Applicant Proposal:

Preliminary Plat

124 lots, 13 blocks, 44.82 \pm acres

Location: South of the southwest corner of
East 121st Street South and South Hudson
Avenue

Zoning: RS-3 / PUD-803

Staff Recommendation:

Staff recommends **approval** of the
preliminary plat

City Council District: 8

Councilor Name: Phil Lakin

County Commission District: 3

Commissioner Name: Ron Peters

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

6.1

PRELIMINARY SUBDIVISION PLAT

The Estates at the River IV-VI - (CD 8)

South of the southwest corner of East 121st Street South and South Hudson Avenue

This plat consists of 124 lots, 13 blocks, 44.82 \pm acres.

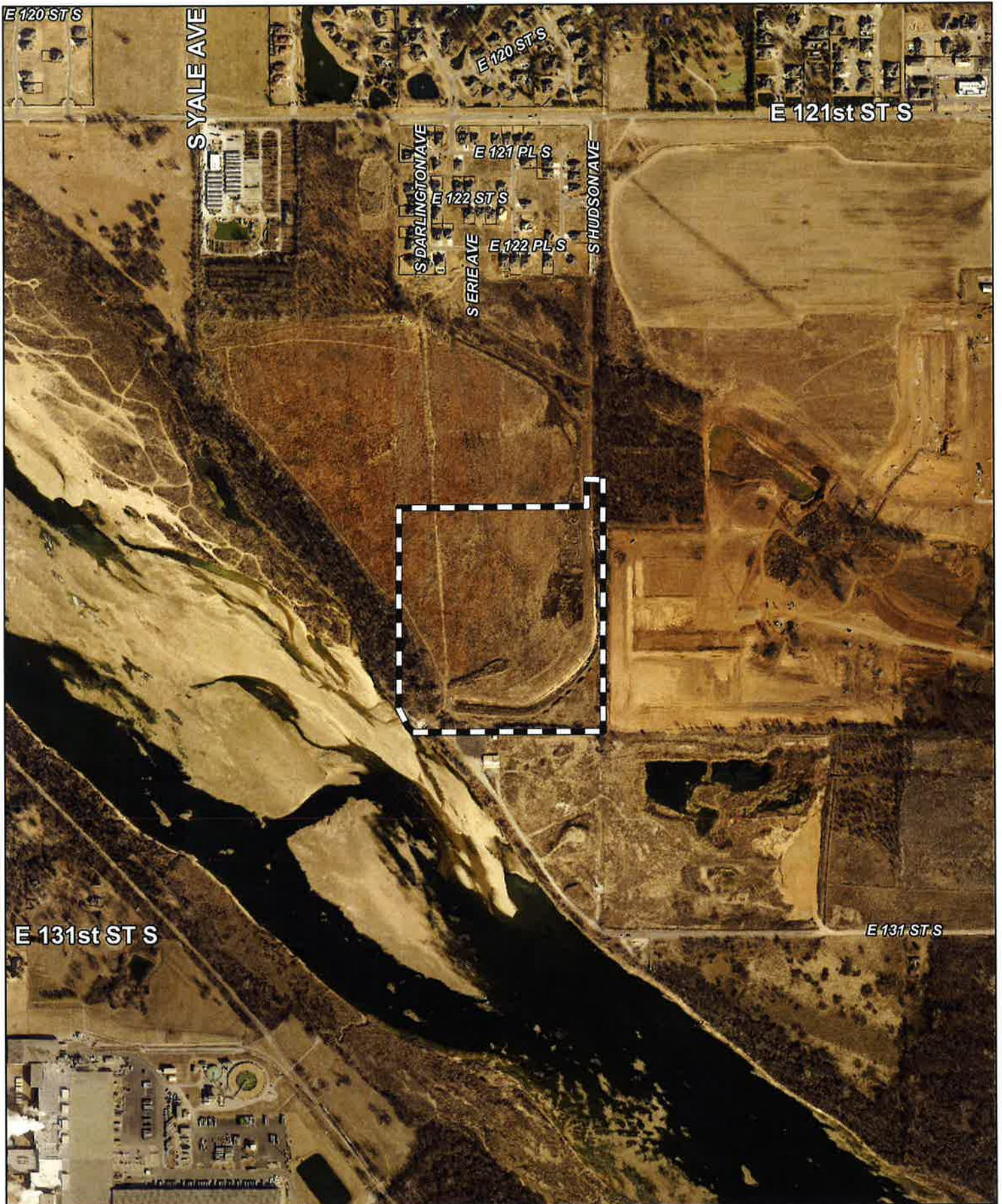
The Technical Advisory Committee (TAC) met on August 20, 2020 and provided the following conditions:

1. **Zoning:** The property is zoned RS-3 with an adopted Planned Unit Development (PUD-803). As shown, the lots do not conform to the PUD standards. Approval of the lots as shown is contingent on the approval of the associated minor amendment (PUD-803-7). Lots conform to the proposed standards of the minor amendment. Prior to final plat approval, applicant must submit conceptual layout for the private trail system and connections to the planned future trail system located in Reserve B as required by the PUD. Plans will be reviewed to ensure public access through the development to the trail system.
2. **Addressing:** Provide lot address graphically on the face of the final plat along with standard address disclaimer. City of Tulsa will assign addresses.
3. **Transportation & Traffic:** Approval of entry gates and drive configuration required by Development Services and Tulsa Planning Office prior to final plat approval. Temporary turnarounds will be required between phases where streets do not connect. Add trail easement language to deed of dedication.
4. **Sewer:** Sanitary sewer extensions must be approved through the IDP process prior to final plat approval. Provide recording information for any U/E not being dedicated by the plat.
5. **Water:** Water main extensions must be approved through the IDP process prior to final plat approval.
6. **Engineering Graphics:** Submit a subdivision data control sheet with final plat submittal. Graphically show all pins found or set associated with this plat. Add legend entries for found/set property pins. Platted subdivisions at the time of final plat approval must be shown in the location map. All other property should be labeled unplatted. Label plat location as "Site" or "Project Location".
7. **Fire:** Gated entry features must be reviewed and approved by the Fire Marshal prior to final plat approval.
8. **Stormwater, Drainage, & Floodplain:** Regulatory floodplain boundaries must be shown on the face of the plat based on contours and base flood elevations. Development in floodplain areas is subject to additional regulations and will be required to comply with all standards.

6.2

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

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



0 400 800
Feet



Subject
Tract

THE ESTATES AT THE RIVER IV-VI

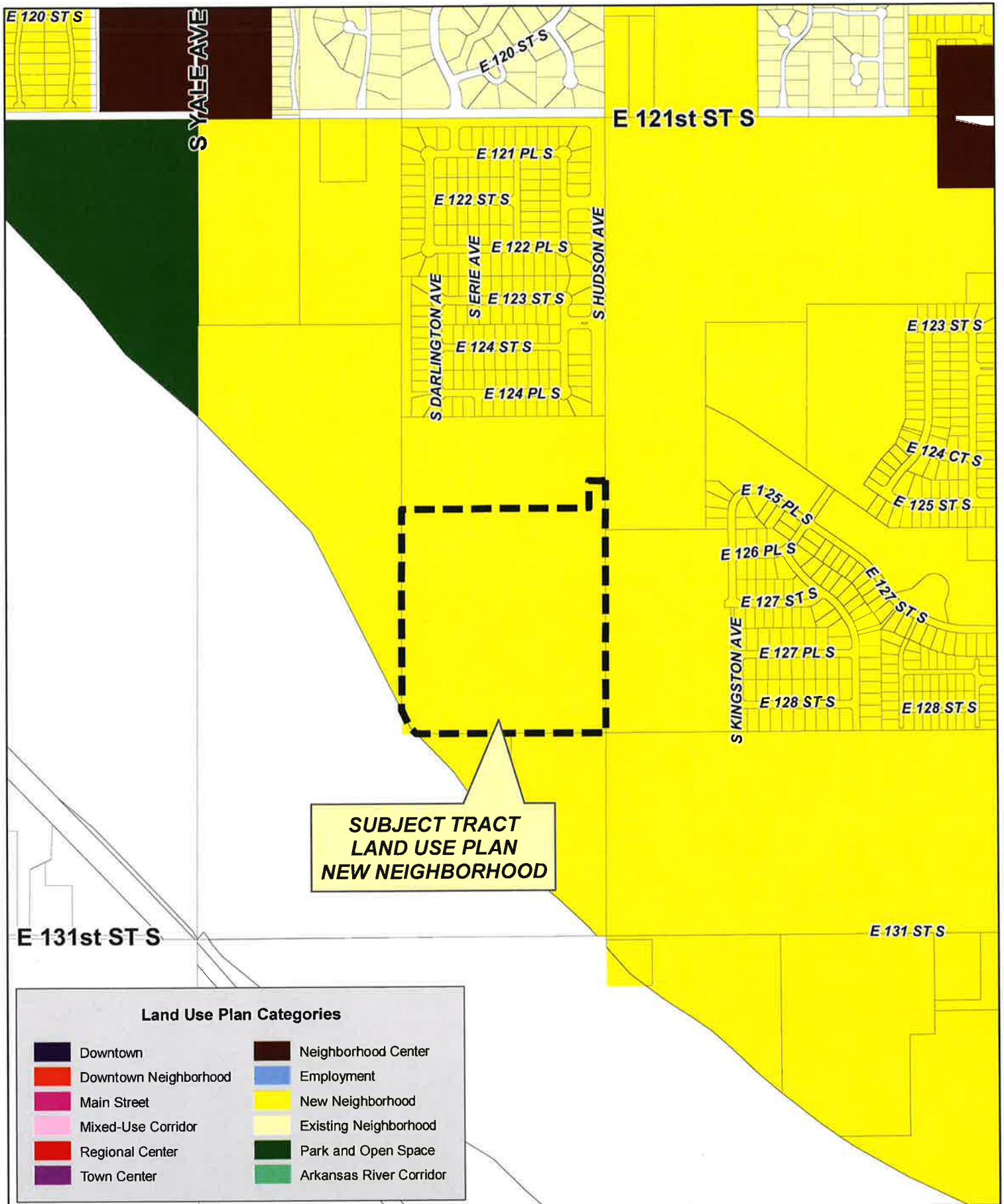
Note: Graphic overlays may not precisely
align with physical features on the ground.

Aerial Photo Date: February 2018

17-13 03



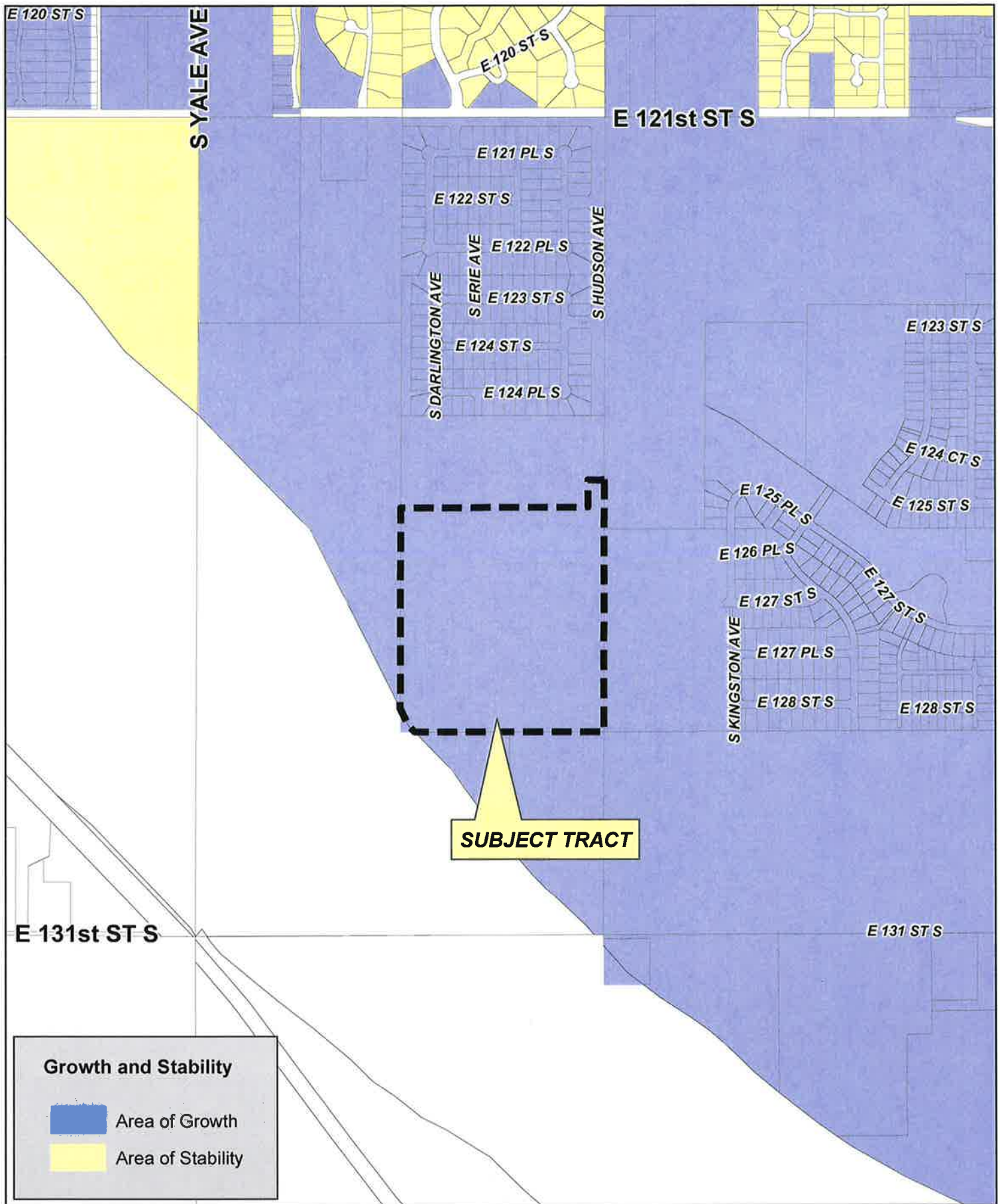
6.5



THE ESTATES AT THE RIVER IV-VI

17-13 03







Tulsa Metropolitan Area
Planning Commission

Case : Islamic Cemetery

Hearing Date: September 2, 2020

Case Report Prepared by:

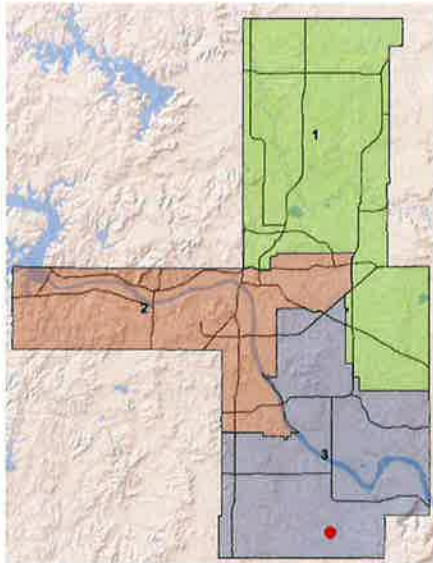
Nathan Foster

Owner and Applicant Information:

Applicant: Tim Terral, TEP

Owner: Islamic Society of Tulsa

Location Map:
(shown with County Commission
Districts)



Applicant Proposal:

Minor Subdivision Plat

1 lot, 1 block, 21.78 ± acres

Location: South of the southeast corner of
East 191st Street South and South Memorial
Drive

Zoning: AG (Agriculture)

Staff Recommendation:

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

County Commission District: 3

Commissioner Name: Ron Peters

EXHIBITS: Site Map, Aerial, Minor Subdivision Plat

MINOR SUBDIVISION PLAT

Islamic Cemetery – (Tulsa County)

South of the southeast corner of East 191st Street South and South Memorial Drive

This plat consists of 1 lot, 1 block on 21.78 ± acres.

The Technical Advisory Committee (TAC) met on August 20, 2020 and provided the following comments:

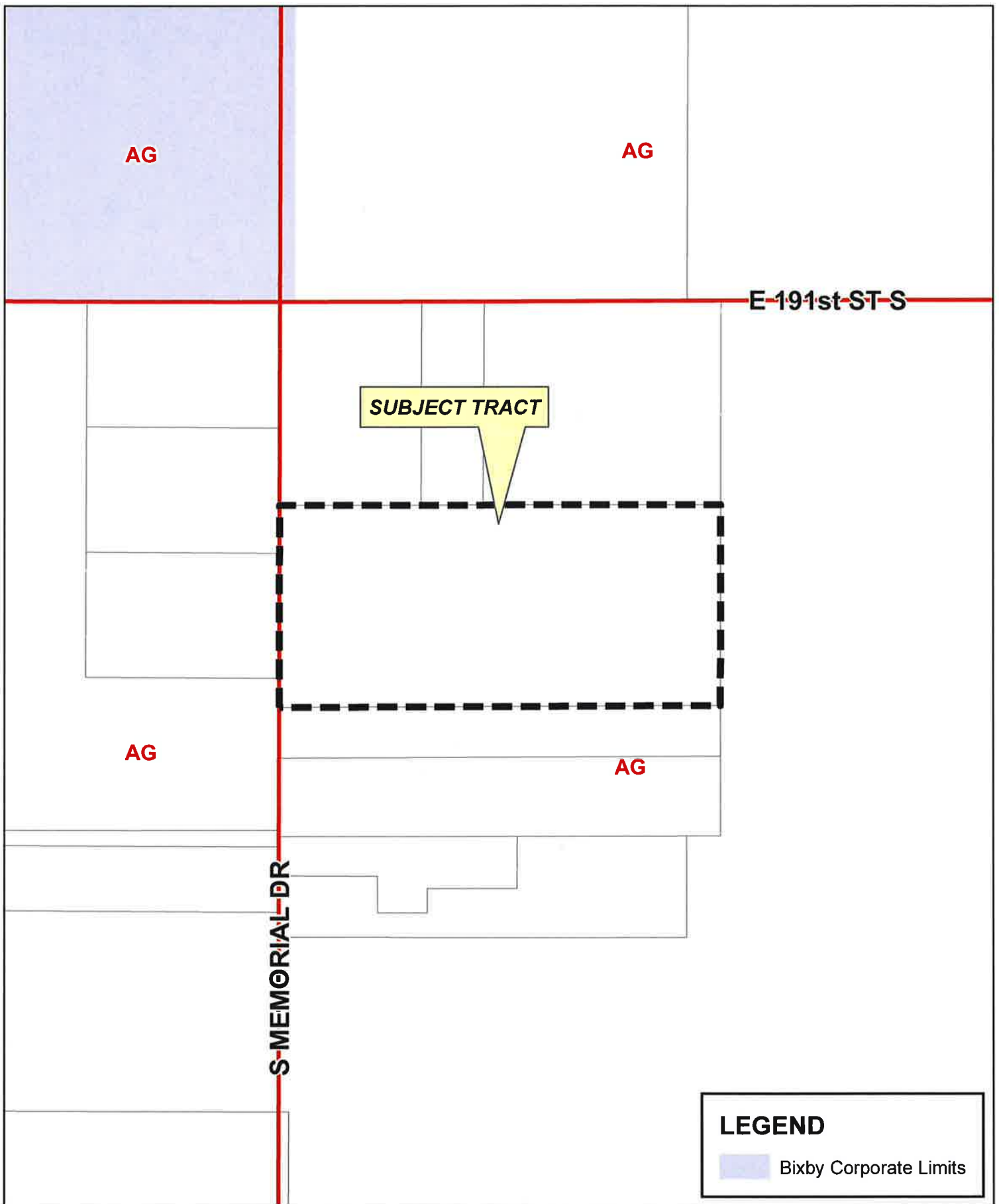
1. **Zoning:** Approved as submitted.
2. **Addressing:** Approved as submitted.
3. **County Engineering:** Final release required for drive configuration.
4. **Sewer/Water:** Lots will be served by on-site sewage disposal approved by Oklahoma Department of Environmental Quality. Water service available through the rural water district.
5. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All release letters have been received. Oil & Gas certificate was submitted.

Waivers of Subdivision Regulations:

1. None Requested

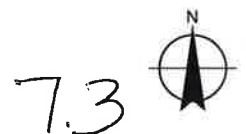
Staff recommends **APPROVAL** of the minor subdivision plat subject to the requirements of the Subdivision & Development Regulations.

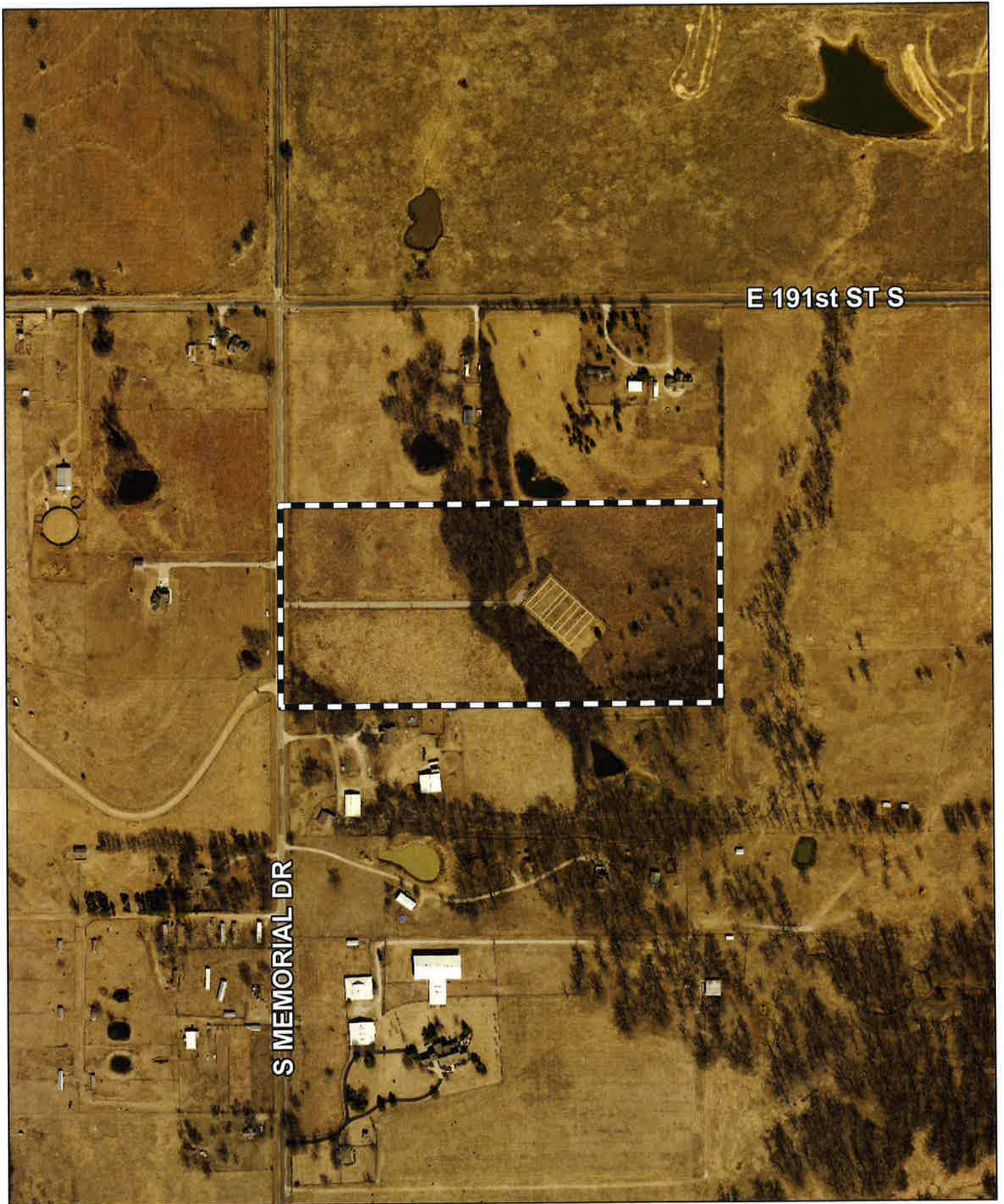
7.2



ISLAMIC CEMETERY

16-13 12





E 191st ST S

S MEMORIAL DR

0 Feet 200 400



Subject Tract

ISLAMIC CEMETERY

16-13 12

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

Aerial Photo Date: February 2018



7.4

Islamic Society of Tulsa

4630 South Irvington Avenue
Tulsa, Oklahoma 74135
(918) 960-2990

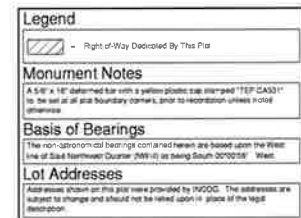
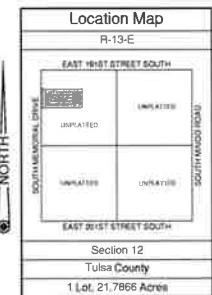
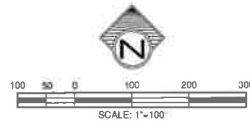
Islamic Cemetery

A subdivision in Tulsa County, being a part of the NW/4 of
Section 12, Township 16 North, Range 13 East,
of the Indian Base and Meridian, Tulsa County, State of Oklahoma

ENGINEER / SURVEYOR

Tulsa Engineering & Planning Associates, Inc.

an Onix/Arma corporation
9810 East 42nd Street, Suite 100
Tulsa, Oklahoma 74146
918.252.9621
B.Long@tulsaengineering.com
CERTIFICATE OF AUTHORIZATION NO
RENEWAL DATE JUN 30, 2021



<p align="center">FINAL PLAT CERTIFICATE OF APPROVAL</p> <p>I hereby certify that this plat was approved by the Tulsa Metropolitan Area Planning Commission on _____</p> <p align="center">_____ TMAPCINCOQ OFFICIAL</p> <p>This approval is void if this plat is not filed in the office of the County Clerk on or before _____</p> <p align="center">_____ COUNTY OR CITY ENGINEER</p>	
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Islamic Cemetery

Date of Preparation: April 15, 2020 Sheet 1 of 2

G:\16-108\FINAL\16-109 Preliminary Plat.dwg 7/27/2020 1:59 PM

75

ISLAMIC CEMETERY

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

ISLAMIC SOCIETY OF TULSA, an express trust, hereinafter referred to as the "Owner/Developer" is the owner of the following described land in Tulsa County, State of Oklahoma, to wit:

A tract of land located in the NW/4 of Section 12, T-16-N, R-13-E of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof, more particularly described as follows:

The South Six Hundred Sixty (660) feet of the North One Thousand Three Hundred Twenty (1320) feet of the Northwest Quarter (NW/4) of Section Twelve (12), Township Sixteen (16) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Government Survey thereof; Less and Except the East 1209 feet thereof. [General Warranty Deed, Book 5502, Page 6]

More particularly described as follows:

A tract of land contained within the Northwest Quarter (NW/4) of Section Twelve (12), Township sixteen (16) North, Range Thirteen (13) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, being more particularly described as follows:

Commencing at the Northwest corner of said Northwest Quarter (NW/4);

Thence South 0°00'08" West, along the West line of said Northwest Quarter (NW/4), a distance of 660.00 feet to the Point of Beginning;

Thence North 89°57'10" East, parallel to the North line of said Northwest Quarter (NW/4), a distance of 1438.04 feet;

Thence South 0°01'22" West a distance of 660.00 feet;

Thence South 89°57'10" West, parallel to the north line of said Northwest Quarter (NW/4), a distance of 1437.80 feet to a point on the West line of said Northwest Quarter (NW/4), said point being North 0°00'08" East a distance of 1320.22 feet from the Southwest corner thereof;

Thence North 0°00'08" East, along said West line, a distance of 660.00 feet to the point of beginning;

Containing 949,025 square feet, or 21.79 acres, more or less.

The non-astronomical bearings contained herein are based upon the West line of said Northwest Quarter (NW/4) as being South 0°00'08" West.

And has caused the above described land to be surveyed, staked, platted, and subdivided into one (1) lots and one (1) block, in conformity with the accompanying plat, and has designated the subdivision as ISLAMIC CEMETERY", a subdivision in Tulsa County, Oklahoma.

SECTION I STREETS, EASEMENTS AND UTILITIES

1.1 Public Streets and Utility Easements

The Owner/Developer does hereby dedicate to the public the street rights of way as depicted on the accompanying plat, and does further dedicate to the public the utility easements as depicted on the accompanying plat as "Utility Easement" for the several purposes of constructing, maintaining, operating, repairing, removing and replacing any and all underground public utilities, including storm and sanitary sewers, telephone and communication lines, electric power lines and transformers, gas lines, water lines and cable television lines, together with all fittings, including the poles, wires, conduits, pipes, valves, meters, manholes and equipment for each of such facilities and any other appurtenances thereto, with the rights of ingress and egress to and upon the utility easements for the uses and purposes aforesaid, provided however the Owner/Developer hereby reserves the right to construct, maintain, operate, lay, repair and re-lay water lines and sewer lines, together with the right of

ingress and egress for such construction, maintenance, operation, laying, repairing and re-laying over, across and along all of the utility easements depicted on the plat, for the purpose of furnishing water and/or sewer services to the area included in the plat. The Owner/Developer herein imposes a restrictive covenant, which covenant shall be binding on each lot owner and shall be enforceable by Tulsa County, Oklahoma, and by the supplier of any affected utility service, that within the utility easements depicted on the accompanying plat no building, structure or other above or below ground obstruction that interferes with the above set forth uses and purposes shall be placed, erected, installed or maintained. Provided however, nothing herein shall be deemed to prohibit drives, parking areas, curbing and landscaping, and customary screening fences, which do not constitute an obstruction.

1.2 Utility Service

1.2.1 Overhead lines for the supply of electric, telephone and cable television services may be located within the west perimeter easements of the subdivision. Street light poles or standards may be served by overhead 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 all secondary voltages, may also be located in general utility easements.

1.2.2 Underground service cables and gas service lines to all structures which may be located within the subdivision may be run from the nearest service pedestal, transformer, or gas main to the point of usage determined by the location and construction of such structure as may be located upon the lot. Provided that upon the installation of a service cable or gas service line to a particular structure, the supplier of service shall thereafter be deemed to have a definitive, permanent, effective and non-exclusive easement on the lot, covering a 5 foot strip extending 2.5 feet on each side of the service cable or line extending from the gas main, service pedestal or transformer to the service entrance on the structure.

1.2.3 The supplier of electric, telephone, cable television and gas services, through its agents and employees, shall at all times have the right of access to all easements shown on the plat or otherwise, provided for in this deed of dedication for the purpose of installing, maintaining, removing or replacing any portion of the underground electric, telephone, cable television or gas facilities installed by the supplier of the utility service.

1.2.4 The Owner/Developer shall be responsible for the protection of the underground service facilities located on his lot and shall prevent the alteration of grade or any construction activity which would interfere with the electric, telephone, cable television or gas facilities. Each supplier of service shall be responsible for ordinary maintenance of underground facilities, but the Owner/Developer shall pay for damage or relocation of such facilities caused or necessitated by acts of the Owner/Developer or his agents or contractors.

1.2.5 The foregoing covenants set forth in this subsection 1.2 shall be enforceable by each supplier of the electric, telephone, cable television or gas service and the owner of the lot agrees to be bound hereby.

1.3 Gas Service

1.3.1 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.

1.3.2 The Owner/Developer shall be responsible for the protection of the underground gas facilities located in the Owner/Developer's lot and shall prevent the alteration of grade, or any other construction activity which would interfere with the gas service. The supplier of the gas service shall be responsible for the ordinary maintenance of said facilities, but the Owner/Developer shall pay for damage or relocation of facilities caused or necessitated by acts of the Owner/Developer, or its agents or contractors.

1.3.3 The foregoing covenants set forth in this subsection 1.3 shall be enforceable by the supplier of the gas service and the owner of the lot agrees to be bound hereby.

1.4 Lot Surface Drainage

The lot shall receive and drain, in an unobstructed manner, the storm and surface waters from drainage areas of higher elevation. The Owner/Developer shall not construct or permit to be constructed any fencing or other obstructions which would impair the drainage of storm and surface waters over and across the lot. The foregoing covenants set forth in this paragraph 1.4 shall be enforceable by the Owner/Developer and by Tulsa County, Oklahoma.

1.5 Paving and Landscaping within Easements

The Owner/Developer shall be responsible for the repair of damage to landscaping and paving occasioned by installation or necessary maintenance of underground water service, sanitary sewer services and/or septic lines, storm sewer, natural gas, communication, cable television or electric facilities within the easement areas depicted upon the accompanying plat, provided however, Tulsa County, Oklahoma or the supplier of utility service shall use reasonable care in the performance of such activities.

1.6 Pipeline Easement

The Owner/Developer acknowledges the grant of the 50 foot Pipeline Easement as depicted on the face of this Plat, subject to the conditions of the original Right-of-Way grant recorded in Book 4249, at Page 1127 in the records of the Tulsa County Clerk's office, including granting the following to the owner of the pipeline:

1.6.1 The right of way and easement from time to time to maintain, operate, relay, replace, change the size of and remove any or all of the pipeline owner's pipelines currently in place within the owned land and

1.6.2 The right of way and easement from time to time to lay, maintain, operate, relay, replace, change the size of and remove additional pipelines within the Defined Easement, for the transportation of gas, water, petroleum products and any other gases or substances (whether or not of a similar nature) which can be transported through a pipeline;

1.6.3 Together with the right of ingress and egress across the owned land for the purposes incident to the exercise of the aforesaid rights and the right to place on the owned land incidental equipment to facilitate the use of pipelines

1.6.4 The Owner/Developer covenants and agrees that no dwelling, buildings structures, obstructions or engineering work of whatever kind shall be erected on said defined easement and that no change will be affected in the present grade of said Defined Easement.

SECTION II SEWAGE DISPOSAL

2.1 No sewage disposal is proposed for individual burial lots or re-subdivisions of this tract at the time of platting for cemetery use. In the event future construction of facilities requiring sewage to be disposed of by individual septic tank disposal systems, the Owner/Developer hereby acknowledges that said system or systems shall be subject to the regulations of the Tulsa City/County Health Department, or their successors. The Owner/Developer shall be responsible for the installation and maintenance of the septic system serving the subdivision or individual lot, and the area containing the lateral lines shall be maintained free of paving, surfacing, swimming pools, lawn sprinkler systems, or any building or other structure which would interfere with the functioning of the lateral lines.

SECTION III ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

3.1 Enforcement

The restrictions herein set forth are covenants to run with the land and shall be binding upon Owner/Developer, its successors and assigns. Within the provisions of Section I, Streets, Easements and Utilities, are set forth certain covenants and the enforcement rights pertaining thereto and whether or not therein so stated, the covenants within

Section I shall inure to the benefit of, and be enforceable by Tulsa County, Oklahoma. In any judicial action brought to enforce the covenants established in this Deed of Dedication the defense that the party initiating the equitable proceeding has an adequate remedy at law is hereby waived.

3.2 Duration

These restrictions shall remain in full force and effect until January 1, 2029 and shall automatically be extended thereafter for successive periods of ten (10) years each unless terminated or amended as hereinafter provided.

3.3 Amendment or Termination

The covenants contained within Section I, Streets, Easements and Utilities, may be amended or terminated at any time by written instruments signed and acknowledged by the Owner/Developer to which the amendment or termination is to be applicable and approved by the Tulsa Metropolitan Area Planning Commission, or its successors and Tulsa County, Oklahoma.

3.4 Severability

Invalidation of any restriction set forth herein, or any part thereof, by an act, 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.

WITNESS WHEREOF, the undersigned Owner/Developer, has executed this instrument this ____ day of _____, 2020.

Islamic Society of Tulsa
an express trust

_____, President

State of Oklahoma)
County of Tulsa) ss

This instrument was acknowledged before me this ____ day of _____, 2020, by _____, President of Islamic Society of Tulsa, an express trust.

Notary Public
My commission No. is _____
My commission expires _____

CERTIFICATE OF SURVEY

I, Bobby D. Long, of Tulsa Engineering & Planning Associates, Inc., a professional land surveyor registered in the State of Oklahoma, hereby certify that I have carefully and accurately surveyed, subdivided, and platted the tract of land described above, and that the accompanying plat designated herein as "ISLAMIC CEMETERY", a subdivision in the Tulsa County, State of Oklahoma, is a representation of the survey made on the ground using generally accepted land surveying practices and meets or exceeds the Oklahoma Minimum Standards for the Practice of Land Surveying as adopted.

Executed this ____ day of _____, 2020.

Bobby D. Long
Professional Land Surveyor
Oklahoma No. 1886



State of Oklahoma)
County of Tulsa) ss

The foregoing Certificate of Survey was acknowledged before me this ____ day of _____, 2020, by Bobby D. Long

Jack Taber, Notary Public

ISLAMIC CEMETERY

Date of Preparation: April 15, 2020

Sheet 2 of 2

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Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7562

Hearing Date: September 2, 2020

Case Report Prepared by:

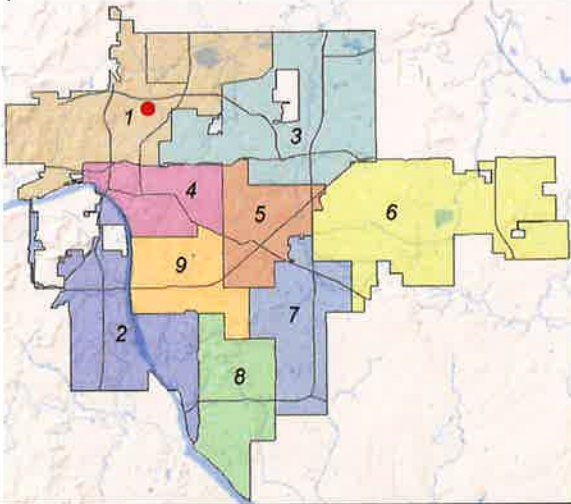
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Janet McKinney

Property Owner: Samuel M and Erma J Pearson

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Residential

Proposed Use: Restaurant

Concept summary: Rezoning request to establish a restaurant use.

Tract Size: 0.16 ± acres

Location: East of the Northeast corner of East Apache Street & North Peoria Avenue

Zoning:

Existing Zoning: RS-3

Proposed Zoning: CS

Comprehensive Plan:

Land Use Map: Existing Neighborhood

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

This lot is the only section of North Apache for several blocks that is not included in a Mixed-Use Corridor or a Neighborhood Center land use designation. Staff supports the rezoning request and will address the land use map as part of the Comprehensive Plan update.

Staff Data:

TRS: 0319

CZM: 29

City Council District: 1

Councilor Name: Vanessa Hall-Harper

County Commission District: 1

Commissioner Name: Stan Saltee

8.1

SECTION I: Z-7562

DEVELOPMENT CONCEPT: The anticipated use defined by the applicant is to start a local restaurant and provide delivery meal opportunities. At this time, it appears that the existing building will be removed.

EXHIBITS:

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

DETAILED STAFF RECOMMENDATION:

Z-7562 is requesting CS zoning and is not consistent with the Existing Neighborhood Land Use designation however immediately west and south of this property the land use designation is Neighborhood Center and east of the site is a Mixed-Use Corridor. Staff will address the land use map as part of the Comprehensive Plan update and,

Uses allowed in a CS district are consistent with the normal opportunities that are expected along a secondary arterial near a major intersection and,

The residential neighborhood north of this site has several empty lots and It is unlikely that a residential structure will be constructed on the site abutting Apache Street and the small scale of this site will support a small neighborhood business

Uses that are allowed in a CS district are consistent with the expected land use map changes that staff will propose therefore,

Staff recommends Approval of Z-7562 to rezone property from RS-3 to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The zoning request is not consistent with the existing land use map however staff will address the land use map for this site as part of the Comprehensive Plan update This property could be included in a Mixed-Use Corridor or a Neighborhood Center land use designation.

Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

The Existing Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

8.2

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: This site is part of the Healthy Neighborhood Overlay. Uses allowed in a CS zoning districts are not affected by that Overlay except that small box discount store placement may be limited.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site included a residential use and has been a dilapidated structure.*

Refer to the next page for street view image looking north east from southwest corner.



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>
North Quaker	None	50 feet	2
East Apache	Secondary Arterial	100 feet	4 two east bound, two westbound and a center turn lane transition area

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3	Existing Neighborhood	Growth	Empty lot
East	OL	Mixed Use Corridor	Growth	Surface parking for office use
South	RS-3	Neighborhood Center	Growth	Empty lot
West	CH	Neighborhood Center	Growth	Empty lot

8.4

REVISED 8/27/2020

SECTION III: Relevant Zoning History

History: Z-7562

ZONING ORDINANCE: Ordinance number 11809 dated June 26, 1970 established zoning for the subject property.

Subject Property:

SA-3 April 2018 : All concurred in **approval** at city council (TMPAC recommended **denial**) to apply supplemental zoning, HNO (Healthy Neighborhoods Overlay), to multiple properties within the plan area boundaries of Greenwood Heritage Neighborhoods Sector Plan (also known as the Unity Heritage Neighborhoods Plan), 36th Street North Corridor Small Area Plan, and The Crutchfield Neighborhood Revitalization Master Plan (related to ZCA-7). This overlay includes the subject property and most of the surrounding area.

Surrounding Property:

BOA-22856 March 2020: The Board of Adjustment **approved** a *Special Exception* to permit low-impact manufacturing and industry use in a CG District for medical marijuana processing, subject to conceptual plan 3.10, on property located at 1216 East Apache Street North.

BOA-22692 July 2019: The Board of Adjustment **accepted** the applicant's *Verification of Spacing* to permit a medical marijuana dispensary, subject to the action of the Board being void should another medical marijuana dispensary be established prior to the establishment of this medical marijuana dispensary, on property located at 1216 East Apache Street North.

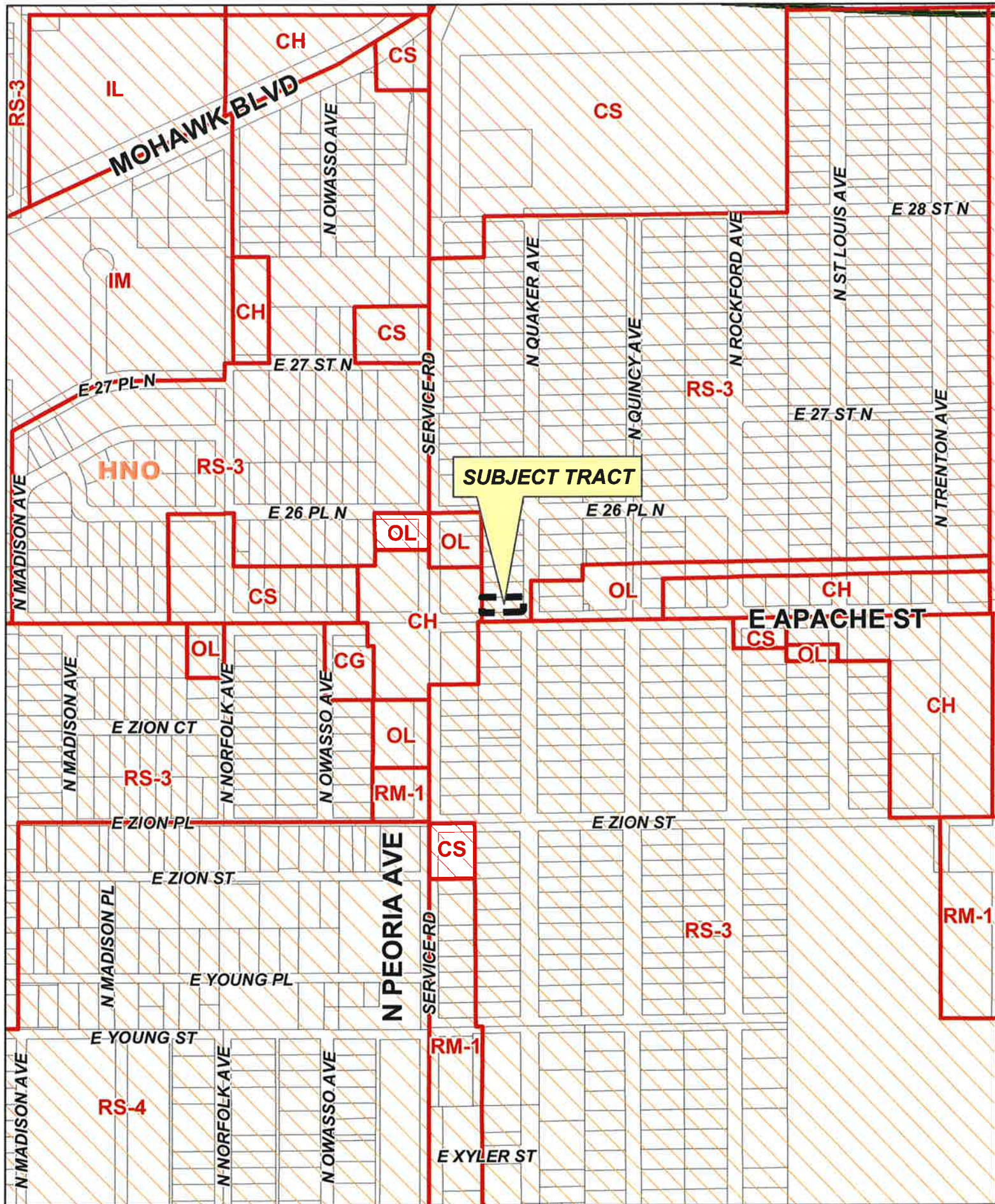
Z-6941 May 2004: All concurred in **denial** of a request for *rezoning* a .32± acre tract of land from RS-3 to CS and **approval** of OL for an Office-Non-profit Organization, on property located northeast corner of East Apache Street and North Quaker Avenue.

Z-6746 February 2000: All concurred in **approval** of a request for *rezoning* a .52± acre tract of land from RS-3/CH to CH for a dry cleaning business, on property located west of the southwest corner of East Apache Street and North Owasso Avenue.

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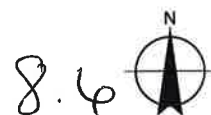
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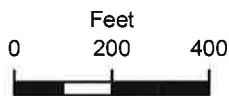
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Z-7562

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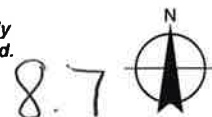
Subject
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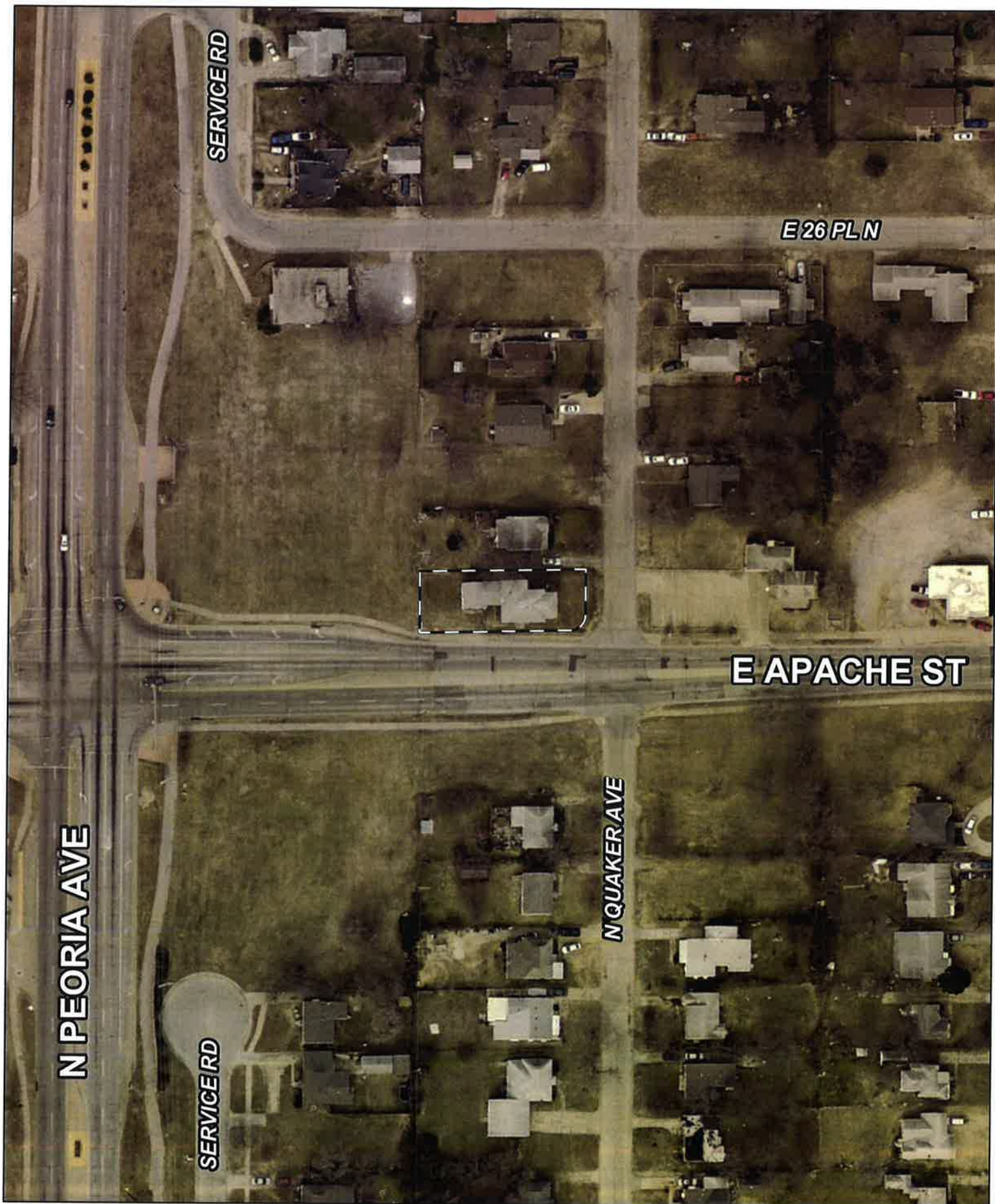
Z-7562

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

Aerial Photo Date: February 2018





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Subject
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Z-7562

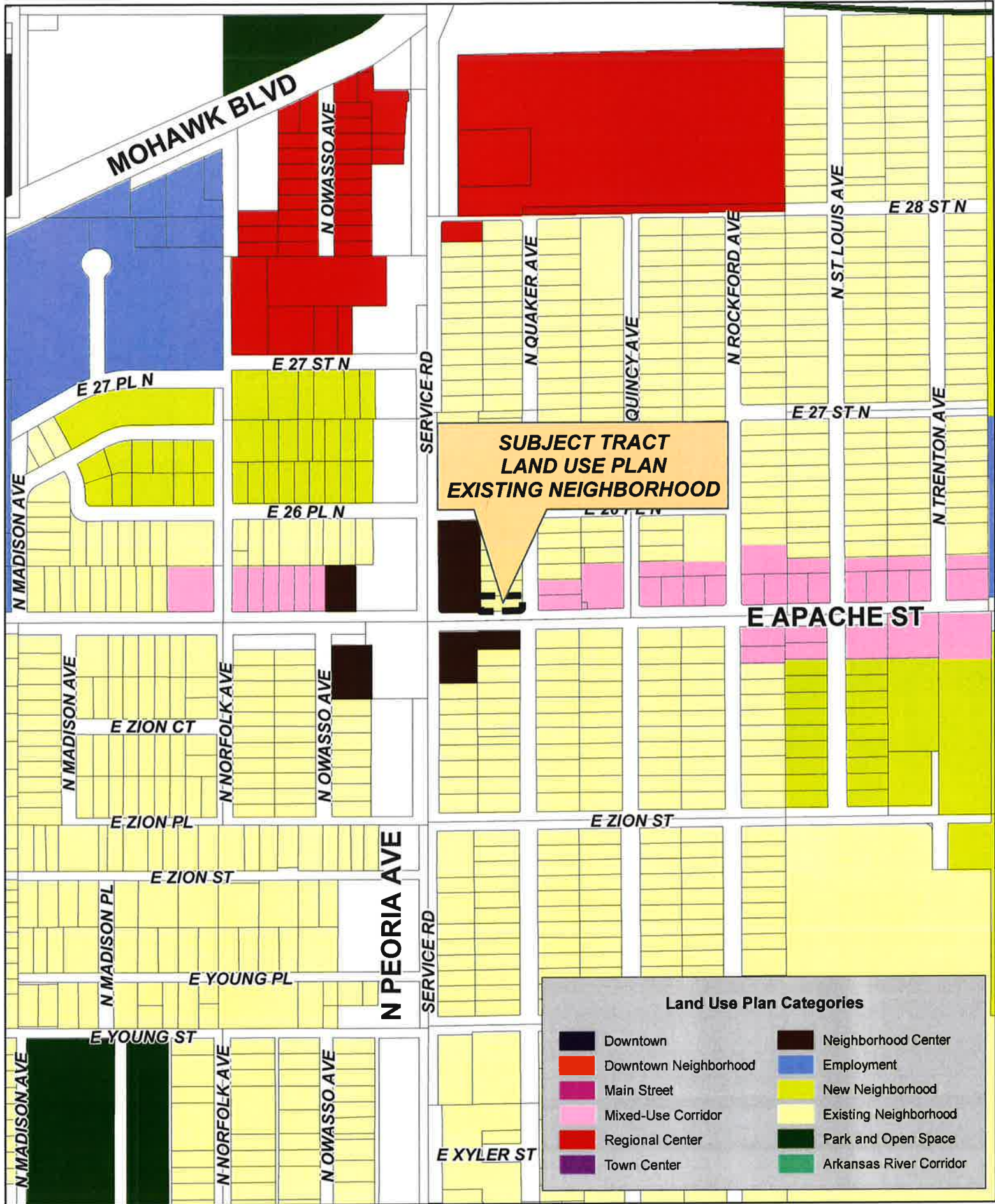
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2018

8.8

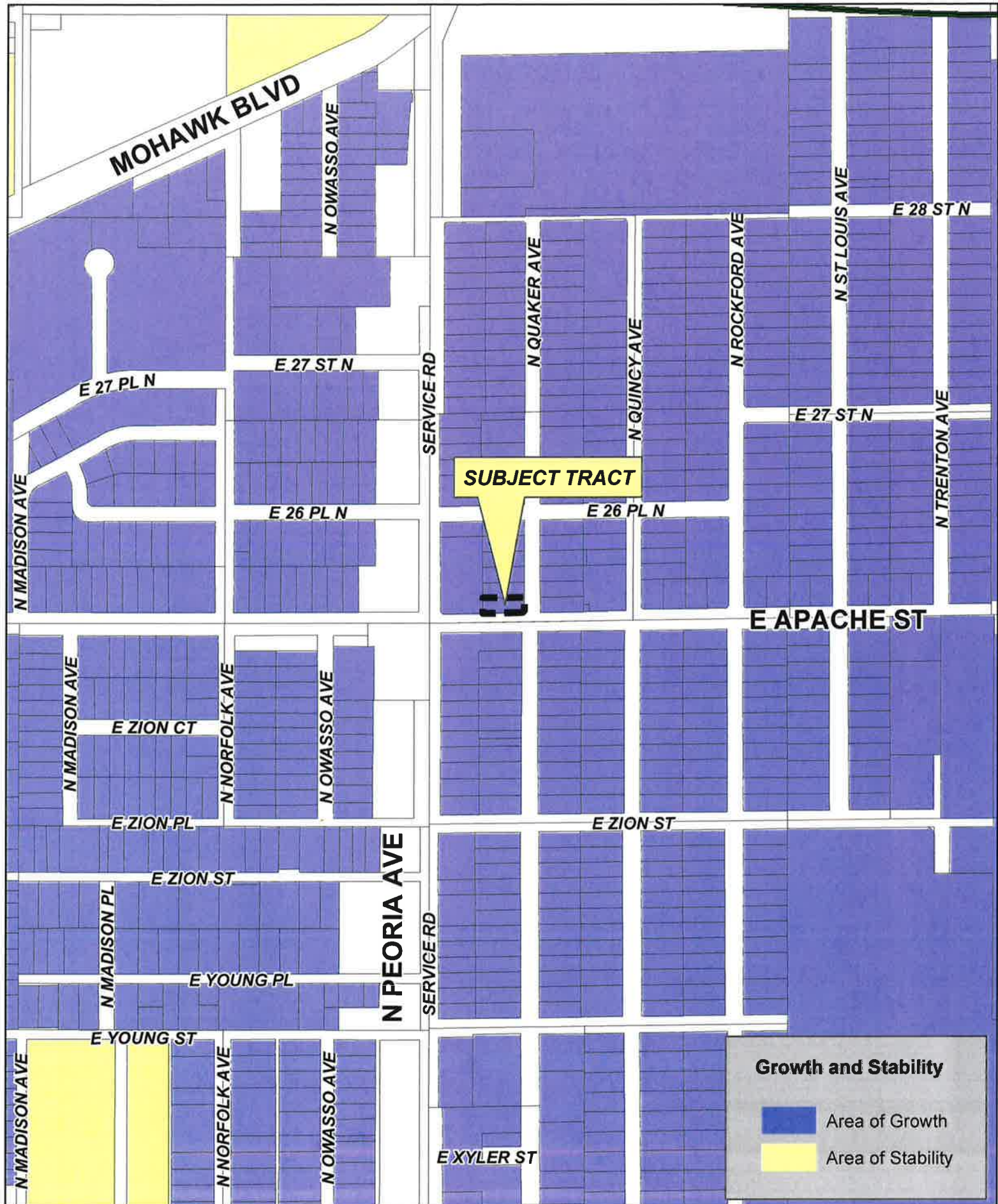




Z-7562

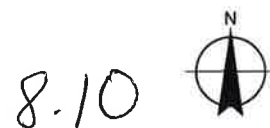
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Z-7562

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Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7569

Hearing Date: September 2, 2020

Case Report Prepared by:

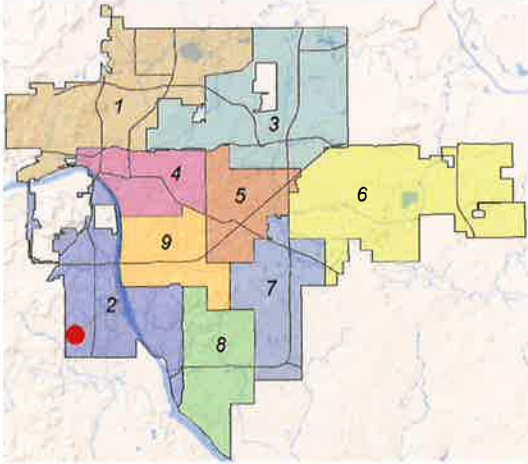
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Tulsa City Council

Property Owner: Multiple

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Single-family Residential

Proposed Use: Single-family Residential

Concept summary: This group of zoning request is part of the City Council initiated program to allow AG-R rezoning at no charge to interested property owners in the West Highlands/Tulsa Hills Small Area Plan.

Tract Size: 25.82 ± acres

Location: Multiple properties North of West 81st Street South & South of West 78th Street South between South 33rd West Avenue & South Union Avenue; South of the Southeast corner of West 81st Street South & South 33rd West Avenue

Zoning:

Existing Zoning: RS-3

Proposed Zoning: AG-R

Comprehensive Plan:

Land Use Map: Existing Neighborhood

Stability and Growth Map: Area of Stability

Staff Data:

TRS: 8210

CZM: 51

Staff Recommendation:

Staff recommends approval.

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

9.1

SECTION I: Z-7569

DEVELOPMENT CONCEPT: This is the third group of zoning request is part of the City Council initiated program to allow AG-R rezoning at no charge to interested property owners in the West Highlands/Tulsa Hills Small Area Plan.

EXHIBITS:

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

DETAILED STAFF RECOMMENDATION:

Z-7569 requests AG-R zoning. The parcels will include single households in a detached house. Single family residential uses in this location are consistent with the Existing Neighborhood land use designation in the Comprehensive Plan and in the West Highlands/Tulsa Hills Small Area Plan and,

One of the goals of the West Highlands/Tulsa Hills Small Area Plan included AG-R zoning as an option for rural residential uses recommended by the West Highlands/Tulsa Hills Small Area Plan and,

AG-R zoning is consistent with the provisions identified in an Area of Stability as outlined in the Tulsa Comprehensive Plan, and is consistent with the large lot neighborhood character expected in the small area plan and,

AG-R zoning allows a lot density that is consistent with the existing and expected land use pattern in the area north of West 81st Street South and west of South Union Avenue. A much greater lot density is allowed in this area and was established in 1970 without sanitary sewer availability. The existing zoning in those areas would allow property to be developed with RS-3 lots with a minimum of 6900 square feet when connected to a sanitary sewer system. The City of Tulsa has recently completed sanitary sewer construction south of this site that would allow much greater density on property that is currently zoned RS-3 and,

City Council has initiated a voluntary rezoning program for property owners to rezone properties in this area to AG-R at no cost, this request is part of that program. The lot setbacks and building regulations of properties included in this AG-R request meet or exceed the standards defined in the Tulsa Zoning Code therefore,

Staff recommends **Approval** of Z-7569 to rezone properties from RS-3 to AG-R.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The property owners have taken advantage of voluntarily rezoning opportunities for their parcels to AG-R to establish neighborhood stability for large lots consistent with the West Highlands/Tulsa Hills Small Area Plan.

Within the West Highlands/Tulsa Hills Small Area Plan a development concept illustrates a single family residential development with a variety of lot sizes, greenspace wildlife corridor for local fauna and a perimeter greenspace buffer that summarize the goals for a context sensitive

J. Z.

neighborhood. Without using an optional development plan or recommending a larger-lot zoning designation staff does not have any regulatory method to support the visioning concepts illustrated in the plan.

Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

The Existing Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

Areas of Stability and Growth designation: Area of Stability

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Transportation Vision:

Major Street and Highway Plan:

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are 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 that affect site development.

Small Area Plan: West Highlands Small Area Plan (Adopted 2014)

The recommendations of the small area plan include many references to supporting residential single family uses within a rural context and a rural residential zoning use. Revisions to the Tulsa Zoning Code have implemented those concepts within the AG-R zoning that was added to the code in 2019.

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

Historic Preservation Overlay: There are no historic preservation overlays that require consideration in this area.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: All the parcels included in this application are one acre or larger and are currently zoned RS-3.

Environmental Considerations: None that would affect rezoning considerations for a larger lot.

Streets: Much of this property was subdivided without street infrastructure decades ago. Some street right of way has been dedicated to the City but no street improvements have ever been constructed and some private drives appear to be in the street right of way.

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 33 rd West Avenue	Secondary Arterial	100 ft.	2 lanes
South 30 th West Avenue	None	50 ft.	2 lanes and some unimproved
South 28 th West Avenue	None	50 ft.	2 lanes
South 23 rd West Avenue	None	50 ft.	2 lanes and some unimproved
South Waco Avenue	None	50 ft.	2 lanes and some unimproved
West 81 st Street South	Secondary Arterial	100 ft.	2 lanes

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
North	RS-3	Existing Neighborhood	Stability	Single Family
South	RS-3/AG	Existing Neighborhood	Stability	Single Family
East	RS-3/AG	Existing Neighborhood	Stability	Single Family
West	RS-3	Existing Neighborhood	Stability	Single Family

SECTION III: Relevant Zoning History

94

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

Subject Property:

No Relevant History.

Surrounding Property:

Z-7568 Approved by TMAPC August 5th, 2020: A request to rezone 137.38± acres of land from AG to AG-R for Single-family residential as a part of Phase III of the AG-R rezoning program initiated by City Council, on multiple properties located north of West 86th Street South & South of West 77th Street South between South 33rd West Avenue & South Union Avenue, and northeast corner of West 77th Street South & South 33rd West Avenue

Z-7558 Transmitted July 6th, 2020: A request to rezone 32.62± acres of land from AG to AG-R for Single-family residential as a part of Phase I & Phase II of the AG-R rezoning program initiated by City Council was approved by TMAPC June 17th, 2020 on properties located north of the northwest corner of West 81st Street South and South Union Avenue.

Z-7549 Transmitted May 27th, 2020: A request to rezone a 3.7± acre tract of land from AG to AG-R for Single-family Residential was approved by TMAPC May 6th, 2020 and transmitted to City Council for property located at the southeast corner of West 81st Street South and South 33rd West Avenue.

Z-7471 ODP July 2019: All concurred in **denial** of a request for *rezoning* a 14.69± acre tract of land from AG to RS-1 for Single-family residential, on property located east of the southeast corner of West 81st Street South and South 33rd West Avenue.

Z-7446 ODP July 2018: All concurred in **denial** of a request for *rezoning* a 14.69± acre tract of land from AG to RS-1 for Single-family residential, on property located east of the southeast corner of West 81st Street South and South 33rd West Avenue.

Z-7421 ODP February 2018: All concurred in **denial** of a request for *rezoning* a 15± acre tract of land from AG to RS-2 for Single-family residential, on property located east of the southeast corner of West 81st Street South and South 33rd West Avenue.

BOA-22587 February 2019: The Board of Adjustment **approved** a *Variance* to allow a 50'-0" x 80'-0" detached accessory single-story structure to exceed 500 square feet or 40% of the floor area of the principal structure, to be increased from 2,400 square feet to 4,000 square feet, subject to conceptual plan 8.22 of the agenda packet, finding the hardship to be the large lot and vertical gain or loss of the subject property, on property located at 7615 South 26th West Avenue.

BOA-20256 May 2006: The Board of Adjustment **approved** a *Variance* of the maximum permitted size of an accessory building in an RS-3 District and a *Variance* of the maximum height of the top plate for an accessory building from 10 ft to 12 ft, subject to there being no commercial activities, no living quarters, the existing buildings are removed, and the total square footage of the accessory buildings does not exceed 1,500 sq. ft., finding the hardship to be the large lot size, on property located at 8025 South 28th Avenue West.

9.5

BOA-17934 February 1998: The Board of Adjustment **denied** a *Variance* to allow 2 dwelling units on one lot of record, a *Special Exception* to allow a manufactured home in an RS-3 zoned district, and a *Variance* of the one year time limit to allow the manufactured home permanently, noting that no hardship was stated, on property located at 2951 West 81st Street.

BOA-16885 December 1994: The Board of Adjustment **approved** a *Variance* of the maximum 750 sq. ft. for a detached accessory, per plan submitted, subject to a maximum of two accessory buildings on the property containing a total of 1999 sq. ft., no bathing or cooking facilities being installed and no commercial use, finding that the tract is large and approval won't be a detriment, on property located at 2627 West 79th Street.

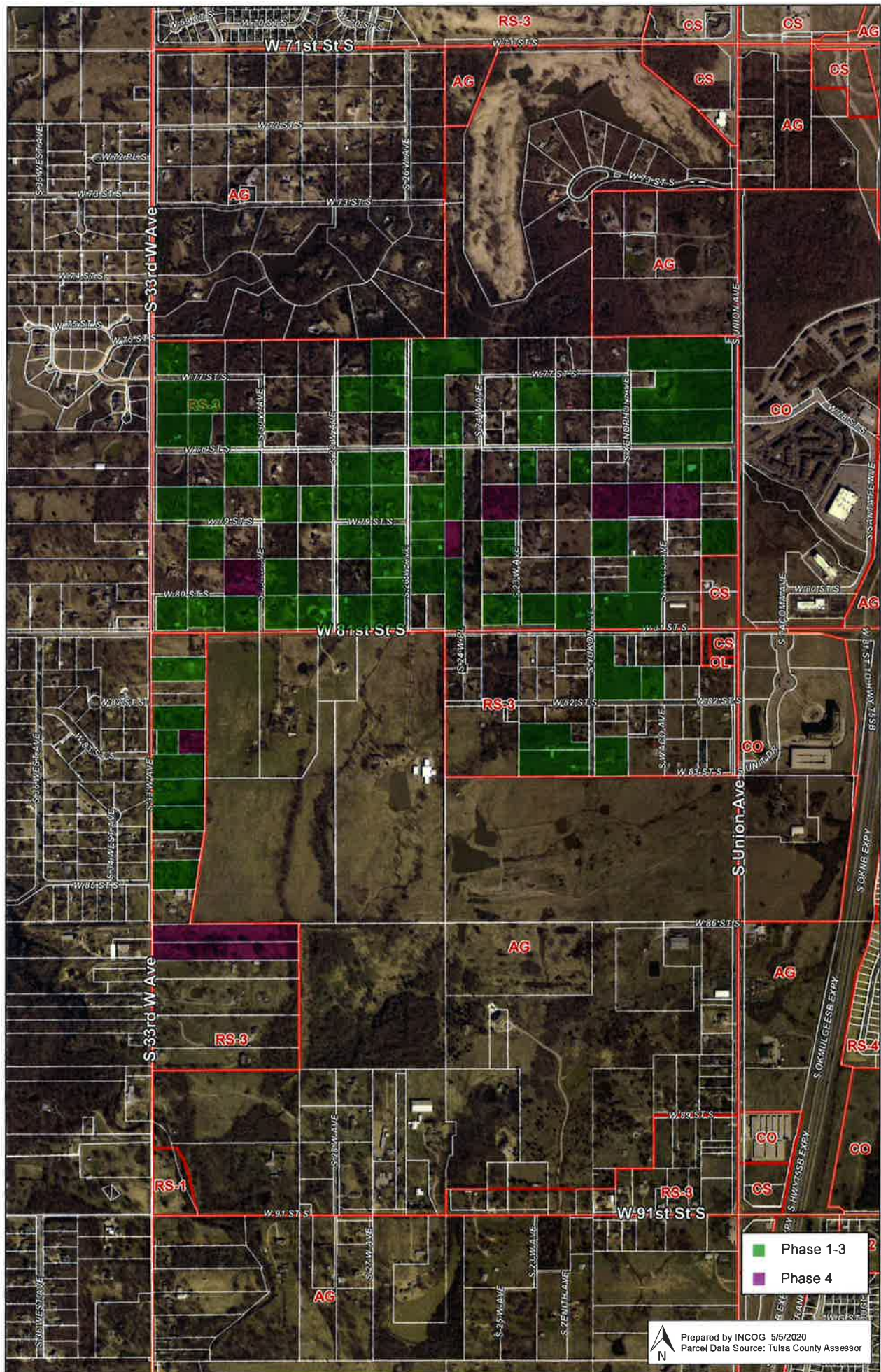
BOA-16223 December 1992: The Board of Adjustment **approved** a *Variance* of the maximum square footage allowed for a detached accessory building from 750 sq. ft. to 2281 sq. ft., per plan submitted, subject to no commercial use of the building, finding that the tract is large enough to accommodate the proposed structure and there are other buildings in the residential area that are similar in size, on property located at 2509 West 79th Street.

BOA-15954 February 1992: The Board of Adjustment **denied** a *Special Exception* to permit a community group home in an RS-3 zoned district, on property located at 3011 West 80th Street.

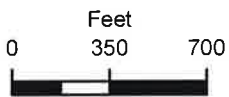
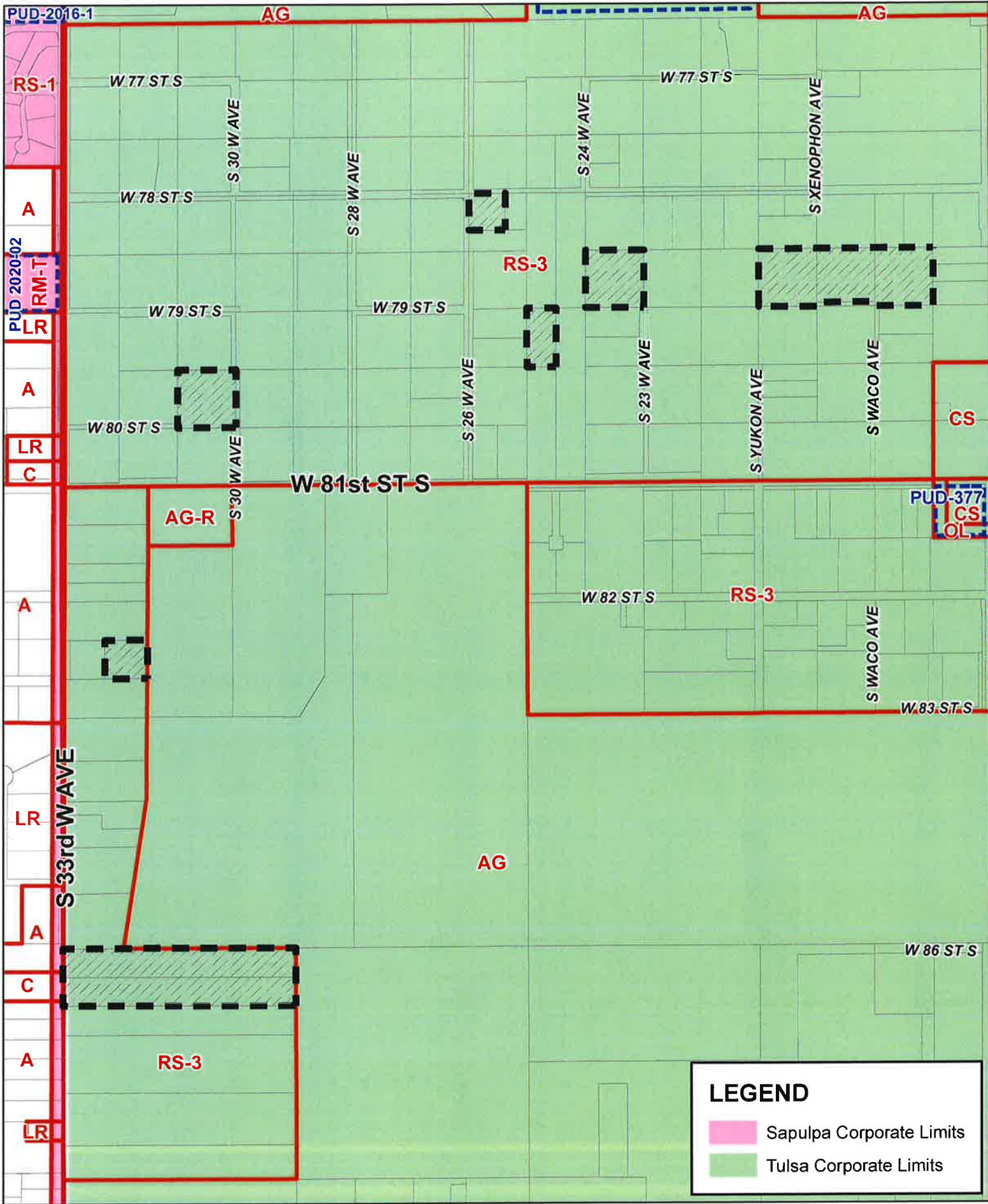
BOA-15604 December 1990: The Board of Adjustment **approved** a *Special Exception* to permit a wedding flower business as a home occupation, subject to Home Occupation Guidelines and hours of operation being from 9:00 a.m. to 7:00 p.m., on property located at 1712 West 78th Street.

9/2/2020 1:00 PM

9.4

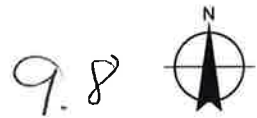


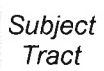
9.7



Z-7569

18-12 10 &
18-12 15



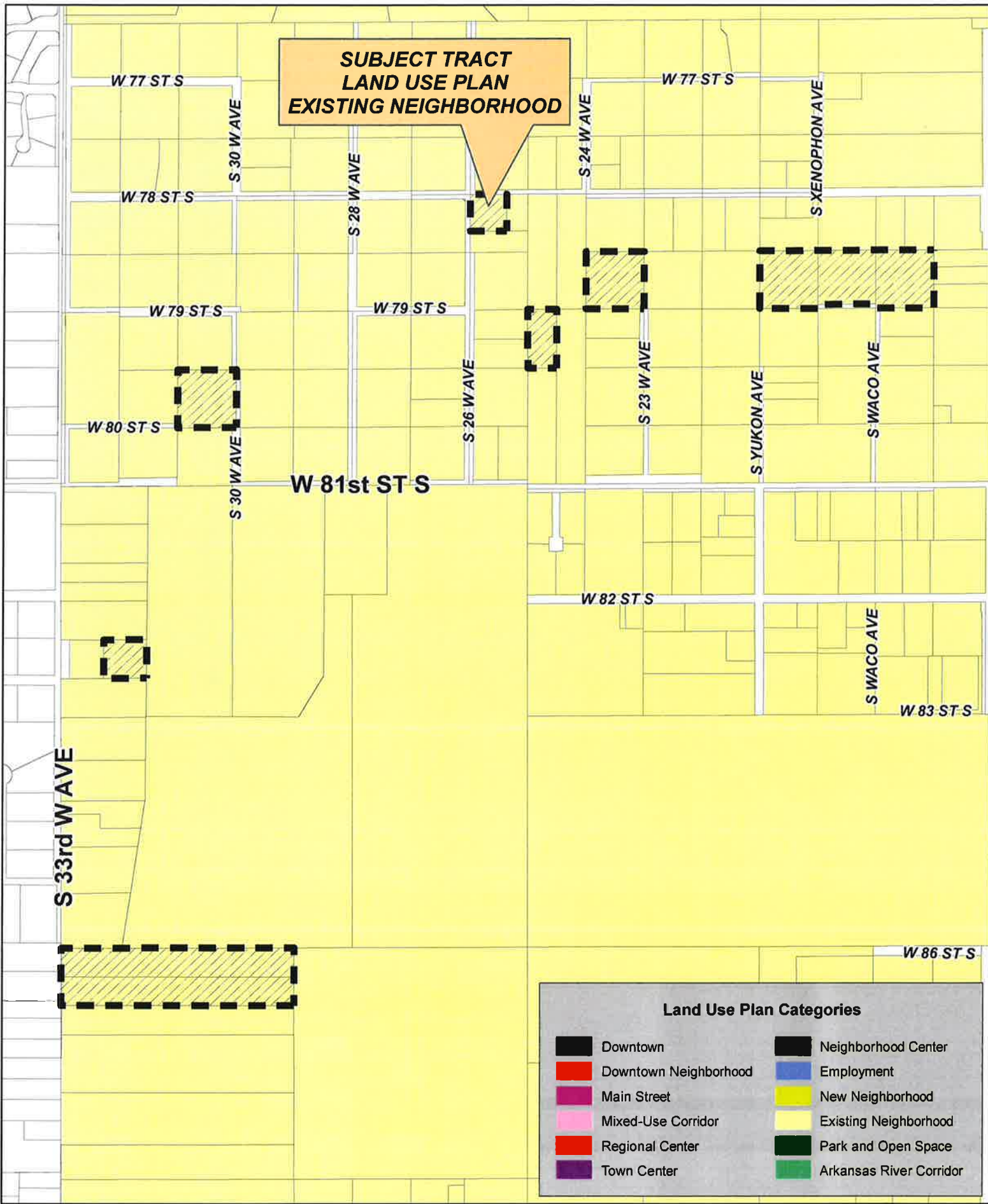


18-12 10 &
18-12 15

Aerial Photo Date: February 2018



**SUBJECT TRACT
LAND USE PLAN
EXISTING NEIGHBORHOOD**

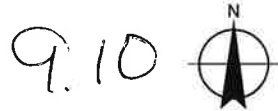


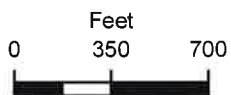
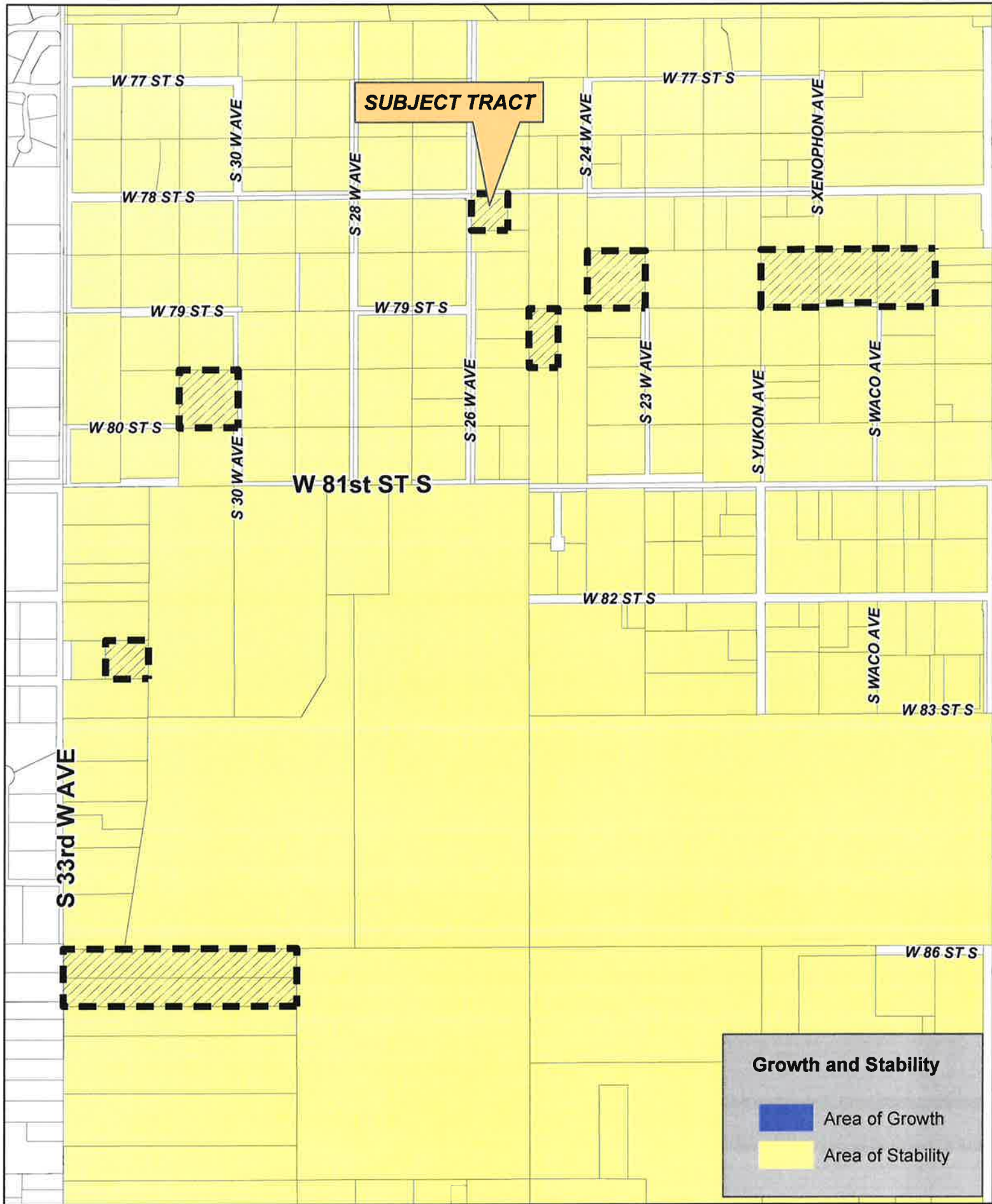
Land Use Plan Categories			
	Downtown		Neighborhood Center
	Downtown Neighborhood		Employment
	Main Street		New Neighborhood
	Mixed-Use Corridor		Existing Neighborhood
	Regional Center		Park and Open Space
	Town Center		Arkansas River Corridor



Z-7569

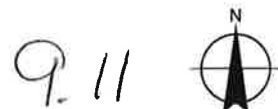
18-12 10 &
18-12 15





Z-7569

18-12 10 &
18-12 15





Tulsa Metropolitan Area
Planning Commission

Case Number: PUD-490-A Abandonment
(Related to Z-7570)

Hearing Date: September 2, 2020

Case Report Prepared by:

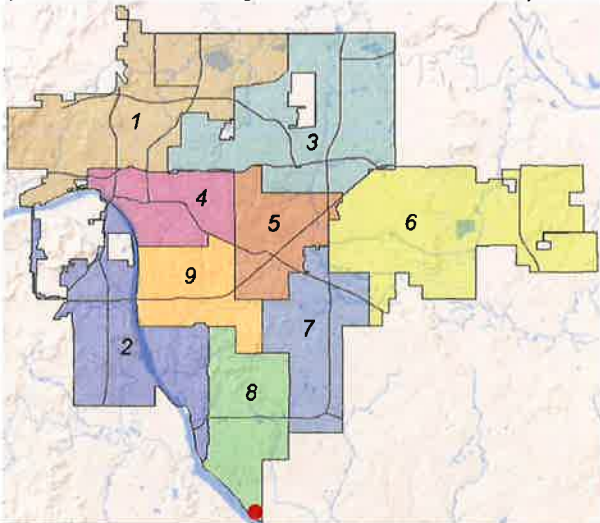
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Alan Betchan

Property Owner: South Sheridan LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Residential

Concept summary: Abandon all of PUD 490 with a concurrent request to rezone the PUD area to RS-3 and RS-4 as shown on the attached exhibits

Tract Size: 61.82 \pm acres

Location: Southwest corner of East 131st Street
South & South Sheridan Road

Zoning:

Existing Zoning: PUD-490 / RS-1

Proposed Zoning: PUD-490-A Abandonment

Comprehensive Plan:

Land Use Map: New Neighborhood

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 7310
CZM: 62

City Council District: 8

Councilor Name: Phil Lakin Jr.

County Commission District: 3

Commissioner Name: Ron Peters

101

SECTION I: PUD-490-A

DEVELOPMENT CONCEPT: The applicant plans to develop the site with detached single-family homes. This application is to abandon PUD 490 and is concurrent with a rezoning application to RS-4. That PUD was approved for a golf course community south of 131st and was approved in 1992. The requested zoning is consistent with the lot sizes and configuration for recent property development north and east of the site.

EXHIBITS:

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

DETAILED STAFF RECOMMENDATION:

PUD 490-A is a major amendment requesting abandonment for all of PUD 490. A concurrent rezoning request for RS-4 has been submitted for this site. Staff does not recommend abandonment of the PUD without the concurrent rezoning request.

Abandonment of the PUD is consistent with the major amendment processes defined in the Tulsa zoning code and,

The anticipated development will conform to RS-4 minimum lot sizes are consistent with the existing development pattern in the surrounding property north of this site in the City of Tulsa and east of this site in the City of Bixby and

RS-4 rezoning is consistent with the New Neighborhood land use designation in the Tulsa Comprehensive Plan therefore,

Staff recommends Approval of PUD-490-A which is a major amendment to abandon PUD 490 and concurrently rezone the property to RS-4.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Abandonment of the PUD without a concurrent rezoning would allow uses that may not be consistent with the New Neighborhood vision.

Land Use Vision:

Land Use Plan map designation: New Neighborhood

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

10.2

standards of internal and external connectivity and shall be paired with an existing or New Neighborhood or Town Center.

Areas of Stability and Growth designation: Area of Growth

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

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: The Major Street and Highway Plan illustrates a residential collector street network that may no longer be relevant. Discussion regarding the proper arrangement of a collector street system during the plat process will not match the concept shown on the current map illustration.

Trail System Master Plan Considerations: Go Plan

This site is affected by the City of Tulsa Bicycle and Pedestrian Master Plan "Go Plan" which was adopted and approved in 2017. The plan illustrates a trail system connection through this site with two significant considerations.

1. Provide a trail connection to the Bixby trail system along 131st.
2. Provide a trail opportunity to the northwest along the Arkansas River that ultimately connects to the river trail system.

Those trails systems will be an integral part of the plat process.

Small Area Plan: None

Special District Considerations: None

Staff Note: The subject property is not in the Arkansas River Corridor land use designation. The subject property is not in the River Corridor Overlay

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is at the southern tip of the City of Tulsa with the Arkansas River and Jenks on the West and Bixby on the east. The site is largely undeveloped however significant sand excavation has happened at the northwest corner of the site where a sand plant removed sand and never reclaimed the area. 131st Street is currently blocked to prevent trash dumping

10.3

and the street is in poor condition and will require reconstruction. The remainder of the site is flat wooded floodplain area.

Environmental Considerations: This site is abutting the Arkansas River. The environmental considerations should include riverbank movement, possible eagle habitat, floodplain remapping. At the time of this application this site is shown to be part of the regulatory flood area. Site design and home development will require significant engineering analysis and site modification to remove home from the mapped flood areas.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 131 st Street South	Residential Collector	60 feet	undeveloped
South Sheridan Road	Secondary Arterial	100 feet	2 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	RS-3 / PUD 803 and / PUD 812	New Neighborhood	Growth	Detached Single Family Homes
East (City of Bixby)	PUD 64A / RS-2	Low Density Residential 1.5 to 4 dwelling units per Acre	NA	Detached Single Family Homes
South	AG / Arkansas River	NA	NA	Arkansas River
West	AG / Arkansas River	NA	NA	Arkansas River

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11838 dated June 26, 1970 and Ordinance No.17857 dated January 21, 1993 established the current zoning for the subject property.

Subject Property:

BOA-20956 August 2009: The Board of Adjustment **approved** a *Special Exception* to permit a 150ft communications tower in the AG District and a *Special Exception* to reduce the setback to 30ft for a communications tower from an adjoining lot line of an agriculturally zoned lot to the east to permit a communication tower in the AG District, finding that: it will be in compliance with Section 1204 and its accessory definitions of the tower requirements, it meets the required factors listed in the code, it has the capability of collocating three carriers on the 150ft tower, with a 6ft chain link fence with three strands of barbed wire at the top around the tower and

10.4

accessory equipment, and will comply with the landscaping requirements, per plan, as shown on page 10.9 of the agenda packet, on property located at 5749 East 131st Street.

BOA-20050 May 2005: The Board of Adjustment **approved** a *Special Exception* to permit Use Unit 24- Mining in an AG (Agricultural) district, with conditions: Operations Monday through Friday, sunrise to sunset and ½ day on Saturdays; no landfill in the excavation area; compliance with all requirements by Department of Mines and all other governmental regulations, including obtaining all licenses and permits; no explosives to be used; and per plan, on property located at 660 ft. west of the northwest corner of East 131st Street and South Sheridan Road.

BOA-19651 August 2003: The Board of Adjustment **approved** a *Special Exception* for soil mining or extraction, with conditions: operations Monday through Friday, sunrise to sunset, and ½ day on Saturdays; no landfill in the excavation area; compliance with all requirements by Department of Mines and all other governmental regulations, including obtaining all licenses and permits; no explosives to be used; per plan, on property located at northwest corner of East 131st Street and South Sheridan Road.

BOA-18814 July 2000: The Board of Adjustment **approved** a *Special Exception* to allow Use Unit 24 (sand and gravel removal) in an AG zoned district for two years, finding that it will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, on property located at 5629 East 131st Street.

Z-6381/PUD-490 December 1992: All concurred in **approval** of a request to rezone a 25+ acre tract of land (out of the total 63 acres) from AG to RS-1 and **approval** of a proposed *Planned Unit Development* on the entire 63 acres for a golf course and 85 Single-family residential dwellings with private streets, on property located at the southwest corner of South Sheridan Road and 131st Street, a portion of the subject area. (Ordinance No. 17857)

BOA-10938 April 1980: The Board of Adjustment **approved** a *Special Exception* to permit a sand extraction operation and a ready-mix concrete plant in an AG District, subject to the following conditions: 1. That the operation meet all the applicable State, County, and City Health Departments environmental requirements; 2. That the letters of approval be placed in the Board of Adjustment file prior to commencement of the operation; 3. That McMichael widen and improve that portion of 131st Street stated by Mr. Johnsen in his presentation (800' west of Sheridan, oil covering); 4. That the operation be limited to 10-hour days, 5-day work week for the activities; 5. That the number of truck trips for the sand operation be limited to 75 loads per day, or 150 trips; 6. That the cement operation be limited and restricted to a maximum of 33 loads per day or 66 trips, for 85-days a year; 7. That loaded trucks be covered as they enter and exit the site; 8. That the operation be restricted to an area beginning 150' west of the present embankment along the west side of the subject tract; 9. That there be no significant tree removal along the riverbank, 10. That the sand extraction and ready-mix concrete plant operations run for the term of the 5-year lease; and 11. Contingent upon approval of the County Commissioner of District 3, as to widening and surfacing, on property located at northwest of 131st Street and Sheridan Road.

Ordinance number 11838 dated June 26, 1970 established zoning for the subject property.

10.5

Surrounding Property:

PUD-812 June 2014: All concurred in **approval** of a proposed *Planned Unit Development* on a 10.861± acre tract of land for on property located north of the Northwest corner of East 131st Street and South Sheridan Road.

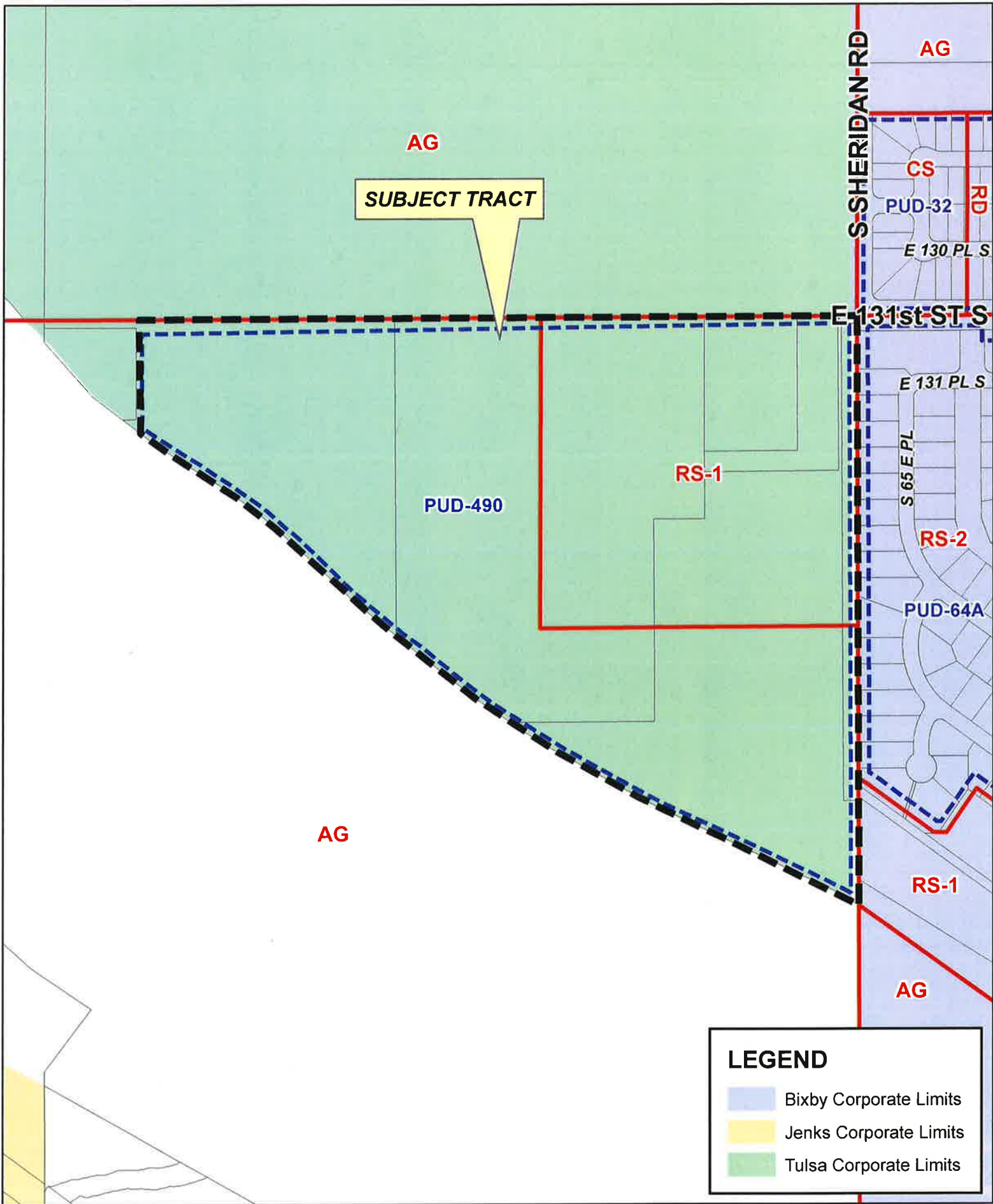
Z-7257 April 2014: All concurred in **approval** of a request for *rezoning* a 80± acre tract of land from AG to RS-3 for Single-family Residential Development, on property located north of the northwest corner of East 131st Street and South Sheridan Road.

Z-7243/PUD-803 January 2014: All concurred in **approval** of a request to rezone a 122± acre tract of land from AG to RS-3 and **approval** of a proposed *Planned Unit Development* for a Single-family Residential Development, on property located east of the southeast corner of East 121st Street and South Yale Avenue.

Z-7470/CPA-79 March 2019: All concurred in **approval** of a request for *rezoning* a 1.1± acre tract of land from RS-3 to CS and a *Comprehensive Plan Amendment* to change the Land-use designation from New Neighborhood to Neighborhood Center to allow retail, office, food truck operations, or farmer's market to operate in the existing, homeowners association owned, commercial building on property located north of the northwest corner of East 131st Street South and South Sheridan Road.

9/2/2020 1:00 PM

10.6



PUD-490-A

17-13 10

10.7

LEGEND

- Bixby Corporate Limits
- Jenks Corporate Limits
- Tulsa Corporate Limits



S SHERIDAN RD

E 129 ST S

E 130 PL S

E 131st ST S

E 131 PL S

S 65 E PL

E 134 ST S

E 134 PL S

0 Feet 200 400



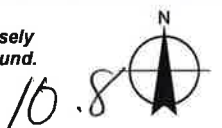
Subject Tract

PUD-490-A

17-13 10

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

Aerial Photo Date: February 2018



**SUBJECT TRACT
LAND USE PLAN
NEW NEIGHBORHOOD**

S SHERIDAN RD

E 130 PL S

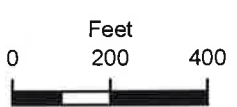
E 131st ST S

E 131 PL S

S 65 E PL

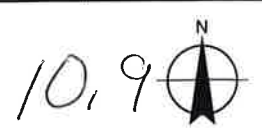
Land Use Plan Categories

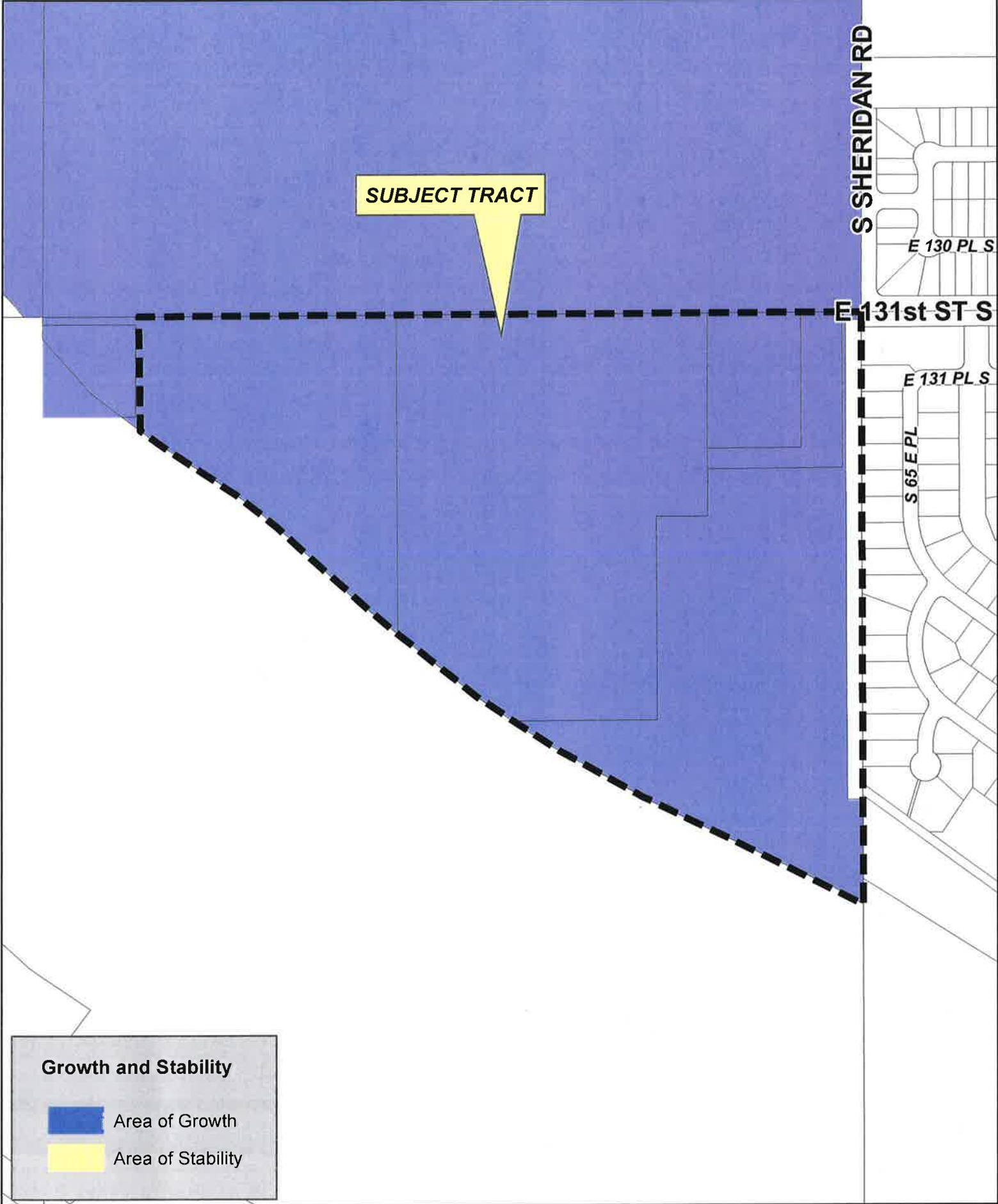
- | | |
|--|---|
|  Downtown |  Neighborhood Center |
|  Downtown Neighborhood |  Employment |
|  Main Street |  New Neighborhood |
|  Mixed-Use Corridor |  Existing Neighborhood |
|  Regional Center |  Park and Open Space |
|  Town Center |  Arkansas River Corridor |



PUD-490-A

17-13 10





SUBJECT TRACT

S SHERIDAN RD



E 130 PL S

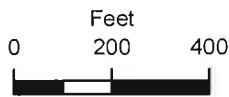
E 131st ST S

E 131 PL S

S 65 E PL

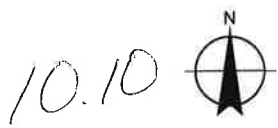
Growth and Stability

-  Area of Growth
-  Area of Stability



PUD-490-A

17-13 10





Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7570

(Related PUD-490-A)

Hearing Date: September 2, 2020

Case Report Prepared by:

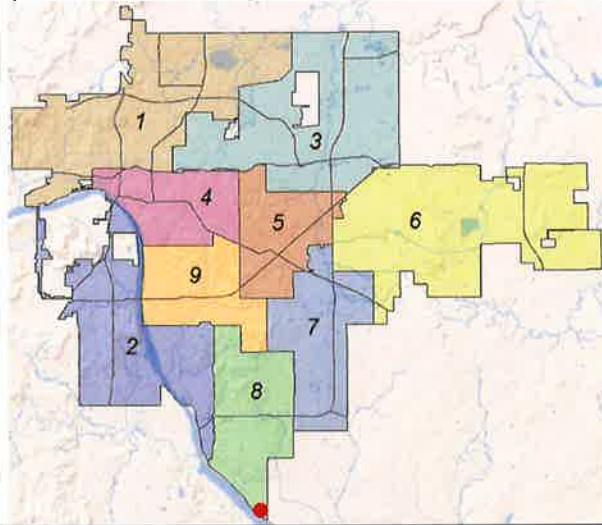
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Alan Betchan

Property Owner: South Sheridan LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Residential

Concept summary: Abandon the entire PUD 490 south of 131st and rezone the entire site to RS-3 and RS-4 as shown on the attached exhibits

Tract Size: 162.15 ± acres

Location: Northwest corner & Southwest corner of East 131st Street South & South Sheridan Road

Zoning:

Existing Zoning: AG / RS-1 / PUD-490

Proposed Zoning: RS-3 / RS-4

Comprehensive Plan:

Land Use Map: New Neighborhood

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval of RS-3 and RS-4 and supports the concurrent abandonment of PUD 490 in its entirety.

Staff Data:

TRS: 7310

CZM: 62

City Council District: 8

Councilor Name: Phil Lakin Jr.

County Commission District: 3

Commissioner Name: Ron Peters

11.1

SECTION I: Z-7570

DEVELOPMENT CONCEPT: The applicant plans to develop the site with detached single-family homes. PUD 490 will be abandoned concurrently with this rezoning application. That PUD was approved for a golf course community south of 131st and was approved in 1992. The requested zoning is consistent with the lot sizes and configuration for recent property development north and east of the site.

EXHIBITS:

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

DETAILED STAFF RECOMMENDATION:

Z-7570 is requesting rezoning to RS-3 and RS-4 zoning categories. The request is to allow all uses allowed by right and all building types allowed by right along with the supplemental regulations relevant to those zoning districts. The request is generally consistent with the previously approved PUD and is consistent with the New Neighborhood land use designation and,

RS-3 and RS-4 minimum lot sizes are consistent with the existing development pattern in the surrounding property north of this site in the City of Tulsa and east of this site in the City of Bixby and

RS-3 and RS-4 rezoning is consistent with the New Neighborhood land use designation in the Tulsa Comprehensive Plan therefore,

Staff recommends Approval of Z-7570 to rezone property from AG & RS-1 to RS-3 & RS-4.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Abandonment of the PUD and the rezoning request are both consistent with the New Neighborhood land use vision in the Comprehensive Plan.

Land Use Vision:

Land Use Plan map designation: New Neighborhood

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

Areas of Stability and Growth designation: Area of Growth

11.2

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: The Major Street and Highway Plan illustrates a residential collector street network that may no longer be relevant. Discussion regarding the proper arrangement of a collector street system during the plat process will not match the concept shown on the current map illustration.

Trail System Master Plan Considerations: Go Plan

This site is affected by the City of Tulsa Bicycle and Pedestrian Master Plan “Go Plan” which was adopted and approved in 2017. The plan illustrates a trail system connection through this site with two significant considerations.

1. Provide a trail connection to the Bixby trail system along 131st.
2. Provide a trail opportunity to the northwest along the Arkansas River that ultimately connects to the river trail system.

Those trails systems will be an integral part of the plat process.

Small Area Plan: None

Special District Considerations: None

Staff Note: The subject property is not in the Arkansas River Corridor land use designation. The subject property is not in the River Corridor Overlay

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is at the southern tip of the City of Tulsa with the Arkansas River and Jenks on the West and Bixby on the east. The site is largely undeveloped however significant sand excavation has happened at the northwest corner of the site where a sand plant removed sand and never reclaimed the area. 131st Street is currently blocked to prevent trash dumping and the street is in poor condition and will require reconstruction. The remainder of the site is flat wooded floodplain area.

Environmental Considerations: This site is abutting the Arkansas River. The environmental considerations should include riverbank movement, possible eagle habitat, floodplain remapping. At

11.3

the time of this application this site is shown to be part of the regulatory flood area. Site design and home development will require significant engineering analysis and site modification to remove home from the mapped flood areas.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 131 st Street South	Residential Collector	60 feet	undeveloped
South Sheridan Road	Secondary Arterial	100 feet	2 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	RS-3 / PUD 803 and / PUD 812	New Neighborhood	Growth	Detached Single Family Homes
East (City of Bixby)	PUD 64A / RS-2	Low Density Residential 1.5 to 4 dwelling units per Acre	NA	Detached Single Family Homes
South	AG / Arkansas River	NA	NA	Arkansas River
West	AG / Arkansas River	NA	NA	Arkansas River

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11838 dated June 26, 1970 and Ordinance No.17857 dated January 21, 1993 established the current zoning for the subject property.

Subject Property:

BOA-20956 August 2009: The Board of Adjustment **approved** a *Special Exception* to permit a 150ft communications tower in the AG District and a *Special Exception* to reduce the setback to 30ft for a communications tower from an adjoining lot line of an agriculturally zoned lot to the east to permit a communication tower in the AG District, finding that: it will be in compliance with Section 1204 and its accessory definitions of the tower requirements, it meets the required factors listed in the code, it has the capability of collocating three carriers on the 150ft tower, with a 6ft chain link fence with three strands of barbed wire at the top around the tower and accessory equipment, and will comply with the landscaping requirements, per plan, as shown on page 10.9 of the agenda packet, on property located at 5749 East 131st Street.

BOA-20050 May 2005: The Board of Adjustment **approved** a *Special Exception* to permit Use Unit 24- Mining in an AG (Agricultural) district, with conditions: Operations Monday through

11-4

Friday, sunrise to sunset and ½ day on Saturdays; no landfill in the excavation area; compliance with all requirements by Department of Mines and all other governmental regulations, including obtaining all licenses and permits; no explosives to be used; and per plan, on property located at 660 ft. west of the northwest corner of East 131st Street and South Sheridan Road.

BOA-19651 August 2003: The Board of Adjustment **approved** a *Special Exception* for soil mining or extraction, with conditions: operations Monday through Friday, sunrise to sunset, and ½ day on Saturdays; no landfill in the excavation area; compliance with all requirements by Department of Mines and all other governmental regulations, including obtaining all licenses and permits; no explosives to be used; per plan, on property located at northwest corner of East 131st Street and South Sheridan Road.

BOA-18814 July 2000: The Board of Adjustment **approved** a *Special Exception* to allow Use Unit 24 (sand and gravel removal) in an AG zoned district for two years, finding that it will be in harmony with the spirit and intent of the Code, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare, on property located at 5629 East 131st Street.

Z-6381/PUD-490 December 1992: All concurred in **approval** of a request to rezone a 25± acre tract of land (out of the total 63 acres) from AG to RS-1 and **approval** of a proposed *Planned Unit Development* on the entire 63 acres for a golf course and 85 Single-family residential dwellings with private streets, on property located at the southwest corner of South Sheridan Road and 131st Street, a portion of the subject area. (Ordinance No. 17857)

BOA-10938 April 1980: The Board of Adjustment **approved** a *Special Exception* to permit a sand extraction operation and a ready-mix concrete plant in an AG District, subject to the following conditions: 1. That the operation meet all the applicable State, County, and City Health Departments environmental requirements; 2. That the letters of approval be placed in the Board of Adjustment file prior to commencement of the operation; 3. That McMichael widen and improve that portion of 131st Street stated by Mr. Johnsen in his presentation (800' west of Sheridan, oil covering); 4. That the operation be limited to 10-hour days, 5-day work week for the activities; 5. That the number of truck trips for the sand operation be limited to 75 loads per day, or 150 trips; 6. That the cement operation be limited and restricted to a maximum of 33 loads per day or 66 trips, for 85-days a year; 7. That loaded trucks be covered as they enter and exit the site; 8. That the operation be restricted to an area beginning 150' west of the present embankment along the west side of the subject tract; 9. That there be no significant tree removal along the riverbank, 10. That the sand extraction and ready-mix concrete plant operations run for the term of the 5-year lease; and 11. Contingent upon approval of the County Commissioner of District 3, as to widening and surfacing, on property located at northwest of 131st Street and Sheridan Road.

Surrounding Property:

PUD-812 June 2014: All concurred in **approval** of a proposed *Planned Unit Development* on a 10.861± acre tract of land for on property located north of the Northwest corner of East 131st Street and South Sheridan Road.

Z-7257 April 2014: All concurred in **approval** of a request for *rezoning* a 80± acre tract of land from AG to RS-3 for Single-family Residential Development, on property located north of the northwest corner of East 131st Street and South Sheridan Road.

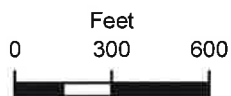
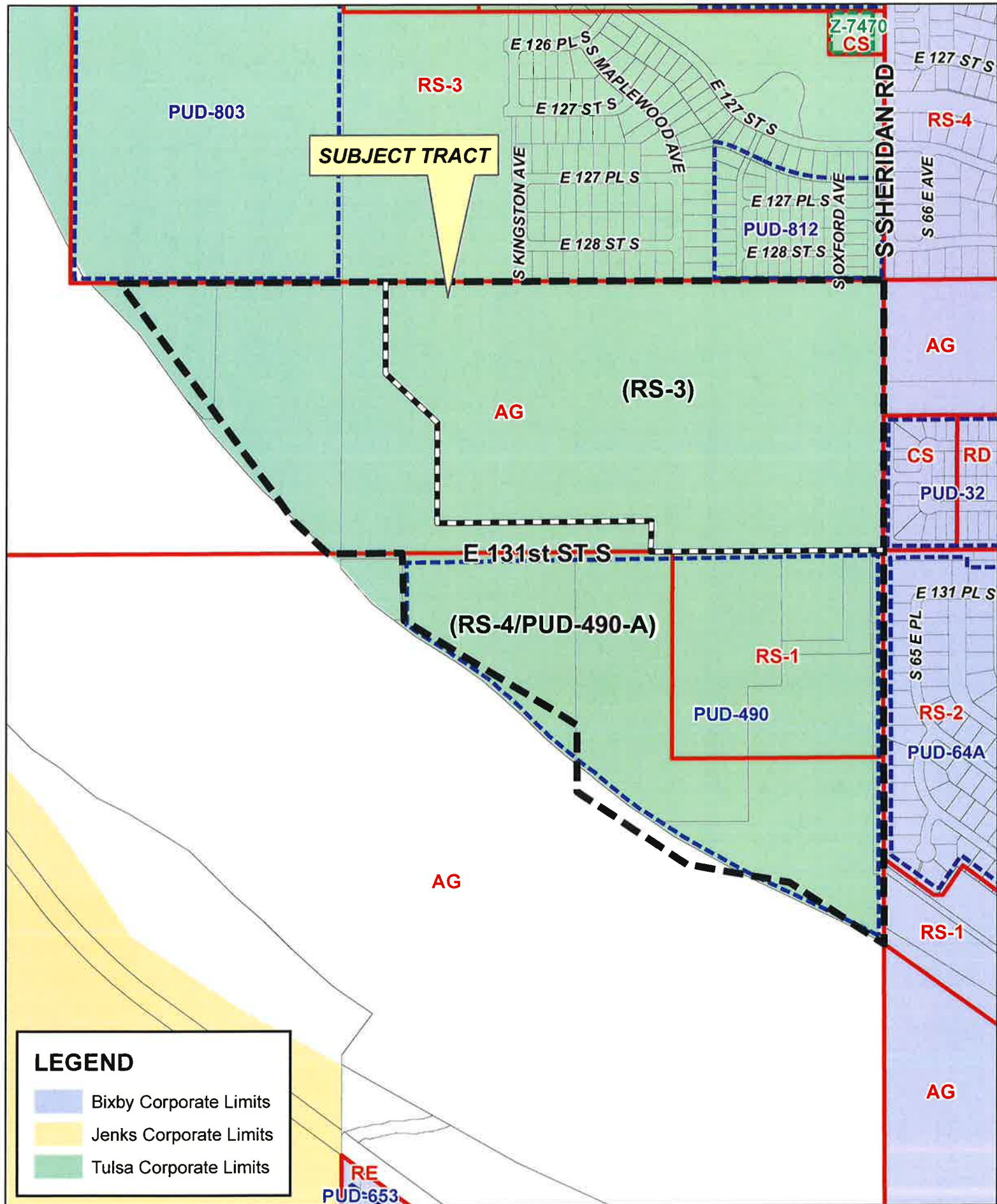
Z-7243/PUD-803 January 2014: All concurred in **approval** of a request to rezone a 122± acre tract of land from AG to RS-3 and **approval** of a proposed *Planned Unit Development* for a Single-

family Residential Development, on property located east of the southeast corner of East 121st Street and South Yale Avenue.

Z-7470/CPA-79 March 2019: All concurred in **approval** of a request for *rezoning* a 1.1± acre tract of land from RS-3 to CS and a *Comprehensive Plan Amendment* to change the Land-use designation from New Neighborhood to Neighborhood Center to allow retail, office, food truck operations, or farmer's market to operate in the existing, homeowners association owned, commercial building on property located north of the northwest corner of East 131st Street South and South Sheridan Road.

9/2/2020 1:00 PM

11.4





0 Feet 300 600



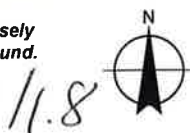
Subject Tract

Z-7570

10 17-13 & 3 17-13

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

Aerial Photo Date: February 2018



**SUBJECT TRACT
LAND USE PLAN
NEW NEIGHBORHOOD**

E 126 PL S
E 127 ST S
E 127 PL S
E 128 ST S
S KINGSTON AVE
S MAPLEWOOD AVE
E 127 ST S
E 127 PL S
E 128 ST S
SIOXFORD AVE
S SHERIDAN RD
E 127 ST S
S 66 E AVE

(RS-3)

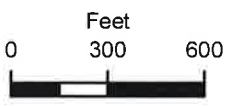
E 131st ST S

(RS-4/PUD-490-A)

E 131 PL S
S 65 E PL

Land Use Plan Categories

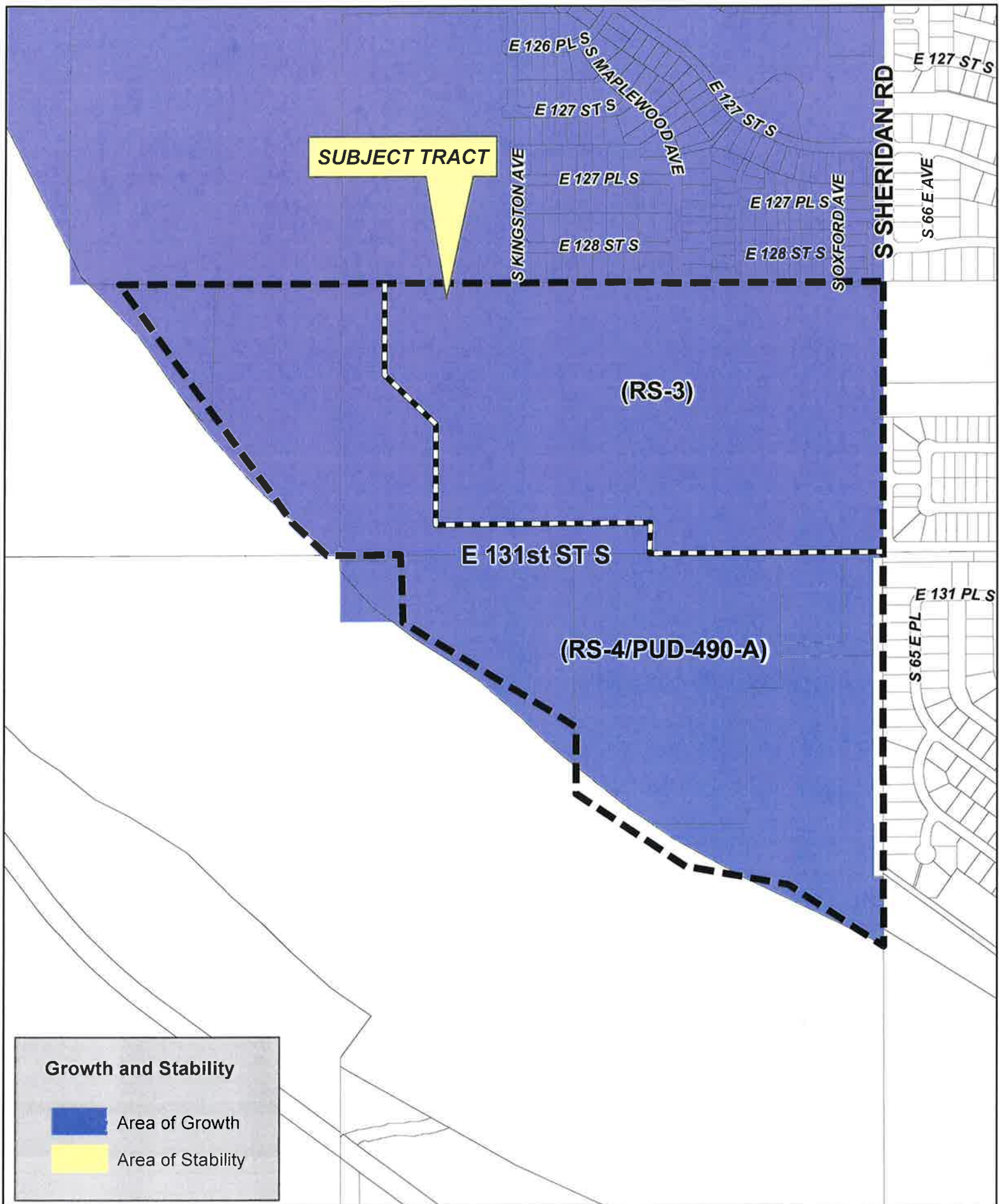
- | | |
|--|---|
|  Downtown |  Neighborhood Center |
|  Downtown Neighborhood |  Employment |
|  Main Street |  New Neighborhood |
|  Mixed-Use Corridor |  Existing Neighborhood |
|  Regional Center |  Park and Open Space |
|  Town Center |  Arkansas River Corridor |



Z-7570

10 17-13 & 3 17-13





Date: August 17, 2020

Tulsa Metropolitan Area Planning Commission

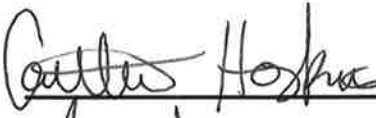



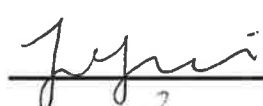
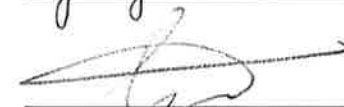



Please accept this formal protest of the proposed zoning map amendment, for the Rezoning & Major Amendment to Abandon PUD-490, Case Number: Z-7570/PUD-490-A Abandonment. We request that the zoning not be approved as a RS-4 and include the Abandonment.

Owner(s) of recorded title of property, as shown in the land records of Tulsa County Clerk (All owners if owned jointly)

Owner Signature

Name (print)

Street Address

	Caitlin Hoskins	13306 S 65th E Place Bixby OK 74008
	Edward J. Hoskins II	" "
	Damon Hutson as trustee	13224 S. 65th E. Pl Bixby OK 74008
	Huifen Zhou	13305 S. 65th E. Pl. Bixby OK 74008
	JIANFENG CAI	13305 S 65th E Pl Bixby, OK 74008
	Hao Liu	13424 S 65th E Pl Bixby OK 74008
	Wesley Li	13224 S 66th E Pl Bixby OK 74008
	Suzanne Vandersgriff	13311 S 65th E Pl Bixby, OK 74008
	SCOTT VANDERSGRIFF	13311 S. 65th E Pl BIXBY, OK 74008

Date: August 17, 2020

Tulsa Metropolitan Area Planning Commission

Please accept this formal protest of the proposed zoning map amendment, for the Rezoning & Major Amendment to Abandon PUD-490, Case Number: Z-7570/PUD-490-A Abandonment. We request that the zoning not be approved as a RS-4 and include the Abandonment.

Owner(s) of recorded title of property, as shown in the land records of Tulsa County Clerk (All owners if owned jointly)

Owner Signature

Name (print)

Street Address



MATT MEANS

13130 S. 65th E. PL
BIXBY, 74008



Stephanie Means

13130 S 65th E. PI
Bixby OK 74008

11.12

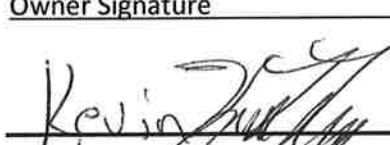
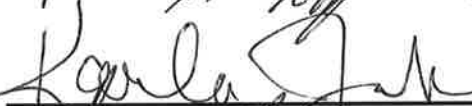
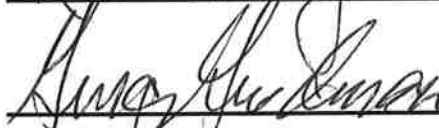
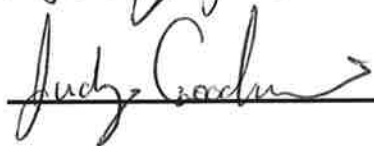
Date: August 17, 2020

Tulsa Metropolitan Area Planning Commission

Please accept this formal protest of the proposed zoning map amendment, for the Rezoning & Major Amendment to Abandon PUD-490, Case Number: Z-7570/PUD-490-A Abandonment. We request that the zoning not be approved as a RS-4 and include the Abandonment.

Owner(s) of recorded title of property, as shown in the land records of Tulsa County Clerk (All owners if owned jointly)

Owner Signature Name (print) Street Address

	Kevin H. Hogleiter	13223 S. 65 th E
	Karla Jenkins	13218 S. 65 th E Pl
	George Goodman	13442 S 65 th E Pl. Bixby OK
	Judy Goodman	13442 S 65 Pl E, Bixby OK 74008

Date: August 17, 2020

Tulsa Metropolitan Area Planning Commission

Please accept this formal protest of the proposed zoning map amendment, for the Rezoning & Major Amendment to Abandon PUD-490, Case Number: Z-7570/PUD-490-A Abandonment. We request that the zoning not be approved as a RS-4 and include the Abandonment.

Owner(s) of recorded title of property, as shown in the land records of Tulsa County Clerk (All owners if owned jointly)

Owner Signature

Name (print)

Street Address

Rhett Thomas Rhett Thomas 13140 S. 65th E. Pl
Bixby, OK 74008

Sarah Thomas Sarah Thomas 13140 S. 65th E. Pl.
Bixby, OK 74008

Date: August 17, 2020

Tulsa Metropolitan Area Planning Commission

Please accept this formal protest of the proposed zoning map amendment, for the Rezoning & Major Amendment to Abandon PUD-490, Case Number: Z-7570/PUD-490-A Abandonment. We request that the zoning not be approved as a RS-4 and include the Abandonment.

Owner(s) of recorded title of property, as shown in the land records of Tulsa County Clerk (All owners if owned jointly)

Owner Signature Name (print) Street Address

1 Todd Garcia Todd Garcia 13448 S 65th E Pl, Bixby

Kellie Garcia 1

Kellie Garcia Bixby
13448 SO. 65th E. Rd

2

Kellie Garcia

Mike Sittman As Trustee

Mike Sittman 13445 S 65th E. Pl. Bixby

Date: August 17, 2020

Tulsa Metropolitan Area Planning Commission

Please accept this formal protest of the proposed zoning map amendment, for the Rezoning & Major Amendment to Abandon PUD-490, Case Number: Z-7570/PUD-490-A Abandonment. We request that the zoning not be approved as a RS-4 and include the Abandonment.

Owner(s) of recorded title of property, as shown in the land records of Tulsa County Clerk (All owners if owned jointly)

Owner Signature

Name (print)

Street Address

Kelly Kolbeck Kelly Kolbeck 6505 E. 134th St. S.
Bixby, OK 74008

Kevin Kolbeck Kevin Kolbeck 6505 E. 134th St. S.
Bixby, OK 74008

Date: August 17, 2020

Tulsa Metropolitan Area Planning Commission

Please accept this formal protest of the proposed zoning map amendment, for the Rezoning & Major Amendment to Abandon PUD-490, Case Number: Z-7570/PUD-490-A Abandonment. We request that the zoning not be approved as a RS-4 and include the Abandonment.

Owner(s) of recorded title of property, as shown in the land records of Tulsa County Clerk (All owners if owned jointly)

Owner Signature

Name (print)

Street Address

Carolyn Berg Carolyn Berg 13312 S 65th E Pl.
Bixby OK 74008

11.17

Date: August 17, 2020

Tulsa Metropolitan Area Planning Commission

Please accept this formal protest of the proposed zoning map amendment, for the Rezoning & Major Amendment to Abandon PUD-490, Case Number: Z-7570/PUD-490-A Abandonment. We request that the zoning not be approved as a RS-4 and include the Abandonment.

Owner(s) of recorded title of property, as shown in the land records of Tulsa County Clerk (All owners if owned jointly)

Owner Signature	Name (print)	Street Address
Kallee Karr	Kallee Karr	13418 S. 65th E Place Bixby, OK 74008
Scott Karr	Scott Karr	13418 S. 65th E. Place Bixby, OK 74008
Jeff Harris	JEFF HARRIS	13412 S-65 EAST PL BIXBY, OK 74008
Kristen Harris	Kristen Harris	13412 S 65th East Pl Bixby, OK 74008
Cynthia Isaacson	Cynthia Isaacson	6505 East 134th Pl South Bixby, OK 74008
Jason Isaacson	Jason Isaacson	6505 E 134 Pl Bixby, OK 74008
Keira Tyler	Keira Tyler	13451 S 65th E Pl Bixby, OK 74008
Bryan Tyler	Bryan Tyler	13451 S 65th E Pl Bixby, OK 74008
Heather Head	Heather Head	13430 S 65th E Pl Bixby, OK 74008
Brian Head	Brian Head	13430 S. 65th E Pl Bixby, OK 74008

Date: August 17, 2020

Tulsa Metropolitan Area Planning Commission

Please accept this formal protest of the proposed zoning map amendment, for the Rezoning & Major Amendment to Abandon PUD-490, Case Number: Z-7570/PUD-490-A Abandonment. We request that the zoning not be approved as a RS-4 and include the Abandonment.

Owner(s) of recorded title of property, as shown in the land records of Tulsa County Clerk (All owners if owned jointly)

Owner Signature Name (print) Street Address

Leonard Harms LEONARD HARMS 13317 S. 65th EAST PL
BELLEVUE, OK 74008

Date: August 17, 2020

Tulsa Metropolitan Area Planning Commission

Please accept this formal protest of the proposed zoning map amendment, for the Rezoning & Major Amendment to Abandon PUD-490, Case Number: Z-7570/PUD-490-A Abandonment. We request that the zoning not be approved as a RS-4 and include the Abandonment.

Owner(s) of recorded title of property, as shown in the land records of Tulsa County Clerk (All owners if owned jointly)

Owner Signature

Name (print)

Street Address

M. Weller Matt Weller 13409 S 65th East Pl
Bixby OK 74008

April Weller April Weller 13409 S 65th East Pl
Bixby OK 74008

Sawyer, Kim

From: Cheri Piershale <cpiershale@gmail.com>
Sent: Tuesday, August 25, 2020 9:41 PM
To: Wilkerson, Dwayne; esubmit
Subject: Concerns with case Z-7570/PUD-490-A Abandonment
Attachments: River's Edge bald eagle.jpg; Land in question.pdf

FILE COPY

Hi Dwayne,

I live in River's Edge neighborhood and back to the forest that includes the land up for rezoning in case Z-7570/PUD-490-A Abandonment. There is a strip of land owned by the city of Tulsa, parcel 97310-73-10-45730, that is not depicted on the map that was sent to my house with the rezoning notice. I have spoken with the Tulsa Tax Assessor's office, Jani from your office, and the real estate agent for South Sheridan LLC, Curt Roberts, and they have all assured me that this 50' wide parcel owned by the city of Tulsa is not included in the rezoning and the planned development. When I went to the auction last May and the current owner assured me they were planning to use the land for personal use, this City of Tulsa area was excluded on the auction map. My concern now is that it was not excluded on the map drawing I received. While I love backing to this beautiful forest and one of the last remaining in this part of town, I understand the money making possibilities for the city and investors. My request is that we can ensure this parcel owned by the City of Tulsa is NOT annexed or sold to this new developer, and not rezoned. The forest is the densest right along the property line in this 50' wide strip of land. It would be beneficial to both neighborhood's values to leave it and keep a small portion of nature here by the river as we have already lost so many trees in the last three years as developers keep clear cutting all of the forests. I have personally seen bald eagles in the trees behind my house along with so many other birds and creatures. What are the plans for this parcel of land? Would it be possible for it to remain owned by the city of Tulsa and stay in its natural state? Could this piece of land be preserved for the eagles and other nature that live and thrive in these old trees? Leaving the trees on this skinny parcel of land will only increase the lot value for the new developer while also appeasing me and my neighbors who enjoy seeing nature inside the city limits.

Thank you for your consideration!

Cheri Piershale
918-814-2224
13318 S 65th East Place Bixby



11.22

Assessor

JOHN A. WRIGHT

Property Search


Disclaimer

The Tulsa County Assessor's Office has made every effort to insure the accuracy of the data contained on this web site; however, this material may be slightly dated which could have an impact on its accuracy.

The information must be accepted and used by the recipient with the understanding that the data was developed and collected only for the purpose of establishing fair cash (market) value for ad valorem taxation. Although changes may be made periodically to the tax laws, administrative rules and similar directives, these changes may not always be incorporated in the material on this web site.

The Tulsa County Assessor's Office assumes no liability for any damages incurred, whether directly or indirectly, incidental, punitive or consequential, as a result of any errors, omissions or discrepancies in any information published on this web site or by any use of this web site.

Quick Facts

Account #	R97310731045730	
Parcel #	97310-73-10-45730	
Situs address		
Owner name	CITY OF TULSA	
Fair cash (market) value	\$100	
Last year's taxes	\$0	
Legal description	Subdivision: UNPLATTED Legal: E50 S1550.25 N1575 NE SEC 10 17 13 1.779ACS Section: 10 Township: 17 Range: 13	

General Information

Situs address	
Owner name	CITY OF TULSA
Owner mailing address	175 E 2ND ST STE 260 TULSA, OK 74103
Land area†	1.78 acres / 77,513 sq ft
Tax rate	T-4A [BIXBY]
	Subdivision: UNPLATTED
Legal description	Legal: E50 S1550.25 N1575 NE SEC 10 17 13 1.779ACS Section: 10 Township: 17 Range: 13
Zoning	RES SINGLE-FAMILY LOW DENSITY DISTRICT [RS1]

Values

	2018	2019	2020
Land value	\$100	\$100	\$100
Improvements value	\$0	\$0	\$0
Fair cash (market) value	\$100	\$100	\$100

Exemptions claimed

	2018	2019	2020
<u>Homestead</u>	—	—	—
<u>Additional homestead</u>	—	—	—
<u>Senior Valuation Limitation</u>	—	—	—
<u>Veteran</u>	—	—	—

Tax Information

	2018	2019	2020
Fair cash (market) value	\$100	\$100	\$100
Total taxable value (capped)	\$100	\$100	\$100
Assessment ratio	11%	11%	11%
Gross assessed value	\$0	\$0	\$0
Exemptions	\$0	\$0	\$0
Net assessed value	\$0	\$0	\$0
Tax rate	T-4A [BIXBY]		
Tax rate mills	141.19	141.68	141.68*
Estimated taxes	\$0	\$0	\$0
Most recent NOV			

* Estimated from 2019 millage rates

Tax detail (2019 millages)

	%	Mills	Dollars
City-County Health	1.8	2.58	\$0.00
City-County Library	3.8	5.32	\$0.00
Tulsa Technology Center	9.4	13.33	\$0.00
Emergency Medical Service	0.0	0.00	\$0.00
Tulsa Community College	5.1	7.21	\$0.00
School Locally Voted	24.8	35.16	\$0.00
City Sinking	15.6	22.12	\$0.00
School County Wide Bldg	3.6	5.15	\$0.00
School County Wide ADA	2.8	4.00	\$0.00
School County Wide General	25.4	36.05	\$0.00
County Government	7.6	10.76	\$0.00

(Continued on next page)

Improvements

Bldg ID#	Property type	Condition	Quality	Year built	Livable	Stories	Foundation	Exterior	Roof	HVAC
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Sales/Documents

Date	Grantor	Grantee	Price	Doc type	Book-Page/Doc#
Feb 27, 1990			\$—*	Report Of Commissioners	05238-01157

* Multiple parcel sale

Images

Photo/sketch
(Click to enlarge)



† Square footage and acreage values included in this record are approximations. They may not reflect what a licensed surveyor would determine by performing a formal survey. They are for tax purposes only and are not intended for use in making conveyances or for preparing legal descriptions of properties.



[Click to view this area on the Google Maps web page in a new window](#)

John A. Wright — Tulsa County Assessor

Tulsa County Administration Building, Room 215 | 500 S. Denver | Tulsa, OK 74103

Phone: (918) 596-5100 | Fax: (918) 596-4799 | Email: assessor@tulsacounty.org

Office hours: 8:00–5:00 Monday–Friday (excluding holidays)

11.24

Sawyer, Kim

From: TJ Martin <timjmartin@me.com>
Sent: Tuesday, August 25, 2020 10:16 PM
To: esubmit
Cc: TJ Martin
Subject: Zoning Request Z-7571

To whom it may concern:

I want to communicate my concern for the new zoning case (Z-7571) for the three lots that are currently zoned as single family residential located northeast of 36th and Peoria. The zoning request is wanting to change the current lots from single family to mixed use space.

- This zoning change is concerning because multi use space this far east from Peoria would be encroaching on the residential neighborhood. Where will the divide be from business zoning to residential family homes if this type of zoning continues to be approved on this neighborhood street?
- The biggest concern for this zoning request is that this type of change will drastically alter the traffic dynamic for 36th street. I am an avid biker and I rely on 36th street as a main bike lane to access the river parks trail system from my home. Many midtown residents rely on having a safe bike trail on 36th to use for commuting and pleasure. It is inevitable that many people will start parking on 36th street if these lots are rezoned to multi use space which will block the easy access that many bikers take advantage of today. In addition to the bike lane, Elliot Elementary keeps 36th very busy during a normal school year. Adding businesses and additional traffic closer to the school will make this area dangerous for children and families walking to and from the school.

I am a young professional and life long Tulsa resident. One of the primary reasons that I have decided to root myself in Tulsa versus another city is because of the exciting growth and development that the city has been experiencing over the past several years. Tulsa is such a beautiful city and this landscape is largely attributable to the well kept neighborhoods and business districts that the city has to offer. I am all for development and good housing availability in the current residential neighborhoods. I am also a proponent of thriving business and storefront districts. I believe by mixing single family residential neighborhood space with business space is a mistake for the reasons listed above. Please consider these requests and represent our district in keeping these lots zoned for residential use only.

Thank you,
TJ Martin
1330 E. 36th St.
Tulsa, OK 74105

Sawyer, Kim

From: Lisa Weatherholt <weatherholt.lisa@gmail.com>
Sent: Tuesday, August 25, 2020 11:47 PM
To: esubmit
Subject: MPD 31st/Peoria

I am writing to request a delay of a hearing in order to have a proper amount of time to learn about this possible ENORMOUSLY IMPORTANT new undertaking.

Many residents who live in this area believe that this potential development is WAAAAAY out of character for the area. Why do we taking loving care of our homes, lots, and neighborhoods?

The answer is NOT: to have a monstrous out-of-control development that disrupts/degrades their quality of life on a large scale. The interlopers who only have profits on their minds should not have the final say.

Also, lots of dollars can still be made on a residential development that would be appropriate. There is NO REASON WHY a huge development of the proposed type should be built at 31/Peoria.

That is a residential district; there is no commercial development (ALL of which is low-profile, much of it mimicking residential appearance in the blocks immediately south of Crow Creek) within several blocks to the south, and NONE within nearly a mile in every other direction.

Elizabeth Weatherholt

Adams Estates, 33rd Place & S. Yorktown Ave.

Sent from Mail for Windows 10

Date: August 20, 2020

TULSA METROPOLITAN AREA

PLANING COMMISSION

TMAPC, C/O INCOGNITO, 2 W. 2ND ST., SUITE 800

TULSA, OK 74103

FILE COPY

Reference A) Case Number Z-7570

Reference B) Tulsa Planning zoning map, Parcel ID: 97310731045730 (E50 S1550.25 N 1575
NE SEC 10, 10 17 13 1.779 Acres)

Reference C) Attached

Reference D) Attached

Reference E) Attached

Hao Liu & Jin Wang

13424 S 65th E Pl

Bixby OK, 74008

To: Tulsa Metropolitan Area Planning Commission

Dear Sir or Madam,

When we first settled in to our new house six years ago, we could see the deer running around our backyard. We were told the area behind our backyard belongs to the government, and it won't be used to build houses. We haven't seen those lovely animals for several years now due to the continuing development in the area. Fortunately, there are still some eagles resting in the lovely big old trees along with some small animals. We can never recover and turn it back

11.27

to their habitat if we rezone it to build the houses on this government owned land. Please make every effort to save our beautiful environment and those lovely animals!

Please accept my comments associated with the proposed zoning associated with Ref/A/. RS-3/RS-4/PUD-490-A Abandonment (Residential Single-family/Residential Single family/ Abandonment of Planned Unit Development). For the Northwest corner & Southwest Corner of East 131st Street South & Sheridan Road.

Comment 1: For proposed Zoning District of RS-4, 'Highest Density,' please reject the proposed RS-4 zoning.

Justification: The surrounding residential neighborhoods in the datum area are building to a RS-2 and RS-3. Building to the highest density would lower the value of the houses in the surrounding area and decrease the tax base for the Tulsa community. It goes against the harmonization established by the planning committee to ensure the surrounding neighborhoods complement each other and promote Tulsa.

Comment 2: For proposed zoning PUD-490-A abandonment please reject the proposal for zoning the abandonment. Please uphold and do not change the current zoning for PDU – 490 taking into account the abandonment Reference /B/ and Reference /E/.

Justification: The abandonment reference /B/, should not be included in the proposed zoning. Rivers Edge homeowners were assured when developing the housing addition that the abandonment would not be developed when purchasing their homes. Many of the homeowners have maintained the area planting trees and gardens to improve the surrounding areas and improving the quality of living for the residence. As you can observe in reference /C/ picture of the area the abandonment has been partially maintained by the home owners. In reference /D/ picture please observe the wrought iron fences that many of the homeowners have installed which allows for visibility of the environment in the reference /B/ abandonment. As part of the Rivers Edge Covenants they have built a lower fence to observe nature and prevent an unwanted privacy fences for the location. If the planning commission approves the zoning, homeowners must be properly compensated for the value of the fencing and diminished home value. Consideration should be given by Tulsa County to lower the property taxes for the Home owners in Rivers Edge PDU-64A.

In conclusion please do not approve the rezoning amendment case number: Z7570/PUD-490-A Abandonment as published.

SINCERELY,

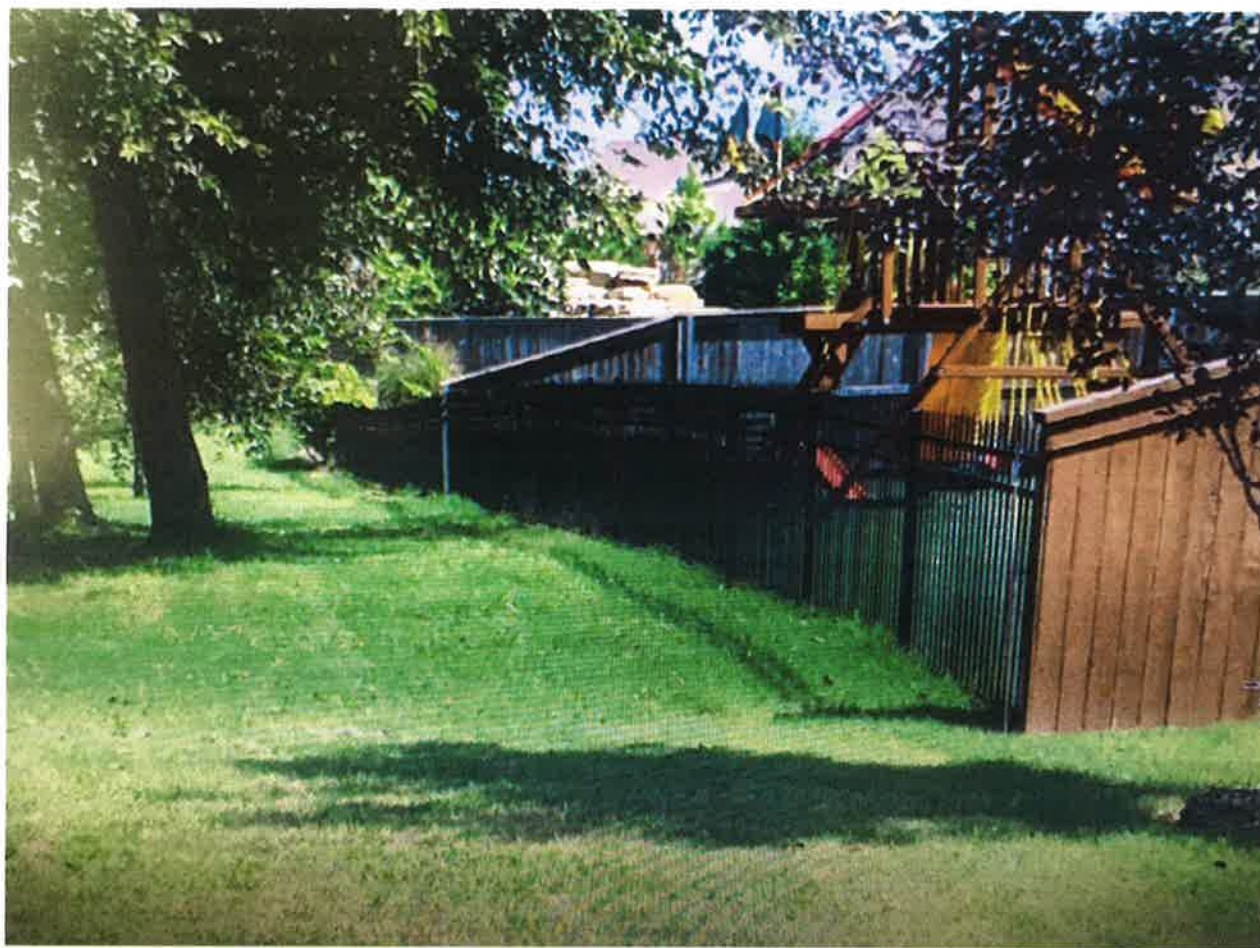
Jin Wang



Hao Liu

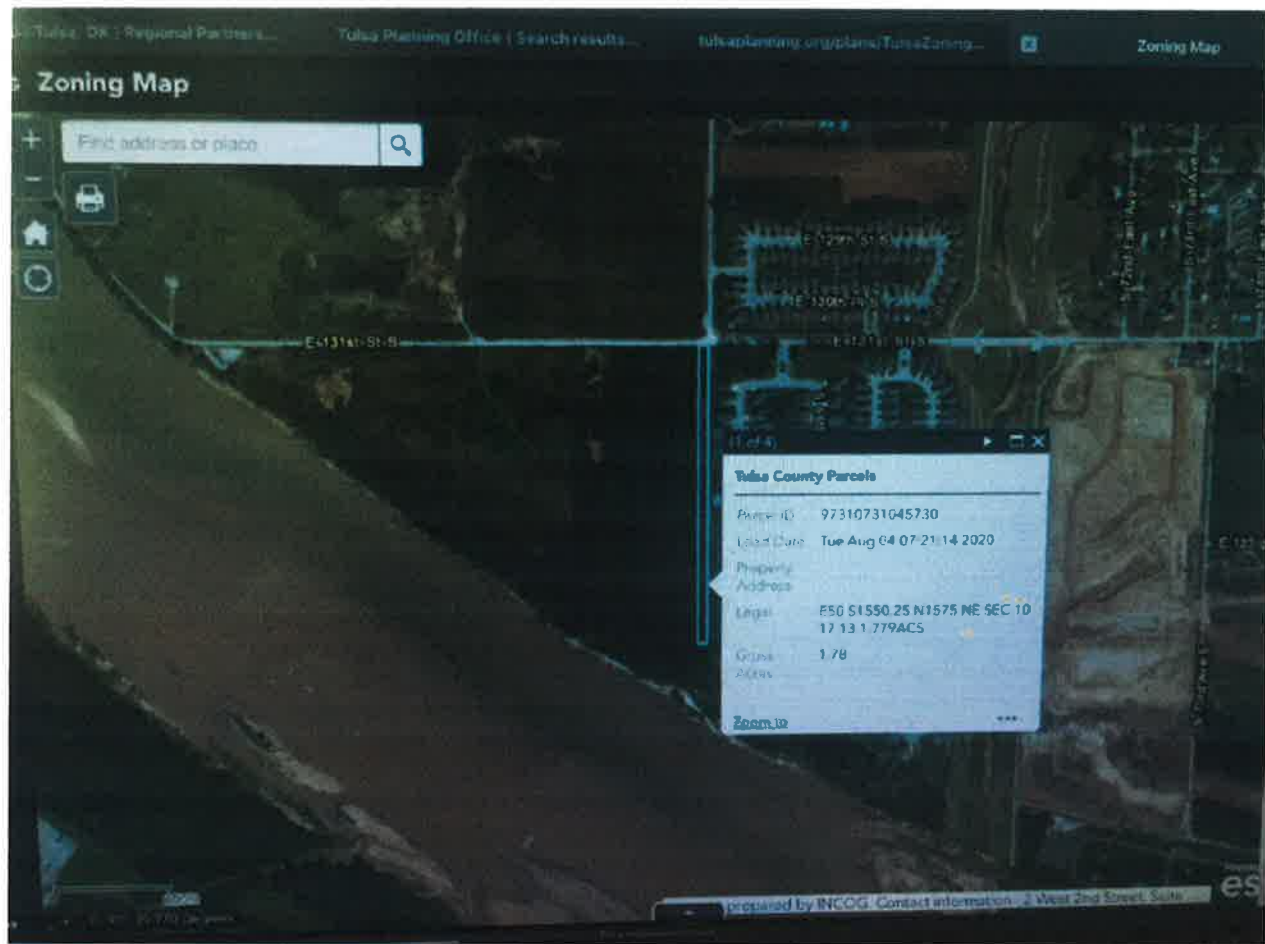


PICTURE C



PICTURE D

11.30



REFERENCE E

FILE COPY

Date: August 16, 2020

TULSA METROPOLITAN AREA PLANNING COMMISSION

TMAPC, C/O INCOGNITO, 2 W. 2ND ST., SUITE 800
TULSA, OK 74103

Reference A) Case Number Z-7570

Reference B) Tulsa Planning zoning map, Parcel ID: 97310731045730 (E50 S1550.25 N 1575
NE SEC 10, 10 17 13 1.779 Acres)

Reference C) Attached

Reference D) Attached

Reference E) Attached

Jason Isaacson

6505 E 134th PI

Bixby OK, 74008

To: Tulsa Metropolitan Area Planning Commission

Please accept my comments associated with the proposed zoning associated with Ref /A/. RS-3/RS-4/PUD-490-A Abandonment (Residential Single-family/Residential Single-family/Abandonment of Planned Unit Development). For the Northwest corner & Southwest Corner of East 131st Street South & Sheridan Road.

11.32

6505 E 134th PI, Bixby OK 74008

Comment 1: For proposed Zoning District of RS-4, 'Highest Density,' please reject the proposed RS-4 zoning.

Justification: The surrounding residential neighborhoods in the datum area are building to a RS-2 and RS-3. Building to the highest density would lower the value of the houses in the surrounding area and decrease the tax base for the Tulsa community. It goes against the harmonization established by the planning committee to ensure the surrounding neighborhoods complement each other and promote Tulsa.

Comment 2: For proposed zoning PUD-490-A abandonment please reject the proposal for zoning the abandonment. Please uphold and do not change the current zoning for PDU – 490 taking into account the abandonment Reference /B/ and Reference /E/.

Justification: The abandonment reference /B/, should not be included in the proposed zoning. Rivers Edge homeowners were assured when developing the housing addition that the abandonment would not be developed when purchasing their homes. Many of the homeowners have maintained the area planting trees and gardens to improve the surrounding areas and improving the quality of living for the residence. As you can observe in reference /C/ picture of the area the abandonment has been partially maintained by the home owners. In reference /D/ picture please observe the wrought iron fences that many of the homeowners have installed which allows for visibility of the environment in the reference /B/ abandonment. As part fo the Rivers Edge Covenants they have built a lower fence to observe nature and prevent an unwanted privacy fences for the location. If the planning commission approves the zoning, homeowners must be properly compensated for the value of the fencing and diminished home value. Consideration should be given by Tulsa County to lower the property taxes for the homeowners in Rivers Edge PDU-64A.

In conclusion please do not approve the rezoning amendment case number: Z7570/PUD-490-A Abandonment as published.

11.33

SINCERELY,

JASON ISAACSON



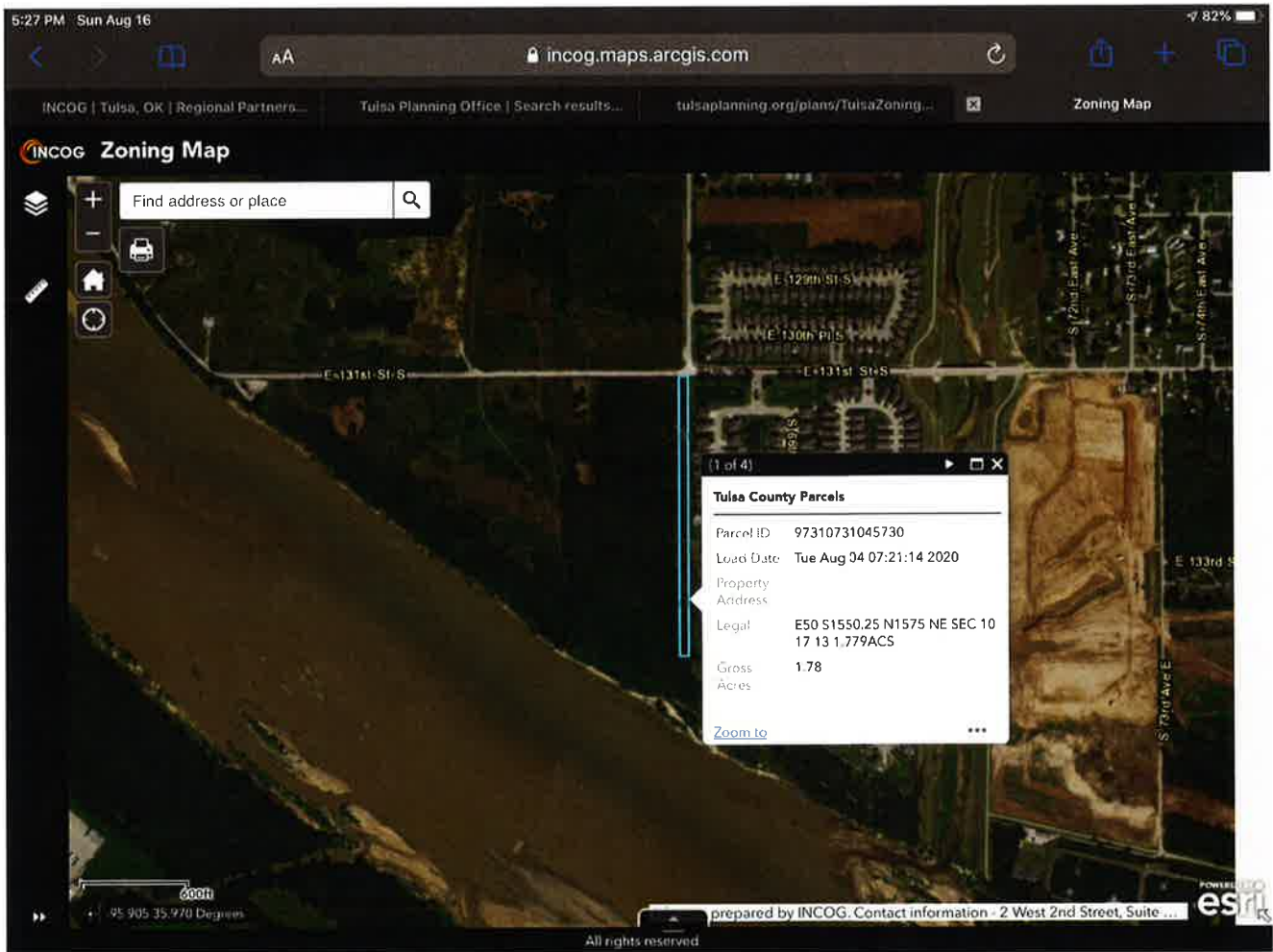
PICTURE C

11.34



PICTURE D

11.35



REFERENCE E

11.36



Tulsa Metropolitan Area
Planning Commission

Case Number: CPA-89
Comprehensive Plan Amendment
(related to Z-7571)

Hearing Date: September 2, 2020

Case Report Prepared by:

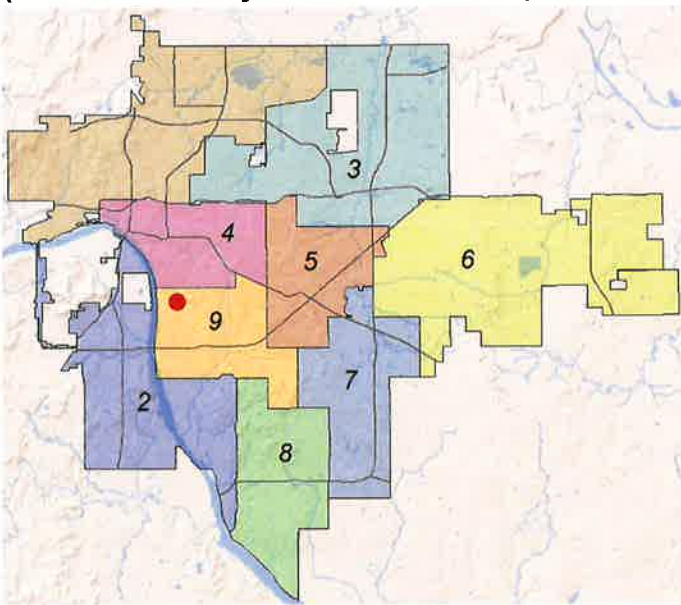
Jani Wertin

Owner and Applicant Information:

Applicant: CBC Builds c/o AAB Engineering, LLC

Property Owner: John E. and Harriet L. Vaughn

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Land Use Map change from ***Existing Neighborhood*** to ***Main Street***

Tract Size: 0.48 + acres

Location: East of the Northeast corner of East 36th
Street South & South Peoria Avenue

Comprehensive Plan:

Land Use Map

Existing: *Existing Neighborhood*

Proposed: *Main Street*

Stability and Growth Map

Existing: *Area of Stability*

Proposed: *Area of Growth*

Zoning

Existing Zoning: RS-3

Proposed Zoning: MX1-U-40

Staff Recommendation:

Staff recommends **approval** of *Main Street* and
Area of Growth designations

City Council District: 9

Councilor Name: Ben Kimbro

County Commission District: 2

Commissioner Name: Karen Keith

TMAPC Staff Report CPA-89 Comprehensive Plan Amendment

Property Information and Land use Request

The applicant has submitted this proposed Comprehensive Plan amendment (CPA-89) with a concurrent rezoning request (Z-7571) to request a change in both the Land Use and the Growth and Stability designation of the subject property from *Existing Neighborhood* to *Main Street* and *Area of Stability* to *Area of Growth*. The concurrent zoning request proposes MX1-U-40 from RS-3 for a mixed-use development.

Background

The Land Use and Area of Stability or Growth designations for the subject property were made in 2010 with the adoption of the 2010 Tulsa Comprehensive Plan. At this time, the subject property was assigned a Land Use designation of *Existing Neighborhood* and an Area of Stability or Growth designation of *Area of Growth*. As there are no other plans that cover this area that offer land use recommendations, the 2010 Tulsa Comprehensive Plan solely provides guidance regarding land use for this area.

The site is currently made up of three separate parcels, each with a single-family detached home. The proposed development will remove those homes and construct a mixed-use building that includes commercial on the ground floor and residential units above. The parcels abutting the subject property to the north and west are currently zoned OL/PUD-718 and PK/CH, respectively, both carrying a Land Use Map designation of *Main Street*, as well as an Area of Growth and Stability Map designation of *Area of Growth*. These parcels contain office space and townhomes to the north and a commercial strip mall to the west. The parcel abutting the subject property to the south is zoned MX1-P-U/RS-3 and carries both a *Main Street* and *Existing Neighborhood* Land Use designation, as well as both *Area of Growth* and *Area of Stability* designations due to the location of both single-family detached homes and the Brookside Church. The Brookside Church is zoned MX1-P-U and was rezoned as part of the City Council initiated rezoning opportunities along the Bus Rapid Transit Corridor. The land use designation was changed from *Existing Neighborhood* to *Main Street* in 2019. Abutting to the east are more RS-3 zoned parcels with single-family detached homes that carry a land use designation of *Existing Neighborhood* and a growth designation of *Area of Stability*.

The Brookside Infill Development Design Recommendations was a plan adopted in 2002 that generally provide design guidance for development along and on either side of South Peoria Avenue immediately west of the subject property. The plan did not specifically make any recommendations to this site.

Existing Land Use and Growth Designations

An *Existing Neighborhood* land use designation was assigned to the area subject to the amendment request at the time of the adoption of the Tulsa Comprehensive Plan in 2010:

"The Existing Residential Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities."

When the Tulsa Comprehensive Plan was developed and adopted in 2010, the subject tract was designated as an *Area of Stability*:

"The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life."

Proposed Land Use and Growth Designations (Tulsa Comprehensive Plan)

The applicant is proposing the *Main Street* land use designation for the subject property:

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

The applicant is also proposing the *Area of Growth*, growth designation for the subject property:

"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."

Zoning and Surrounding Uses

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	OL/PUD-718	Main Street	Area of Growth	Offices and Townhomes
South	MX1-P-U / RS-3	Main Street/ Existing Neighborhood	Area of Growth	Brookside Church and Single-family Residential
East	RS-3	Existing Neighborhood	Area of Stability	Single-family Residential
West	PK/CH	Main Street	Area of Growth	Commercial Strip Center

Applicant's Justification

As part of the amendment application, the applicant is asked to justify their amendment request. Specifically, they are asked to provide a written justification to address:

1. How conditions on the subject site have changed, as well as those on adjacent properties and immediate area;
2. How changes have impacted the subject site to warrant the proposed amendment; and;
3. How the proposed change will enhance the surrounding area and the City of Tulsa.

"To Whom It May Concern,

We have made application to modify the comprehensive plan designation for three lots along the North side of 36th Street and East of Peoria Avenue. We propose to change the designation of these lots from Existing Neighborhood to Main Street and from Area of Stability to Area of Growth as depicted on the attached exhibits. This modification is submitted in conjunction with a request to change the zoning from RS-3 to MX1-U-40.

The three lots are currently used a single-family residence but are under contract for purchase and redevelopment. As you can see on the exhibits these lots represent a "leave out" from the normally rectangular area of main street designation. The eastern boundary of this designation seems to have followed the exiting development pattens regardless of the suitability of these areas for other use. Given that the parcels are currently under contract for redevelopment this area warrants reconsideration as Main Street. The parcels are abutted by a multi-story apartment project to the north which is contained in a PUD and PK/CH zoning to the west. The areas south of 36th Street fronting this tract are zoned MX1-P-U. The surrounding development patterns support the requested re-designation."

Staff Summary & Recommendation

The applicant is currently requesting a *Main Street* land use designation and growth designation of *Area of Growth*, which are the current land use and growth designations held by the parcels abutting this property to the north, south, and west. Main Streets are typically comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide and includes much lower intensity residential neighborhoods situated behind. They

are also pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities.

Areas of Growth 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. Additionally, 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.

The Comprehensive Plan outlines the following criteria that was used to previously identify areas of growth that can be used to identify new areas of growth:

- Underutilized land, especially surface parking lots or vacant buildings downtown or along corridors
- Areas already undergoing positive change which is expected to continue
- Areas adjacent to transit and around transit stations, existing and planned
- Areas along corridors with frequent bus service that can accommodate development on underutilized land
- Locations where appropriate infill development will promote shorter and less frequent auto trips
- Areas with special opportunities such as where major public or private investments are planned

While the subject property may not necessarily be underutilized or require infill as there are currently houses on them, the property is close to the transit stops along Peoria Avenue and the surrounding area has been undergoing positive change, offering special opportunities such as where major public or private investments. Higher density opportunities, such as this, are appropriate along Bus Rapid Transit Corridors.

Given these descriptions, the character of the abutting developments, the Go Plan's designation of this stretch of 36th Street as a suggested shared bike route and the subject property's proximity to Peoria, which offers access to public transit, the *Main Street* land use designation and *Area of Growth*, growth designation would appear to be an appropriate fit for this property and the neighborhood and help create a more uniform boundary between the existing single-family neighborhood and the Peoria commercial corridor, while also offering commercial or office services that are accessible to the community.

Staff recommends **approval** of the *Main Street* and *Area of Growth* designations.



AAB Engineering, LLC
PO Box 2136
200 N. McKinley Ave
Sand Springs, OK 74063
(918) 514-4283 phone / (918) 514-4288 fax

July 23, 2020

INCOG Staff
2 West Second St., Suite 800
Tulsa, OK 74103

To Whom It May Concern,

We have made application to modify the comprehensive plan designation for three lots along the North side of 36th Street and East of Peoria Avenue. We propose to change the designation of these lots from Existing Neighborhood to Main Street and from Area of Stability to Area of Growth as depicted on the attached exhibits. This modification is submitted in conjunction with a request to change the zoning from RS-3 to MX1-U-40.

The three lots are currently used a single-family residence but are under contract for purchase and redevelopment. As you can see on the exhibits these lots represent a "leave out" from the normally rectangular area of main street designation. The eastern boundary of this designation seems to have followed the exiting development pattens regardless of the suitability of these areas for other use. Given that the parcels are currently under contract for redevelopment this area warrants reconsideration as Main Street. The parcels are abutted by a multi-story apartment project to the north which is contained in a PUD and PK/CH zoning to the west. The areas south of 36th Street fronting this tract are zoned MX1-P-U. The surrounding development patterns support the requested re-designation.

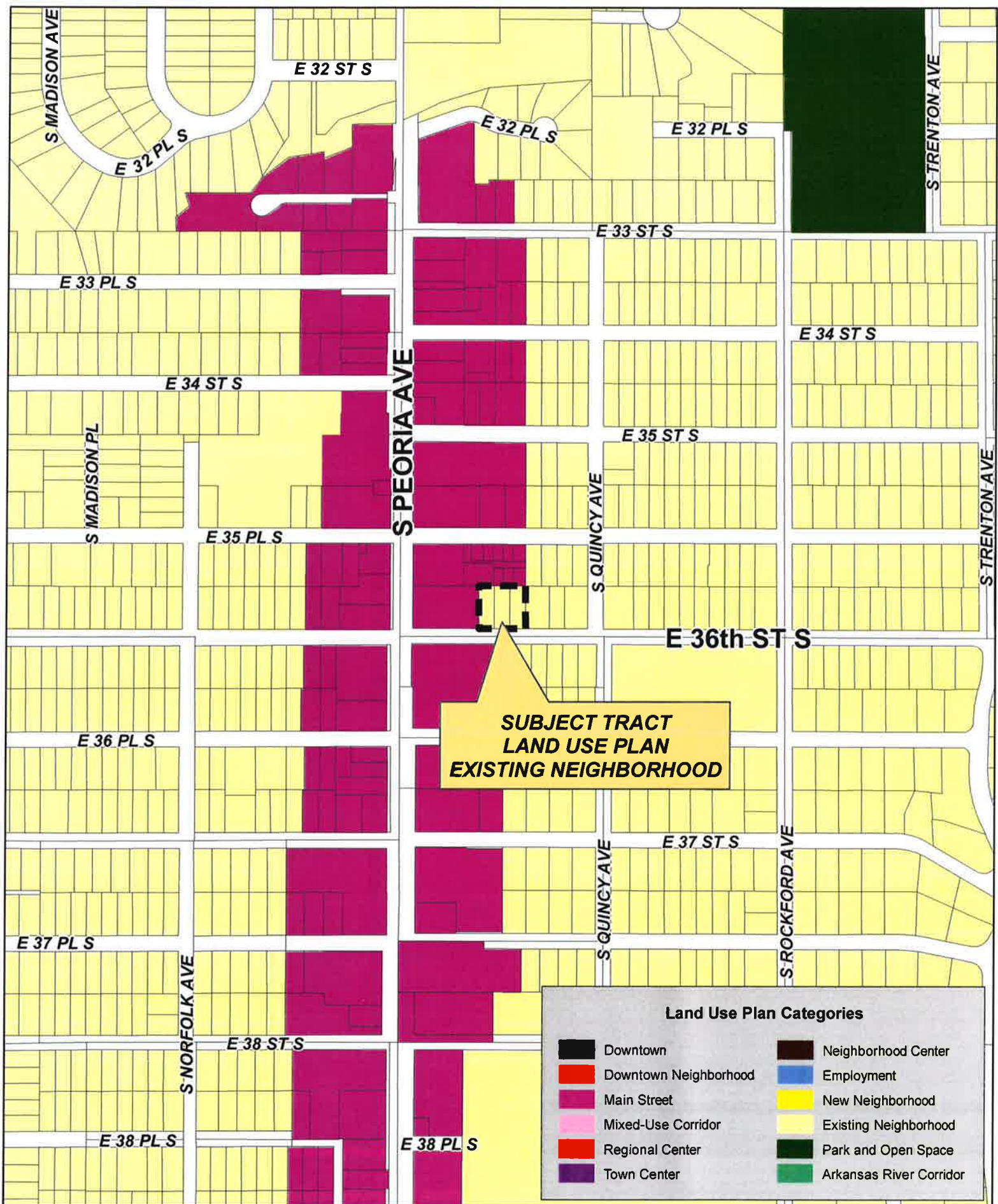
If you have any questions or need any additional information please let me know.

Respectfully,

A handwritten signature in black ink, appearing to read 'Alan Betchan'.

Alan Betchan, P.E., CFM
President
AAB Engineering, LLC

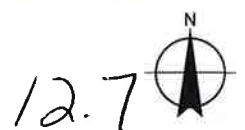
Enclosure

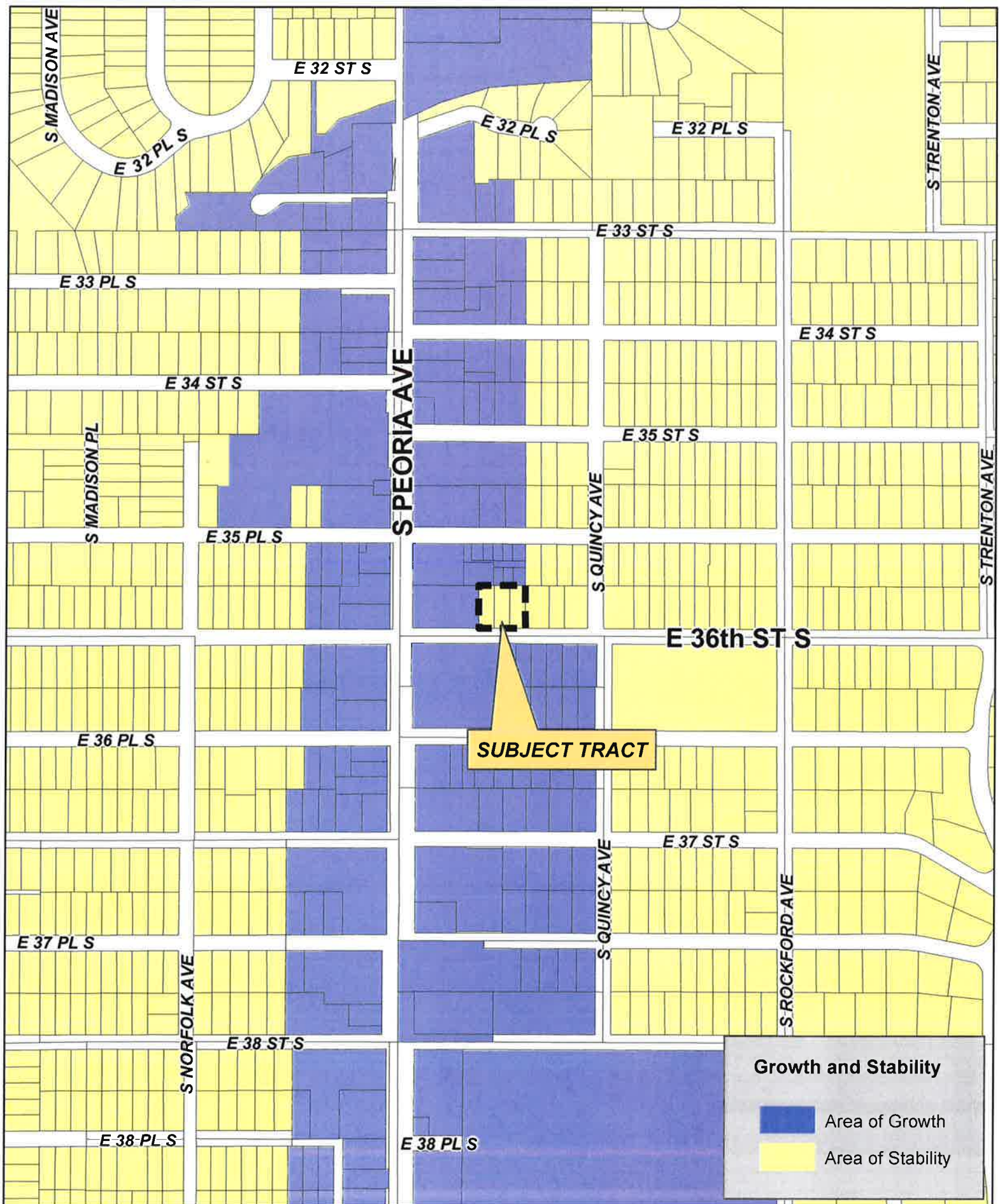


Feet
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CPA-89

19-13 19





CPA-89

19-13 19





0 Feet 200 400



Subject Tract

CPA-89

19-13 19

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

Aerial Photo Date: February 2018





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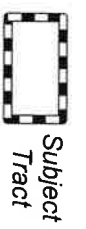
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S QUINCY AVE

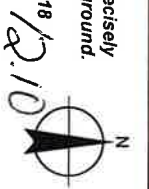


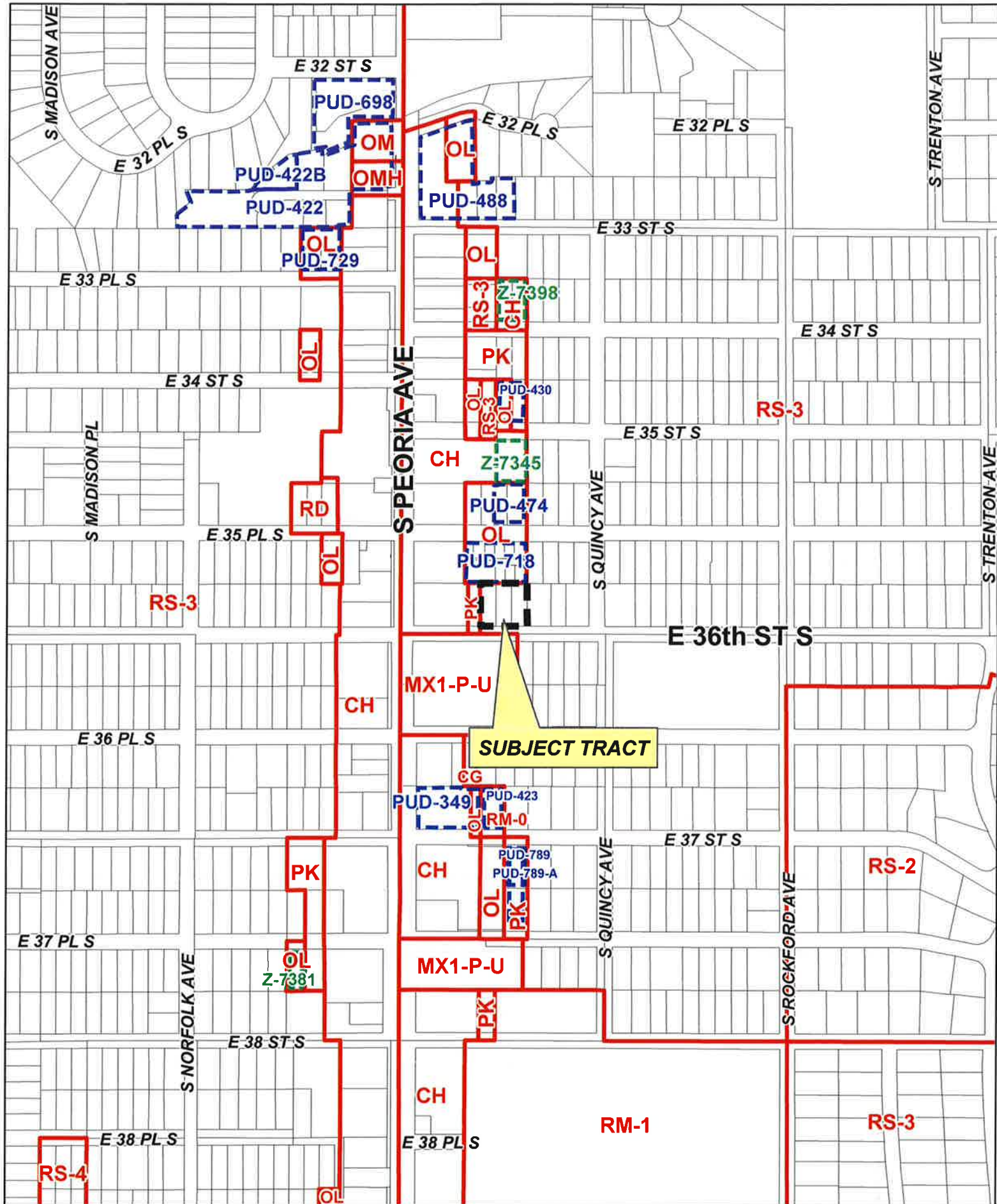
CPA-89

19-13 19

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

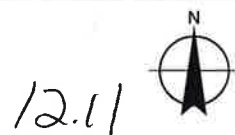
Aerial Photo Date: February 2018





CPA-89

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Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7571

(Related to CPA-89)

Hearing Date: September 2, 2020

Case Report Prepared by:

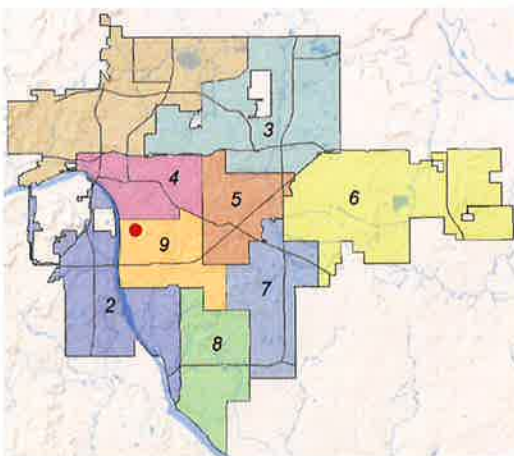
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: CBC Builds c/o AAB Engineering, LLC

Property Owner: John E. and Harriet L. Vaughn L

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Residential

Proposed Use: All uses and building types that are allowed in the MX1- U zoning classification with a maximum building height of 40 feet.

Concept summary: Redevelop property from existing single-family homes to a mixed-use building.

Tract Size: 0.48 ± acres

Location: East of the Northeast corner of East 36th Street South & South Peoria Avenue

Zoning:

Existing Zoning: RS-3

Proposed Zoning: MX1-U-40

Comprehensive Plan:

Land Use Map: Existing Neighborhood

Proposed in CPA-89: Main Street

Stability and Growth Map: Area of Stability

Proposed in CPA-89: Area of Growth

Staff Recommendation:

Staff recommends approval.

Staff Data:

TRS: 9319

CZM: 47

City Council District: 9

Councilor Name: Ben Kimbro

County Commission District: 2

Commissioner Name: Karen Keith

13.1

SECTION I: Z-7571

DEVELOPMENT CONCEPT: The applicant is requesting to rezone the subject property from RS-3 to MX1-U-40 to allow a mixed-use development. The applicant has also submitted a subsequent Comprehensive Plan Amendment request to change the Land-use designation and the Growth and Stability Designation from “Existing Neighborhood” to “Main Street” and “Area of Stability” to “Area of Growth”, respectively.

EXHIBITS:

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

DETAILED STAFF RECOMMENDATION:

The requested zoning is compatible with the properties north and west of the subject property however it is not consistent with the existing neighborhood land use designation. The applicant has also submitted an amendment to the land use map and growth and stability map in Tulsa’s Comprehensive Plan. Staff supports those changes and,

Establishing MX1-U (neighborhood mixed-use) zoning designation with a 40 foot maximum height provides use limitations and design standards that are consistent with the abutting Main Street designation and,

MX1-U building placement requirements will enhance the pedestrian nature of East 36th Street South and establish a consistent corridor edge on the east side of the main street corridor and,

MX1-U is the least intensive mixed-use zoning district defined in the code and provides appropriate design considerations for abutting adjacent residential uses and,

This designation, combined with the Urban character designation and the height limit of 40 feet, would allow this property a greater variety of neighborhood compatible building types to choose from, while increasing the walkability and access of the neighborhood to goods and services, and protecting neighborhoods from objectionable uses therefore,

Staff recommends Approval of Z-7571 to rezone property from RS-3 to MX1-U-40.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary:

The applicant is currently requesting a *Main Street* land use designation and growth designation of *Area of Growth*, which are the current land use and growth designations held by the parcels abutting this property to the north, south, and west. Main Streets are typically comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide and includes much lower intensity residential neighborhoods situated behind. They are also pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of

buildings, and street trees and other amenities. The MX1, Neighborhood Mixed-use district is intended to accommodate small scale retail, service and dining uses that serve nearby residential neighborhoods. The district also allows a variety of residential uses and building types. MX1 zoning is generally intended for application in areas designated by the comprehensive plan as neighborhood centers, main streets and mixed-use corridors

Current Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

The Existing Residential Neighborhood category is intended to preserve and enhance Tulsa's existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

Areas of Stability and Growth designation: Area of Stability

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Proposed Land Use Vision as supported by staff in CPA-89

Staff supports the applicants request to consider a land use change from existing neighborhood to a Main Street. Main Streets are Tulsa's classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide and includes lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.

Staff also supports the applicants request to consider a change to the existing Area of Stability to an 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: None that affect site redevelopment. This site is not included in the City Council initiated MX zoning initiative.

Z-7571 is directly affected by the Go Plan’s designation of this stretch of 36th Street as a suggested shared bike route and the subject property’s proximity to Peoria, which offers access to public transit, the *Main Street* would appear to be an appropriate fit for this property. In addition to fitting the description and meshing with the existing developments, especially the office space and townhomes to the north, the proposed land use designation will also help create a more uniform boundary between the existing single-family neighborhood and the Peoria commercial corridor, while also offering commercial or office services that are accessible to the community.

While the subject property may not necessarily be underutilized or require infill as there are currently houses on them, the property is close to the transit stops that dot Peoria Avenue and the surround area itself has been undergoing positive change, offering special opportunities such as where major public or private investments.

Major Street and Highway Plan: None that affect site redevelopment.

Trail System Master Plan Considerations: The Go Plan recommends East 36th Street South from Riverside Drive to South Hudson Avenue as bike path with shared lane markings, which runs along the southern portion of the subject property.

Small Area Plan:

Much of the area immediately west of this site is included in the Brookside Infill Development Design Recommendation plan and was adopted in 2002. The plan and has not been amended. This site is not directly affected by the concepts illustrated in that plan.

Special District Considerations: There are no special districts that require consideration in this area.

Historic Preservation Overlay: There are no historic preservation overlays that require consideration in this area.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary:

The site is currently made up of three separate parcels, each with a single-family detached home to be demolished and replaced a mixed-use building that includes commercial on the ground floor and apartments up above. Across the street from the subject property to the south are single-family detached homes and the Brookside Church, which was recently re-zoned to MX-1-P-U and had its land use changed from Existing Neighborhood to Main Street in 2019. To the north of the subject property, there is an office space and townhomes, to the west there is a popular commercial strip center which offer a variety of services to the neighborhood, and to the east there are more single-family detached homes.

13.4



Figure 1. Street view from directly south of the property facing north.



Figure 2. Street view from the front of the property, facing south.



Figure 3. Street view from directly south of the property facing east.



Figure 4. Street view from the front of the property looking west.

Environmental Considerations: There are no environmental considerations that would affect site re-development.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
E. 36 th St. S.	Residential Collector	60 ft.	2 lanes

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/PUD-718	Mainstreet	Area of Growth	Offices and Townhomes
South	MX-1-P-U/RS-3	Mainstreet/ Existing Neighborhood	Area of Growth	Brookside Church and Single-family Residential
East	RS-3	Existing Neighborhood	Area of Stability	Single-family Residential
West	PK/CH	Mainstreet	Area of Growth	Commercial Strip Center

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11838 dated June 26, 1970 established zoning for the subject property.

Subject Property:

BOA-12466 February 1983: The Board of Adjustment **denied** a *Special Exception* to permit a duplex in an RS-3 District, a *Variance* of the lot area from 9,000 square feet to 7,000 square feet and a *Variance* of the frontage from 75' to 50', on property located at 1333 East 36th Street.

13.6

BOA-12422 January 1983: The Board of Adjustment **approved** a *Variance* of the frontage requirement in an RS-3 district from 60' to 50' to permit a lot split, on property located at 1333 East 36th Street.

Surrounding Property:

Z-7478/CPA-83 June 2019: All concurred in **approval** of a request for *rezoning* a 2.14± acre tract of land from RS-3/CH to MX-1-P-U for a church and a *Comprehensive Plan Amendment* to change the Land Use designation from Existing Neighborhood to Main Street, on property located at the southeast corner of East 36th Street South and South Peoria Avenue.

Z-7345 July 2016: All concurred in **approval** of a request for *rezoning* a .51± acre tract of land from OL to CH for a restaurant with an accessory bar, on property located east of the southeast corner of East 5th Street South and South Peoria Avenue.

PUD-718 September 2005: All concurred in **approval** of a proposed *Planned Unit Development* on a .64± acre tract of land for offices and townhomes, on property located east of the southeast corner of East 35th Place South and South Peoria Avenue.

Z-6960 November 2004: All concurred in **approval** of a request for *rezoning* a .32± acre tract of land from RS-3 to OL for an Office, on property located east of the southeast corner of East 35th Place and South Peoria Avenue.

Z-6944 July 2004: All concurred in **approval** of a request for *rezoning* a .32± acre tract of land from RS-3 to OL for an Office, on property located east of the southeast corner of 35th Place and South Peoria Avenue.

BOA-17728 June 1997: The Board of Adjustment **approved** a *Special Exception* to permit school use on the subject tract, finding that the school has existed for 50 years, on property located at the northwest corner of 36th Place and Rockford.

Z-6334 November 1991: All concurred in **approval** of a request for *rezoning* a .16± acre tract of land from RS-3 to CH for a commercial building, on property located east of the northeast corner of East 36th Street and South Peoria Avenue.

Z-6324 October 1991: All concurred in **approval** of a request for *rezoning* a .32± acre tract of land from RS-3 to OL for an office, on property located 1325 East 25th Place.

Z-6326/PUD-474 October 1991: All concurred in **approval** of a request to rezone a 1± acre tract of land from OL to CS and **approval** of a proposed *Planned Unit Development* for mini-storage, on property located east of the southeast corner of South Peoria Avenue and East 58th Street.

Z-6003 December 1984: All concurred in **approval** of a request for *rezoning* a .2± acre tract of land from RS-3 to CH for commercial/office, on property located west of the southwest corner of 35th Place and Peoria Avenue.

BOA-07436 May 1972: The Board of Adjustment **approved** a *Special Exception* to permit parking use for employees and customers, with the restrictions that the lot not be used for retail operations, on property located at 1315 East 36th Street.

BOA-06400 August 1967: The Board of Adjustment **approved** a *Special Exception* to permit establishing off-street parking for church use in a U-1C district, subject to the parking requirements of the Board, on property located at 1331 East 36th Place.

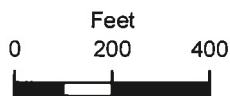
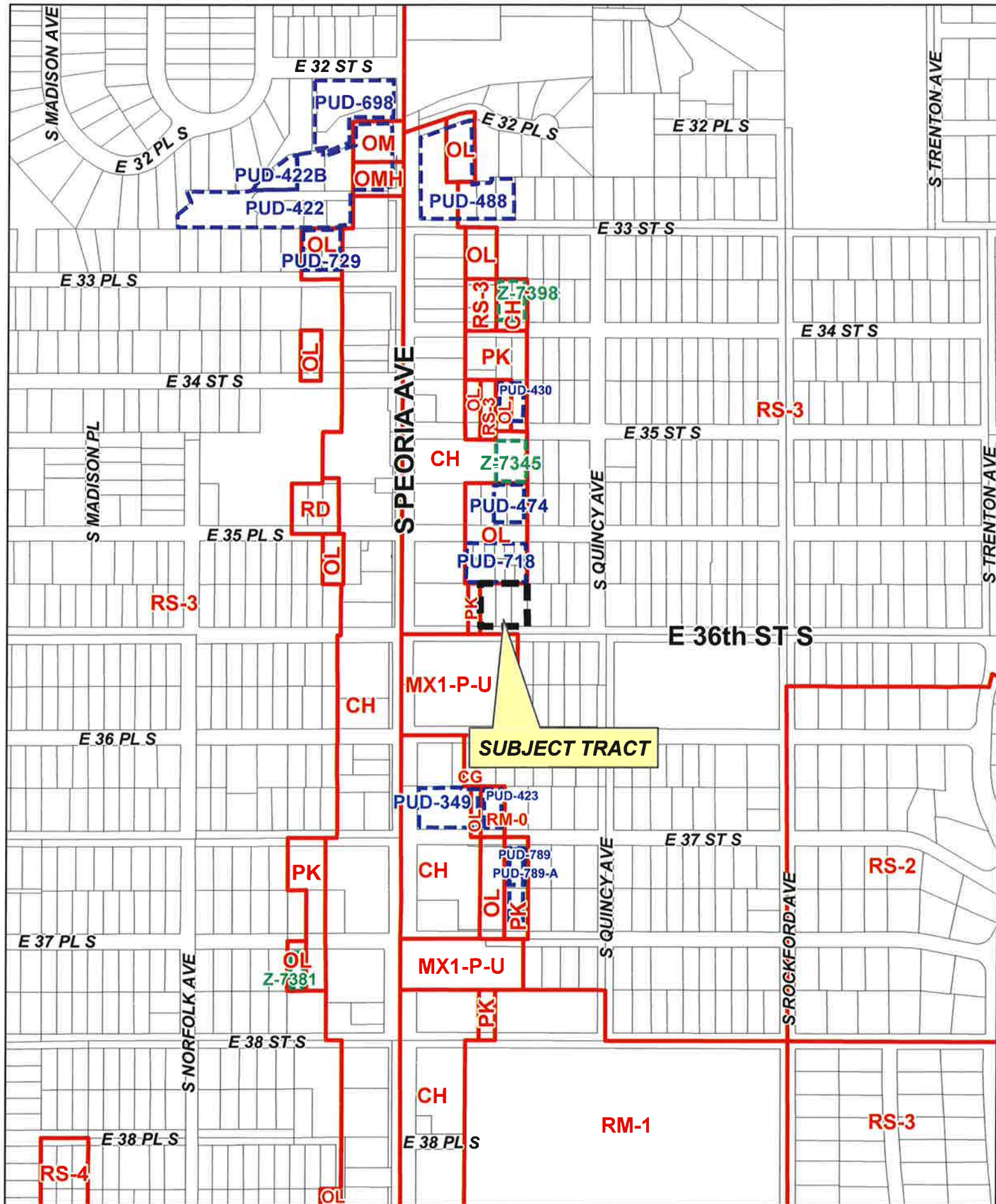
BOA-03878 August 1962: The Board of Adjustment **granted** permission to allow church uses, on property located at Lot 7, Peorian Addition and Lots 4,6-8, Block 1, Peorian Second Addition.

BOA-02164 October 1950: The Board of Adjustment **granted** permission to allow a church, on property located at Lots 8 and 9, Peorian Addition.

BOA-01902 April 1947: The Board of Adjustment **approved** a request for permission to erect an outdoor type electric substation, on property located at E-58' of W-65' of Lot 5, and N-40.87' of E-58' of W-65' of Lot 6, Block 3, Peoria Gardens Addition.

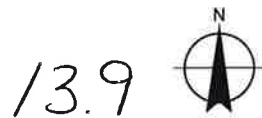
BOA-01606 July 1943: The Board of Adjustment **granted** permission to allow a church, on property located at Lots 10 and 11, Peorian Addition.

9/2/2020 1:00 PM



Z-7571

19-13 19





0 Feet 200 400



Subject Tract

Z-7571

19-13 19

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

Aerial Photo Date: February 2018

13.10





0 Feet 50 100



Subject
Tract

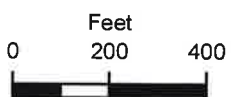
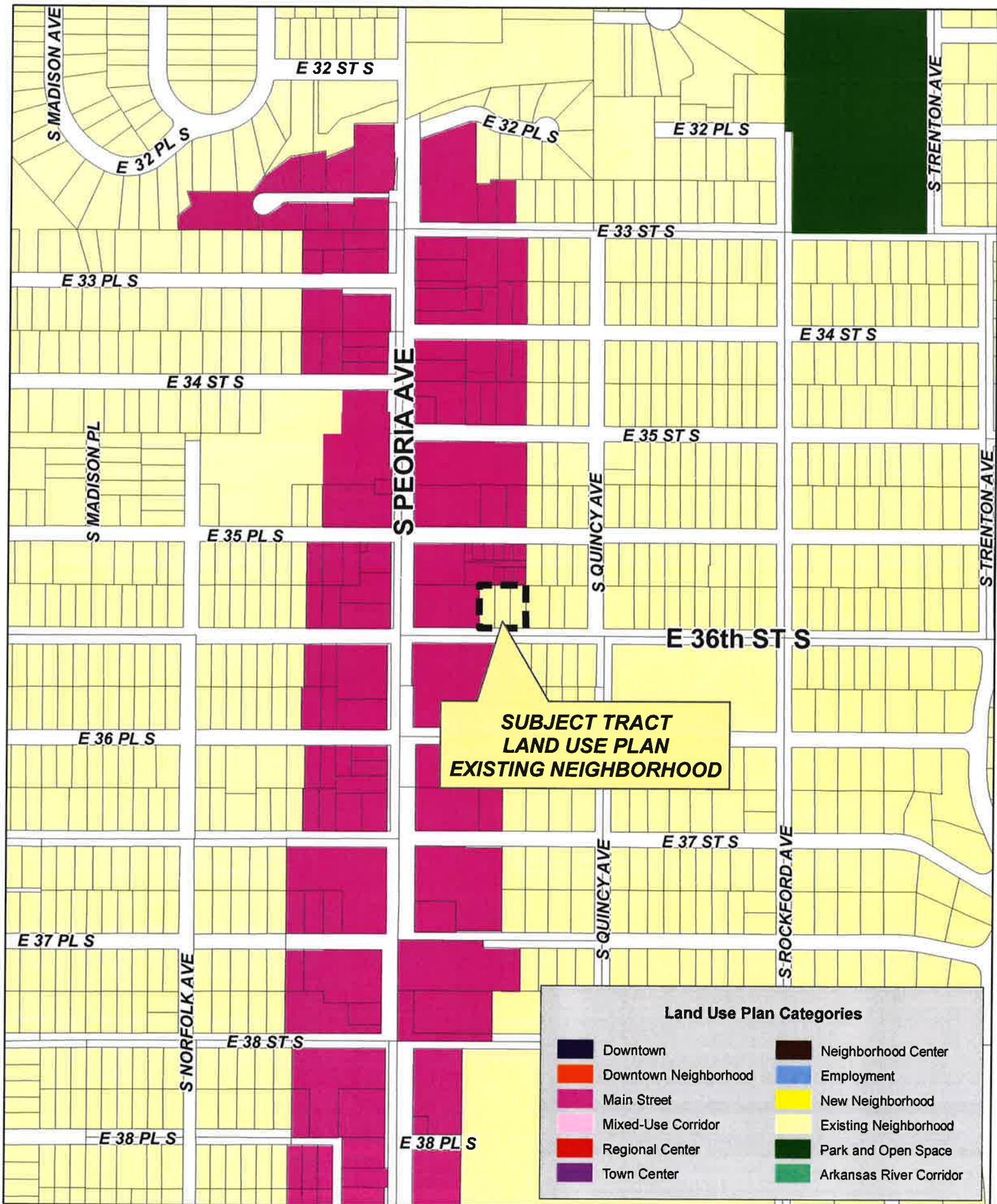
Z-7571

19-13 19

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

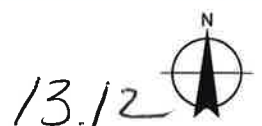
Aerial Photo Date: February 2018

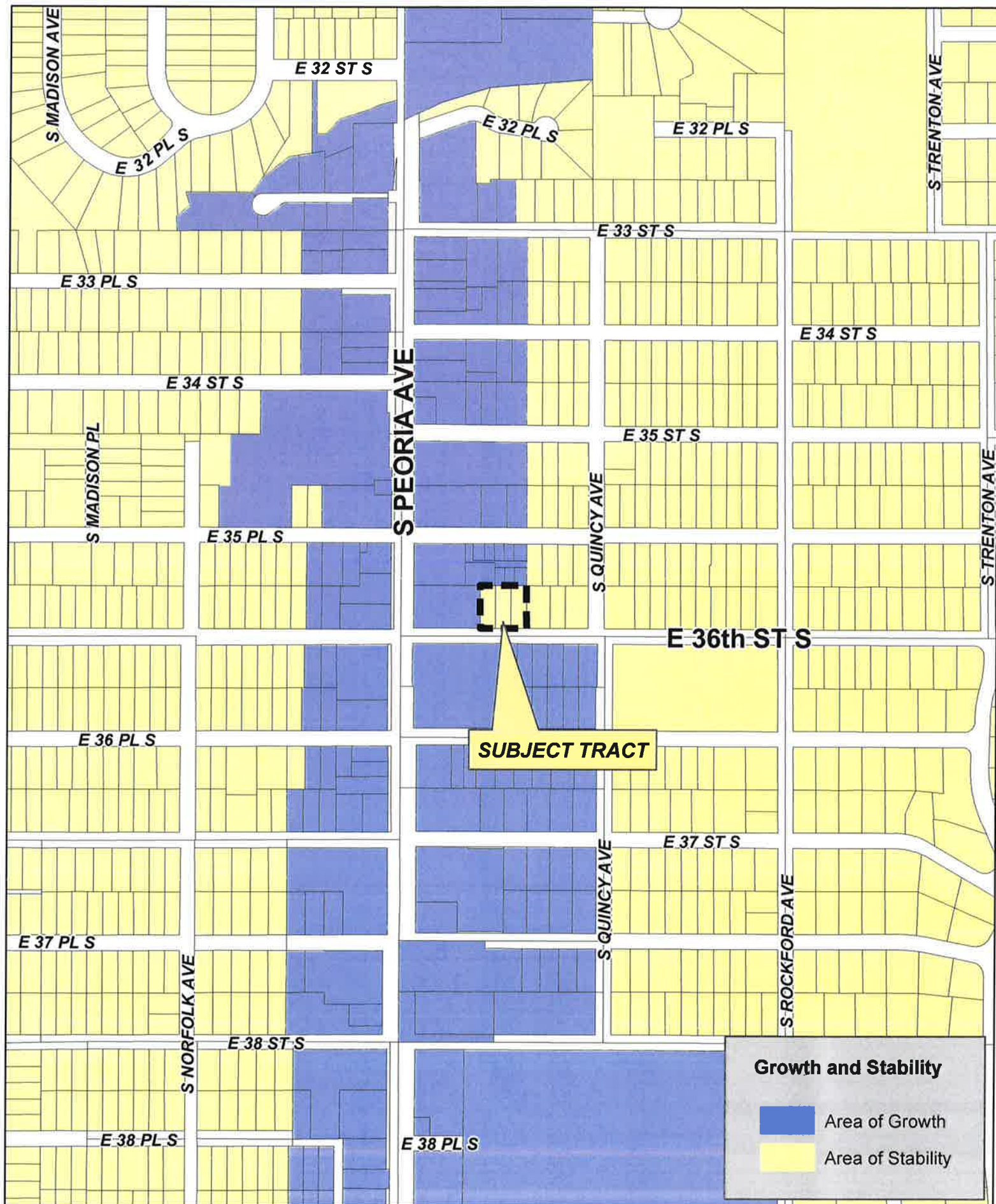




Z-7571

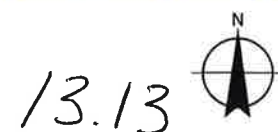
19-13 19





Z-7571

19-13 19



Sawyer, Kim

From: Judy Wyatt <jwt64@cox.net>
Sent: Friday, August 21, 2020 2:15 PM
To: esubmit
Subject: Case # Z-7571

FILE COPY

Good Afternoon,

I'm writing in reference to **Case # Z-7571** which is set for Public Hearing on 9-2-20 at 1:00 PM.

In speaking with over 30 neighbors within the close, general area of the property identified to be reviewed for rezoning (**Case # Z-7571**), all opinions are a resounding **NO**. We do not want this Current Zoning, Residential Single Family, changed. This is our neighborhood and we are already managing LOTS of traffic from Peoria to Lewis on **36th Street**. Since **36th street** was widened several years ago, we now live on a race track. Neighbors, visitors to our neighborhood, frequently comment on the level of traffic on **36th street**. How dangerous it is. Our neighborhood is a great mix of young couples, families, singles, seniors. Retired and working. 95% of the residents have a dog or dogs. We all walk them when weather accommodating; however, some have had to alter their usual route because of the amount and speed of traffic on **36th street**. Some of our neighbors have disabilities and virtually, risk their lives to walk in our neighborhood. Side streets off **36th** are also overrun with traffic. People unable to get out of driveways, safely.

I am very opposed to ANY alteration in the current Zoning---Residential Single-family. Leave it as it is. We purchased homes in this neighborhood expecting It would ALWAYS be a Residential Single Family Zone. We don't want it altered. We don't want ANYTHING that will be dumping more traffic on 36th street and through our other neighborhood streets.

I'm not sure what else the citizens need to do, how they can convey to the TMAPC, City Councilors, Mayor, etc-----We do **NOT** want this neighborhood altered from Residential Single Family Home identification. I do plan to be present at the Public Hearing on 9-2-20. It has come to this. Citizens in the midst of a pandemic feel it critical for us to be physically present vs listen on phone call or watch streaming.

Please let me know if you need more information. Thank you.

A Concerned Citizen,

Judy Wyatt Trickey
3488 South Zunis Avenue
Tulsa, OK 74105-2727
918-770-1790
Jwt64@cox.net

Sawyer, Kim

2-7571

From: Cindy Woodward <cindy.woodward@outlook.com>
Sent: Wednesday, August 19, 2020 11:11 AM
To: esubmit
Subject: Z-7571 opposition

FILE COPY

To Whom It May Concern,

After receiving information from Alan Betchan regard the intended use as apartments in the upper stories, I am writing my opposition to this zoning change request. This is a single family neighborhood. Building apartments will adversely impact the property values of existing homes.

Cindy Woodward
1334 E 36 st

Sent from my iPhone

Sawyer, Kim

Z-7571

From: Chrystal Dollarhide <chrystalbohannon@gmail.com>
Sent: Wednesday, August 19, 2020 2:07 PM
To: esubmit
Subject: Zoning Case Number Z-7571

FILE COPY

As a resident homeowner on 36th street between Utica and Peoria, I would like to submit my opinion on this zoning matter. In short, I do not support the change.

I feel retail space should not be expanded any further east or west from Peoria. It is not fair to homeowners to have their neighborhood turned into retail space. I also feel that apartments are not in keeping with the trend of residential development in the area and would be more appropriate along the river or on the edges of Brookside.

Thank you,
Chrystal Dollarhide

Sawyer, Kim

From: Bette Graves <bettegraves@me.com>
Sent: Wednesday, August 19, 2020 5:48 PM
To: esubmit
Subject: Z-7571

FILE COPY

We are residents in midtown and are wanting you to know our concerns about the proposed zoning change.

Our main concern is how close the apartment building/retail site will be to Elliot Elementary. There is too much traffic as it is and pedestrian and bicycle use in this area will be so dangerous. There are so many of us who use this area for neighborhood walking and we think 36th street should remain residential.

Thank you for your consideration.

Bette and Michael Graves
2931 South Quaker Avenue

Sent from my iPad

Sawyer, Kim

From: Richelle Voth <richelle.christine@icloud.com>
Sent: Wednesday, August 19, 2020 8:56 PM
To: esubmit
Subject: Zoning Case Z-7571

FILE COPY

Hi,

I am the homeowner of 1437 E. 35th Street located in Brookside, Tulsa and I am writing to voice concerns over the proposed zoning changes for 36th street/Peoria.

Brookside, Tulsa - specifically 41st to 31st from Peoria to Utica - is a historic, residential neighborhood comprised of single family homes. Adding apartments and retail stores alters the foot traffic pattern and the caliber of the neighborhood. The Enclave Apartments are several streets away and they always have routine, available occupancy. There is not need for additional apartment housing. Additionally, those who live closer to the commercial portion of Brookside will tell you that car break-ins and package stealing is quite a normal behavior. We do not wish to have commercial retail traffic extend further East into the neighborhood as such. I also fear that allowing retail along the side of 36th street would set a presence for future developers to try and extend retail/offices etc into the neighborhood. It is a slippery slope.

With the proposed development at 31st/Peoria and now this tandem proposed development at 36th/Peoria, I believe we are downgrading Brookside's appeal to its current and future families for long-term occupancy. For, Brookside Tulsa is not akin to "Uptown, Dallas", whose transitional community mixes city living with residential burrows. Rather, the composition and community of Brookside Tulsa prides itself on being established, safe and and a legacy-lasting community. I hope we do not deviate from this historical purpose.

Thank you for hearing my thoughts. I would appreciate being informed of any opportunity to further become involved in this zoning process request.

Warmly,
Richelle Voth

Chapman, Austin

From: Cindy Woodward <cindy.woodward@outlook.com> -
Sent: Wednesday, August 19, 2020 11:11 AM
To: esubmit
Subject: Z-7571 opposition

To Whom It May Concern,

After receiving information from Alan Betchan regard the intended use as apartments in the upper stories, I am writing my opposition to this zoning change request. This is a single family neighborhood. Building apartments will adversely impact the property values of existing homes.

Cindy Woodward
1334 E 36 st

Sent from my iPhone

Sawyer, Kim

From: Myrna Seale <mvs5445@gmail.com>
Sent: Thursday, August 20, 2020 11:21 AM
To: esubmit
Subject: Z-7571 zoning change from RE to MX-U-40

FILE COPY

Re: Zoning case Z-7571

I am writing to protest the request to change the 3 lots just east of the Peoria/36th intersection from RE to MX-U-40.

According to the filing, it will be a 3-story building with retail on the ground floor and apartments on the upper 2 floors.

Protest #1: Primarily against the retail aspect and the potential for significant increase in traffic on 36th Street - an area which is a short distance from Eliot Elementary School. I believe it's inappropriate and unsafe to add traffic flow into a school zone. The north and west sides of Eliot are very busy with dropoffs and pickups in the mornings and afternoons.

Frankly, I'm surprised there aren't zoning codes which would automatically block this.

Protest #2: Any residential - condos/apartments/townhomes - should be limited to 2 stories in keeping with the surrounding homes/neighborhoods.

Summary: This block of 3 lots should remain residential, but with the option for other than single family homes.

Respectfully submitted,
Myrna Seale
2624 E 33rd St
918/743-5784

mvs5445@gmail.com

Randy Francis
Attorney at Law

4733 South Harvard Ave.
Tulsa, OK 74135

918-260-9882

August 22, 2020

TMAPC, c/o INCOG
2 West 2nd Street, Suite 800
Tulsa, OK 74103

Re: Case Number Z-7571

FILE COPY

Dear Representatives,

Soon you will receive a Petition resisting the proposed zoning change described above. All persons who signed the Petition moved into this part of Tulsa relied upon the ability to live in a neighborhood with the existing zoning. Within the last few months there has been a proposed change for the land use of the approximately 7 acres at 31st and Peoria allowing for a retail/commercial usage. Additionally, there is a land use change for the Church on the SE corner of 36th and Peoria allowing retail business on the 1st floor, and now a builder wants to change the land use for the above concerned real estate from Residential Single Family to Mixed Use Urban, building with a 40 foot tall building limit. WE ARE TIRED OF THIS ENCROCHMENT AND WANT OUR SINGLE FAMILY NEIGHBORHOOD TO REMAIN AS IT IS, OR WHAT IS LEFT OF IT.

Personally, I own the home directly to the East of this proposed zoning change. My address is 1335 East 36th St., Tulsa. It is a 4 bedroom 5 car garage home with a detached garage (a 2 car attached to the home and a 3 car plus garage free standing). I BOUGHT THIS HOME EXPECTING ONLY SINGLE FAMILY HOMES TO SURROUND MY PROPERTY AND EXPECT ZONING REMAIN AS IT IS. It is totally unreasonable for the City to allow a "Multi Use" zoned property, allowing a commercial/retail use to be built abutting this \$500,000 plus valued property. ZONING RESTRICTIONS ARE IN PLACE FOR THE EXACT REASON, TO PREVENT THIS TYPE OF BUILDING TO OCCUR ABUTTING RELATIVELY EXPENSIVE SINGLE FAMILY HOMES!

Sincerely,



Randy Francis

13.22

Sawyer, Kim

From: Clark J. Plost, DDS <clark@plostdental.com>
Sent: Tuesday, August 25, 2020 9:22 PM
To: dist9@tulsacouncil.org
Cc: esubmit
Subject: Zoning Request Z-7571

FILE COPY

Councilman Ben Kimbro,

I am writing as a concerned home owner on 36th Street, just east of Peoria and across the street from the new zoning case number Z-7571. I have learned more about the zoning change request for the three properties located east of the intersection of 36th and Peoria on the north side of 36th street. The change request changes the zoning from "single-family" to "mixed-use space", allowing retail and multi-family living. After talking with the new owners of the property, the intended use is apartments on the upper stories with office/retail on the lower floor.

I have concerns with this project and I would like you to support the Brookside neighborhood in not allowing the re-zoning to take place. Please see a list of concerns below:

- ☐ Parking – I am concerned that 36th street will become a parking lot for tenants/customers of the apartments/retail/offices. Despite having "designated" parking on the facility, people inevitably choose to park in the most convenient area, which would be 36th street. Take the Enclave apartments at 41st and South Rockford Avenue as an example. The entire street in front of the apartment complex has become a parking lot.
- ☐ Proximity to Elliot Elementary – Kids walk to and from school in the neighborhood. Increasing traffic in this area beyond single-family residences will increase the traffic and will make the area more dangerous for kids walking to and from school. Lots of residential development is happening down 36th street between Peoria and Lewis, but all are single-family residential.
- ☐ Interrupting the bike lane designation of 36th street. Biker's bike up and down 36th street daily as it is a designated bike path. Placing "mixed-use" zoning facing 36th Street will increase traffic for bikers and make the bike path more dangerous.
- ☐ Encroaching on the residential neighborhood – Where does the commercial development stop traveling east down 36th? This new rezoning request encroaches on the residential Brookside neighborhood.

I am all in favor of new development in Tulsa and Brookside specifically, but I am concerned about this specific request. Re-zoning request # Z-7571 needs to be denied and the area needs to remain a single-family residential area. Please represent our district and keep these lots zoned for single family residential use.

Thank you for reading my concern.

Clark J. Plost
1330 East 36th Street, Tulsa, OK. 74105

Clark Jared Plost, DDS
Owner/General Dentist

PLOSTDENTAL

Office: [2738 E. 51st Street Suite #120 Tulsa, OK. 74105](#) | [918-749-1747](#)

Cell: [918-808-8548](#)

clark@plostdental.com

www.plostdental.com

Sawyer, Kim

From: Pam Schloeder <ppschloeder@gmail.com>
Sent: Wednesday, August 26, 2020 11:17 AM
To: esubmit
Subject: Case Number Z-7571

FILE COPY

I want to register my disfavor of the proposed change in Land Use Designation from "Existing Neighborhood" to "Main Street" in regard to Case Number Z-7571. My residential property is bordered on the south by 36th Street and I will be affected by the proposed change. We already have an abundance of traffic on 36th Street, accompanied by a lack of adequate parking spaces. While I understand the current growth occurring in Brookside, I do not see the need to bring 40 foot tall structures onto 36th Street and into well established, existing neighborhoods. Increased traffic on 36th Street will negatively affect the property value of my midtown residence. I urge you to NOT APPROVE the requested rezoning of Case Number Z-7571.

Pam Schloeder
3481 S Zunis Ave
Tulsa, OK 74105
Ppschloeder@gmail.com

