

TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2843

June 2, 2021, 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_june_2nd_2021

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

United States: +1 (571) 317-3112

Participants must then enter the following **Access Code**: 436-145-861

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 Adams, Commissioner Blair, Commissioner Craddock, Commissioner Kimbrel, Commissioner McArtor, Commissioner Reeds, Commissioner Shivel, Commissioner Van Cleave, Commissioner Walker, Commissioner Whitlock

If you wish to present or share any documents, written comments, or exhibits during the hearing, please submit them by 9:00 am the day of the hearing. Remember to reference the case number and include your name and address.

Email: esubmit@incog.org

Mail: INCOG
2 W 2nd Street
Tulsa, OK 74103

INTRODUCTION AND NOTICE TO THE PUBLIC

At this meeting the TMAPC, in accordance with and pursuant to applicable TMAPC Policies and Procedures, will review, consider, discuss, and may take action on, approve, recommend for approval, amend or modify, recommend for approval with modifications, deny, reject, recommend for denial, or defer action on any item listed on the agenda

Call to Order:

REPORTS:

Chairman's Report:

Work session Report:

Director's Report:

Review and possible approval, approval with modifications, denial, or deferral of the following:

1. Minutes of May 19, 2021 Meeting No. 2843

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.

Review and possible approval, approval with modifications, denial, or deferral of the following:

2. **PUD-198-A-4 Crown Neon Signs** (CD 9) Location: West of the southwest corner of East 61st Street South and Highway 75 requesting a **PUD Minor Amendment** to increase the allowable size of the ground sign. **(Applicant requests a continuance to June 16, 2021)**

PUBLIC HEARING-PLATS

Review and possible approval, approval with modifications, denial, or deferral of the following:

3. **Eastern Village** (CD 6) Preliminary Plat, Location: West of the southwest corner of East 21st Street South and South 129th East Avenue

4. **Comb's Country Estates** (County) Preliminary Plat and Modification of Subdivision & Development Regulations to permit an extended block length, Location: North of the northeast corner of East 116th Street North and North Lewis Avenue

PUBLIC HEARING-REZONING

Review and possible recommendation of approval, approval with modifications, denial, or deferral of the following:

5. **Z-7604 Charles Onyechi** (CD 1) Location: East of the southeast corner of Mohawk Boulevard and North Columbia Avenue requesting rezoning from **CS to IL with optional development plan** (Continued from May 19, 2021) (**Applicant requests a continuance to July 7, 2021**)
6. **Z-7609 Springhill Land Company c/o AAB Engineering, Alan Betchan** (CD 2) Location: Southwest corner of West 61st Street South and Highway 75 requesting rezoning from **CO and AG to RS-1 and CG** (Related to Z-7610 and PUD-648-E) (**Staff requests a continuance to July 7, 2021**)
7. **Z-7610 Springhill Land Company c/o AAB Engineering, Alan Betchan** (CD 2) Location: Southeast corner of West 61st Street South and Highway 75 requesting rezoning from **AG to RS-3** (Related to Z-7609 and PUD-648-E) (**Staff requests a continuance to July 7, 2021**)
8. **PUD-648-E Springhill Land Company c/o AAB Engineering, Alan Betchan** (CD 2) Location: South of the southeast corner of West 61st Street South and Highway 75 requesting a **PUD Major Amendment** to abandon PUD-648-E (Related to Z-7609 and Z-7610) (**Staff requests a continuance to July 7, 2021**)
9. **Z-7606 Wallace Engineering, Mike Thedford** (CD 1) Location: North of the northeast corner of East 36th Street North and North Lewis Avenue requesting rezoning from **CS to IH with optional development plan** (Continued from May 19, 2021)
10. **Z-7608 Matthew Patrick** (CD 4) Location: Northwest corner and southwest corner of East 4th Place South and South College Avenue requesting rezoning from **RM-2 to OMH with optional development plan**

OTHER BUSINESS

11. 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.

Sawyer, Kim

PUD-198-A

Cont to 6/16/21

From: Hoyt, Jay
Sent: Wednesday, May 26, 2021 1:16 PM
To: Wilkerson, Dwayne; Sawyer, Kim
Subject: PUD-198-A-4 Minor Amendment - needs rennotice

Dwayne / Kim,

I just wanted to let you know that this minor amendment, scheduled for the 6/2 TMAPC, will need to be rennoticed due to a revised legal description of the lots included in the request. It will be moved to the 6/16 TMAPC meeting in order for those notices to go out.

Thank you,

Jay Hoyt
Planner

Tulsa Planning Office
918.579.9476
jhoyt@incog.org





Tulsa Metropolitan Area
Planning Commission

Case: Eastern Village

Hearing Date: June 2, 2021

Case Report Prepared by:

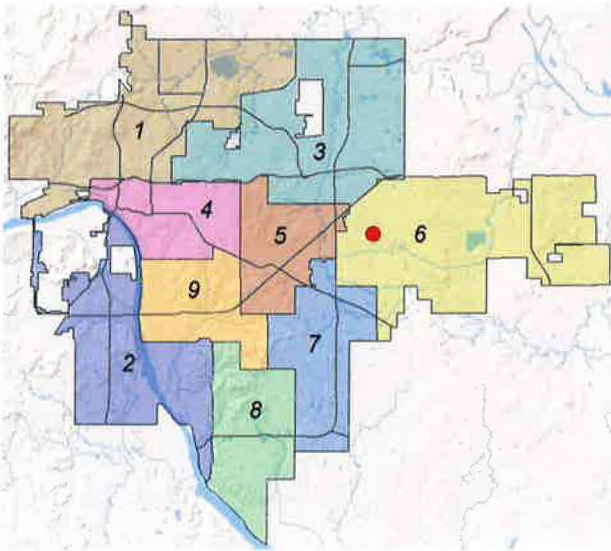
Nathan Foster

Owner and Applicant Information:

Applicant: Ryan McCarty, Select
Design

Owner: Valued Partners Investments,
LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Preliminary Plat

1 lot, 1 block, 3.83 ± acres

Location: West of the southwest corner
of East 21st Street South and South
129th East Avenue

Zoning: CS (Commercial – Shopping)

Staff Recommendation:

Staff recommends **approval** of the
preliminary plat

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: Stan Sallee

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

PRELIMINARY SUBDIVISION PLAT

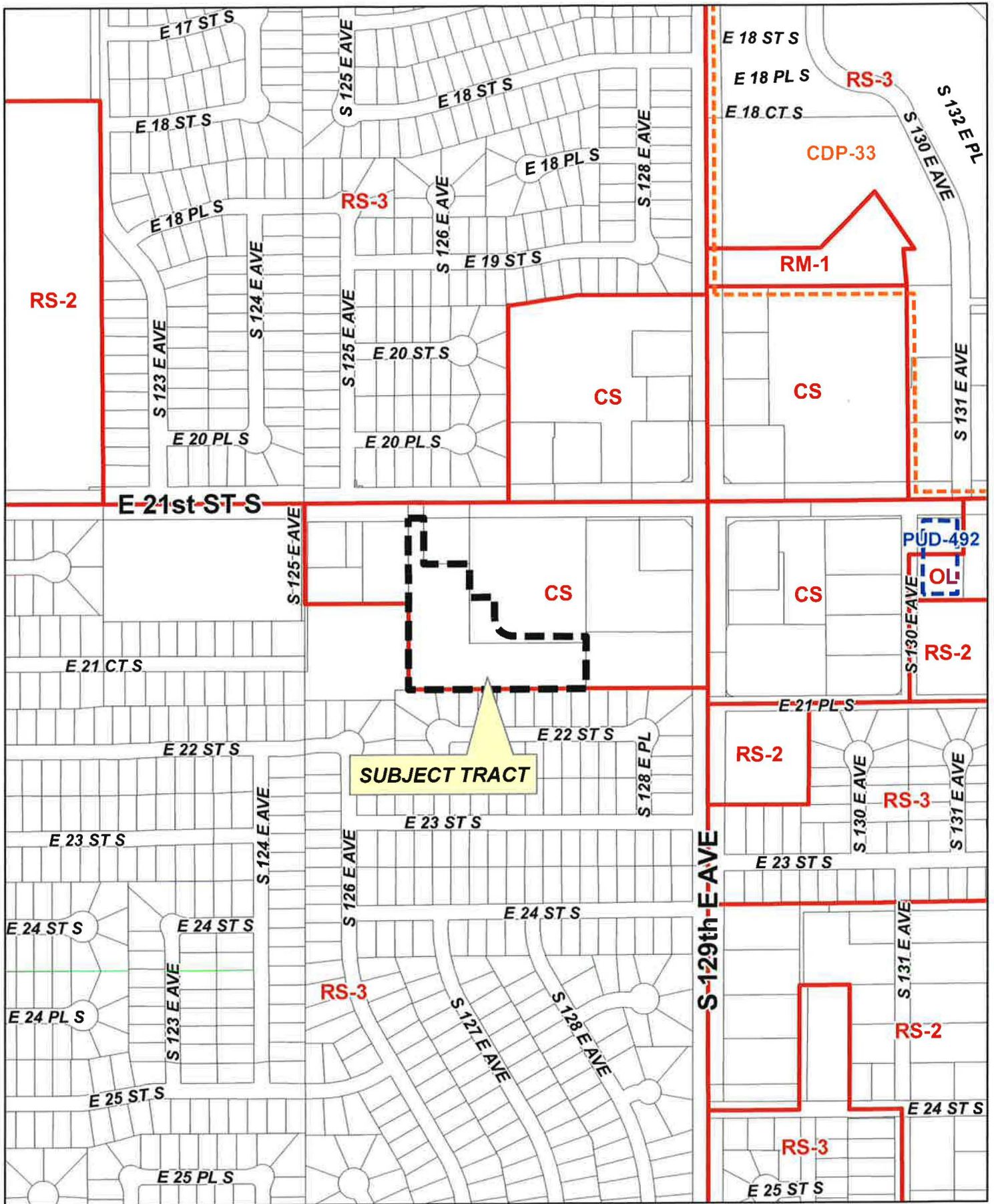
Eastern Village - (CD 6)

West of the southwest corner of East 21st Street South and South 129th East Avenue

This plat consists of 1 lot, 1 block on 3.83 ± acres for use as a multifamily development. The Technical Advisory Committee (TAC) met on May 20, 2021 and provided the following conditions:

1. **Zoning:** The property is currently zoned CS (Commercial – Shopping). Proposed lot conforms to the CS zoning requirements.
2. **Transportation & Traffic:** Sidewalk installation will be required along East 21st Street South. Internal drive must meet fire requirements for turnaround and access. Update right-of-way dedication on 21st Street to a 60 foot dedication to align with Major Street and Highway Plan requirements.
3. **Sewer:** Proposed sanitary sewer extensions will require approval of an IDP. IDP approval is required prior to approval of the final plat. Easements and dedications must be clearly dimensioned and labeled on the face of the plat.
4. **Water:** Proposed water main extensions will require approval of an IDP. IDP approval is required prior to approval of the final plat. Easements and dedications must be clearly dimensioned and labeled on the face of the plat.
5. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Provide addresses for individual lots. Under the “Basis of Bearing” heading provide a bearing angle between two known points associated with this plat. Graphically show all pins found or set associated with this plat. Graphically label the Point of Beginning and Point of Commencement.
6. **Stormwater, Drainage, & Floodplain:** All delineated floodplain boundaries, including City of Tulsa Regulatory Floodplain, must be clearly and accurately shown on the plat with base flood elevations labeled. It is recommended that the current effective map panels with map effective dates also be placed on the plat. Any proposed development within the floodplain must meet the floodplain development requirements of the City of Tulsa Revised Ordinances, Title 11-A and Title 51 as well as all City drainage standards. Proposed changes to the floodplain boundaries or flood elevations will be subject to floodplain map revisions. Stormwater improvements are required to 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.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the regulations. Final plat approval is contingent on a final release from the City of Tulsa including Development Services, City Legal, and City Engineering.



EASTERN VILLAGE

19-14 17

3.3



0 Feet
200 400



Subject
Tract

EASTERN VILLAGE

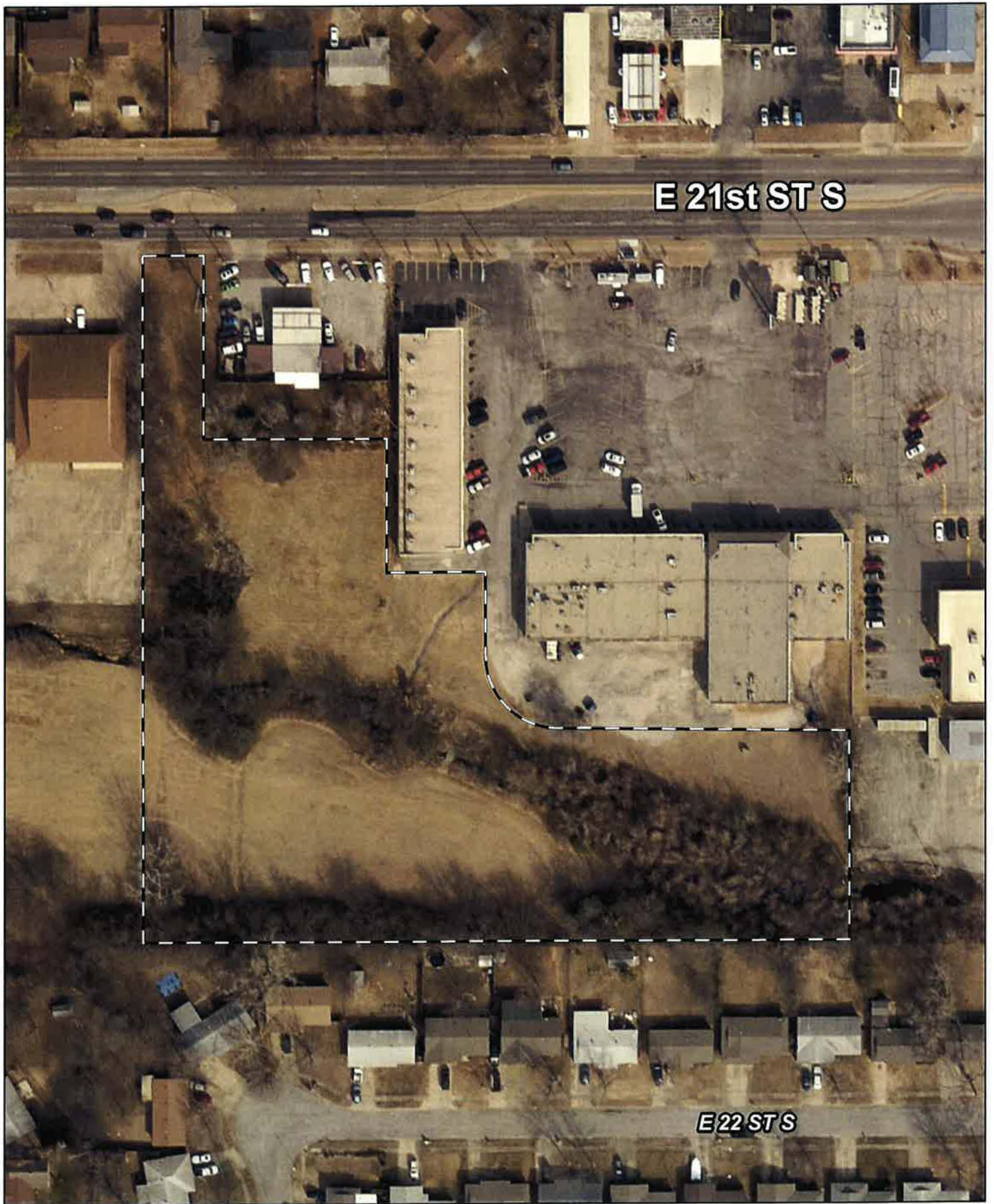
19-14 17

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

Aerial Photo Date: February 2018



3.4



E 21st ST S

E 22 ST S

0 Feet 50 100



*Subject
Tract*

**EASTERN
VILLAGE**

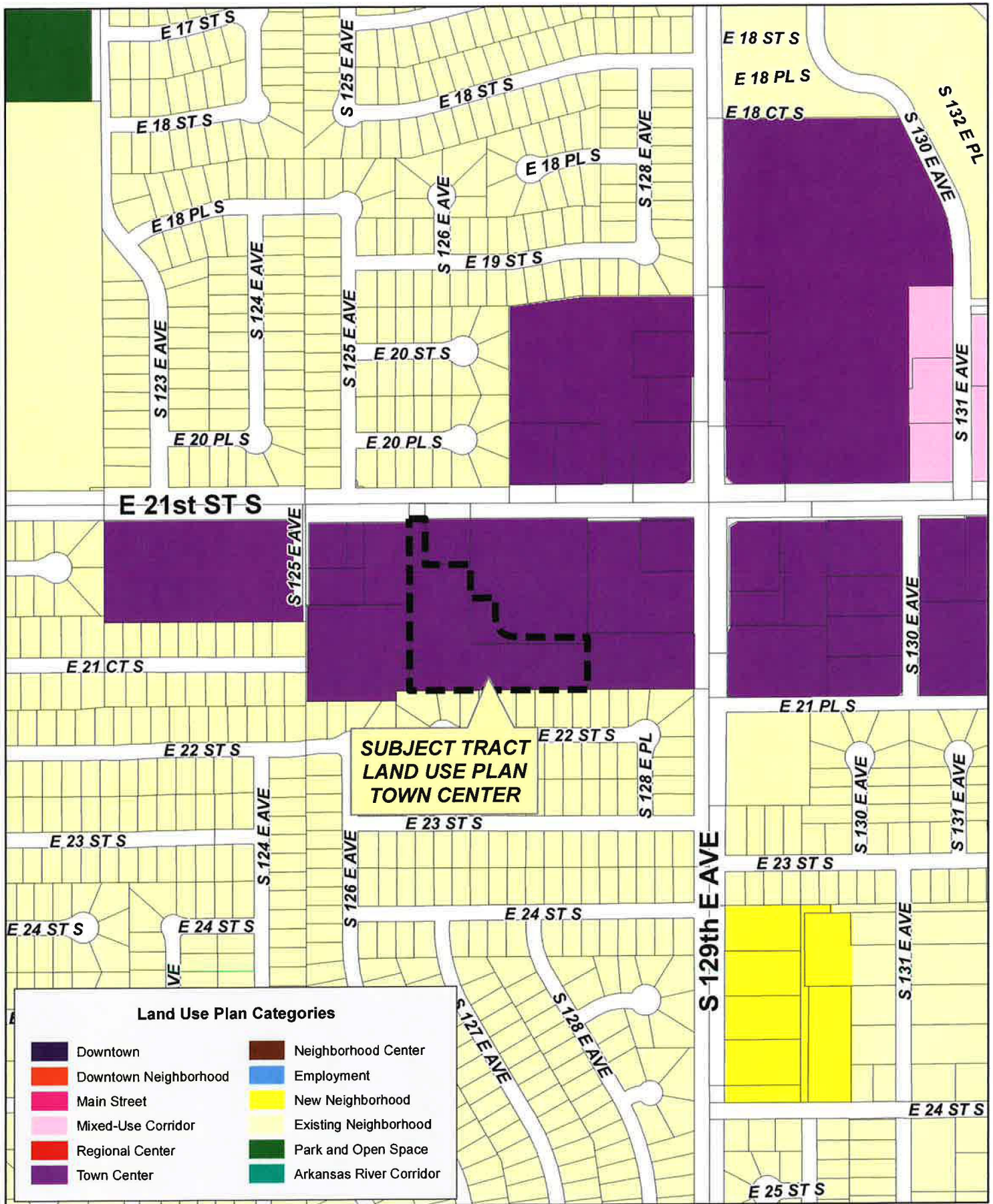
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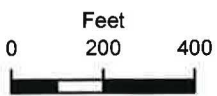
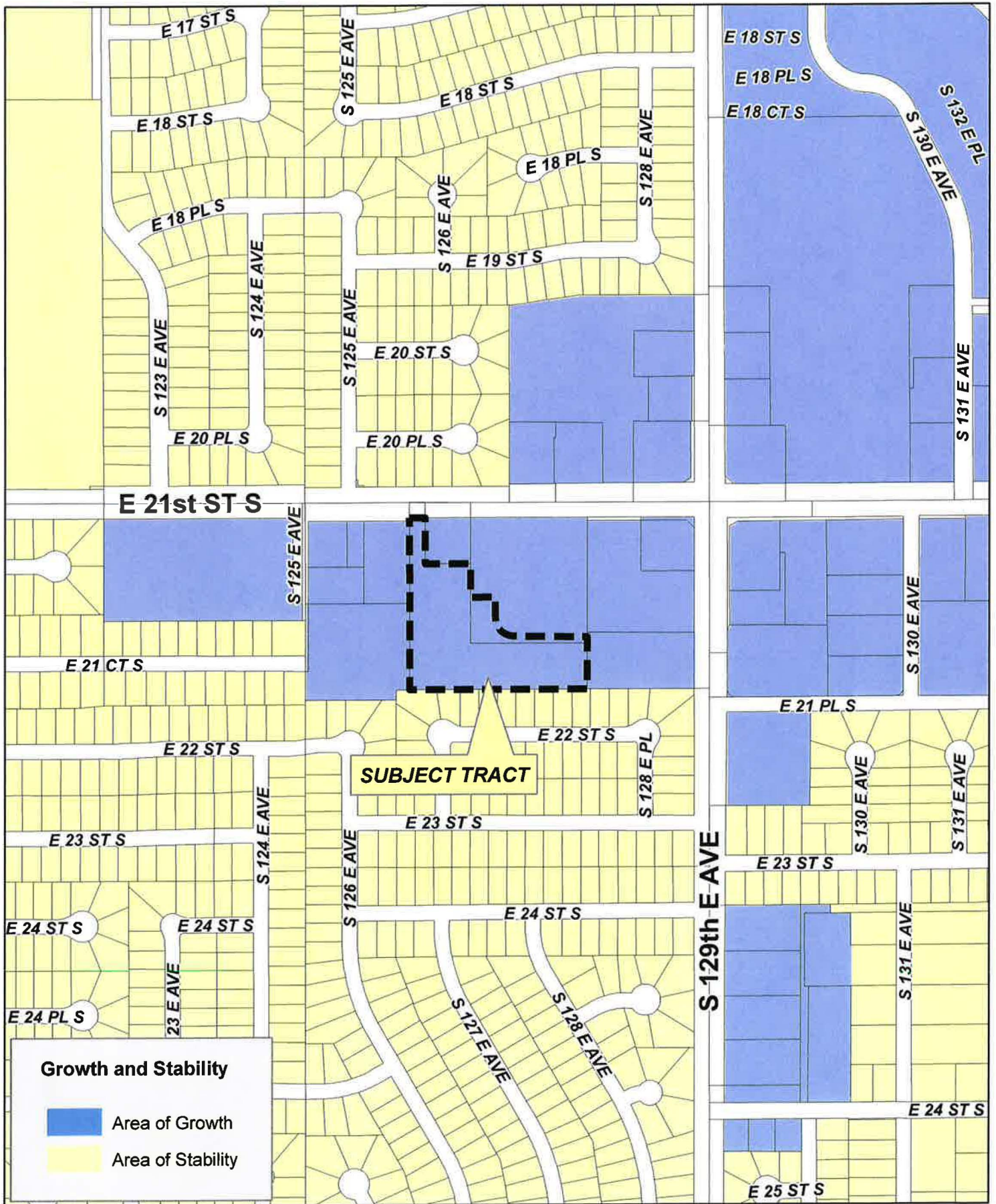
*Note: Graphic overlays may not precisely
align with physical features on the ground.*

Aerial Photo Date: February 2018



3.5





EASTERN VILLAGE

19-14 17



PRELIMINARY PLAT (CS ZONING) Eastern Village

A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA BEING A RE-PLAT OF A PART OF LOT ONE (1), BLOCK ONE (1), STACEY LYNN PLAZA, ACCORDING TO THE RECORDED PLAT THEREOF.

Owner / Developer

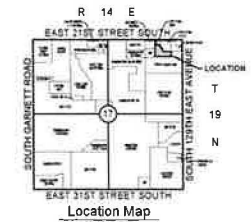
VALUED PARTNERS INVESTMENTS, LLC
4527 EAST 91ST STREET
TULSA, OKLAHOMA 74137
PHONE: (918) 231-0075
MR. JEFF HILST

Surveyor

FRITZ LAND SURVEYING, LLC
2017 WEST 91ST STREET
TULSA, OKLAHOMA 74132
PHONE: (918) 231-0075
EMAIL: frizlandsurveying@gmail.com
C.A. #5848 EXPIRES: 6-30-2022

Engineer

ENGINEERED BY DESIGN, PLLC
P.O. BOX 15567
DEL CITY, OKLAHOMA 73155
PHONE: (405) 234-0880
EMAIL: shawn@engineeredbydesign.com
C.A. #7855 EXPIRES: 6-30-2022



Subdivision Statistics

SUBDIVISION CONTAINS ONE (1) LOT IN ONE (1) BLOCK
GROSS SUBDIVISION AREA: 106,862.10 SF / 3.931 ACRES

Basis of Bearings

BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (1983) OR (N) NORTH AMERICAN DATUM (1983) (NAD83) USING THE NORTH LINE OF THE NEW OF SECTION 17, T10N, R18E AS NORTH 88°32'42" EAST.

Monumentation

ALL CORNERS SHOWN HEREON WERE SET USING A 3/4" x 1/2" STEEL PIN WITH A GREEN PLASTIC CAP STAMPED "FRITZ CASAR".

Benchmark

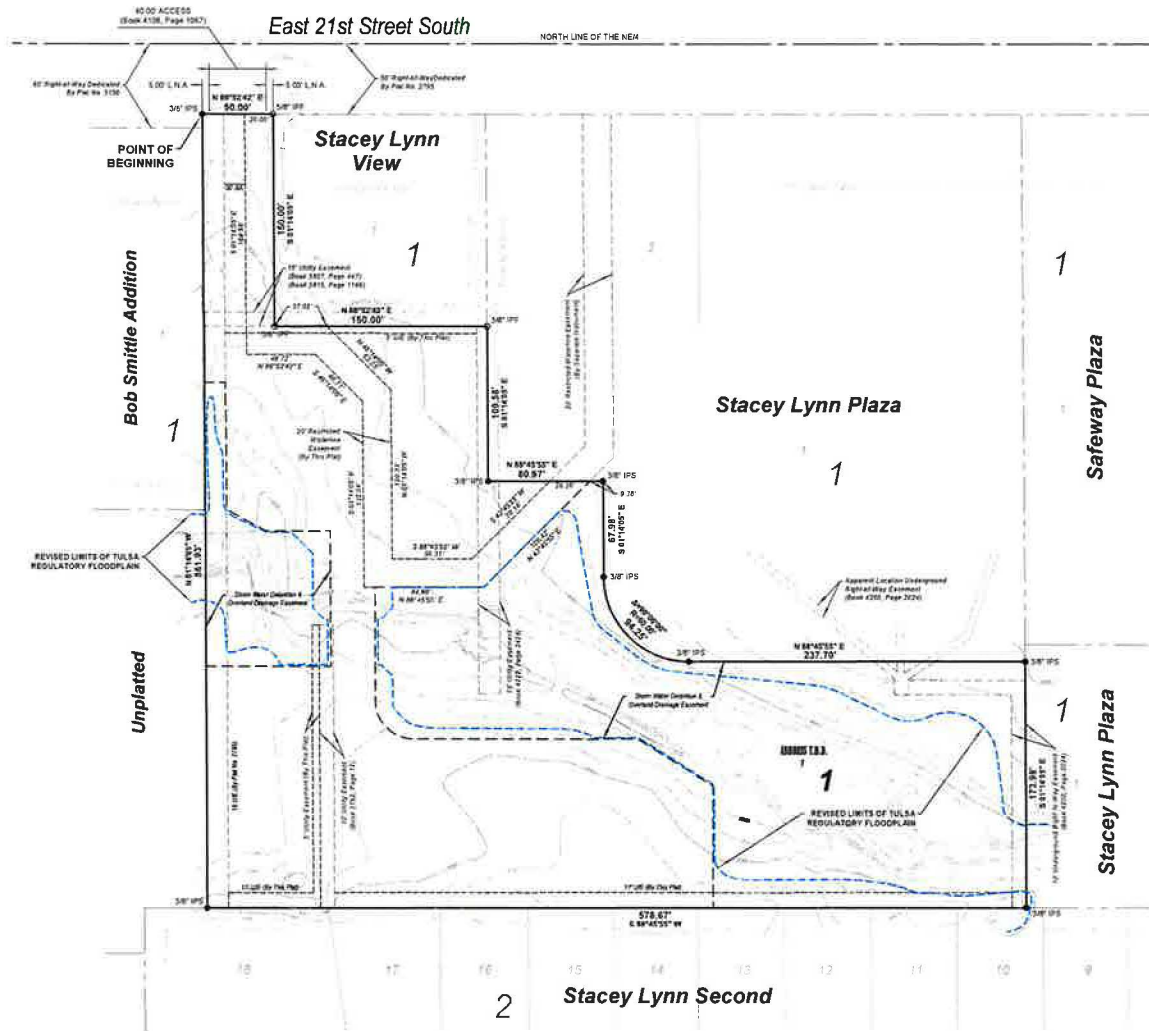
ADS CONTROL STATION 1061 - 2" ALUMINUM CAP SET IN CONCRETE
N 419709.839 / E 2608721.761 / ELEVATION 717.90 (NAVD83)

Addresses

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

Legend

BL - BUILDING DETRACK LINE
IPF - IRON PIN FOUND
IPF - IRON PIN SET
L.N.A. - LIMITS OF NO ACCESS
O.D.E. - OVERLAND DRAINAGE EASEMENT
U.E. - UTILITY EASEMENT
124 - STREET ADDRESS



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

Journal of Management Studies, 20(6), 791-806.

[illegible]

THE OWNER/DEVELOPER HAS CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO ONE LOT AND ONE BLOCK, IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY HEREINAFTER THE "PLAT") AND HAS ENTITLED AND DESIGNATED THE SUBDIVISION AS "EASTERN VILLAGE", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA HEREINAFTER "EASTERN VILLAGE OR THE SUBDIVISION".

THE OWNER/DEVELOPER DILEMMA

1 OVERHEAD POLES AND LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE OR CABLE TELEVISION SERVICE MAY BE LOCATED ALONG EAST ADJURAL PLACE FOR ALL OTHER LOCATIONS. SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE SHALL BE LOCATED UNDERGROUND, IN THE UTILITY EASEMENTS AND IN THE RIGHTS OF WAY OF THE PUBLIC STREETS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE

RUN FROM THE NEAREST GAS MAIN. SERVICE PEDESTAL CONSTRUCTION OF SIMILAR STRUCTURE AS MAY BE LOCATED

4. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S PROPERTY AND SHALL REPAIR THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE EXISTING TELEPHONE CABLE TELEVISION OR GAS FACILITIES. THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF THE FACILITIES. THE SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR DAMAGE OR RUPTURE OF FACILITIES CAUSED OR AGGRAVATED BY ACTS OF THE OWNER OR ITS AGENTS OR CONTRACTORS.

5. THE FOREGOING CONDITIONS IN THIS SUBSECTION B SHALL BE APPLICABLE TO THE SUPPLIER OF ELECTRIC, TELEPHONE CABLE TELEVISION OR GAS SERVICES AND THE OWNER OF THE LOT WHEREBY THE SUPPLIER OF SERVICE SHALL BE REQUIRED TO REPAIR THEREBY.

THE CLASS OF THE LOT FIRST BY RECOGNIZING

3. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER SYSTEMS, SANITARY SEWER MAINS, AND STORM SEWERS. BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OF THE LOT OR BY ACTS OF THE 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 BASEMENTS AND DRAINAGE EASEMENTS DEPicted ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER OR STORM SEWER FACILITIES.

Table 1. *Continued*

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 PLAN OR AS OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING

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THE RESTRAINT

THESE RESTRICTIONS TO THE EXTENT PERMITTED BY APPLICABLE LAW SHALL BE PERPETUAL, BUT NO 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.

THE COVER

[illegible]

BY JEFF HOLT, MANAGING MEMBER
VALUED PARTNERS INVESTMENTS, LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY

NOTARY PUBLIC

MY COMMISSION EXPIRES

I, ANDY FRITZ, OF FRITZ LAND SURVEYING, LLC, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA UNDER CERTIFICATE OF REGISTRATION 00044, HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED AND PLATTED THE TRACT OF LAND DESCRIBED HEREIN, AND THAT THE SAME IS A TRUE REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES AND MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSES FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

WOLFE, D. W. 1992. *Environmental and Biological*

COUNTY OF TULSA

BEFORE ME, NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS _____ DAY OF _____, 2021, PERSONALLY APPEARED ANDY FRITZ TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED AS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE **EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSE THEREIN SET FORTH**

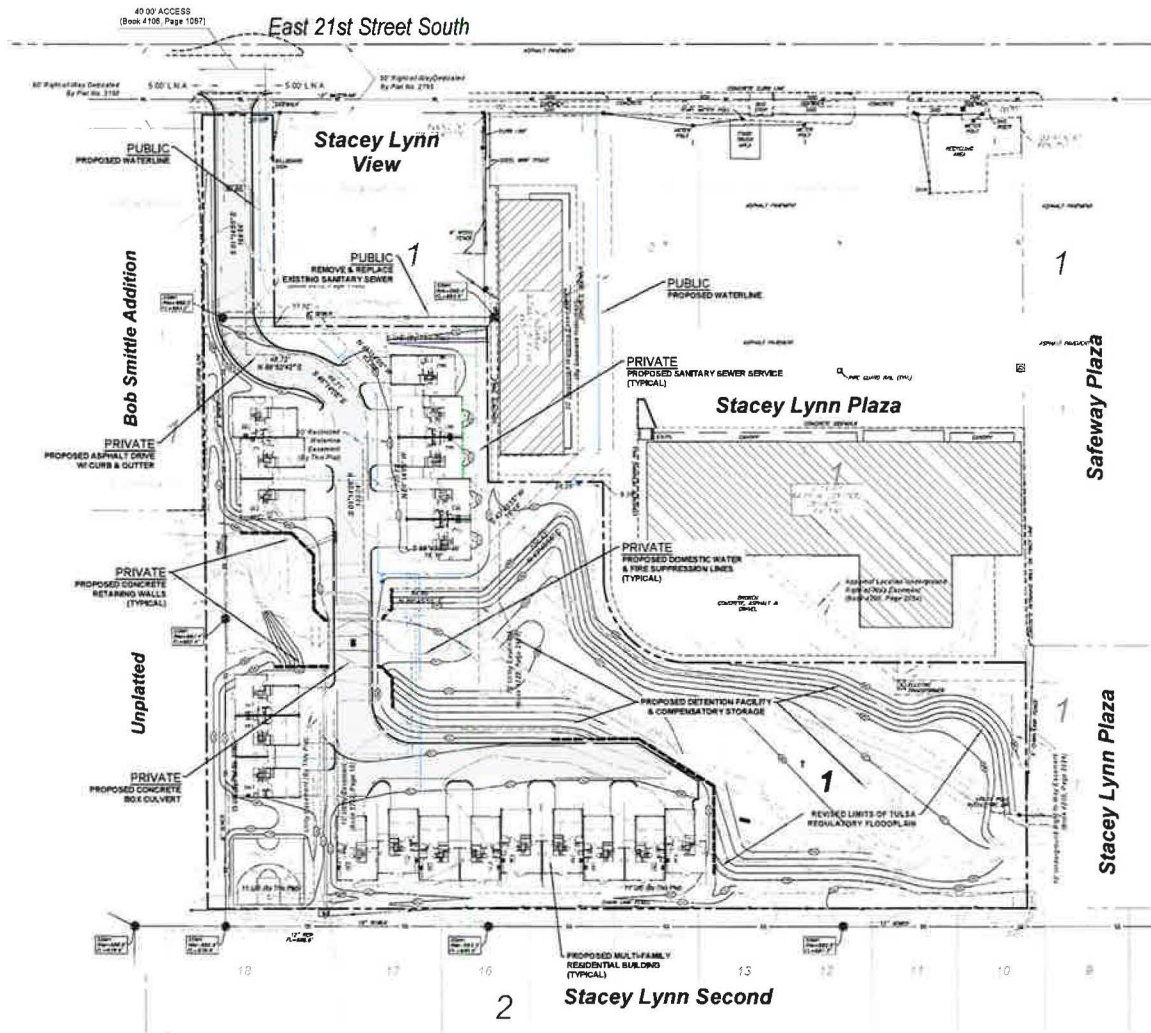
2014-2015

PRELIMINARY PLAT

CONCEPTUAL IMPROVEMENTS PLAN

Eastern Village

A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA BEING A RE-PLAT OF A PART OF LOT ONE (1), BLOCK ONE (1), STACEY LYNN PLAZA, ACCORDING TO THE RECORDED PLAT THEREOF





Tulsa Metropolitan Area
Planning Commission

Case: Comb's Country Estates

Hearing Date: June 2, 2021

Case Report Prepared by:

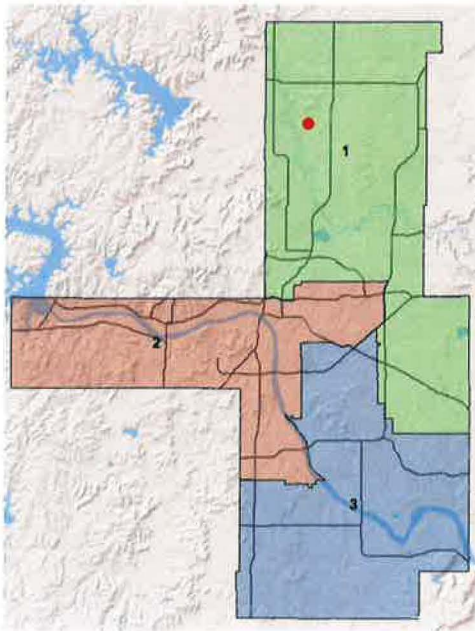
Nathan Foster

Owner and Applicant Information:

Applicant: Robert Bell

Owner: Beats All, LLC

Location Map:
(shown with County Commission districts)



Applicant Proposal:

Preliminary Plat and Modification of the
Subdivision & Development
Regulations to permit an extended
block length

6 lots, 1 block, 61 ± acres

Location: North of the northeast corner
of East 116th Street North and North
Lewis Avenue

Zoning: AG (Agriculture)

Staff Recommendation:

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

County Commission District: 1

Commissioner Name: Stan Sallee

EXHIBITS: Site Map, Aerial, Preliminary Plat, Conceptual Improvements Plan

PRELIMINARY SUBDIVISION PLAT

Comb's Country Estates - (County)

North of the northeast corner of East 116th Street North and North Lewis Avenue

This plat consists of 6 lots, 1 block on 61 ± acres.

The Technical Advisory Committee (TAC) met on May 20, 2021 and provided the following conditions:

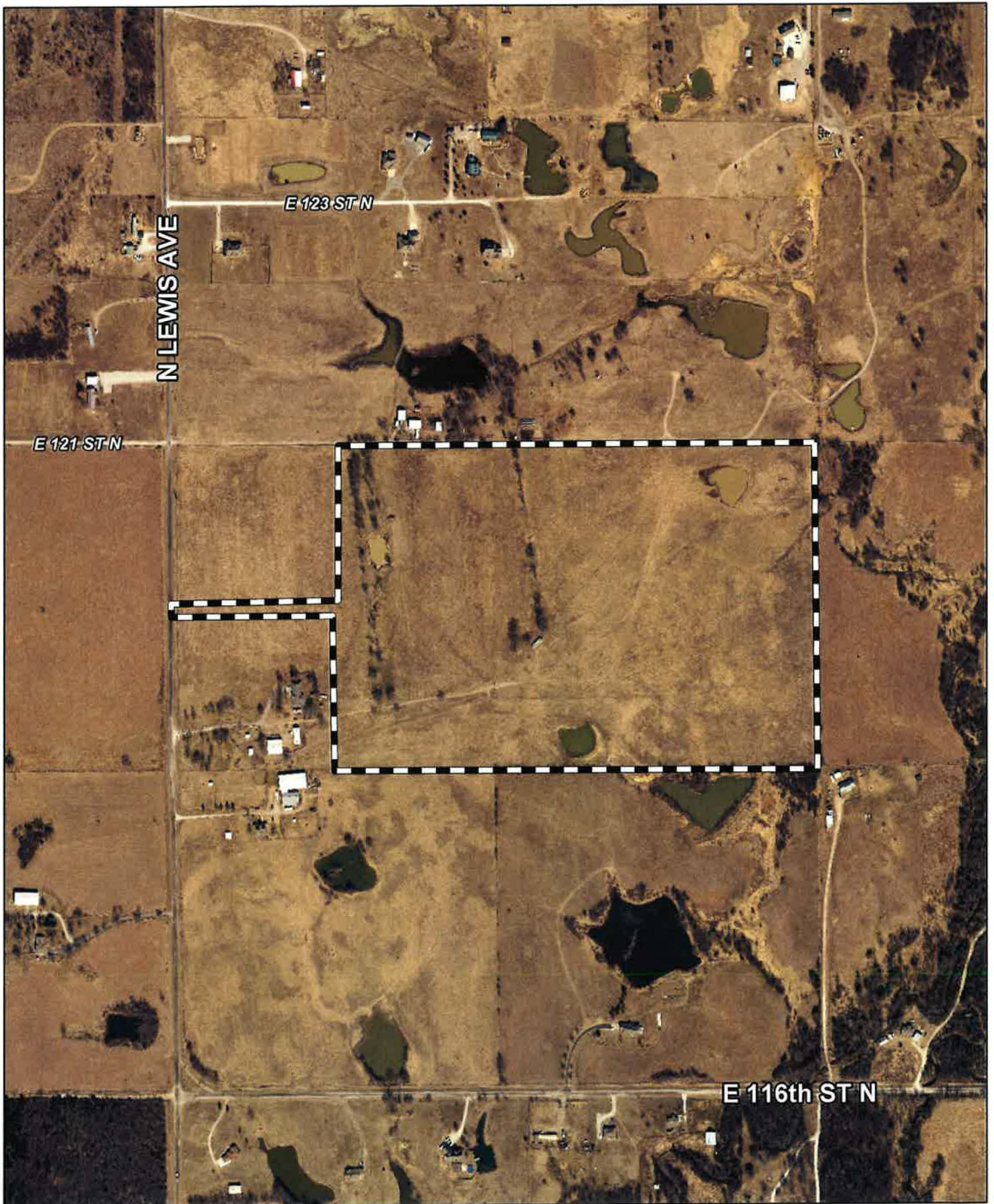
1. **Zoning:** All property included within the subdivision is AG (Agriculture). All lots conform to the requirements for the AG District.
2. **Addressing:** Label all lots with assigned addresses on final plat submittal. Addresses will be assigned by INCOG.
3. **Transportation & Traffic:** Public street must extend through the length of the property and stub to the east to provide a connection for future development. Turnarounds are required to be installed in accordance with Tulsa County standards. Rural subdivisions are allowed a 1500-foot block length that is exceeded by the proposed street and requires the approval of a modification request by the Planning Commission. Final plat should be updated to reflect 2 blocks due to the division by the right-of-way dedication. Local fire approval is required prior to final plat.
4. **Sewer/Water:** Rural water district approval is required for water line extensions and final plat. Easements must be depicted and appropriately dimensioned on the face of the plat. On-site sewage disposal is required to be approved by the Oklahoma Department of Environmental Quality (DEQ). DEQ certificate must be included in the deed of dedication and signed on the final plat.
6. **Engineering Graphics:** Update location map with all platted subdivision boundaries and label all other property "unplatted". Graphically show all pins found or set associated with this plat. Graphically label the point of beginning. Remove signature box including mayor and vice mayor signature.
7. **Stormwater, Drainage, & Floodplain:** All drainage plans must comply with Tulsa County drainage standards and must be approved prior to the approval of the final plat. Any easements required for drainage must be shown on the final plat.
8. **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 of Subdivision and Development Regulations:

1. Section 5.030.3 – Rural residential subdivisions block lengths cannot exceed 1500 feet.

Staff recommends **APPROVAL** of the modification to the Subdivision & Development Regulations due to the nature of the site being primarily large acreage agricultural lots. The extension of the block length allows for the public street to be pulled through to the edge of the subdivision and anticipates connections through future developments. Existing development pattern makes the inclusion of mid-block pedestrian connections impractical and would not serve a public purpose.

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



N LEWIS AVE

E 123 ST N

E 121 ST N

E 116th ST N

0 Feet 250 500



Subject
Tract

**COMB'S COUNTRY
ESTATES**

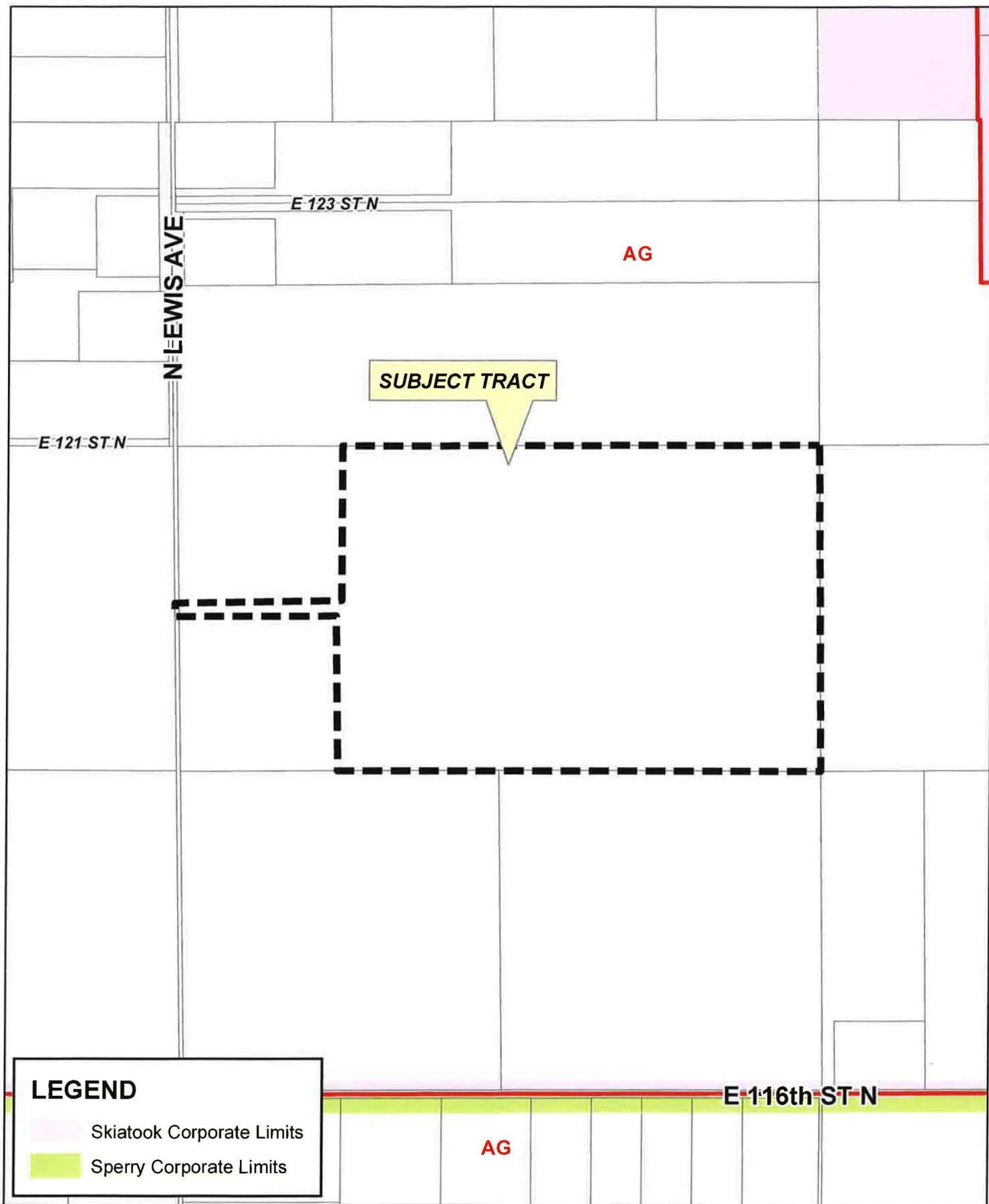
21-13 05

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

Aerial Photo Date: February 2018



4.4



LEGEND

-  Skiatook Corporate Limits
-  Sperry Corporate Limits



**COMB'S COUNTRY
ESTATES**

21-13 05

4.5

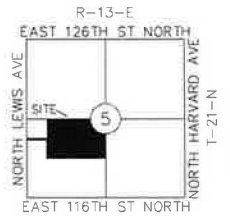


COMB'S COUNTRY ESTATES

PLAT No.

1" = 150'

0' 150' 300' 450'



VICINITY MAP
1" = 2000'

CITY MANAGER

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

DATE: _____

BY: _____

CITY MANAGER

COUNTY ENGINEER

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

DATE: _____

BY: _____

COUNTY ENGINEER

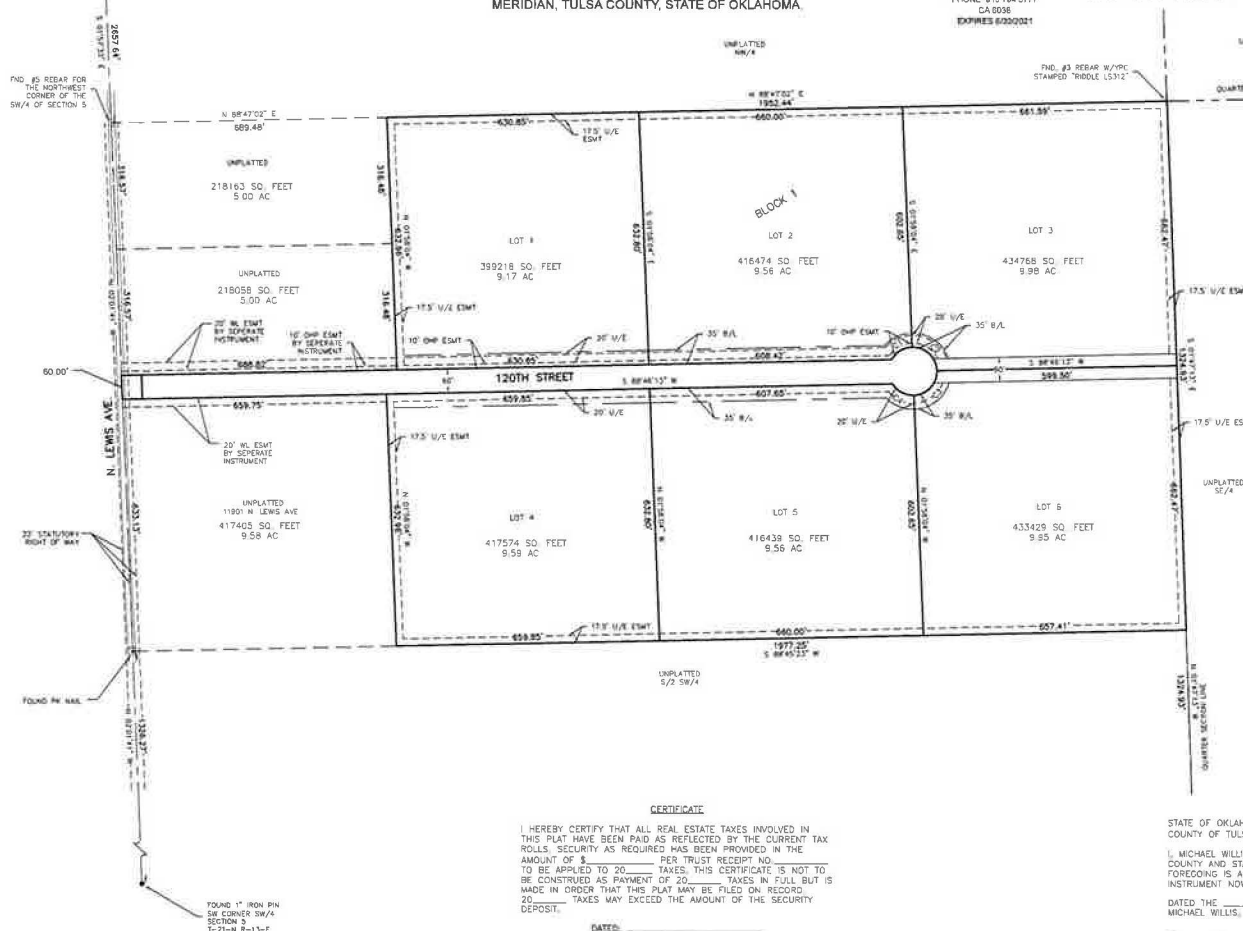
BL = BUILDING SETBACK LINE
UL = UTILITY EASEMENT

OWNER/DEVELOPER
ATTN: BEATS ALL LLC

SURVEYOR/ENGINEER

Tulsa Land Surveying LLC
1501 E 6th St, Tulsa, OK 74120
PHONE: 918.784.8777
CA 6038
EXPIRES 6/30/2021

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



CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	62.06	60.00'	50° 13' 41"	N 58° 25' 04" E	58.12'
C2	95.07	60.00'	90° 04' 11"	S 48° 35' 56" E	65.82'
C3	93.47	60.00'	89° 15' 43"	S 48° 25' 04" W	64.30'
C4	63.80'	60.00'	89° 04' 11"	N 61° 35' 56" W	60.67'

SUBDIVISION STATISTICS

SUBDIVISION CONTAINS SIX(6) LOTS IN ONE(1) BLOCK.
SUBDIVISION CONTAINS SIXTY-ONE(61) ACRES.

MONUMENTATION

ALL CORNERS WERE SET USING 3/8" X 18" REBAR
WITH A YELLOW CAP (YPC) STAMPED "TULSA CA 6038".
UNLESS OTHERWISE NOTED.

BASIS OF BEARINGS

BASIS OF BEARINGS SHOWN HEREON BEING THE WEST
LINE OF NORTH HALF OF THE SOUTHWEST QUARTER
(N/2, SW/4) OF SECTION FIVE (5), TOWNSHIP
TWENTY-ONE (21) NORTH, RANGE THIRTEEN (13) EAST
AS NORTH 02° 01' 41" WEST.

CERTIFICATE

I HEREBY CERTIFY THAT ALL REAL ESTATE TAXES INVOLVED IN
THIS PLAT HAVE BEEN PAID AS REFLECTED BY THE CURRENT TAX
ROLLS. SECURITY AS REQUIRED HAS BEEN PROVIDED IN THE
AMOUNT OF \$ _____ PER TRUST RECEIPT NO. _____
TO BE APPLIED TO 20 _____ TAXES. THIS CERTIFICATE IS NOT TO
BE CONSTRUED AS PAYMENT OF 20 _____ TAXES IN FULL BUT IS
MADE IN ORDER THAT THIS PLAT MAY BE FILED ON RECORD
20 _____ TAXES MAY EXCEED THE AMOUNT OF THE SECURITY
DEPOSIT.

DATED: _____
TULSA COUNTY TREASURER
BY: _____
DEPUTY

STATE OF OKLAHOMA)
COUNTY OF TULSA) SS

I, MICHAEL WILLIS, TULSA COUNTY CLERK, IN AND FOR THE
COUNTY AND STATE ABOVE, NAMED, DO HEREBY CERTIFY THAT THE
FOREGOING IS A TRUE AND CORRECT COPY OF A LIKE
INSTRUMENT NOW ON FILE IN MY OFFICE.

DATED THE _____ DAY OF _____ 20 _____
MICHAEL WILLIS, TULSA COUNTY CLERK

DEPUTY

COMB'S COUNTRY ESTATES
SHEET 1 OF 2

TULSA LAND SURVEYING LLC
1501 EAST 6TH STREET
TULSA, OK 74120
(918) 784-8777
CA 6038
EXPIRES 6/30/2021



476

COMB'S COUNTRY ESTATES

PART OF THE NORTH HALF OF THE SOUTHWEST QUARTER
(N/2 SW/4) OF SECTION FIVE (5) TOWNSHIP TWENTY-ONE (21)
NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND
MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA.

DEED OF DEDICATION
AND
RESTRICTIVE COVENANTS
FOR
COMB'S COUNTRY ESTATES

KNOW ALL MEN BY THESE PRESENTS:

BEATS ALL, AN OKLAHOMA LIMITED LIABILITY COMPANY, 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 SITUATED IN THE NORTH HALF (N/2) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION FIVE (5), TOWNSHIP TWENTY ONE (21) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE NORTHWEST CORNER OF SW/4 OF SECTION 5, THENCE NORTH 88°47'02" EAST ALONG THE NORTH LINE OF THE SW/4 A DISTANCE OF 689.48 FEET TO THE POINT OF BEGINNING, THENCE NORTH 88°47'02" EAST ALONG THE NORTH LINE OF THE SW/4 A DISTANCE OF 1932.44 FEET, THENCE SOUTH 01°47'13" EAST ALONG THE EAST LINE OF THE SW/4 A DISTANCE OF 234.95 FEET, THENCE SOUTH 88°47'23" WEST ALONG THE SOUTH LINE OF THE N/2 SW/4 A DISTANCE OF 1877.25 FEET, THENCE NORTH 00°25'04" WEST A DISTANCE OF 632.96 FEET, THENCE SOUTH 88°48'13" WEST A DISTANCE OF 639.75 FEET, THENCE NORTH 02°01'41" WEST ALONG THE WEST LINE OF THE SW/4 A DISTANCE OF 40.80 FEET, THENCE NORTH 88°51'11" EAST A DISTANCE OF 688.82 FEET, THENCE NORTH 01°58'04" WEST A DISTANCE OF 632.96 FEET TO THE POINT BEGINNING.

CONTAINING 2,644.54 SQUARE FEET OR 60.71 ACRES, MORE OR LESS.

AS OWNER/DEVELOPER, I HEREBY CERTIFY THAT I HAVE CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, DIVIDED, MAPPED, DEDICATED, AND ACCESS RIGHTS RESERVED AS PRESENTED ON THE PLAT AND HAVE DESIGNATED THE SUBDIVISION AS "COMB'S COUNTRY ESTATES", A SUBDIVISION IN TULSA COUNTY, OKLAHOMA.

SECTION I. STREETS, EASEMENTS AND UTILITIES

1.1. STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER/DEVELOPER DOES HEREBY DEDICATE, FOR PUBLIC USE, THAT CERTAIN STREET AS DESIGNATED "120TH STREET" AND AS DEPICTED ON THE ACCOMPANYING PLAT AND DOES FURTHER DEDICATE THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "UTILITY" (UTILITY EASEMENT), FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE OWNER/DEVELOPER HEREBY RESERVES TO ITSELF, AND TO ITS ASSIGNS, THE RIGHT TO USE OR DELEGATE TO OTHERS THE RIGHT TO USE THE DESIGNATED EASEMENTS AND RIGHTS OF WAY TO PROVIDE ANY OF THE SERVICES SET FORTH HEREIN, INCLUDING, BUT NOT LIMITED TO THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING AND RE-LAYING OVER, ACROSS AND ALONG THE STREETS AND 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 HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANTS 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 STREETS AND UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF A STREET OR EASEMENT SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES AND WALLS.

1.2. ELECTRICAL SERVICE

1.2.1 OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE SUBDIVISION TO INCLUDE SERVICE LINES TO A SINGLE FAMILY DWELLING OR ACCESSORY BUILDING, STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY UNDERGROUND CABLE AND ELSEWHERE THROUGHOUT THE SUBDIVISION. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED IN THE EASEMENT WAYS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE RIGHT-OF-WAY OF THE PUBLIC STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE EASEMENT WAYS.

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

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

1.2.4 THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION, OR GAS FACILITIES. EACH SUPPLIER OF SERVICE SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF THE LOT SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR THE OWNERS 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 HERETO.

1.3. WATER SERVICE

1.3.1 THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS LOCATED ON SUCH OWNERS LOT AND SHALL PREVENT THE ALTERATION OF GRADE IN EXCESS OF THREE (3) INCHES FROM THE ORIGINAL CONTOURS OR FROM ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID FACILITIES. SAID ALTERATION OF GRADE RESTRICTIONS SHALL BE LIMITED TO THE EASEMENT AREAS.

1.3.2 WASHINGTON COUNTY RURAL WATER DISTRICT (RWQ) NO. 3 SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF ITS FACILITIES, BUT THE OWNER OF EACH LOT WILL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR HIS AGENTS OR CONTRACTORS.

1.3.3 RWQ NO. 3 SHALL HAVE THE RIGHT TO ACCESS WITH ITS EQUIPMENT ALL EASEMENT WAYS SHOWN ON THE PLAT FOR INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF ITS UNDERGROUND WATER FACILITIES. THE FOREGOING COVENANTS CONCERNING WATER FACILITIES SHALL BE ENFORCEABLE BY WASHINGTON COUNTY RWQ NO. 3 AND THE OWNER OF EACH LOT AGREES TO BE BOUND HERETO.

1.3.4 LANDSCAPE AND PAVING REPAIR: THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY LANDSCAPING AND PAVING LOCATED WITHIN THE UTILITY EASEMENTS IN THE EVENT IT IS NECESSARY TO REPAIR ANY UNDERGROUND WATER MAINS. NO LOT OWNER SHALL PLANT ANY TREES OR SHRUBBERY IN DEDICATED UTILITY EASEMENTS OR RIGHT-OF-WAY WHICH WOULD POTENTIALLY CHALLENGE, THREATEN OR HARM ANY WATER UTILITIES LOCATED WITHIN SAID EASEMENTS OR RIGHT-OF-WAY. IF IT IS DETERMINED THAT ANY TREES OR SHRUBBERY LOCATED WITHIN SAID EASEMENTS OR RIGHT-OF-WAY ARE DAMAGING OR ENDANGERING UTILITIES IN SAID EASEMENTS OR RIGHT-OF-WAY, THE DISTRICT SHALL HAVE THE RIGHT TO REMOVE SAID TREES OR SHRUBBERY UPON FIVE (5) DAYS NOTICE THEREOF AT THE LOT OWNER'S EXPENSE, OR WITHIN SUCH TIME THE LOT OWNER MAY REMOVE SAME.

1.4. GAS SERVICE

1.4.1 GAS SERVICE IS NOT SUPPLIED IN THE ORIGINAL PLATTING OF THE DEVELOPMENT. SHOULD GAS SERVICE BE ADDED TO THE GENERAL UTILITY EASEMENTS IN THE FUTURE, THE SUPPLIER OF GAS SERVICE, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL SUCH EASEMENTS SHOWN ON THE PLAT OR AS PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

1.4.2 THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT AND SHALL PREVENT THE ALTERATION, 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 SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OR ITS AGENTS OR CONTRACTORS.

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

1.5. SURFACE DRAINAGE

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNDISTURBED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS HIS LOT. THE FOREGOING COVENANTS SET FORTH IN THIS SECTION 1.5 SURFACE DRAINAGE SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY TULSA COUNTY, OKLAHOMA.

1.6. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR REPAIR OF DAMAGE TO THE LANDSCAPING AND PAVING OCCASIONED BY THE NECESSARY INSTALLATION OF OR MAINTENANCE TO THE UNDERGROUND WATER, STORM WATER, GAS, COMMUNICATION, CABLE TELEVISION, OR ELECTRIC FACILITIES WITHIN THE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, PROVIDED HOWEVER, THAT TULSA COUNTY OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

MINIMUM YARD SETBACKS

BUILDING SETBACKS: FROM PROPERTY LINE OF ABUTTING STREET 35FT

YARD: 10FT

BACKYARD: 25FT

SECTION II. PRIVATE COVENANTS

2.1 WHEREAS, THE OWNERS ESTABLISH RESTRICTIONS FOR "COMB'S COUNTRY ESTATES" FOR THE PURPOSE OF PROVIDING AN ORDERLY DEVELOPMENT UNDER A GENERAL PLAN FOR THE DEVELOPMENT, AND DESIRES TO ESTABLISH CERTAIN RESTRICTIONS PURSUANT TO THIS PLAN FOR DEVELOPMENT WITH RESPECT TO EACH PROPERTY:

THEREFORE, THE OWNERS DO HEREBY AND LICENSE IMPOSE THE FOLLOWING RESTRICTION AND COVENANTS UPON THE LOTS WITH THE SUBDIVISION PLAT "COMB'S COUNTRY ESTATES" WHICH SHALL BE COVENANTS RUNNING WITH THE LAND, AND SHALL BE BINDING THE OWNERS, THEIR HEIRS, EXECUTORS, ADMINISTRATORS, SUCCESSORS AND ASSIGNS, AND DECLARES THAT THE PROPERTIES DESCRIBED IN THIS DEED OF DEDICATION ARE HELD AND HEREFTER SHALL BE CONVEYED, SUBJECT TO THE FOLLOWING COVENANTS, RIGHTS, RESERVATIONS, LIMITATIONS, AND RESTRICTIONS.

1. NO RESIDENCE SHALL BE CONSTRUCTED OF LESS THAN 2000 SQ. FT. OF HEATED LIVING SPACE.
2. NO MOBILE HOMES (OR ANY VERSION OF MANUFACTURED HOMES) SHALL BE ALLOWED ON THE PROPERTY.
3. SINGLE FAMILY DWELLING SHALL BE CONSTRUCTED UNDER PERMIT BY TULSA COUNTY AND NO POLY-BARN CONSTRUCTION STYLE RESIDENCES SHALL BE PERMITTED.
4. ONLY ONE (1) RESIDENCE PER PARCEL, A SECOND DWELLING ON THE PROPERTY IS PROHIBITED.
5. THE PROPERTY AS DESCRIBED IN THE DEED SHALL NOT BE FURTHER SPLIT OR DIVIDED EXCEPT FOR DEDICATION TO TULSA COUNTY AS RIGHT OF WAY FOR ROADWAY PURPOSES.
6. THE SUBJECT PROPERTY IS ZONED AGRICULTURE AND ALL LIVESTOCK PERMITTED BY TULSA COUNTY ZONING FOR AGRICULTURAL DISTRICTS IS ALLOWED.
7. ANY TYPE, STYLE, QUANTITY OF OUTBUILDING IS ALLOWED.
8. NO COMMERCIAL CAN-GRASS GROW OPERATIONS SHALL BE ALLOWED.
9. COMMERCIAL ACTIVITIES ON THE PROPERTY MUST CONFORM TO NORMAL AGRICULTURAL ACTIVITIES AS SPECIFIED BY TULSA COUNTY ZONING CODE OR AS IDENTIFIED BY THE CODE AS A HOME OCCUPATION. NO INDUSTRIAL BUSINESSES OR ACTIVITIES SHALL BE ALLOWED.

SECTION III. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

3.1. ENFORCEMENT AND DURATION

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE UNDERSIGNED OWNER/DEVELOPER, ITS GRANTEES, SUCCESSORS AND ASSIGNS AND ALL PARTIES CLAIMING UNDER IT FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM THE DATE OF RECORDING HEREOF, AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS AMENDED OR TERMINATED AS HEREAFTER PROVIDED. IF THE UNDERSIGNED OWNER/DEVELOPER, OR ITS SUCCESSORS OR ASSIGNS SHALL VIOLATE ANY OF THE COVENANTS HEREIN, IT SHALL BE LAWFUL FOR TULSA COUNTY OR ANY PERSONS OWNING A LOT SITUATED WITHIN THE SUBDIVISION TO MAINTAIN AN ACTION AT LAW OR EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, AND TO PREVENT HIM/HER OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANTS OR TO RECOVER DAMAGES FOR SUCH VIOLATIONS.

3.2. AMENDMENT

THE COVENANTS CONTAINED HEREIN WITHIN "SECTION I. EASEMENTS AND UTILITIES" MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED BY THE OWNERS OF THE PROPERTY AND ACKNOWLEDGED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION OR ITS SUCCESSORS WITH THE APPROVAL OF THE TULSA COUNTY OKLAHOMA.

3.3. SEVERABILITY

THESE RESTRICTIVE COVENANTS, TOGETHER WITH THE OTHER DOCUMENTS INCORPORATED BY REFERENCE, SHALL BE CONSTRUED AS AN ENTITY AND THE PERTINENT SECTIONS OF ALL INSTRUMENTS AS A WHOLE. THE INVALIDITY OF ANY PARAGRAPH, CLAUSE OR PROVISIONS HEREIN CONTAINED SHALL NOT SERVE TO RENDER THE BALANCE OR THIS INSTRUMENT VOID, OR UNENFORCEABLE, AND THE SAME SHALL BE THEREAFTER CONSTRUED AS IF SUCH PARAGRAPH, CLAUSE OR PROVISION WERE NOT HEREIN CONTAINED OR TO OTHERWISE GIVE MAXIMUM EFFECT TO THE INTENT OF THE UNDERSIGNED. THE FAILURE OF THE GRANTEE, OR ANY SUCCESSOR IN TITLE, TO ENFORCE ANY GIVEN RESTRICTION, OR COVENANT, OR CONDITIONS AT ANY TIME, OR FROM TIME TO TIME, SHALL NOT BE DEEMED TO BE A WAIVER OR RELINQUISHMENT OF ANY RIGHT OR REMEDY NOR A MODIFICATION OF THESE RESTRICTIONS AND PROTECTIVE COVENANTS.

4.0. DEFINITIONS

IN THE EVENT OF AMBIGUITY OF ANY WORD OR TERM SET FORTH HEREIN, THE MEANING THEREOF SHALL BE DEEMED TO BE DEFINED AS SET FORTH WITHIN THE TULSA COUNTY ZONING CODE AS THE SAME EXISTED ON JANUARY 1, 2012 OR AS SUBSEQUENTLY AMENDED.

IN WITNESS WHEREOF, BEATS ALL, LLC HAS CAUSED ITS NAME TO BE AFFIXED, THIS
DATE, 20, 2012.

BEATS ALL, LLC

BY _____

STATE OF OKLAHOMA)
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY OF 20, PERSONALLY APPEARED _____ TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE INSTRUMENT OF THE MAKERS THEREOF TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SUCH COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH.

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

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC

CERTIFICATE OF DEDICATION

I, JOSHUA R. LAMB, DOES HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, STAKED AND PLATTED THE ABOVE DESCRIBED TRACT, AND THE ACCOMPANYING PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

DATED THIS DAY OF 20, 2012.

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

JOSHUA R. LAMB
REGISTERED PROFESSIONAL LAND SURVEYOR

STATE OF OKLAHOMA)
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY OF 20, PERSONALLY APPEARED JEFFREY A. TUTTLE, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAMES OF THE MAKERS THEREOF TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SUCH COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH.

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

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC

TULSA LAND SURVEYING, LLC
1501 EAST 6TH STREET
TULSA, OK 74103
(918) 764-8777
CA 6038
COMB'S COUNTRY ESTATES
SHEET 2 OF 2
EXPIRES 6/30/2021



LEGEND

- ARBITRARY
- CONCRETE
- UTILITY
- UNDERGROUND TELEPHONE
- SS - UNDERGROUND SANITARY SEWER
- WC - UNDERGROUND WATER
- STW - UNDERGROUND STORM SEWER
- UNF - OVERHEAD ELECTRIC
- POWER
- WATER VALVE
- WATER WHEEL
- WATER HYDRANT
- SEWER
- SEWER TRUNK
- CONCRETE TREE
- POWER POLE
- COV WIRE
- TELEPHONE UNDERGROUND MARKER
- TELEPHONE PEDISTAL
- SIGN
- MAIL BOX
- GAS METER
- FIBER OPTIC PEDISTAL
- TRAFFIC SIGNAL POLE
- ELECTRIC METER
- LIGHT POLE
- TRAFFIC JUNCTION BOX
- CABLE TV UNDERGROUND MARKER
- BOLLARD/FENCE POST
- SANITARY SEWER MANHOLE
- GAS VALVE
- STORM SEWER MANHOLE
- FOUND MONUMENTS
- SET MONUMENTS

BL = BUILDING SETBACK LINE
UL = UTILITY EASEMENT

GENERAL NOTES

1. NO CURRENT TITLE OPINION OR COMMITMENT FOR TITLE INSURANCE WAS PROVIDED TO THE SURVEYOR. THEREFORE, NO CERTIFICATION IS MADE OR IMPLIED THAT ALL EASEMENTS, EASEMENTS OF ENCUMBRANCES ARE SHOWN OR NOTED HEREON.
2. DATE OF LAST FIELD VISIT: MARCH 11, 2021.
3. ALL CORNERS WERE SET USING 3/8" X 18" REBAR WITH A YELLOW CAP (YPC) STAMPED "TULS CA 6038", UNLESS OTHERWISE NOTED.
4. BASIS OF BEARING SHOWN HEREON BEING THE WEST LINE OF THE N/2 OF THE SW/4 OF SECTION 5, BEING A BEARING OF NORTH 02°01'41" WEST.
5. THE PROPERTY DESCRIBED HEREON CONTAINS 3,498,172 SQUARE FEET OR 80.307 ACRES.
6. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES AND MAKES NO CERTIFICATION THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED.
7. THIS SURVEY MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.

SITE PLAN FOR

COMB'S COUNTRY ESTATES

OWNER/DEVELOPER
ATTN: BEATS ALL LLC

SURVEYOR/ ENGINEER

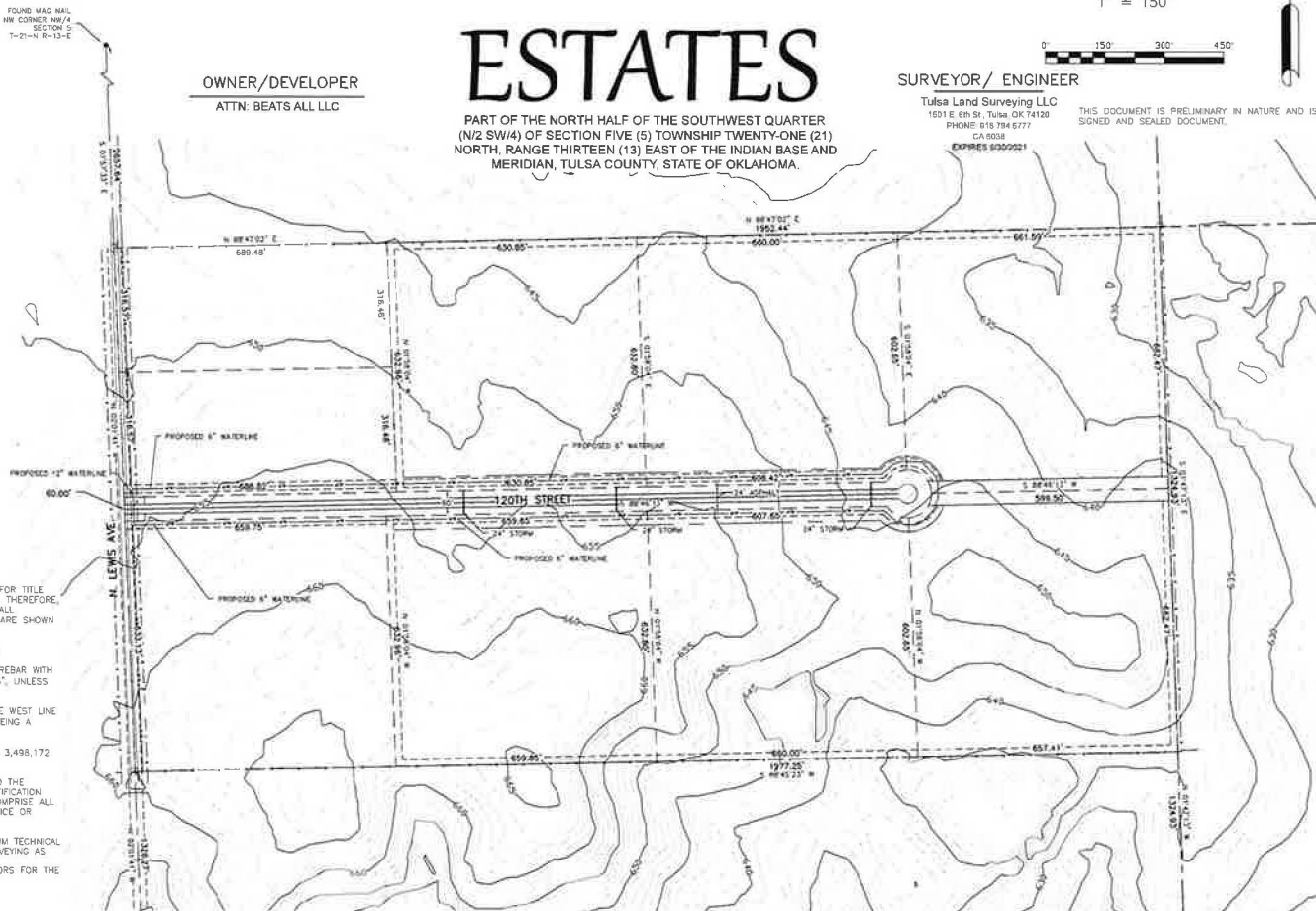
Tulsa Land Surveying LLC
1501 E 60th St, Tulsa, OK 74120
PHONE: 918.794.6777
CA 6038
EXPIRES 6/30/2021

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



VICINITY MAP
1" = 2000'

BENCHMARK
3" O.D. BRASS CAP, SET IN A CONCRETE POST, FULLY STAMPED "TULS CA 6038", AND LEWIS AVE.
NORTHING: 432338.004'
EASTING: 207125.000'
LLV = 672.87' (HARO 98)



SUBDIVISION STATISTICS

SUBDIVISION CONTAINS SIX(6) LOTS IN ONE(1) BLOCK.
SUBDIVISION CONTAINS SIXTY-ONE(61) ACRES.

MONUMENTATION

ALL CORNERS WERE SET USING 3/8" X 18" REBAR WITH A YELLOW CAP (YPC) STAMPED "TULS CA 6038", UNLESS OTHERWISE NOTED.

BASIS OF BEARINGS

BASIS OF BEARINGS SHOWN HEREON BEING THE WEST LINE OF NORTH HALF OF THE SOUTHWEST QUARTER (N/2, SW/4) OF SECTION FIVE (5) TOWNSHIP TWENTY-ONE (21) NORTH, RANGE THIRTEEN (13) EAST AS NORTH 02°01'41" WEST.

CERTIFICATE

I HEREBY CERTIFY THAT ALL REAL ESTATE TAXES INVOLVED IN THIS PLAT HAVE BEEN PAID AS REFLECTED BY THE CURRENT TAX ROLLS, SECURITY AS REQUIRED HAS BEEN PROVIDED IN THE AMOUNT OF \$_____ PER TRUST RECEIPT NO. _____ TAXES. THIS CERTIFICATE IS NOT TO BE CONSTRUED AS PAYMENT OF 20_____ TAXES IN FULL BUT IS MADE IN ORDER THAT THIS PLAT MAY BE FILED ON RECORD. 20_____ TAXES MAY EXCEED THE AMOUNT OF THE SECURITY DEPOSIT.

DATED: _____
TULSA COUNTY TREASURER
BY: _____
DEPUTY

STATE OF OKLAHOMA) SS
COUNTY OF TULSA)

I, MICHAEL WILLIS, TULSA COUNTY CLERK, IN AND FOR THE COUNTY AND STATE ABOVE NAMED, DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A LIKE INSTRUMENT NOW ON FILE IN MY OFFICE.

DATED THE _____ DAY OF _____, 20_____
MICHAEL WILLIS, TULSA COUNTY CLERK.
DEPUTY

COMB'S COUNTRY ESTATES
SHEET 1 OF 1

TULSA LAND SURVEYING LLC
1501 EAST 60TH STREET
TULSA, OK 74120
(918) 794-6777
CA 6038
EXPIRES 6/30/2021



4.8

Sawyer, Kim

Cont to July 7 Z-7604

From: Wilkerson, Dwayne
Sent: Tuesday, May 25, 2021 3:46 PM
To: Sawyer, Kim
Cc: Davis, Kendal; akeem@odutayolaw.com; Charles Onyechi; Miller, Susan
Subject: FW: Case number Z-7604 (Applicants Continuance request to July 7, 2021)

Hi Kim,

I have spoken to the applicants attorney and I support a continuance to the July 7, 2021 meeting.

Respectfully,

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



From: akeem@odutayolaw.com <akeem@odutayolaw.com>
Sent: Tuesday, May 25, 2021 1:48 PM
To: Wilkerson, Dwayne <DWilkerson@incog.org>
Cc: cinosweatz@gmail.com
Subject: Case number Z-7604

Good morning Mr. Wilkerson,

My name is Akeem Odutayo and I am an attorney representing Mr. Charles Onyechi and his companies. I have been observing the case with your office for a while and wanted to follow up regarding the latest email sent this morning.

You had previously referenced a wrong zoning case number with several questions, but asked today with the correct case number stating the question remain. which of these several sir?

Sir, Mr. Onyechi and my office would like to meet with you to discuss our options and how the city (your office can help the community here). Mr Onyechi owns the abutting property to the southeast corner of the site referenced as RS-3. We intend to approach the Board of Adjustment for a variance once the IL voting is approved. He intends to keep both existing buildings and can remodel and modify as directed. All that is required is guidance from your office and not an outright denial.

I had called and left you a voicemail. We would like to request a continuance at this time. Also, please let me know how we can work together to make this development happen not just for Mr. Onyechi, but job creation for the community.

Thank you and best regards,

Akeem Odutayo Esq.

LL.B(Hons); B.L; MBA; LL.M

Licensed Attorney (Texas, Northern Dist. Oklahoma)

Tel: 918-815-9920

Sawyer, Kim

Cont to 7-7-21

Z-7609

From: Wilkerson, Dwayne
Sent: Wednesday, May 26, 2021 5:02 PM
To: Sawyer, Kim
Cc: Miller, Susan; Alan Betchan; Foster, Nathan
Subject: Z-7609 / Z-7610 / and PUD-648-E (Staff Request for a Continuance to 7-7-2021)

Kim,

It has been determined that the zoning request for these items is not consistent with the land use vision in the comprehensive plan and that these zoning cases need a concurrent request for a plan amendment.

Please forward this email as a staff continuance request to the Planning Commission for the July 7th, 2021 meeting. That will give the applicant time to prepare and submit an application for the comprehensive plan amendment change.

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



Sawyer, Kim

Cont to 7-7-21

Z-7610

From: Wilkerson, Dwayne
Sent: Wednesday, May 26, 2021 5:02 PM
To: Sawyer, Kim
Cc: Miller, Susan; Alan Betchan; Foster, Nathan
Subject: Z-7609 / Z-7610 / and PUD-648-E (Staff Request for a Continuance to 7-7-2021)

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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



7.1

Sawyer, Kim

7-7-21

PUD-648-E

From: Wilkerson, Dwayne
Sent: Wednesday, May 26, 2021 5:02 PM
To: Sawyer, Kim
Cc: Miller, Susan; Alan Betchan; Foster, Nathan
Subject: Z-7609 / Z-7610 / and PUD-648-E (Staff Request for a Continuance to 7-7-2021)

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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
PLANNING OFFICE



Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7606

Hearing Date: June 2, 2021

Staff requested continuance May 19th to June 2nd

Case Report Prepared by:

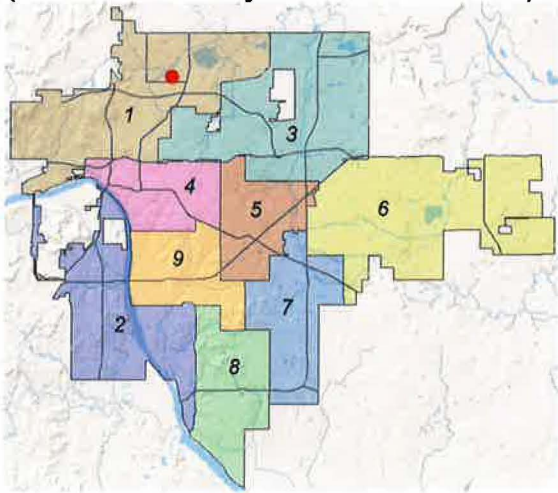
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Mike Thedford

Property Owner: MBROS Real Estate LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Auto salvage expansion

Concept summary: Rezone non-conforming automobile salvage operation and rezone to allow expansion of the existing business. Provide new business opportunities for future redevelopment.

Tract Size: 7.22 ± acres

Location: North of the Northeast corner of East 36th Street North & North Lewis Avenue

Zoning:

Existing Zoning: CS

Proposed Zoning: IH with an optional development plan

Comprehensive Plan:

Land Use Map: Mixed-Use Corridor

Stability and Growth Map: Area of Growth

Staff Recommendation:

IH zoning without a development plan is not supported by staff; however staff recommends approval of Z-7606 as outlined in the development plan defined in Section II.

Staff Data:

TRS: 0317

CZM: 22

City Council District: 1

Councilor Name: Vanessa Hall-Harper

County Commission District: 1

Commissioner Name: Stan Sallee

9.1

SECTION I: Z-7606

DEVELOPMENT CONCEPT:

In connection with the rezoning to the Industrial-Heavy District (IH District), the Applicant requests that pursuant to Section 70.040-B.2 of the Tulsa Zoning Code, the development of the Property be approved with the additional development as identified in Section II in the following staff report.

The development plan has been prepared anticipating long term redevelopment opportunities on this site and has included many use opportunities that are consistent with the expected long-term impacts of recent public and private investments and redevelopment strategies that are expected in this area of Tulsa. The development plan allows for expansion of the existing salvage business but also requires significant improvements to the existing facility and will improve the visual quality and operational standards of the existing business. The underlying residential zoning is unlikely at this location. One of the major goals of this zoning request is to remove zoning limitations that will help incentivize future redevelopment opportunities in this area.

As a continued effort to improve the land use development of this area the abutting street right of way east of this site will be closed and vacated removing the city ownership maintenance responsibilities. Any pavement in the old right of way will be removed as part of that closure process.

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:
 - Concept plan with inset details

DETAILED STAFF RECOMMENDATION:

The subject tract is included in a Mixed-Use Corridor land use designation in the Tulsa Comprehensive Plan. The uses allowed in an IH district are not normally associated with that land use. The Comprehensive Plan is not clear on where IH uses should be included or if they should be allowed inside the City. Normally, industrial uses are included in Employment land use designation in the City of Tulsa Comprehensive Plan and,

The existing salvage operation has been operational for decades and was a non-conforming use when the Comprehensive Plan was prepared in 2010. Staff has prepared an industrial site suitable study and has determined that this site and proposed expansion can be integrated into this neighborhood. The development plan will require improvements to the existing facility, supporting future use opportunities and limit industrial uses specific to the existing business. Staff concludes that the rezoning request with the development plan standards are suitable at this location and,

The request for IH zoning along with normal supplemental regulations and limited uses identified in the optional development plan is consistent with the anticipated land use provision of the update to the City of Tulsa Comprehensive Plan anticipated within the coming year and,

Uses allowed in the proposed IH zoning district along with normal supplemental regulations and limited uses identified in the optional development plan are compatible with the surrounding proximate properties and,

9.2

The optional development plan outlined in section II below is consistent with the provisions of the City of Tulsa Zoning Code therefore,

Staff recommends Approval of Z-7606 to rezone property from RS-3 and CS to IH but only with the development plan outlined in Section II.

SECTION II: Development Plan

The optional development plan standards will conform to the provisions of the Tulsa Zoning Code for development in an IH district with its supplemental regulations and Accessory Use provisions except as further refined below. All uses categories, subcategories or specific uses and residential building types that are not listed in the following permitted uses categories are prohibited.

PERMITTED USE CATEGORY

* Indicates specific uses that are only allowed through the special exception process identified in the Zoning Code.

A) PUBLIC, CIVIC, AND INSTITUTIONAL

- College or University
- Fraternal Organization
- Natural Resource Preservation
- *Religious Assembly
- Safety Service
- *School
- Utilities and Public Service Facility (minor)
- Wireless Communication Facility (includes all specific uses)

B) COMMERCIAL

- Animal Service
 - Boarding or shelter
 - Grooming
 - Veterinary
- Broadcast or Recording Studio
- Commercial Service (includes all permitted specific uses)
- Financial Services (includes all permitted specific uses)
- Funeral or Mortuary Service
- Office
 - Business or professional office
 - Medical, dental or health practitioner office
- Parking, Non-accessory
- Restaurants and Bars
 - Restaurant
- Retail Sales (includes all permitted specific uses)
- Studio, Artist, or Instructional Service
- Trade School Vehicle Sales and Service (includes all permitted specific uses)

C) WHOLESALE, DISTRIBUTION AND STORAGE

- Equipment & Materials Storage, Outdoor
- Warehouse Wholesale Sales and Distribution

D) INDUSTRIAL

9.3

Low-impact Manufacturing & Industry
Junk or Salvage Yard (limited to automobile salvage operations).

E) RECYCLING

Consumer Material Drop-off Station
Consumer Material Processing

F) AGRICULTURAL

Community Garden Farm, Market- or Community-supported
Horticulture Nursery

G) OTHER

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

Redevelopment requirements on existing facility:

As illustrated on attached exhibit the parking area north of the mini storage shall be improved as follows:

- 1) All of the gravel or paved parking area in the street right of way on North Lewis adjacent to Z-7606 will be removed, graded, covered with topsoil and sod by January 1, 2022. The existing driveways installed by the City of Tulsa in the recent street improvements are exempt from that requirement.
- 2) All the existing parking area on private property east of the right of way line on North Lewis as illustrated on the concept plans will be paved and landscape meeting or exceeding Zoning Code Standards will be completed by July 1, 2022.
- 3) Screening along east boundary of development plan boundary shall be provided in a 20-foot-wide vegetative buffer established and maintained along the entire east boundary of the development plan area and shall meet or exceed the F1 screening standards identified in the Zoning Code. The screen shall be completed by July 1, 2022.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Staff in the Tulsa Planning Office prepared an Industrial Site Suitability analysis in collaboration with the City of Tulsa Mayor's Office of Economic Development and others at INCOG. The industrial Site Suitability Analysis provides guidance for expected changes in the pending update to the City of Tulsa Comprehensive Plan update.

Industrial Site Suitability Analysis:

This site meets the following industrial site suitability criteria:

1. Proximity to existing infrastructure
 - a. The site is near two major highways, within less than a mile of access to Highway 75 and the Gilcrease Expressway.
 - b. The site is located within a 10-minute drive of Tulsa International Airport.
 - c. The site is located within a 20-minute drive of the Tulsa Port of Catoosa.
2. Needed Investment
 - a. The site is well served by the arterial street network, being near the intersection of N. Lewis Ave. and N. 36th St. E., both of which carry less than 2,500 vehicles per lane per day, indicating significant capacity to accommodate new development. There is no additional investment needed in arterial access.

9.4

- b. Portions of the site are within ½-mile of the South Kansas and Oklahoma Railroad. This represents an easy connection to existing infrastructure, and short line expansion would be relatively affordable compared to many locations in Tulsa.
 - c. The site is served by Route 410 of the Tulsa Transit system. There is no need to extend service to the site.
 - d. The site is served with all City utilities, and there is no need to extend service to the site.
- 3. Incentives
 - a. This property falls within an Opportunity Zone.
 - b. This property falls within a New Market Tax Credit area.
- 4. Site Constraints
 - a. The site is free of extreme slope.
 - b. The site is free of exposed bedrock.
 - c. The site is adjacent to a residential housing use, Mohawk Manor to the east.

Given all these criteria, this site is designated as “Most Suitable” for industrial uses contingent on mitigation efforts between the property and the adjacent residential housing development. Conversations with the Tulsa Housing Authority and residents of Mohawk Manor should occur to ensure that expansion efforts are balanced with sensitivity to existing residents.

Current Land Use Vision:

Land Use Plan map designation: Mixed-Use Corridor

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

Areas of Stability and Growth designation: Area of Growth

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

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

areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.”

Transportation Vision:

Major Street and Highway Plan:

Trail System Master Plan Considerations: None

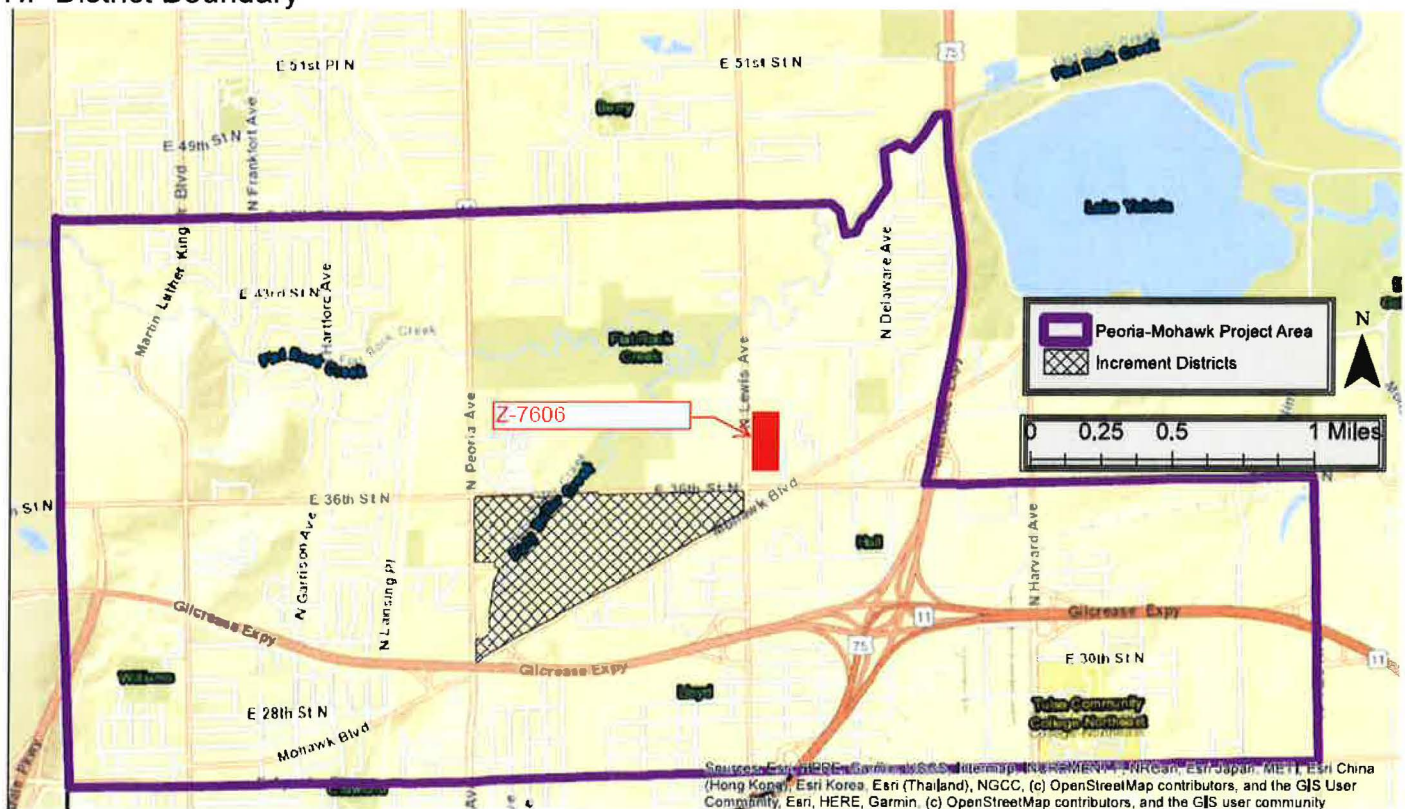
Small Area Plan: None

Special District Considerations:

This site is included in the Peoria-Mohawk Project Plan and Supporting increment Districts of the City of Tulsa that was recently adopted. This plan area was prepared to support the Increment District provided for the industrial area between 36th Street North and Mohawk Boulevard and between North Peoria Avenue and North Lewis.

The purpose of the Project Plan and the supporting Increment Districts is to leverage the development in the Business Park to effect broader goals and objectives through strategies to increase the availability and improve the quality of housing, including affordable and workforce housing, in the area. Better housing and open green space in the area support the Business Park by making it more attractive for potential employers, who need desirable places nearby for employees to live and play. This project plan seeks to leverage area development to enhance opportunities and outcomes for the area.

TIF District Boundary



9.6

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The property along the east side of N. Lewis Ave., near the intersection with E. 36th St. N. is an existing auto salvage operation on multiple parcels zoned for single family residential uses and has been in place for decades. The uses to the north and south on Lewis include other salvage facilities and self-storage. Southwest of the subject property is the Mohawk-Peoria Industrial Park site, a major investment of industrial employment lands. To the east is a Tulsa Housing Authority complex, Mohawk Manor. This is the most significant residential use in the surrounding area, and industrial activity should be screened for light, noise, and other intrusive elements. It is not uncommon for properties designated *Employment* to abut sites designated *Existing Neighborhood* in Tulsa.

This site's current use is more consistent with the *Employment* land use designation than with the *Mixed-Use Corridor* land use vision. With the introduction of the Mohawk-Peoria Industrial Park and its associated TIF district it is reasonable to consider this area as an extension of that land use and will continue to be an employment area. In the same way that the *Employment*-designated Mohawk-Peoria Industrial Park abuts *Existing Neighborhood* designations, so can this site with proper screening and development considerations.

Environmental Considerations: Site contamination is heavily regulated through the state regulatory authority for salvage operations. Additional screening and operational standards are an important part of integrating this business adjacent to neighborhoods.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Lewis Avenue	Secondary Arterial	100 feet	5 lanes transitioning to 3 lanes with 2 bike lanes and center turn lane
East 36 th Street North	Secondary Arterial	100 feet	3 lanes transitioning to two lanes
Unimproved Street right of way (east boundary)	None	50 feet	1 lane gravel (to be closed and vacated)

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	Mixed-Use Corridor	Growth	Non-conforming use (heavy equipment parts)
East	RM-1 and CS	Existing Neighborhood and Mixed-Use Corridor	Growth	Multi-family and undeveloped land
South	CS	Mixed-Use Corridor	Growth	Undeveloped and non-conforming auto body shop
West	AG and CS	New Neighborhood and Mixed-Use Corridor.	Growth	Self-Storage and Undeveloped west side of North Lewis

NEIGHBORHOOD ENGAGEMENT:

The applicant has met with the Phoenix neighborhood. Staff has not received input from those meetings.

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11802 dated June 26, 1970 established zoning for the subject property.

Subject Property:

BOA-19583-A May 2010: The Board of Adjustment **approved** a *Modification* of a previous approval to eliminate the condition of a screening fence around the property with the condition the Board accepts the two portions of fence on the north and south screening the west; no salvage, pieces, parts or cars be parked in front of the building, per plan submitted, finding that this modification is in compliance with the original approval of the City Board of Adjustment in Case No. 20033, on property located at 3901 North Lewis Avenue East.

BOA-20033 May 2005: The Board of Adjustment **approved** a *Special Exception* for approval of an amended site plan previously approved May 27, 2003 (BOA-19583), for a building 60' x 160', on property located at 3901 North Lewis Avenue East.

BOA-19583 May 2003: The Board of Adjustment **approved** a *Special Exception* to allow rebuilding a structure containing a non-conforming use, per plan, with conditions for a screening fence on all four sides, minimum 8' height, consistent construction, with a pleasing appearance to the surrounding properties, on property located at 3901 N. Lewis.

BOA-18718 May 2000: The Board of Adjustment **approved** a *Special Exception* to permit auto sales in a CS district, for a period of five years, a *Variance* to permit open air-storage or display of merchandise offered for sale within 300' of an adjoining R district, a *Variance* of required all-weather surface for off-street parking, a *Variance* of off-street parking setback from the centerline of abutting street within 50' of an R district, and a *Special Exception* to modify screening fence requirement from an abutting R district, with condition that fence be immediately constructed on the east property line and that if the sue on the north property line changes from a salvage yard that at that point a screening fence be provided on the north

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property line, all approvals being for a period of five years, finding the hardship to be that this has been a legal non-conforming use as a salvage yard, on property located at 3813 N. Lewis.

BOA-18152 September 1998: The Board of Adjustment **approved** a *Variance* to allow a residential treatment center and medical care facility in a CS-zoned district, on property located north of the northeast corner of East 36th Street North and North Lewis Avenue. This includes a part of the northern portion of the subject property and some surrounding properties to the west.

BOA-16804 September 1994: The Board of Adjustment **approved** a *Special Exception* to remove the required screening fence, subject to screening being required if Atlanta Avenue is ever improved, finding that a screening fence would be of no advantage, due to the topography of the land abutting the east boundary of the tract and a similar request was approved on another lot in the area, on property located at 3901 North Lewis Avenue.

BOA-16626 April 1994: The Board of Adjustment **approved** a *Special Exception* to modify the screening requirement along the entire southern boundary adjacent to the auto salvage, waiving screening along the entire eastern boundary and the east 300' of the northern boundary as long as the earthen berm remains in place, waiving the screening along the balance of the north boundary extending west to the back of the northwestern-most building, provided this portion between the berm and the northwestern building is screened by planting cedar trees closely together to provide a continuous living screen, and waiving the screening along the entire western boundary provided that cedar trees are planted closely together to provide a continuous living screen between these two existing buildings on the front of the property, except for the existing driveway, subject to equipment displayed between Lewis Avenue and the cedar tree buffer is limited to rolling stock and operable customary and accessory equipment, which is to be attached to the rolling equipment, such as box blades, trenching equipment, etc.; and the Board withdrew an appeal of the decision of the Code Enforcement Officer that the use is a salvage yard, as requested by the applicant of the subject property, on property located at 3935 N. Lewis.

Surrounding 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).

Z-7367 ODP February 2017: All concurred in **approval** of a request for *rezoning* a 115± acre tract of land from AG/RS-3/RMH/CS/CH to IM with an optional development plan for an employment center, on property located east of the southeast corner of East 36th Street North and North Lewis Avenue.

BOA-21770 September 2014: The Board of Adjustment **approved** a *Special Exception* to permit auto sales and car/truck rental in the CS District, subject to all driving and parking surfaces be an all-weather surface and the approval is "as built" except for the paving, on property located at 2455 East 36th Street North.

BOA-19344 April 2002: The Board of Adjustment **approved** a *Special Exception* to permit a mini-storage in a CS district, per plan, with the condition that there be no outside storage, on property located at 3737 N. Lewis.

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BOA-14574 August 1987: The Board of Adjustment **approved** a *Use Variance* to allow for a mobile home in a CS zoned district, finding that there are multiple zoning classifications in the area and that the use will not be detrimental to the area, on property located at 2405 East Mohawk Boulevard.

BOA-13736 September 1985: The Board of Adjustment **approved** a *Variance* to allow for an existing machine shop in a CS zoned district and to allow for expansion of use, under the provisions of Section 1670, per plot plan submitted, finding a hardship imposed on the applicant by the multiple zoning in the area, on property located at 3637 North Lewis.

BOA-13178 June 1984: The Board of Adjustment **approved** a *Special Exception* to permit used automobile sales including pickups up to $\frac{3}{4}$ ton on the west 300ft abutting Lewis Avenue of the property located north of the northeast corner of 36th Street North Atlanta.

BOA-10325 February 1979: The Board of Adjustment **approved** a *Special Exception* to operate a cabinet shop in a CS District, per plans submitted, on property located at 3707 North Lewis Avenue.

Z-4740 January 1975: All concurred in **approval** of a request for *rezoning* a 13.5+ acre tract of land from RM-1 to RMH for a mobile home subdivision, on property located on the southeast corner of 41st Street North and North Atlanta Avenue.

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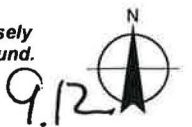
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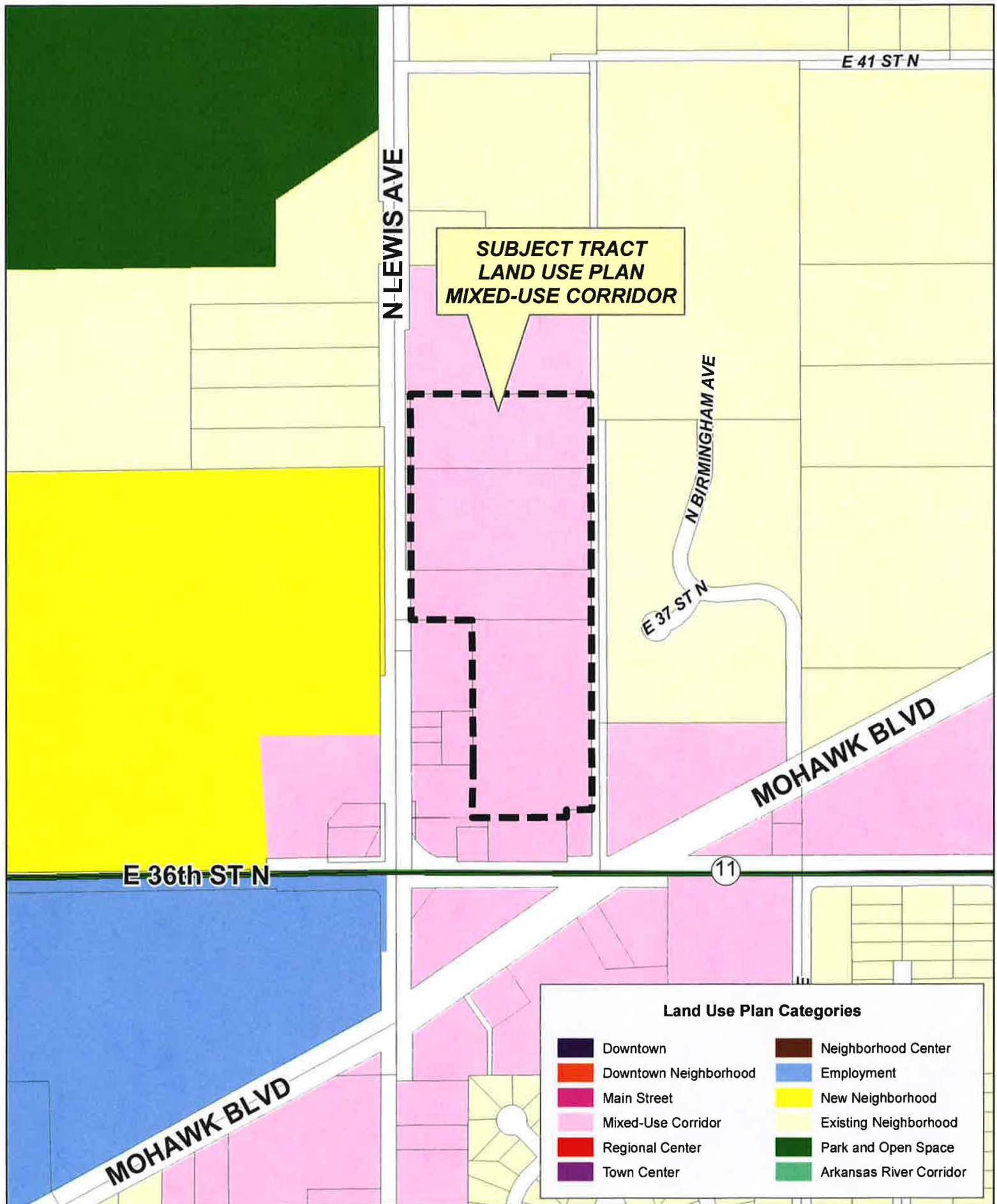
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with Optional
Development Plan

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Aerial Photo Date: February 2018





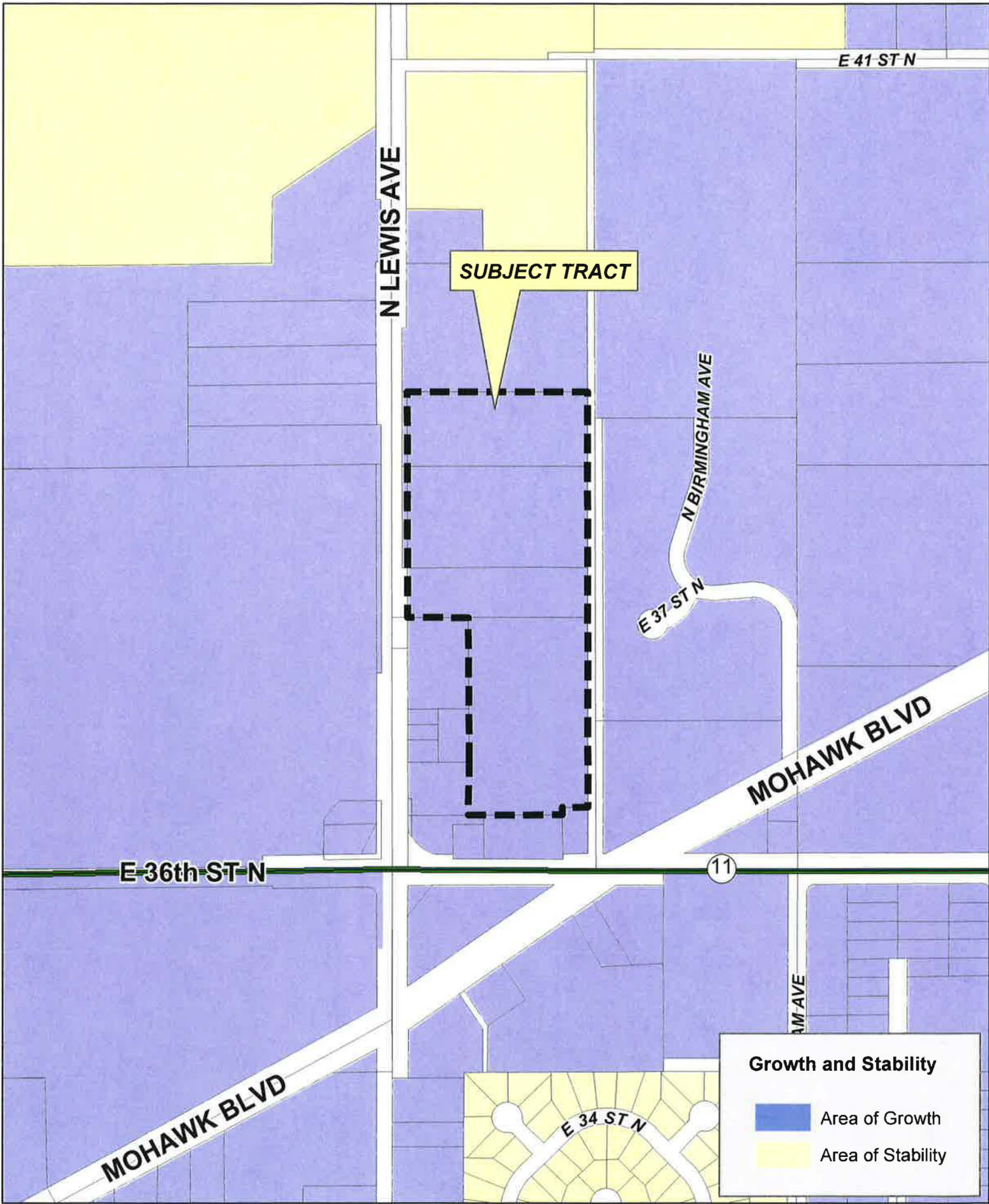
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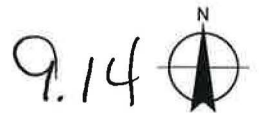
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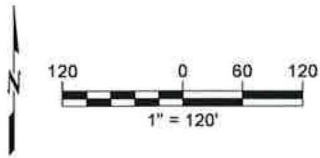




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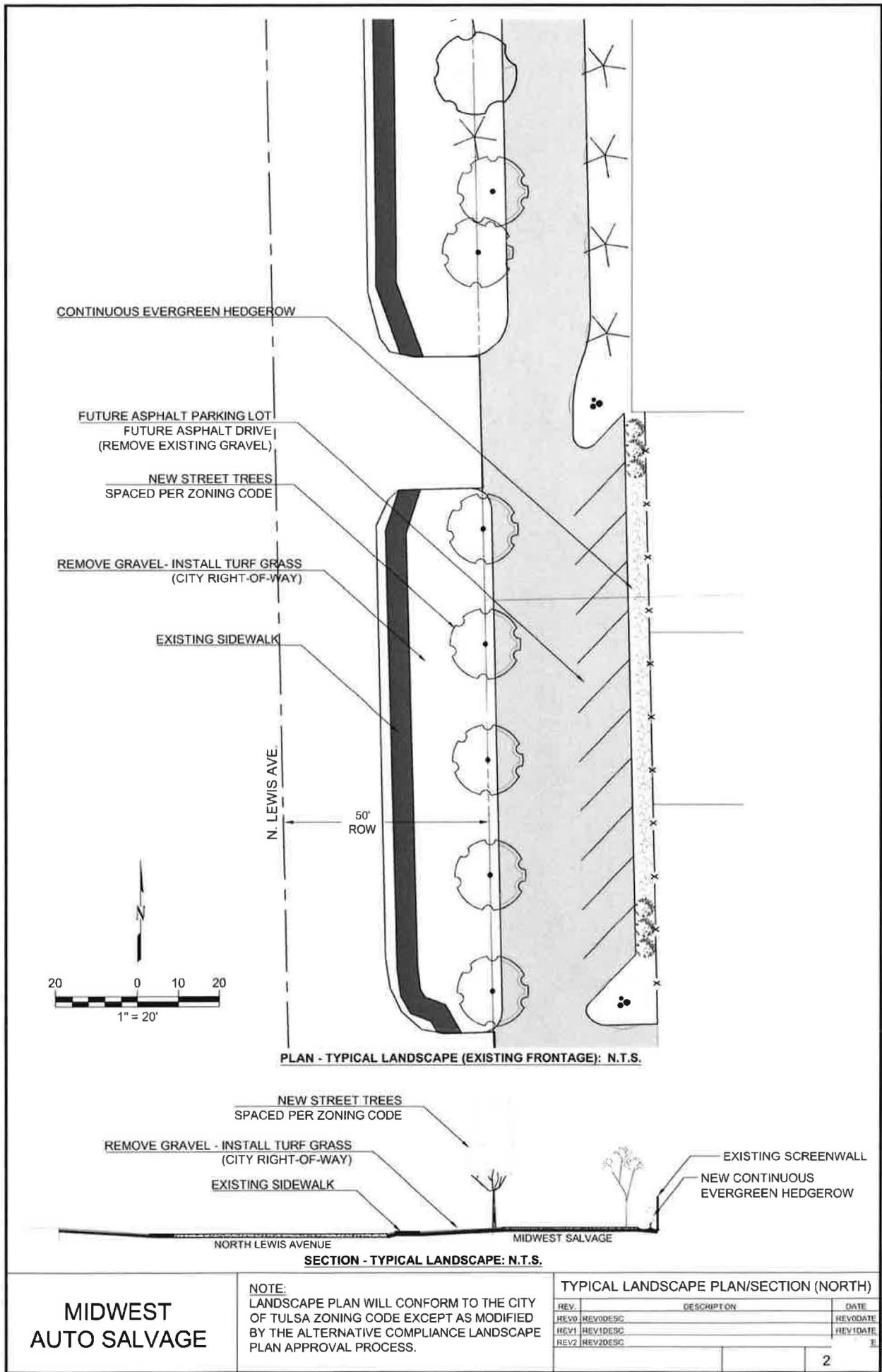


MIDWEST ^{IM}
AUTO SALVAGE

ZONING EXHIBIT

REV.	DESCRIPTION	DATE
REV0	REV0DESC	REV0DATE
REV1	REV1DESC	REV1DATE
REV2	REV2DESC	REV2DATE

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Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7608

Hearing Date: June 2, 2021

Case Report Prepared by:

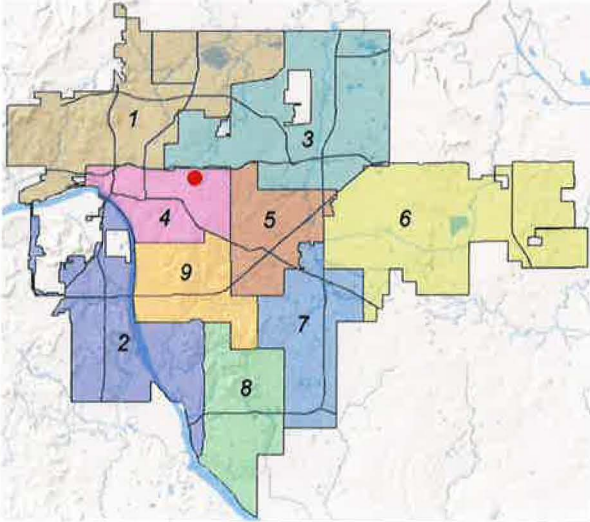
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Matthew Patrick

Property Owner: University United Methodist Church

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Church

Proposed Use: Church, Office Space, & Coffee Shop

Concept summary: Expand allowable uses for existing religious assembly building and surrounding property.

Tract Size: 2.56 ± acres

Location: Northwest corner & Southwest corner of East 4th Place South & South College Avenue

Zoning:

Existing Zoning: RM-2

Proposed Zoning: OMH with an optional development plan

Comprehensive Plan:

Land Use Map: Regional Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval of OMH zoning but only with the development plan outlined in Section II.

Staff Data:

TRS: 9305
CZM: 37

City Council District: 4

Councilor Name: Kara Joy McKee

County Commission District: 2

Commissioner Name: Karen Keith

SECTION I: Z-7608

DEVELOPMENT CONCEPT:

University United Methodist Church has adopted a new model of ministry called the "Alternate Income Model," which seeks to increase the amount of revenue and resources available to the church through opening businesses that are community positive and owned and operated by the church. Having more resources will allow the church to have a greater impact on the community and help meet its social needs.

Business #1: Propel Business and Event Center

Propel Business and Event Center is a commercial office rental and event space rental business. University UMC has a lot of square footage that is not currently utilized due the changing nature of the church. We have decided to repurpose a lot of our open space to commercial offices for community positive businesses and for organizations to host events, both outdoor and indoor.

Business #2: Double Flag Coffee

Double Flag Coffee will be a drive-thru and walk-up coffee shop located in our west parking lot that will be a state-of-the-art coffee experience. There will be a mobile application that will allow customers to order online, order ahead, and quickly pick up there coffee and other items. The Double Flag name is derived from the two separate flags that make up the hurricane warning flag because we are playing into the hurricane theme of Tulsa University.

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 subject tract and properties north, east, and south are within a Regional Center land use designation in the City of Tulsa Comprehensive plan. The OMH zoning request provides a site-specific development plan that expands redevelopment opportunities, and the current zoning code provides predictable results for the surrounding property owners providing supplemental regulations that will continue to help integrate this site into the surrounding neighborhood and,

Uses allowed in the proposed development plan with normal supplemental regulations are consistent with the Regional Center land use designation in the City of Tulsa Comprehensive Plan and,

Uses allowed in the proposed development plan and OMH zoning district along with normal supplemental regulations additional limitations identified in the optional development plan is compatible with the surrounding proximate properties and,

The optional development plan outlined in section II below is consistent with the provisions of the City of Tulsa Zoning Code therefore,

10.2

Staff recommends Approval of Z-7608 to rezone property from RM-2 to OMH with the optional development plan as defined by Section II.

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS

The Optional Development Plan standards will conform to the provisions of the Tulsa Zoning Code for development in an Office Medium High (OMH) district with its supplemental regulations except as further refined below. The development standards are the same on both parcels except as noted in the sign section as follows. All uses categories, subcategories, specific uses and building types that are not listed in the following permitted use categories are prohibited.

GENERAL PROVISIONS:

Lot and Building Regulations:

Minimum Lot Area	None
Minimum Street Frontage	50 feet
Maximum floor area ratio	2.0
Minimum Street Setbacks	10 feet

Minimum Setbacks from an R district	10 feet
When abutting RM-2 and RS-3 zoned lots, 2 feet of additional building setback is required for each foot of building height above 15 feet.	
Maximum Building Coverage	75 % of lot
Maximum Building Height	45 feet

PERMITTED USE CATEGORIES:

GROUP LIVING

- Convent/monastery/novitiate
- Fraternity/Sorority
- Assisted Living Center

PUBLIC, CIVIC AND INSTITUTIONAL

- College or University
- Day Care
- Library or Cultural Exhibit
- Parks and Recreation
- Religious Assembly
- School
- Others
- Utilities and Public Service Facility
- Minor

COMMERCIAL

- Broadcast or recording studio
- Office
 - Business or professional office
 - Medical, dental or health practitioner office
- Restaurants and Bars
 - Restaurant

Restaurant is only permitted as an accessory use. Use must be located entirely within the principal office building or attached to the building and may not occupy more than 5% of the building's floor area.

- Studio, Artist, or Instructional Service

10.3

AGRICULTURAL

Community Garden
Farm Market or Community supported garden

OTHER

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

ARCHITECTURAL DESIGN STANDARDS:

Integrating this zoning category into the neighborhood is an important consideration for this development plan. The existing structure on the south portion of the site is constructed of stone and masonry and may have historical significance. Efforts to integrate this site into historic preservation efforts are supported by this development plan.

The existing church building illustrated on the pictures may not be removed without a minor amendment process approval at the planning commission.

PERMITTED SIGNAGE:

All signage must be a monument style sign with the following limitations.

1. Monument signs are limited to a maximum height of 8 feet.
2. Monument signs may not exceed 50 square feet of display surface area.
3. One monument sign is allowed on each street frontage with a maximum of 4 signs for the entire development area on the south side of 4th Place.
4. Only one monument sign is allowed on the development area on the north side of 4th Place.
5. Dynamic display signage is prohibited.

Residential Building Types:

Three or more households on a single lot
Mixed-use building
Vertical mixed-use building

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary:

The subject property currently has a Land Use designation of *Regional Center* and an Area of Stability or Growth designation of *Area of Growth*, as assigned by the Comprehensive Plan in 2010. As the subject area is located just east of Downtown Tulsa and north of TU, it falls within the bounds of the Kendall-Whittier Sector Plan. Adopted in November of 2016, the small area plan attempts to improve existing housing stock and expand housing choices, encourage the revitalization and/or redevelopment of key commercial corridors, increase accessibility to opportunity and support of a healthy neighborhood by collaborating with community groups and other neighborhood stakeholders, reconnect across I-244 and create a multi-modal network, preserve Whittier Square, and revitalize industrial uses.

The plan presented by the applicant(s) touches on two policy recommendations listed in this plan,

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1.4 Work with churches in the neighborhood to anticipate and develop plans related to long-term impacts pertaining to parking, access and egress, and land needs;

1.6 Encourage local institutions to share facilities and maximize the benefits to the community and effectiveness of public resources;

by proposing an idea of what the future of the University Methodist Church and their relationship with both TU and the neighboring community may look like, to include how as well as allow other local institutions to lease their underutilized space in order to offer the community access to additional resources.

In addition to these policy recommendations, the Kendall-Whittier Sector Plan also offers land-use recommendations through its future land use map, which retained the Regional Center land use designation as recommended by the Comprehensive Plan on the subject property and abutting properties to the north, east, and south, but recommended adjusting the designation to Existing Neighborhood on the property abutting to the west, which has since been amended in the Comprehensive Plan.

A Regional Center land use designation recognizes opportunities to attract workers and visitors from around the region and offer varying amenities. OMH zoning with a development plan allows uses and other development opportunities that are consistent with that vision. This development plan provides design considerations that help mitigate potential adverse impact of a Regional Center abutting an Existing Neighborhood.

Land Use Vision:

Land Use Plan map designation: Regional Center

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

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan: The abutting streets are residential streets and are not identified on the major street and highway plan.

Trail System Master Plan Considerations: None

Small Area Plan: Kendall-Whittier Sector Plan (Adopted November 2016)

Special District Considerations: None except for the recommendations included in the Kendall-Whittier Sector Plan.

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The zoning request is for two parcels. The parcel on the north side of East 4th Street is open space with a butterfly garden and small gazebo area. The parcel on the south side of 4th is the larger parcel and is occupied by surface parking and the original church building with classroom space on 3 floors and a playground area.

View of the north parcel from the intersection of South College Avenue at East 4th Street looking northwest:



View of south parcel from the intersection of South College Avenue at East 5th Street looking northwest:



View of southern parcel from the intersection of South Evanston Avenue at East 5th Street looking northeast:



View of southern parcel from the intersection of South College Avenue at East 4th Street looking southwest:



Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 4 th Place South	None	50 feet	2
South College Avenue	None	50 feet	2
East 5 th Place South	None	50 feet	2
South Evanston Avenue	None	50 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3 and RM-2	Regional Center	Area of Growth	School
East	RM-2	Regional Center	Area of Growth	University of Tulsa
South	RM-2	Regional Center	Area of Growth	University of Tulsa
West	RM-2	Existing Neighborhood	Area of Stability	University of Tulsa

SECTION IV: Relevant Zoning History

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

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Subject Property:

BOA-21993 November 2015: The Board of Adjustment **approved** a *Special Exception* to allow a University Use (Use Unit 5) in the RM-2 district and a *Variance* of the site size from 1 acre to 21,600 square feet, subject to conceptual plan 16.12 for the type of use on the subject property, finding that the adjoining or nearby property that is used as university property is substantially in excess of one acre, on property located at the northwest corner of East 4th Place and South College Avenue.

BOA-09106 July 1976: The Board of Adjustment **approved** an *Exception* to use property for church and University purposes and related off-street parking, subject to no access being provided to Evanston and 4th Place on the north 140' of the western boundary line and the west 140' of the northern boundary line in an RM-2 district, on property located at 4th Place between Evanston and College Avenue.

BOA-02794 February 1956: The Board of Adjustment **granted** the University Methodist Church permission to use the W. 35' of Lots 7 & 8, Block 3 for the Wesley Youth Center, on property located at W. 35' of Lots 7 & 8, Block 3, College Addition.

BOA-00851 July 1930: The Board of Adjustment **granted** a permit for a building with the understanding that the unit that is first built be a complete unit, and the Building Inspector be instructed to prevent any roof going on the building except as a complete unit and providing a setback line of 15' on College, on property located at University M.E. Church College Addition.

Surrounding Property:

BOA-20665 April 2008: The Board of Adjustment **approved** a *Special Exception* to permit a university facility and accessory uses (Use Unit 5) in an RM-2 district, a *Variance* of the maximum building height in an RM-2 district from 35' to 86', and a *Special Exception* to permit required parking on a lot other than the one containing the principal use, subject to the narrative on pages 2.8, 2.9, and 2.10 and Exhibits C, D1, D2, and E of the agenda packet, finding this is part of the Master Plan and this approval would not harm the area, on property located at west side of South Gary Place between East 5th Place and East 8th Street.

BOA-20383 November 2006: The Board of Adjustment **approved** a *Special Exception* to permit University Use (Use Unit 5) in an RM-2 district and a *Variance* of the required 50' setback for an accessory parking area from the centerline of an abutting street, per plan and elevations submitted, subject to applicant exhibits A, B, C, and D, on property located southwest of the intersection of East 5th Street and South Florence Avenue.

BOA-20287 June 2006: The Board of Adjustment **approved** a *Special Exception* to permit parking accessory to a University (Use Unit 5) in an RM-2 district, a *Variance* of the required setback of a parking area from the centerlines of East 4th Place (from 50' to 30'), per plan submitted, on property located on the north side of East 4th Place between South College Avenue and South Florence Avenue.

BOA-17345 April 1996: The Board of Adjustment **approved** a *Special Exception* to permit a school for preschool children, ages three and four and for kindergarten through eighth grade in an RS-3 zoned district, a *Variance* to reduce the required building front yard on South College Avenue from 25' to 10' from the property line for a part of the building and from 2' to 15' from the property line for a part of the building, a *Variance* to reduce the required north side yard

from 25' to 12', a *Variance* to reduce the required landscaped area abutting South College Avenue and South Evanston Avenue from 5' to 0' for a part of the street frontages, per plan submitted, finding the request is in compliance with the University of Tulsa's Master Plan, on property located between South College Avenue and South Evanston Avenue and between East 3rd Street and East 4th Place.

BOA-17171 September 1995: The Board of Adjustment **approved** a *Special Exception* to permit a university housing facility under Use Unit 2 in an RS-3 zoned district, a *Variance* of the required setback from East 4th Place from 25' to 19' for one building, a *Variance* of the required setback from South Evanston from 25' to 20' for one building, a *Variance* of the maximum building height from 35' to 41', a *Variance* to permit required off-street parking to be on a lot other than the lot containing the principal use, a *Variance* to permit unenclosed parking areas to be less than 50' from the centerline of abutting streets, and a *Variance* of the required landscaped area abutting East 3rd Street from 5' to 0' at one point, per plan submitted, subject to the execution of a tie contract on the lot containing the apartments and the parking lot, finding that the use was included as a part of the adopted TU Master Plan, on property located at East 3rd Street to 4th Place and South Delaware to South Evanston.

BOA-11509 June 1981: The Board of Adjustment **approved** an *Exception* to operate a bakery as a home occupation in an RS-3 District, for a period of 2 years, to run with this owner only and during which, no sales can be conducted directly out of the house and limited to advertising of the use, but no address in the advertising, on property located at 318 South College Avenue.

BOA-10930 March 1980: The Board of Adjustment **approved** an *Exception* to use property for Church and related off-street parking, a *Variance* of the minimum lot and area of one acre and minimum lot width of 100' for a church structure, a *Variance* of the parking requirements not on the same lot as the use, per plot plan submitted, on property located at 411 South Evanston Avenue.

BOA-10503 June 1979: The Board of Adjustment **approved** an *Exception* to use property for educational purposes and related off-street parking and a *Variance* of the onsite parking requirements, on property located at 600 South College Avenue.

BOA-09440 April 1977: The Board of Adjustment **granted** an *Exception* to use property for educational purposes and related off-street parking permit and a *Variance* of the requirements of parking spaces on the same lot as the use, with the understanding that no request was made for waiver of any other requirements including screening, in an RM-2 district, on property located at 2119 East 5th Place.

BOA-09313 December 1976: The Board of Adjustment **approved** an *Exception* to use property for educational purposes and related off-street parking and a *Variance* of the parking space requirements on the same lot as the use, on property located at 2817 East 4th Place, 2815 East 5th Street, 805 South College, and 3012 East 8th Street.

BOA-08827 November 1975: The Board of Adjustment **approved** an *Exception* to use property for campus ministry center per plot plan in an RS-3 District, on property located at 332 South College Avenue.

BOA-08708 August 1975: The Board of Adjustment **approved** an *Exception* to use property for educational, cultural, and recreational uses and a *Variance* of required parking spaces on same lot of use, on property located Lot 4, Block 4; Lot 7, Block 2; Lot 6 & 10, Block 25; Lot 12, Block 15 College Addition.

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BOA-07800 March 1973: The Board of Adjustment **approved** an *Exception* to use property for educational, cultural, and recreational uses and related off-street parking for the University of Tulsa and a *Variance* of the onsite parking requirements in RS-3, RM-2, OL, and CH districts, on property located at 600 South College Avenue.

BOA-07005 May 1971: The Board of Adjustment **approved** an *Exception* to permit the erection of a building for University Law School and related off-street parking, on property located at 3119 East 5th Street.

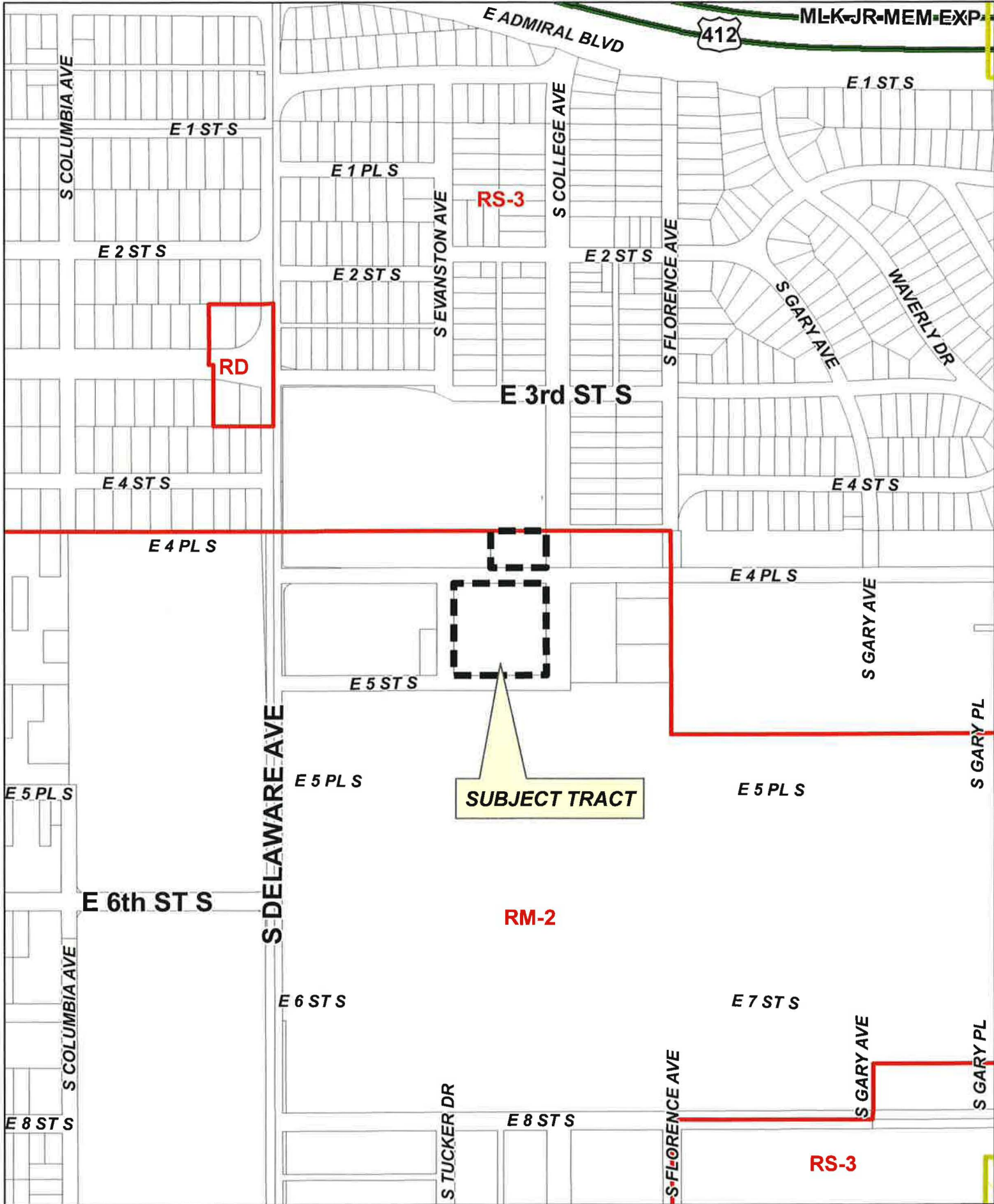
BOA-04388 June 1964: The Board of Adjustment **granted** a *request for permission* to establish a Student Center for the Tulsa University Students in a U-2-B District, on property located on Lot 11, Block 2, College Addition.

BOA-04047 April 1963: The Board of Adjustment **granted** a *request for permission* to erect a building on the 10' building line in a U-2-B District, on property located on Lots 5 & 6, Block 4, College Addition.

BOA-03656 May 1961: The Board of Adjustment **granted** a *request for permission* to erect a Student Center for church in a U-2-B District, on property located on Lots 5 & 6, Block 4, College Addition.

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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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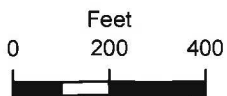
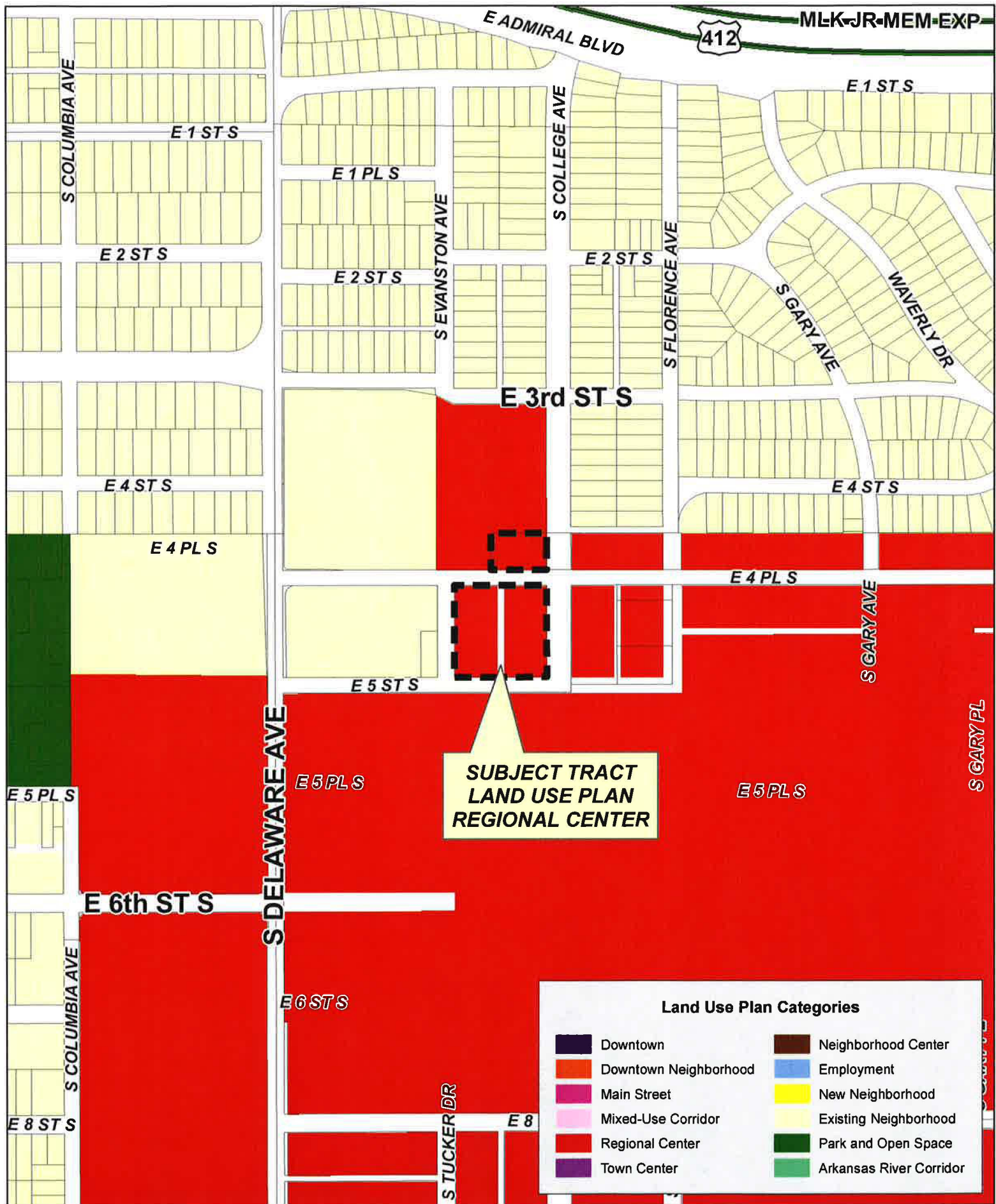
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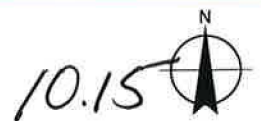
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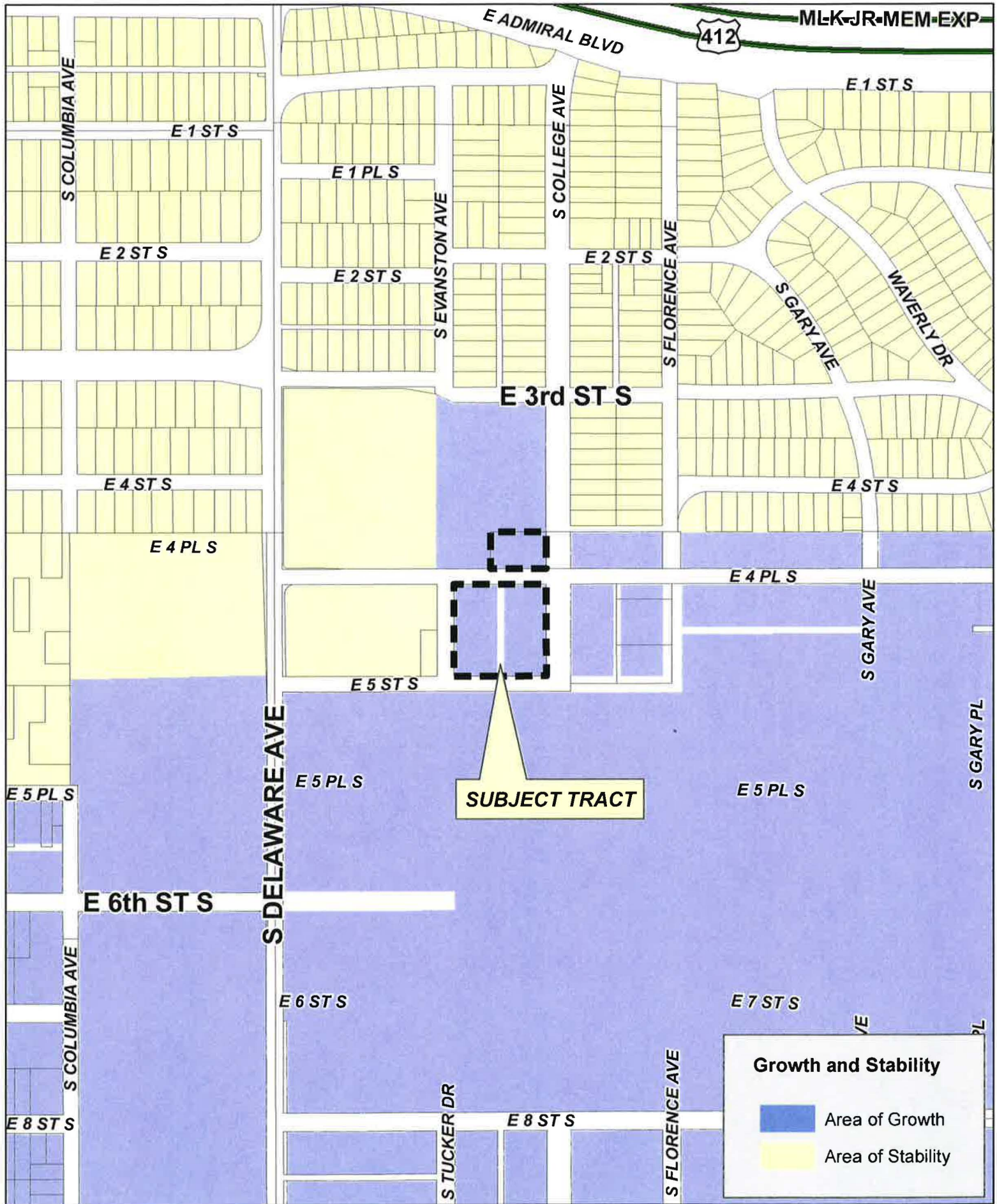




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