

**BOA-23190**

18-14 19

5.1



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.

**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.

**ANALYSIS OF SURROUNDING AREA:** The subject tract is located South of the SE/c of E. 91<sup>st</sup> St. S. and S. Mingo Rd.

**STAFF COMMENTS:** The applicant is requesting a Special Exception to permit an Animal Boarding Facility in a CS District ( Sec. 15.020, Table 15-2)

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
<b>COMMERCIAL</b>												<a href="#">Section 40.020</a>
Animal service												
Boarding or shelter	-	-	-	-	S	P	P	P	P	P	P	
Grooming	-	-	-	-	P	P	P	P	P	P	P	
Veterinary	-	-	-	-	P	P	P	P	P	P	P	

Animal Service uses are subject to the supplemental regulations of Sec. 40.020:

**Section 40.020 Animal Services**

Whenever an animal services use is located on a lot abutting an R- or AG-R-zoned lot, a screening wall or fence must be provided along the common lot line in accordance with the F1 screening fence or wall standards of §65.070-C.

There is a pending subdivision plat on this property (Mingo Commercial Center). The proposed Animal Service use will be located in what will be Lot 4 of that proposed subdivision, a copy of which is attached.

**SAMPLE MOTION:** Move to \_\_\_\_\_ (approve/deny) a Special Exception to permit an Animal Boarding Facility in a CS District ( Sec. 15.020, Table 15-2)

- Per the Conceptual Plan(s) shown on page(s) \_\_\_\_\_ of the agenda packet.
- Subject to the following conditions (including time limitation, if any):

\_\_\_\_\_

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

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- Subject to the following conditions (including time limitation, if any):

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The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.



***Property immediately West of subject property across Mingo.***



***Facing North on Mingo***



*Subject property*

FEET; THENCE N01°08'58"W FOR A DISTANCE OF 394.04 FEET TO THE POINT OF BEGINNING.

\*\*\*\*\*

- Z-7463 Global Development LLC** (CD 7) Location: South of the southeast corner of East 91<sup>st</sup> Street South and South Mingo Road requesting rezoning from **CO** and **AG** to **CS with optional development plan** (Related to Mingo Commercial Center)

**STAFF RECOMMENDATION:**

**SECTION I: Z-7463**

**APPLICANTS DEVELOPMENT CONCEPT:**

Mingo Commercial Park is a proposed 4 lot commercial subdivision on the east side of Mingo Road south of 91<sup>st</sup> Street South. This optional development plan has been submitted along with a request to rezone the property from AG to CS. The owner plans to develop the property using a common mutual access drive along the center of the property. This plan is provided to allow lots to be created without frontage along a street in accordance with the current subdivision regulations. It sets out the method for measuring the required bulk and area requirements and setbacks.

**SECTION II: Optional Development Plan Standards:**

**GENERAL PROVISIONS:**

- All district use regulations, supplemental regulations, building types, lot and building regulations, along with other relevant regulations shall conform with the provision of the Tulsa Zoning Code for development in a CS zoning district except that lots are not required to have public street frontage.

**PRIVATE STREETS AND MAINTENANCE OBLIGATIONS FOR COMMON AREAS AND IMPROVEMENTS:**

- All lots within the subdivision shall include direct vehicular access to a private street. All private streets shall be included in a reserve area or mutual access easement as defined on the face of the final plat. The

reserve area or easement shall include provisions that provide common use and benefit of the owners of the lots, their guest and invitees for providing vehicular and pedestrian access to and from the various residential lots and to and from public streets.

2. All operations and maintenance responsibilities for improvements in reserve areas shall be assigned to a Property Owners Association. Such obligation must be provided for in the plat. Each property owner, by acceptance of a deed to a property within the development, will be deemed to have agreed to be a member of the property owner's association and be subject to assessments for maintenance of the common areas and public or private improvements.
3. Provisions shall be made to allow access to the City of Tulsa, the United States Postal Service, private parcel delivery services, public utility providing service to the subdivision and to any refuse collection service which provides service within the subdivision the right to enter and traverse the private street and to operate thereon all service, emergency and allow government vehicles including, but not limited to, police and fire vehicles and equipment.
5. Private streets and sidewalks abutting private streets shall be constructed to meet or exceed the City of Tulsa Engineering standards for minor residential streets and must satisfy the provisions of the Tulsa Metropolitan Area Subdivision and Development Regulations.
6. Private streets intersecting with public streets must have a vehicular turn around area before any entrance gate that allows a complete turnaround completely outside the street right of way of the intersecting public streets. Gate designs, security systems and access controls must be reviewed and approved by the technical advisory committee before installation.

#### MINIMUM BUILDING SETBACKS FROM PRIVATE STREETS:

1. No building shall be located closer than 35 feet as measured to the center of the mutual access easement.

#### LANDSCAPING:

- 1) All landscaping shall conform with or exceed the landscape standards of the Tulsa Zoning Code at the time a building permit for new building construction is submitted. Additionally, the following standards shall apply to street yard landscaping which shall be provided along the mutual access drive as follows:
  - i) A landscape strip with a minimum width of 12 feet from the edge of pavement shall be established and maintained as a landscaped area.

- ii) Within that landscape strip trees shall be installed and maintained with a maximum spacing of one tree for each 50 linear feet along both sides of the drive.

**PLATTING REQUIREMENT:**

A final plat meeting or exceeding the minimum standards of the City of Tulsa shall be filed at the Tulsa County Courthouse prior to receipt of any commercial building permit.

**DETAILED STAFF RECOMMENDATION:**

Z-7463 requesting CS with the optional development plan as outlined in Section II is consistent with the Regional Center land use designation of the Tulsa comprehensive plan and,

CS zoning is non-injurious to the surrounding property owners.

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

Staff recommends **Approval** of Z-7463 as outlined in Section II above.

**SECTION III: Supporting Documentation**

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary:* CS zoning with the optional development plan is consistent with the Regional Center land use vision of the comprehensive plan.

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.

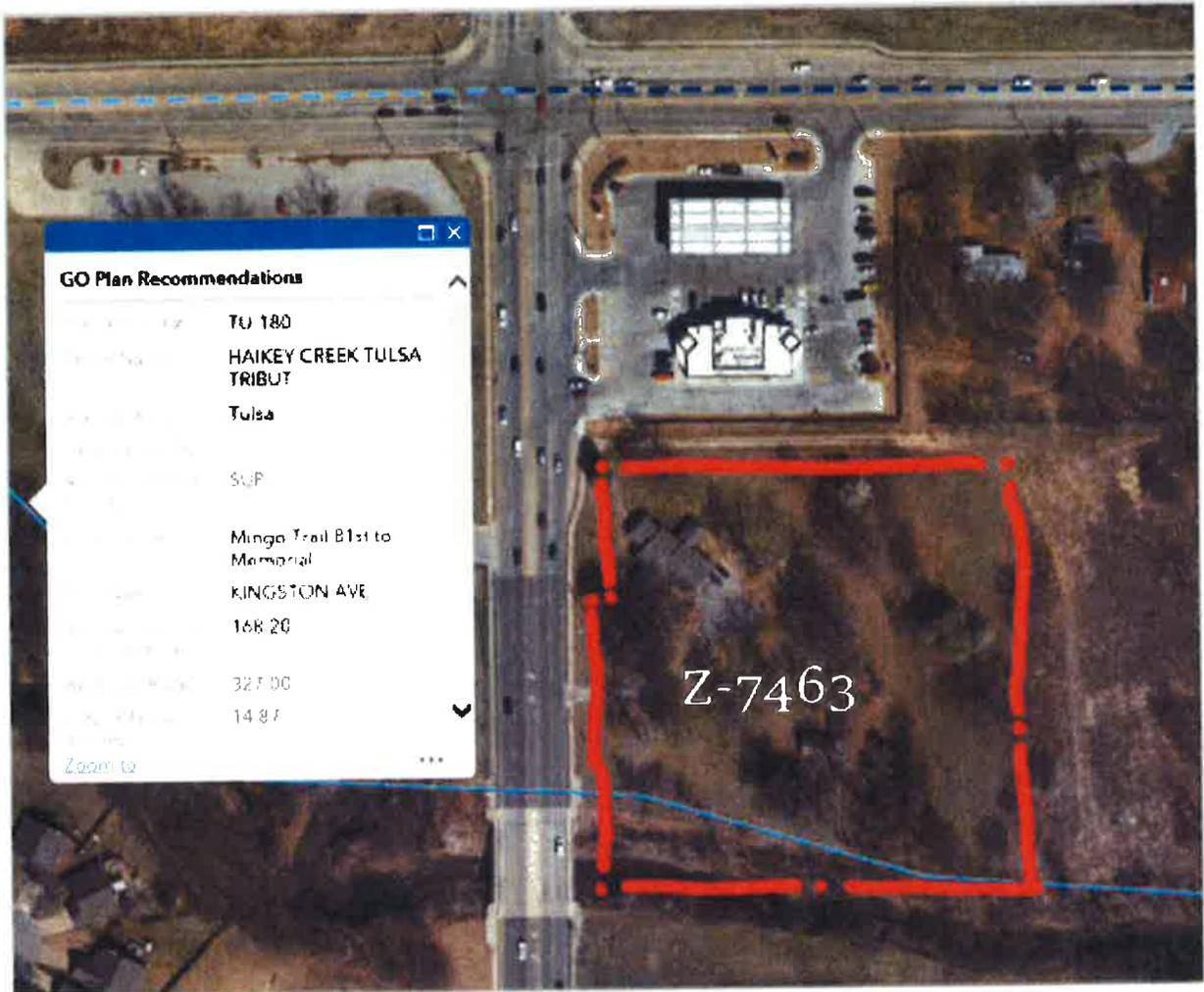
Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth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

Transportation Vision:

*Major Street and Highway Plan:* Secondary Arterial with out additional designations.

*Trail System Master Plan Considerations:* The Tulsa Trail Plan illustrates a proposed trail system along the south edge of this site. During the plat process accommodations for a 20' wide trail easement should be included during the plat process.

See Trail Plan Snippet on next page:



Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: *The site is undeveloped and was a homesite with some agricultural uses evident.*

Environmental Considerations: None except the floodplain area adjacent to the south boundary of the site.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
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11:19:18:2782(27)

South Mingo Avenue	Secondary Arterial	100 feet	5 includes center turn lane
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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	CS	Regional Center	Growth	Convenience store
East	AG	Regional Center	Growth	Empty lot
South	CO	Regional Center	Growth	Floodplain lot empty
West	AG	Regional Center	Growth	Floodplain empty lot

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11834 dated June 26, 1970, established zoning for the subject property.

**Subject Property:** No relevant history

**Surrounding Property:**

**BOA-22091 June 2016:** The Board of Adjustment **approved** a *special exception* to permit a dynamic display sign for Forest Park Christian Church in the AG District, on property located at the southwest corner of East 91<sup>st</sup> Street South and South Mingo Road.

**Z-6910-SP-2 April 2006:** All concurred in **approval** of a proposed Corridor Site Plan on a 4.45+ acre tract of land for commercial and medical office use and to establish the aggregate floor area of 27,380 square feet for office development, on property located east of southeast corner of East 91<sup>st</sup> Street South and South Mingo Road.

**Z-7003/PUD-721 January 2006:** All concurred in **approval** of a request for *rezoning* and **approval** of a proposed *Major Amendment* to PUD on a 40± acre tract of land from AG to CS/OL/RS-3/PUD to permit office, commercial, and residential uses on property located on the northwest corner of East 91<sup>st</sup> Street South and south Mingo Road.

**Z-6910-SP-1 December 2003:** All concurred for **approval** of the proposed Corridor Site plan on a 4.5+ acre tract for a 4-story bank and medical office

building located east of the southeast corner of East 91<sup>st</sup> Street and South Mingo Road.

**Z-6910 November 2003:** All concurred in **approval** of a request for *rezoning* a 4.5+ acre tract from AG to CO, for office and bank use, on property located east of the southeast corner of East 91<sup>st</sup> Street and South Mingo Road.

**Z-6467/PUD-628 March 2000:** All concurred in **approval** of a request for *rezoning* and **approval** of a proposed *Major Amendment* to PUD on a 15.86+ acre tract of land from AG/CO to CO/PUD to permit a medium intensity office park to include assisted living facility and elderly/retired housing, on property located on the northeast corner of the Mingo Valley Expressway and South Mingo Road.

**Z-6538/Z-6538-SP-1 July 1996:** All concurred in **approval** of a request for *rezoning* a 3.4+ acre tract of land from AG to CO, on property located south and east of the southeast corner of East 91<sup>st</sup> Street South and South Mingo Road. **Approval** was also granted for a Corridor Site plan for an inline hockey facility.

**Z-6467/Z-6467-SP-1 January 1995:** All concurred in **approval** of a request for *rezoning* a 15+ acre tract of land from AG/CO to CO on property located south and east of the southeast corner of East 91<sup>st</sup> Street South and South Mingo Road. **Approval** was also granted for a Detail Corridor Site Plan to allow a golf center with a driving range, practice, and instructional facilities.

**Z-6194 July 1988:** All concurred in **approval** of a request for *rezoning* a 3.45+ acre tract of land from AG to CO on property located east of the southeast corner of East 91<sup>st</sup> Street South and South Mingo Road.

**Z-5916 December 1987:** All concurred in **approval** of a request for *rezoning* a 2+ acre tract of land from AG to CS on property located on the southeast corner of East 91<sup>st</sup> Street South and South Mingo Road.

**The applicant indicated his agreement with staff's recommendation.**

**There were no interested parties wishing to speak.**

**TMAPC COMMENTS:**

Mr. Walker asked what the use was going to be.

Staff stated he was unsure of the use, but the applicant was present if more details were needed.

**TMAPC Action; 9 members present:**

On **MOTION** of **DIX**, TMAPC voted **9-0-0** (Covey, Dix, Fothergill, Krug, Millikin, Reeds, Ritchey, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Doctor,

Fretz, "absent") to **APPROVE** Z-7463 rezoning from CO to AG and CS with optional development plan per staff recommendation.

**Legal Description of Z-7463:**

The West Four hundred seventy-nine and Five tenths (479.5) Feet of the South Four hundred fifty-six (456) feet of the North Eight hundred eleven (811) feet of Government Lot One (1), Section Nineteen (19), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof, LESS AND EXCEPT Beginning at a point Fifty (50) feet East and Three hundred fifty-five (355) feet South of the Northwest Corner of Section Nineteen (19), Township Eighteen (18) North, Range Fourteen (14) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the U.S. Government Survey thereof; thence Eight (8) feet Easterly and perpendicular to the West line of Section 19; thence Southerly Two hundred ninety (290) feet; thence Westerly Eight (8) feet; thence Northerly Two hundred ninety (290) feet to the Point of Beginning.

\* \* \* \* \*

9. **Mingo Commercial Center** (CD 7) Preliminary Plat, Location: South of the southeast corner of East 91<sup>st</sup> Street South and South Mingo Road (Related to Z-7463)

**STAFF RECOMMENDATION:**

Related to Z-7463 rezoning from AG/CO to CS

South of the southeast corner of East 91<sup>st</sup> Street South and South Mingo Road

This plat consists of 4 lots, 1 block on 4.45 ± acres.

The Technical Advisory Committee (TAC) met on November 1, 2018 and provided the following conditions:

1. **Zoning:** The property is currently zoned primarily AG (Agriculture) with a very small area of CO (Corridor) along the southern boundary. All property is under application to be rezoned to CS (Z-7463). The rezoning must be approved and effective prior to the approval of a final plat.
2. **Addressing:** City of Tulsa addresses and street names must be assigned and affixed to the face of the final plat.

MINGO COMMERCIAL LEGAL DESCRIPTION:

GLOBAL DEVELOPMENT, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, IS THE OWNER OF THE PROPERTY AS DEPICTED ON THE ATTACHED PLAT AND IS HEREINAFTER REFERRED TO AS THE "OWNER", SAID PROPERTY BEING MORE COMPLETELY DESCRIBED AS FOLLOWS, TO-WIT:

A PART OF GOVERNMENT LOT ONE (1), SECTION NINETEEN (19), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF AND MORE FULLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID GOVERNMENT LOT ONE (1); THENCE SOUTH  $01^{\circ} 10' 47''$  EAST ALONG THE WEST LINE THEREOF, A DISTANCE OF 355.00 FEET; THENCE NORTH  $88^{\circ} 56' 55''$  EAST, A DISTANCE OF 58.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH  $88^{\circ} 56' 55''$  EAST, A DISTANCE OF 421.50 FEET; THENCE SOUTH  $01^{\circ} 10' 47''$  EAST, A DISTANCE OF 456.00 FEET; THENCE SOUTH  $88^{\circ} 56' 55''$  WEST, A DISTANCE OF 429.50 FEET; THENCE NORTH  $01^{\circ} 10' 47''$  WEST, A DISTANCE OF 166.10 FEET; THENCE NORTH  $88^{\circ} 49' 17''$  EAST, A DISTANCE OF 8.00 FEET; THENCE NORTH  $01^{\circ} 10' 47''$  WEST, A DISTANCE OF 289.88 FEET TO THE POINT OF BEGINNING. CONTAINING 193,532.39 SQUARE FEET OR 4.44 ACRES.

LEGAL DESCRIPTION BASIS OF BEARINGS IS THE WEST LINE OF GOVERNMENT LOT ONE BEING NORTH  $01^{\circ} 10' 47''$  WEST.

THE OWNER HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND COMBINED INTO FOUR (4) LOTS, ONE (1) BLOCK AND TWO (2) RESERVES, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "MINGO COMMERCIAL CENTER", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "MINGO COMMERCIAL CENTER" OR THE "SUBDIVISION").



Nathan  
Foster  
Received  
6.5.20

DRAFT FINAL PLAT #4

# Mingo Commercial Center

OPTIONAL DEVELOPMENT PLAN Z-7463

A PORTION OF GOVERNMENT LOT ONE (1), SECTION NINETEEN (19), TOWNSHIP EIGHTEEN (18)  
NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA,  
TULSA COUNTY, STATE OF OKLAHOMA



**OWNER/DEVELOPER**

GLOBAL DEVELOPMENT, LLC  
10405 E. 41ST STREET  
TULSA, OK 74148  
PHONE 918.288.3118  
EMAIL DONT.KADAKA@GLOBAL.COM  
ATTN: DONT KADAKA

**ENGINEER/SURVEYOR**

AAB ENGINEERING LLC  
CERTIFICATE OF AUTHORIZATION NO. 6018, EXPIRES JUNE 30, 2020  
PO BOX 2136  
SAND SPRINGS, OK 74063  
PHONE 918.514.4283  
FAX 918.514.4288  
EMAIL ALAN@AABENG.COM



**LEGEND**

BL	BUILDING LINE
LNA	LIMITS OF NO ACCESS
POB	POINT OF BEGINNING
POC	POINT OF COMMENCEMENT
ROW	RIGHT OF WAY
LIE	UTILITY EASEMENT
DOE	OVERLAND DRAINAGE EASEMENT
SK	SEWER
PG	PAGE
IPS	IRON PIN SET
F147	ACKNOWLEDGES

**FLOODPLAIN**

PORTIONS OF THE PROPERTY ARE CONTAINED IN FEMA ZONE X (SHADED) ON ANNUAL CHANCE (500 YEAR) FLOODPLAIN AND ZONE AE AS SHOWN ON FIRM PANEL 40149C0356L DATED OCTOBER 19, 2012

**FINAL PLAT ENDORSEMENT OF APPROVAL**

Tulsa Metropolitan Area Planning Commission

Approval Date: \_\_\_\_\_

\_\_\_\_\_  
TMAPC/COG

CITY ENGINEER

Council of the City of Tulsa, Oklahoma

Approval Date: \_\_\_\_\_

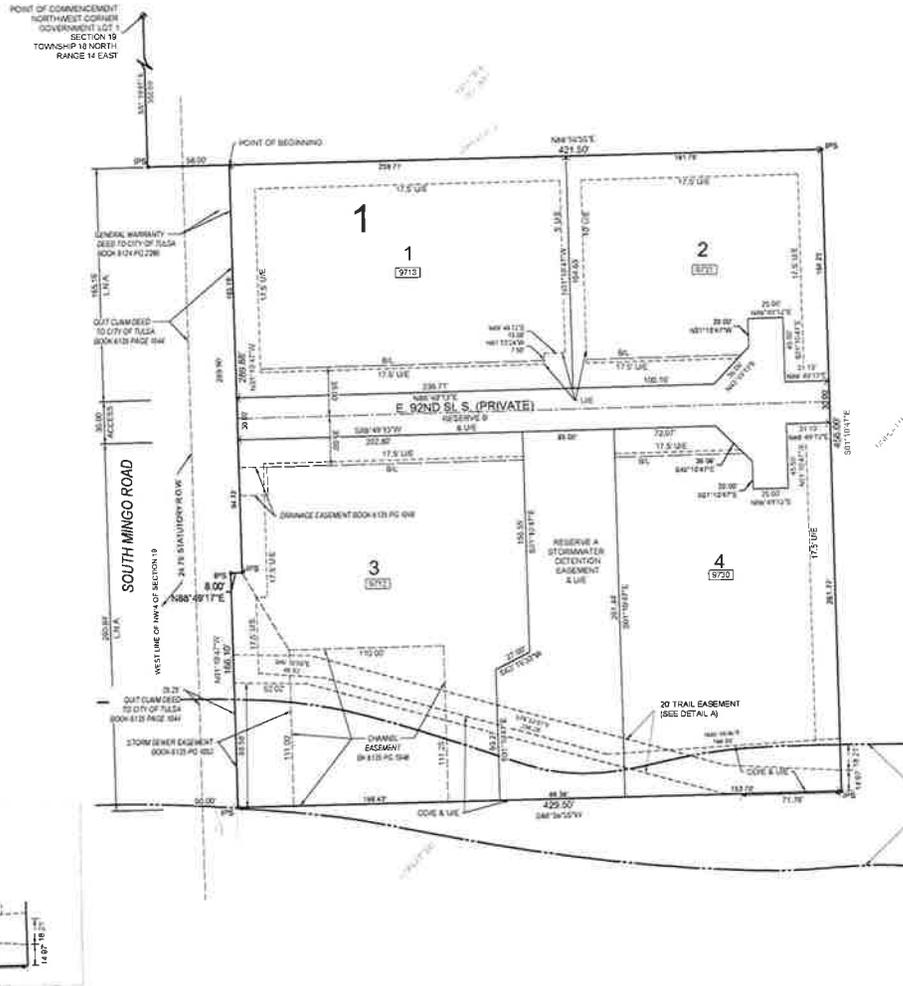
\_\_\_\_\_  
CHAIRMAN

\_\_\_\_\_  
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



**SUBDIVISION STATISTICS**

SUBDIVISION CONTAINS FOUR (4) LOTS AND TWO (2) RESERVE AREAS IN ONE (1) BLOCK CONTAINING 4.44 ACRES

**SUBDIVISION DATA**

BENCHMARK  
S E RING BOLT OF FIRE HYDRANT APPROXIMATELY 18' NORTH OF THE NORTH WEST CORNER OF SITE N 30°21' 29" E 206.75' 802 ELEV+668.26 (NAVD 88)

BASIS OF BEARINGS  
GRID BEARINGS OF THE OKLAHOMA STATE PLANE COORDINATE SYSTEM. ZONE 3203 NORTH THE WEST LINE OF THE N1/4 BEING N 01° 10' 47" W

LAND AREA  
188,223.39 SF = 4.44 ACRES

MONUMENTATION  
ALL CORNERS WERE SET USING 3/8" X 18" REBAR WITH A YELLOW PLASTIC CAP STAMPED AND CARBON. UNLESS OTHERWISE NOTED

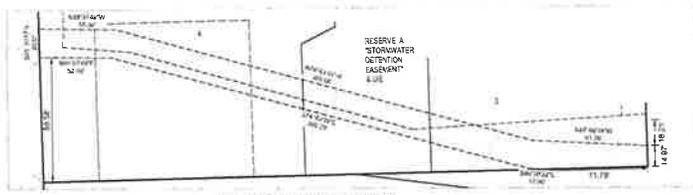
ADDRESSES  
ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION

**CONTACTS**

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

UTILITY

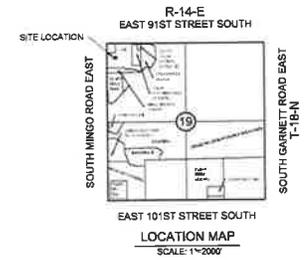
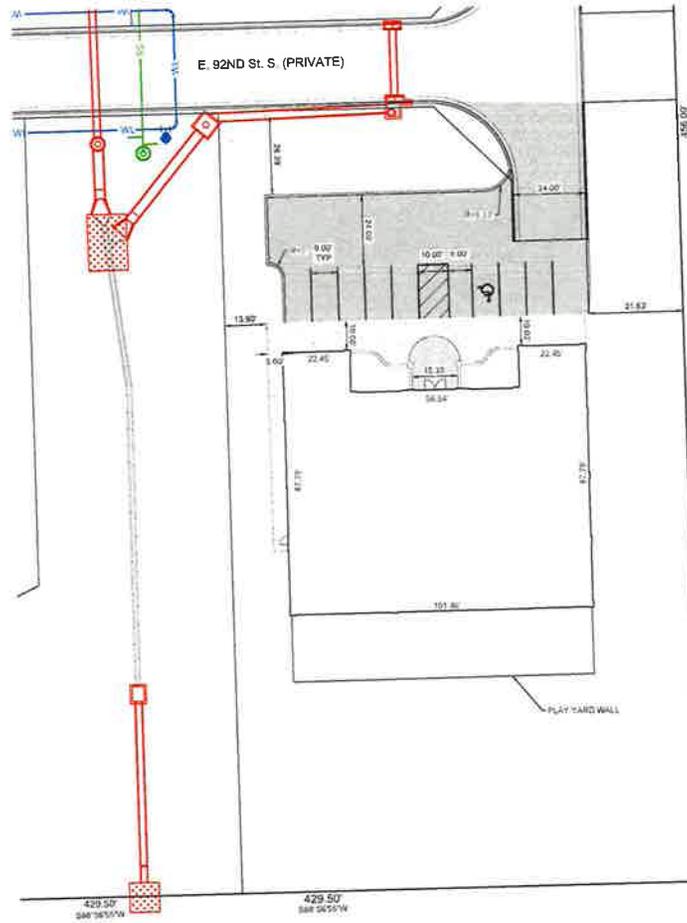
OKLAHOMA NATURAL GAS COMPANY 2318 W. SEDDON ST TULSA, OK 74127 918.534.5000	PUBLIC SERVICE COMPANY OF OKLAHOMA 213 E 6TH ST TULSA, OK 74119 1.888.216.3273
WINDSTREAM 1314 W. TACOMA BROKEN ARROW, OK 74012 918.568.4900	COX COMMUNICATIONS 11811 EAST 51ST STREET TULSA, OK 74115 918.286.4656



**A Trail Easement Detail**  
Scale: 1" = 4'

5.15





- SHEET LEGEND**
- PROPOSED CONCRETE PAVEMENT
  - PROPOSED SIDEWALK PAVING
  - PROPOSED LANDSCAPE

**SITE PLAN**  
**K9 RESORT**  
**CITY OF TULSA OKLAHOMA**

PLANS AND ESTIMATE: AAB ENGINEERING, LLC  
 PREPARED BY: [Signature]

REVISION	BY	DATE	PLAN SCALE
			AS SHOWN

PROFILE SCALE	HORIZONTAL	VERTICAL
AS SHOWN	1"=40'	1"=8'

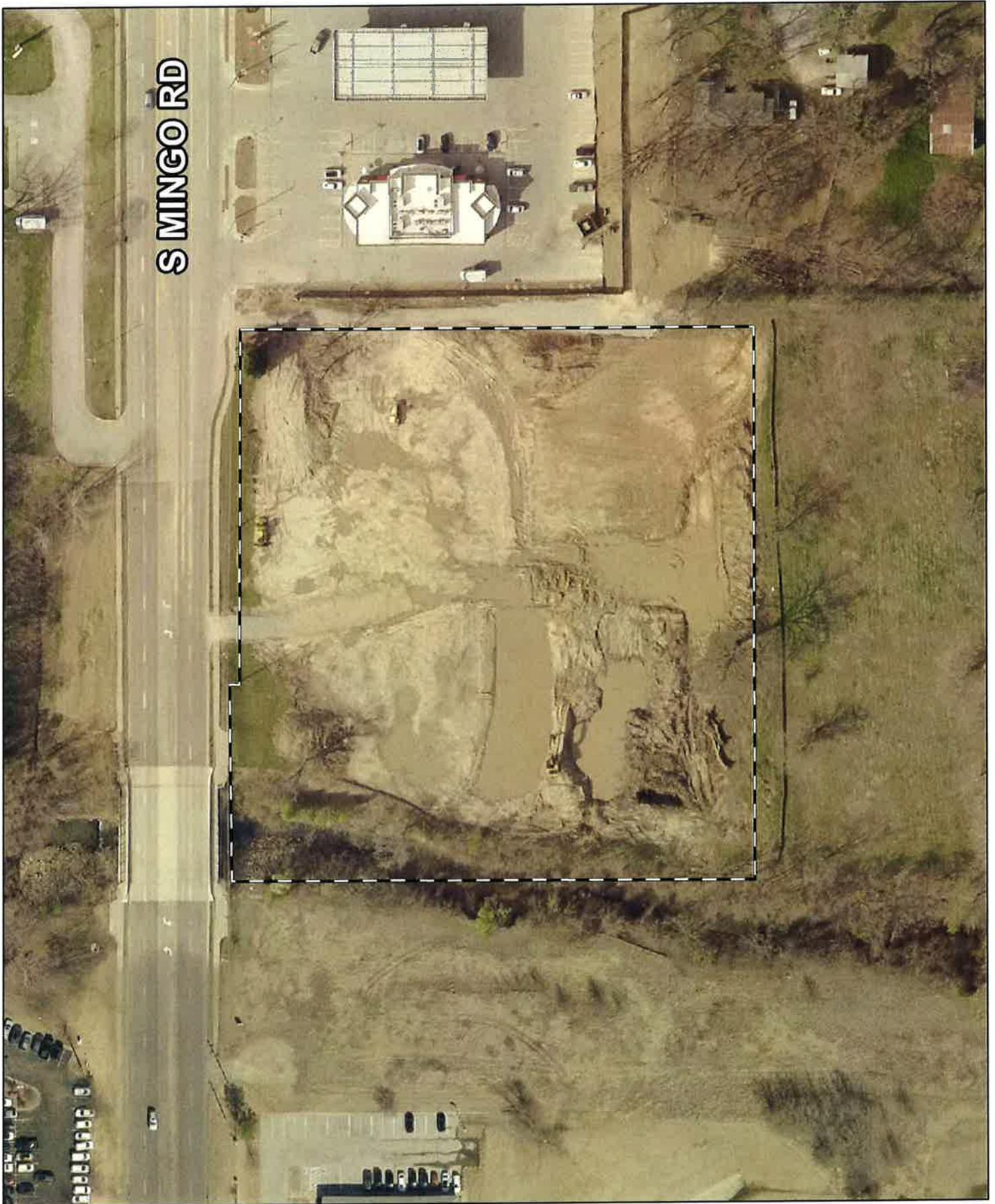
DESIGN	PO	STIS
DESIGNED	AAB	STIS
SURVEY	AAB	STIS

PLANS PAGE NO. 14      SHEET 01 OF 01 SHEETS

K910000 STREET SHOWN BASED ON 8810 AS SHOWN AT THE DATE OF PLANS. ALL LINES MAY NOT BE SHOWN AND SHOULD BE REFERRED TO THE SURVEY DRAWING AT 1"=40' FOR FULL INFORMATION.  
 ALL CONSTRUCTION SHALL BE CONFORMED TO THE CITY OF TULSA DESIGN STANDARDS AND SPECIFICATIONS SHALL BE USED UNLESS OTHERWISE NOTED.  
 THESE PLANS SHALL BE USED ONLY FOR THE PROJECT SHOWN.



2.17



**S MINGO RD**



**Subject Tract**

**BOA-23190**

18-14 19

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

*Aerial Photo Date: 2020/2021*



**5.18**



**BOA-23190**

18-14 19

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

Aerial Photo Date: 2020/2021



5.19

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