

### Staff Report Special Exception BOA-23668

Hearing Date: April 9, 2024 Prepared by: Dylan Siers dsiers@cityoftulsa.org 918-596-7584

#### **Owner and Applicant Information**

Applicant: Sierra Vetaw

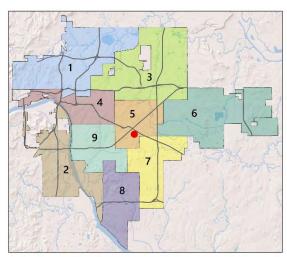
Property Owner: BA Memorial LLC

#### **Property Location**

3805 S 79 Ave E

#### Location within the City of Tulsa

(shown with City Council districts)



#### **Elected Representatives**

<u>City Council:</u> District 5, Grant Miller <u>County Commission:</u> District 2, Kelly Dunkerley

### Public Notice Required

Newspaper Notice – min. 10 days in advance Mailed Notice to 300' radius – min. 10 days in advance Posted Sign – min. 10 days in advance

#### **Request Summary**

Variance to reduce the required street frontage in an IL district (Table 15-3); Special Exception for Day Care use in an IL District (Sec. 15.020, Table 15-2).

#### <u>Zoning</u>

Zoning District: IL Zoning Overlays: None.

#### Comprehensive Plan Considerations

**Land Use** <u>Land Use Plan</u>: Employment <u>Small Area Plans</u>: N/A

Development Era: Late Automobile

#### Transportation

Major Street & Highway Plan: The Broken Arrow Expressway is classified as a Freeway

<u>planitulsa Street Type</u>: N/A

<u>Transit</u>: N/A

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: N/A

#### Environment

<u>Flood Area</u>: None <u>Tree Canopy Coverage</u>: 0-10% <u>Parks & Open Space</u>: None

#### **Staff Analysis**

The applicant is proposing a Variance to reduce the required street frontage in an IL district (Table 15-3); Special Exception for Day Care use in an IL District (Sec. 15.020, Table 15-2).

The current lot is non-conforming and has no actual street frontage. Access comes from the property to the South which has access unto S. 79th E. Ave.

Regulations	OL	OM	OMH	OH	CS	CG	СН	CBD	IL	IM	IH
Minimum Lot Area (sq. ft.)	-	-	-	10,000	-	-	-	-	-	-	-
Minimum Street Frontage (feet)	50	50	50	-	50	50	-	-	50	50	50
Maximum Floor Area Ratio (FAR)	0.40	0.50	2.00	8.00	0.50	0.75	-	-	-	-	-

The proposed use would be a Day Care.

#### 35.040-D Day Care

1. Child Care Center

Uses providing care and supervision for children or adults for a fee on a regular basis away from their primary residence for less than 24 hours per day. Uses providing care and supervision for children or adults for 24 hours per day or longer are classified as group living uses. Child care centers in residential districts are subject to the same lot and building regulations that apply to detached houses, except as modified by supplemental regulations of <u>Section 40.120-A</u>.

#### 2. Family Child Care Home

A day care that provides care and supervision for 12 or fewer children for less than 24 hours per day. Family child care homes may be a principal use or accessory to an allowed household living use. Family child care homes are subject to the same lot and building regulations that apply to detached houses, except as modified by the supplemental regulations of <u>Section 40,120-B</u>.

#### Relevant Case History

None

### Comprehensive Plan Considerations

#### Land Use Plan

The subject property is designated as employment. The **Employment** designation is intended to accommodate offices, warehousing and storage, manufacturing and assembly, and industrial processes. The "Industrial Site Suitability" map corresponds to the Employment land use designation and indicates where uses that are potentially incompatible with sensitive land uses are best suited to locate. This directs industrial uses to particular areas of the city while discouraging industrial in close proximity to Neighborhood areas.

<u>Location</u>	Existing Zoning/Overlay	Existing Land Use Designation	<u>Existing Use</u>
North	IL	Employment	Light Industrial
East	RS-2	None	Highway
South	IL	Employment	Light Industrial
West	IL	Employment	Light Industrial

#### Surrounding Properties:

#### Small Area Plans

The subject properties are not in a small area plan.

#### **Development Era**

The subject property is in an area developed during the Late Automobile Era (1950s-present), which has grown since the mainstreaming of automobile-centric lifestyles, with a high degree of separation between residential and nonresidential uses, and low levels of street connectivity. In these areas, transportation is nearly exclusively concentrated on the mile-by-mile arterial grid, and major streets are often both transportation corridors and destination corridors, which can lead to traffic congestion. Nonresidential uses are predominantly located at the intersections of major arterial streets. Priorities in these areas include commercial revitalization, placemaking, community gathering opportunities, conservation of natural areas, a high degree of privacy, one-stop shopping, and commuting routes.

#### Transportation

Major Street & Highway Plan: The Broken Arrow Expressway is classified as a Freeway.

Comprehensive Plan Street Designation: N/A

<u>Transit</u>: N/A

Existing Bike/Ped Facilities: N/A

Planned Bike/Ped Facilities: N/A

Arterial Traffic per Lane: N/A

#### **Environmental Considerations**

Flood Area: The subject property none.

<u>Tree Canopy Coverage</u>: Tree canopy in the area is 0-10%. The area would benefit from additional trees, which also capture and treat runoff before it enters the river.

Parks & Open Space: N/A

#### Sample Motion

#### **Special Exception**

I move to *approve or deny* a Special Exception to permit a Special Exception for Day Care use in an IL 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): \_\_\_\_\_\_\_

#### Variance

I move to *approve or deny* a Variance to reduce the required street frontage in an IL district (Table 15-3);

The board finds the hardship to be \_\_\_\_\_

In granting the Variance, the Board finds that the following facts, favorable to the property owner, have been established:

- a. That the physical surroundings, shape, or topographical conditions of the subject property would result in unnecessary hardships or practical difficulties for the property owner, as distinguished from a mere inconvenience, if the strict letter of the regulations were carried out;
- b. That literal enforcement of the subject zoning code provision is not necessary to achieve the provision's intended purpose;
- c. That the conditions leading to the need of the requested variance are unique to the subject property and not applicable, generally, to other property within the same zoning classification;
- d. That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;
- e. That the variance to be granted is the minimum variance that will afford relief;
- f. That the variance to be granted will not alter the essential character of the neighborhood in which the subject property is located, nor substantially or permanently impair use or development of adjacent property; and
- g. That the variance to be granted will not cause substantial detriment to the public good or impair the purposes, spirit, and intent of this zoning code or the comprehensive plan.

#### **Property Description**

PRT E/2 SE BEG 430S & 380W & 326.58N NEC SE SE TH NW160.14 NE CRV LF 18.02 NE142 SE227.12 W57.39 SW124.06 POB SEC 23 19 13 .662AC, City of Tulsa, Tulsa County, State of Oklahoma



Subject property in BOA-23668 (Image used from Google Street view)

#### <u>Exhibits</u>

Case map Aerial (small scale) Aerial (large scale) Tulsa Comprehensive Plan Land Use Map





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

Aerial Photo Date: 2021

0

Feet 200

400



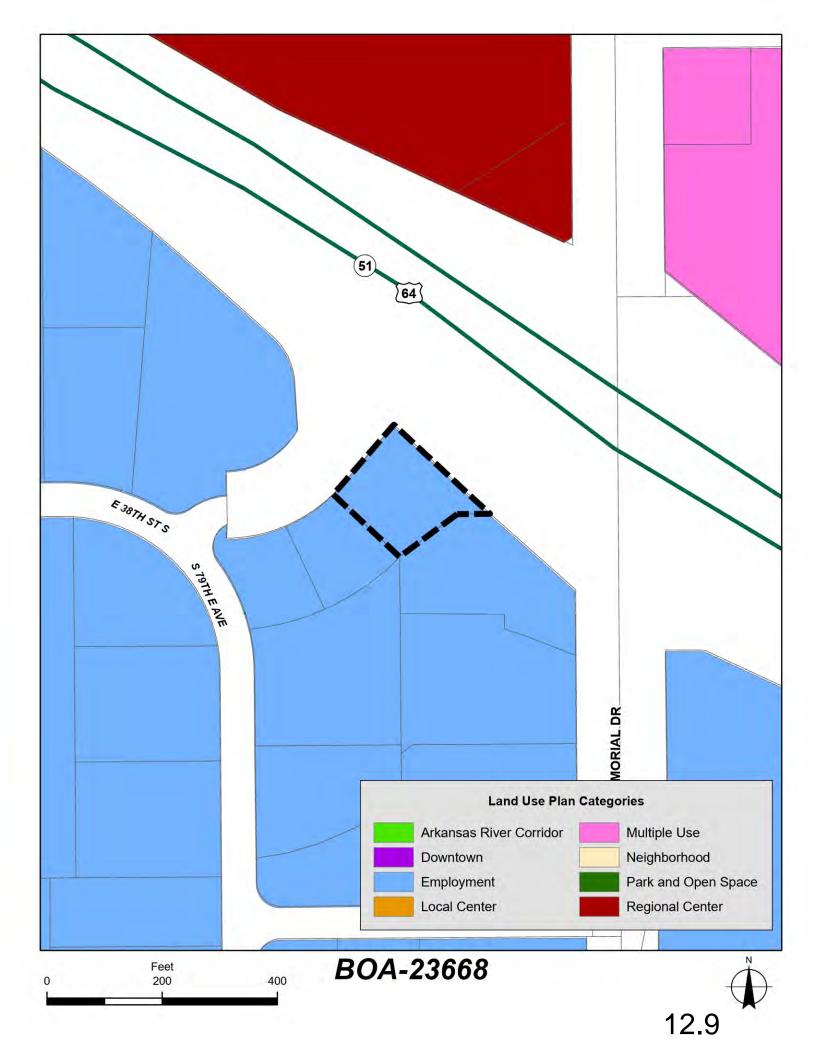
Aerial Photo Date: 2021

12.8

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100

200





# CITY OF TULSA CORRECTIONS SUMMARY

# BLDC-166164-2023 (3805 S 79TH AVE E Tulsa Tulsa, OK 74145) Markup Summary #2

#### Zoning BLDC-166164-2023 (2)



Subject: Zoning BLDC-166164-2023 Page Label: 6 Author: Jeffrey Bush Date: 12/20/2023 9:03:33 AM Status: Color: Layer: Space:

Review Comment: Your proposed use is categorized as a Public, Civic, and Institutional/Day Care use. The proposed use is located within an IL zoned district. Per table 15-2 of the Tulsa Zoning Code this use requires a Special Exception within an IL zone. Please provide an approved Special Exception to permit a Day Care use within an IL zone

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Subject: Zoning BLDC-166164-2023 Page Label: 6 Author: Jeffrey Bush Date: 12/20/2023 9:05:14 AM Status: Color: Layer: Space:

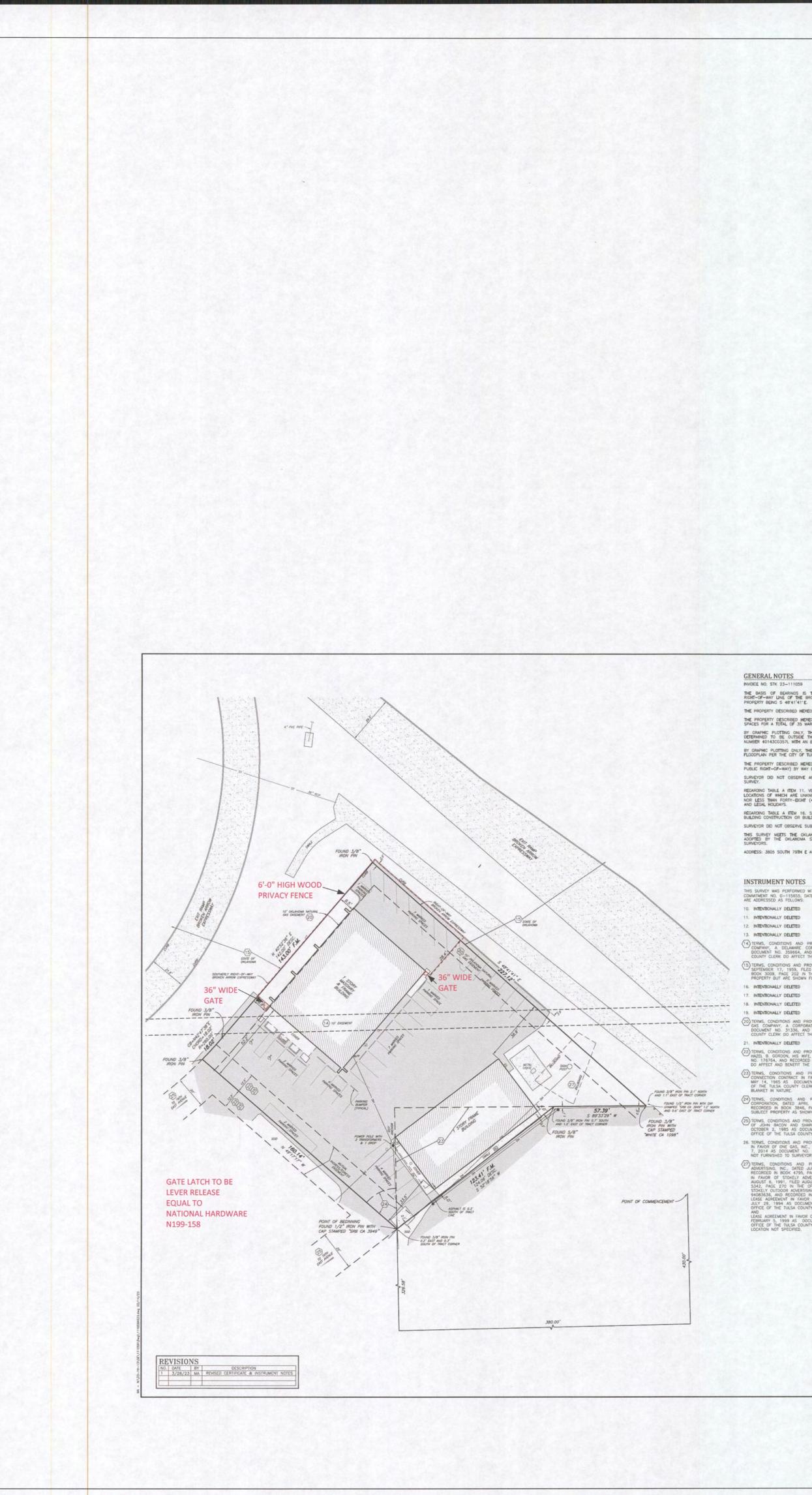
Review Comment: Per table 15-3 an IL zone requires a street frontage of 50'. Our records indicate the lot has 0' of street frontage. You may wish to seek a variance to allow the use with a frontage of 0'. If so contact the Tulsa Planning Office for further instruction at 918-596-7526 or Planning@cityoftulsa.org

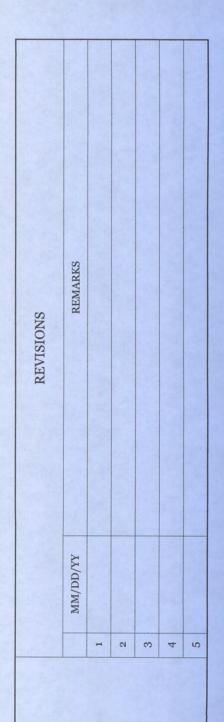
# WATCH US GROW EARLY LEARNING CENTER

3805 SUTH 79th AVENUE EAST TULSA, OKLAHOMA

# DRAWING INDEX

A-000 COVER SHEET AND SITE PLAN A-100 FLOOR PLAN, CEILING PLAN AND LIFE SAFETY PLAN WHITE ALTA SURVEY





# / LEARNING CENTER UTH 79th AVENTUE EAST ULSA, OKLAHOMA GROW N VATCH SOUTH TULSA WAT EARLY 3805 SOU

ARCHITECT

HARRY BJORNBERG 4853 S SHERIDAN RD, **TULSA OK 74145** 918-724-4472 hbjorn@ewc1incorporated.com



THE BASIS OF BEARINGS IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM NADB3 (2011) THE RIGHT-OF-WAY LINE OF THE BROKEN ARROW EXPRESSWAY ALSO BEING THE NORTH LINE OF THE SUBJECT PROPERTY BEING S 46-41-41-1E. THE PROPERTY DESCRIBED HEREON CONTAINS 0.66 ACRES, MORE OR LESS.

THE PROPERTY DESCRIBED HEREON CONTAINS 33 MARKED REGULAR AND 2 MARKED HANDICAPPED PARKING SPACES FOR A TOTAL OF 35 MARKED PARKING SPACES. BY GRAPHIC PLOTTING ONLY, THE SUBJECT TRACT LIES WITHIN ZONE X UNSHADED DEFINED AS 'AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAN' AS SHOWN ON FIRM MAP PANEL NUMBER 40143C0357L WITH AN EFFECTIVE DATE OF 10/16/2012. BY GRAPHIC PLOTTING ONLY, THE PROPERTY DESCRIBED HEREON IS NOT LOCATED WITHIN THE REGULATORY FLOODPLAIN PER THE CITY OF TULSA REGULATORY FLOODPLAIN MAP ATLAS DATED NOVEMBER 2021. THE PROPERTY DESCRIBED HEREON HAS INGRESS/EGRESS FROM SOUTH 79THE EAST AVENUE (A DEDICATED PUBLIC RIGHT-OF-WAY) BY WAY OG MUTUAL INGRESS/EGRESS EASEMENTS AS SPECIFIED IN EXCEPTION 25. SURVEYOR DID NOT OBSERVE ANY VISIBLE ENCROACHMENTS EXCEPT AS SHOWN ON THE FACE OF THIS REGARDING TABLE A ITEM 11. VISIBLE UTILITIES ARE SHOWN, THERE MAY BE OTHERS THE EXISTENCE AND LOCATIONS OF WHICH ARE UNKNOWN. BEFORE DIGDING, CONTACT DIVEBIT NO MORE THAN TEN (10) DAYS NOR LESS THAN FORTY-BIGHT (48) HOURS, EXCLUDING THE DATE OF NOTIFICATION, SATURDAYS, SUNDAYS AND LEGAL HOUDAYS. REGARDING TABLE A ITEM 16. SURVEYOR DID NOT OBSERVE EVIDENCE OF RECENT EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS ON THE FIELD DATE SHOWN HEREON. SURVEYOR DID NOT OBSERVE SUBSTANTIAL AREAS OF REFUSE. THIS SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYING THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND

ADDRESS: 3805 SOUTH 79TH & AVE, TULSA, OK 74145

EENOTES INSTRUMENT SHOWN ON SURVEY THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF FIDELITY NATIONAL TITLE INSURANCE COMPANY'S TITLE COMMITMENT NO. G-115855, DATED JANUARY 26, 2023, REVISED 3/16/23. THE TEMS FROM SCHEDULE B ARE ADDRESSED AS FOLLOWS:

(1) TERMS, CONDITIONS AND PROVISIONS OF UTILITY EASEMENT IN FAVOR OF DRESSER ENGINEERING COMPANY, A DELAWARE CORPORATION, DATED JANUARY 9, 1958, FILED JANUARY 9, 1958 AS DOCUMENT NO. 356664, AND RECORDED IN BOOX 2838, PAGE 628 IN THE OFFICE OF THE TULSA COUNTY CLERK DO AFFECT THE SUBJECT PROPERTY AS SHOWN. (15) TERMS, CONDITIONS AND PROVISIONS OF DEDICATION DEED IN FAVOR OF STATE OF OKLAHOMA, DATED SEPTEMBER 17, 1959, FILED OCTOBER 21, 1959 AS DOCUMENT NO. 441310, AND RECORDED IN BOOK 3009, PAGE 202 IN THE OFFICE OF THE TULSA COUNTY CLERK DO NOT AFFECT THE SUBJECT PROPERTY BUT ARE SHOWN FOR INFORMATION PURPOSES ONLY.

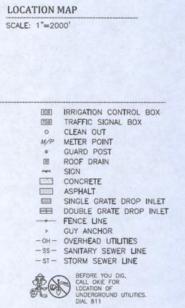
TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY AGREEMENT IN FAVOR OF OKLAHOMA NATURAL CAS COMPANY, A CORPORATION, DATED SEPTEMBER 14, 1960, FILED SEPTEMBER 26, 1960 AS DOCLUENT NO. 31336, MO RECORDED IN BOOK 3091, PAGE 348 IN THE OFFICE OF THE TULSA COUNTY CLERK DO AFFECT THE SUBJECT PROPERTY AS SHOWN.

(22) TERMS, CONDITIONS AND PROVISIONS OF EASEMENT FOR ROADWAYS IN FAVOR OF G. D. GORDON AND HAZEL B. GORDON, HIS WIFE, DATED NOVEWBER 7, 1963, FILED NOVEWBER 14, 1963 AS DOCUMENT NO. 175764, AND RECORDED IN BOOK 3397, PAGE 41 IN HE OFFICE OF THE TULSA COUNTY CLERK DO AFFECT AND BENEFIT THE SUBJECT PROPERTY AS SHOWN. (23) TERMS, CONDITIONS AND PROVISIONS OF DIRECT MAIN LINE EXCESS CAPACITY SANITARY SEWED CONNECTION CONTRACT IN FAVOR OF ADMIRAL BUILDING CORPORATION, DATED MAY 11, 1965, FIEL MAY 14, 1985 AS DOCUMENTING. 261375, AND RECORDED IN BOOK 3579, PAGE 64 IN THE OFFICE OF THE FULSA COUNTY CLERK DO INCLUDE A PORTION OF THE SUBJECT PROPERTY AS SHOWN, ARE BLANKET IN NATURE. ★ TERMS, CONDITIONS AND PROVISIONS OF ROAD EASEMENT IN FAVOR OF ADMIRAL BUILDING CORPORATION, DATED APRIL 30, 1968, FILED MAY 1, 1968 AS DOCUMENT NO. 434318, AND RECORDED IN BOOK 3846, PACE 498 IN THE OFFICE OF THE TULSA COUNTY CLERK DO AFFECT THE SUBJECT PROPERTY AS SHOWN. (25) TERMS, CONDITIONS AND PROVISIONS OF RATIFICATION AND STIPULATION OF EASEMENT RIGHTS IN FAVOR OF JOHN BACON AND SHARON BACON, HUSBAND AND WIFE, DATED SEPTEMBER 30, 1985, FILED OCTOBER 2, 1985 AS DOCUMENT NO. 415079, AND RECORDED IN BOOK 4896, FAQE 1552 IN THE OFFICE OF THE TULSA COUNTY CLERK DO AFFECT AND BENEFIT THE SUBJECT PROPERTY AS SHOWN. 16. TERMS, CONDITIONS AND PROVISIONS OF ASSIGNMENT AND ASSUMPTION OF REAL PROPERTY INTERESTS IN FAVOR OF ONE GAS, INC., AN OKLAHOMA CORPORATION, DATED JANUARY 27, 2014, FILED FEBRUARY 7, 2014 AS DOCUMENT NO, 2014010512 IN THE OFFICE OF THE TULSA COUNTY CLERK. DOCUMENT NOT FURNISHED TO SURVEYOR. NOT ADDRESSED (2) TERMS, CONDITIONS, AND PROVISIONS OF LEASE AGREEMENT IN FAVOR OF STOKELY OUTDOOR ADVERTISING, INC., DATED JUNE 8, 1984, FILED JUNE 8, 1984 AS DOCUMENT NO. 278381, AND RECORDED IN BOOK 4795, PAGE 2537 IN THE OFFICE OF THE TULSA COUNTY CLERK; GUIT CLAM DEED IN FAVOR OF STOKELY ADVERTISING, INC., AND WILLIAM R. STOKELY, AKIA BILL STOKELY, DATED AUGUST 6, 1991, FILED AUGUST 13, 1991 AS DOCUMENT NO. 91 017920, AND RECORDED IN BOOK 5342, PAGE 270 IN THE OFFICE OF THE TULSA COUNTY CLERK; LEASE AGREEMENT IN FAVOR OF STOKELY OUTDOOR ADVERTISING, INC., DATED JULY 25, 1994, FILED JULY 29, 1994 AS DOCUMENT NO. 9408356, AND RECORDED IN BOOK 5645, PAGE 904 IN THE OFFICE OF THE TULSA COUNTY CLERK; LEASE AGREEMENT IN FAVOR OF STOKELY OUTDOOR ADVERTISING, INC., DATED JULY 25, 1994, FILED JULY 29, 1994 AS DOCUMENT NO. 94083637, AND RECORDED IN BOOK 5645, PAGE 906 IN THE OFFICE OF THE TULSA COUNTY CLERK; AND

AND LEASE AGREEMENT IN FAVOR OF STOKELY OUTDOOR ADVERTISING, INC., DATED JANUARY 28, 1999, FILED FEBRUARY 5, 1999 AS DOCUMENT NO. 99013977, AND RECORDED IN BOOK 6170, PAGE 308 IN THE OFFICE OF THE TULSA COUNTY CLERK DO AFFECT THE SUBJECT PROPERTY AS SHOWN. EXACT SIZE AND LOCATION NOT SPECIFIED.

State of Lot 0 20

LEGEND U/E UTILITY EASEMENT CB CHORD BEARING RCB REINFORCED CONCRETE BOX RCP REINFORCED CONCRETE PIPE REINFUNCED CONCEPT
REINFUNCED
SEWER MANHOLE
POWER POLE
LIGHT POLE
WATER VALVE
WATER VALVE
FIRE HYDRANT
CONCEPT △ GAS METER GAS SERVICE GAS VALVE TELEPHONE SERVICE CABLE PEDESTAL ELECTRIC SERVICE ELECTRIC PEDESTAL AIR CONDITIONER UNIT



R 13 E

EAST 31ST STREE

EAST 41ST STREET

# ALTA/NSPS LAND TITLE SURVEY

OF:

ALL THAT PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 SE/4) AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4) NORTHEAST QUARTER (SE/4) OF SECTION TWENTY-THREE (23), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

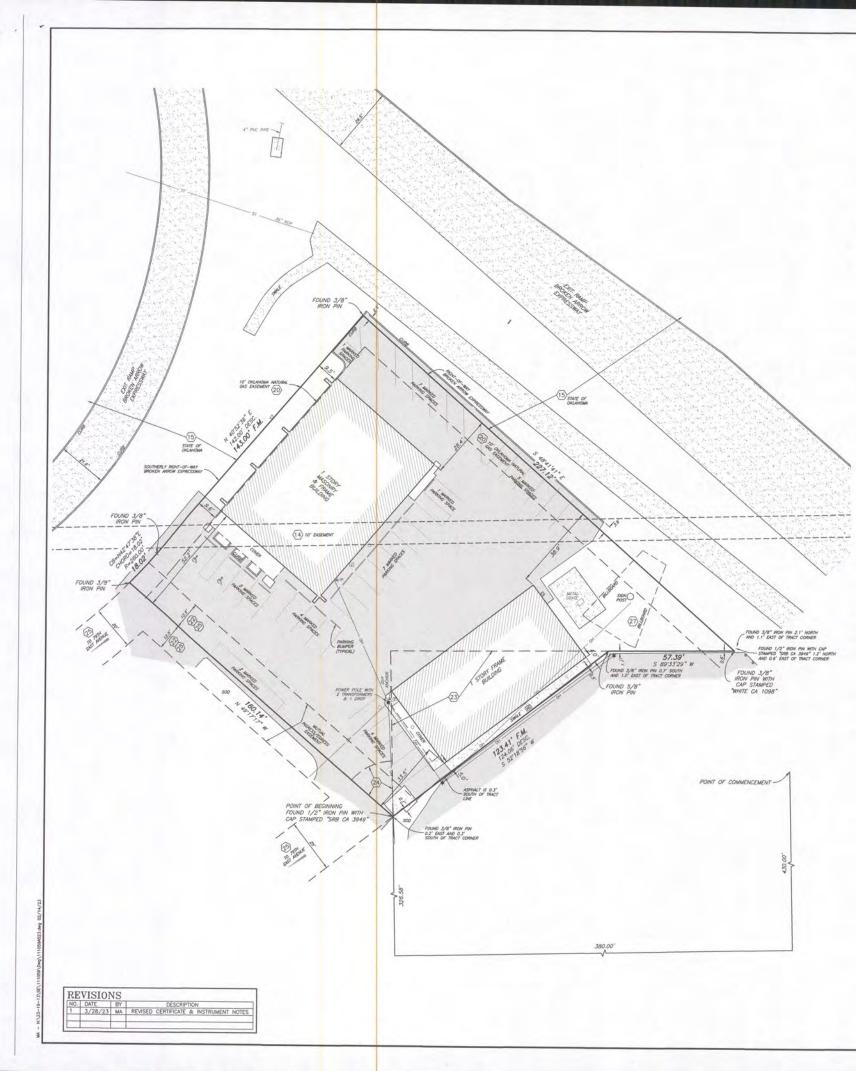
DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT A POINT ON THE EAST BOUNDARY LINE OF SAID N/2 OF THE SE/4 OF THE SE/4, 430.00 FEET FROM THE NORTHEAST CORNER THEREOF; THENCE NORTH 89'57'53" WEST PARALLEL TO THE NORTH BOUNDARY OF SAID N/2 OF THE SE/4 OF THE SE/4 A DISTANCE OF 380.00 FEET; THENCE NORTH 0'03'00" EAST, PARALLEL TO THE POINT OF BEGINNING; THENCE NORTH 4753'01" WEST, A DISTANCE OF 160.14 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF THE SE/4 OF THE SE/4, A DISTANCE OF 160.14 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY OF THE BROKEN ARROW EXPRESSWAY; THENCE NORTH 470'11" EAST A DISTANCE OF 0.00 FEET; THENCE NORTH 4753'01" WEST, A DISTANCE OF 160.14 FEET TO APOINT ON THE SOUTHERLY RIGHT-OF-WAY OF THE BROKEN ARROW EXPRESSIVAY; THENCE NORTH 470'11" EAST A DISTANCE OF 0.00 FEET; THENCE NORTH LEFT ALONG THE SOUTHERLY RIGHT-OF-WAY LINE OF THE BROKEN ARROW EXPRESSIVAY, ON A CURVE OF RADIUS 260 FEET, A DISTANCE OF 18.02 FEET; THENCE NORTH 42'06'59" EAST, ALONG THE BROKEN ARROW EXPRESSWAY RIGHT-OF-WAY LINE, A DISTANCE OF 142.00 FEET; THENCE SOUTH 4753'01" EAST ALONG THE BROKEN ARROW EXPRESSIVAY RIGHT-OF-WAY LINE, A DISTANCE OF 227.12 FEET, THENCE NORTH 89'57'53" WEST, PARALLEL TO AND 30 FEET SOUTH OF THE NORTH BOUNDARY OF SAID N/2 OF THE SE/4 OF THE SE/4, A DISTANCE OF 57.39 FEET; THENCE SOUTH 53'45'16" WEST, A DISTANCE OF 124.06 FEET TO THE POINT OF BEGINNING. CERTIFICATE

WHITE SURVEYING COMPANY, AN OKLAHOMA CORPORATION, AND THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY TO: BAMEMORIAL, LLC, an Oklahoma limited liability company GUARANTY TITLE COMPANY, LLC FIDELITY NATIONAL TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REDUREWENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTRUSHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES THEMS 1, 2, 3, 4, 8 AND 16 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON FEBRUARY 10, 2023.

WHITE SURVEYING COMPANY CERTIFICATE OF AUTHORIZATION NO. CA1098 RANDY K. SHOEFSTALL L.S.1676 BY: Ry K Date 3/28/23 REGISTERED PROFESSIONAL LAND SURVEYOR OKLAHOMA NO. 1676 WHITE SURVEYING COMPANY providing land surveying services since 1940 9936 E. 55th Place • Tulsa, OK 74146 • 918.663.6924 • 918.664.8366 fax

whitesurvey.com • email: info@whitesurvey.com



#### GENERAL NOTES

INVOICE NO. STK 23-111059

THE BASIS OF BEARINGS IS THE OKLANOMA STATE PLANE COORDINATE SYSTEM NADB3 (2011) THE RIGHT-OF-WAY LINE OF THE BROKEN ARROW EXPRESSWAY ALSO BEING THE NORTH LINE OF THE SUBJECT PROPERTY BEING S 48'41'41'E.

THE PROPERTY DESCRIBED HEREON CONTAINS 0.66 ACRES, MORE OR LESS.

THE PROPERTY DESCRIBED HEREON CONTAINS 33 MARKED REGULAR AND 2 MARKED HANDICAPPED PARKING SPACES FOR A TOTAL OF 35 MARKED PARKING SPACES.

BY GRAPHIC PLOTTING ONLY, THE SUBJECT TRACT LIES WITHIN ZONE X UNSHADED DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOCOPLAIN" AS SHOWN ON FIRM MAP PANEL NUMBER 40143C0357L WITH AN EFFECTIVE DATE OF 10/16/2012.

BY GRAPHIC PLOTTING ONLY, THE PROPERTY DESCRIBED HEREON IS NOT LOCATED WITHIN THE REGULATORY FLOODPLAIN MAP ATLAS DATED NOVEMBER 2021.

THE PROPERTY DESCRIBED HEREON HAS INGRESS/EGRESS FROM SOUTH 79THE EAST AVENUE (A DEDICATED PUBLIC RIGHT-OF-WAY) BY WAY OG MUTUAL INGRESS/EGRESS EASEMENTS AS SPECIFIED IN EXCEPTION 25. SURVEYOR DID NOT OBSERVE ANY VISIBLE ENCROACHMENTS EXCEPT AS SHOWN ON THE FACE OF THIS

REGARDING TABLE A ITEM 11. VISIBLE UTILITIES ARE SHOWN. THERE MAY BE OTHERS THE EXISTENCE AND LOCATIONS OF WHICH ARE UNKNOWN. BEFORE DIGGING, CONTACT OKIEB11 NO MORE THAN TEN (10) DAYS NOR LESS THAN FORTY-EIGHT (48) HOURS, EXCLUDING THE DATE OF NOTIFICATION, SATURDAYS, SUNDAYS AND LEGAL HOLDAYS.

REGARDING TABLE A ITEM 16. SURVEYOR DID NOT OBSERVE EVIDENCE OF RECENT EARTH MOVING WORK. BUILDING CONSTRUCTION OR BUILDING ADDITIONS ON THE FIELD DATE SHOWN HEREON. SURVEYOR DID NOT OBSERVE SUBSTANTIAL AREAS OF REFUSE.

THIS SURVEY MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

ADDRESS: 3805 SOUTH 79TH E AVE, TULSA, OK 74145

#### INSTRUMENT NOTES

DENOTES INSTRUMENT SHOWN ON SURVEY THIS SURVEY WAS PERFORMED WITH THE BENEFIT OF FIDE/UTH VATIONAL BRANCE COMPANY'S TITLE COMMITMENT NO. G-115655, DATED JANUARY 26, 2023, REVISED 3/16/23. THE ITEMS FROM SCHEDULE B ARE ADDRESSED AS FOLLOWS:

- 10. INTENTIONALLY DELETED
- 11. INTENTIONALLY DELETED
- 12. INTENTIONALLY DELETED
- 13. INTENTIONALLY DELETED
- (1) TERMS, CONDITIONS AND PROVISIONS OF UTILITY EASEMENT IN PAVOR OF DRESSER ENGINEERING COMPANY, A DELWARKE CORPORATION, DATED JANUARY 9, 1958, FILED JANUARY 9, 1958 AS DOCUMENT NO. 359664, AND RECORDED IN BOOK 2838, PAGE 628 IN THE OFFICE OF THE TULSA COUNTY CLERK DO AFFECT THE SUBJECT PROPERTY AS SHOWN.
- (5) TERMS, CONDITIONS AND PROVISIONS OF DEDICATION DEED IN FAVOR OF STATE OF OKLAHOMA DATED SPTEMBER 17, 1959, FILED OCTOBER 21, 1959 AS DOCUMENT NO. 441310, AND RECORED IN BOOK 3009, FADE 202 IN THE OFFICE OF THE TLASA COUNTY CLERK DO NOT AFFECT THE SUBJECT PROPERTY BUT ARE SHOWN FOR INFORMATION PURPOSES ONLY.
- 16. INTENTIONALLY DELETED
- 17. INTENTIONALLY DELETED
- 18. INTENTIONALLY DELETED 19. INTENTIONALLY DELETED
- (20) TERMS, CONDITIONS AND PROVISIONS OF RIGHT OF WAY AGREEMENT IN FAVOR OF OKLAHOMA NATURAL GAS COMPANY, A CORPORATION, DATED SEPTEMBER 14, 1960, FILED SEPTEMBER 26, 1960 AS DOCUMENT NO. 31336, AND RECORDED IN BOOK 3091, PAGE 348 IN THE OFFICE OF THE TULSA COUNTY CLERK DO AFFECT THE SUBJECT PROPERTY AS SHOWN.

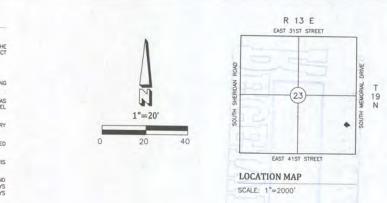
21. INTENTIONALLY DELETED

- (22) TERMS, CONDITIONS AND PROVISIONS OF EASEMENT FOR ROADWAYS IN FAVOR OF G. D. GORDON AND HAZEL B. GORDON, HIS WIFE, DATED NOVEMBER 7, 1963, FILED NOVEMBER 14, 1963 AS DOCUMENT NO. 175764, AND RECORDED IN BOOK 3397, PAGE 41 IN THE OFFICE OF THE TULSA COUNTY CLERK DO AFFECT AND BENEFIT THE SUBJECT PROPERTY AS SHOWN.
- (23) TERMS, CONDITIONS AND PROVISIONS OF DIRECT MAIN LINE EXCESS CAPACITY SANITARY SEWER CONNECTION CONTRACT IN FAVOR OF ADMIRAL BUILDING CORPORATION, DATED MAY 11, 1965 AS DOCUMENTIO, 231375, AND RECORDED IN BOOK 3539, PACE 64 IN THE OFFICE OF THE TULSA COUNTY CLERK DO INCLUDE A PORTION OF THE SUBJECT PROPERTY AS SHOWN, ARE BLANKET IN NATURE.
- (2) TERMS, CONDITIONS AND PROVISIONS OF ROAD EASEMENT IN FAVOR OF ADMIRAL BUILDING CORPORATION, DATED APRIL 30, 1968, FILED MAY 1, 1968 AS DOCUMENT NO. 434316, AND RECORPORED IN BOOK 3546, PAGE 498 IN THE OFFICE OF THE TULSA COUNTY CLERK DO AFFECT THE SUBJECT PROPERTY AS SHOWN.

(25) TERMS, CONDITIONS AND PROVISIONS OF RATIFICATION AND STIPULATION OF EASEMENT RIGHTS IN FAVOR OF JOINN BACON AND SHARON BACON, HUSBAND AND WIFE, DATED SEPTEMBER 30, 1985, FIED OCTOBER 2, 1985 AS DOCUMENT NO. 415079, AND RECORDED IN BOOK 4806, PAGE 1552. IN THE OFFICE OF THE TULSA COUNTY CLERK DO AFFECT AND BENEFIT THE SUBJECT PROPERTY AS SHOWN.

26. TERMS, CONDITIONS AND PROVISIONS OF ASSIGNMENT AND ASSUMPTION OF REAL PROPERTY INTERESTS IN FAVOR OF ONE GAS, INC., AN OKLAHOMA CORPORATION, DATED JANUARY 27, 2014, FILED FEBRUARY 7, 2014 AS DOCUMENT NO. 2014010512 IN THE OFFICE OF THE TULSA COUNTY CLERK. DOCUMENT NOT FURNISHED TO SURVEYOR. NOT ADDRESSED

NOT FURNISHED TO SURVEYOR. NOT ADDRESSED TERMS, CONDITIONS AND PROVISIONS OF LEASE AGREEMENT IN FAVOR OF STOKELY OUTDOOR ADVERTISMO, INC., DATED JUNE 8, 1984 FLED JUNE 8, 1984 AS DOCUMENT NO. 278381, AND RECORDED IN BOOK 4795, PAGE 2537 IN THE OFFICE OF THE TULSA COUNTY CLERK; QUIT CLAMM DEED IN FAVOR OF STOKELY ADVERTISMO, INC., AND WILLAM R. STOKELY, A/X/A BILL STOKELY, DATED AUGUST 8, 1991, FIED AUGUST 13, 1991 AS DOCUMENT NO. 91 017920, AND RECORDED IN BOOK 5342, FAGE 270 IN THE OFFICE OF THE TULSA COUNTY CLERK; LASES AGREEMENT IN FAVOR OF STOKELY OUTDOOR ADVERTISMO, INC., DATED JULY 25, 1994, FIED JULY 29, 1994 AS DOCUMENT NO. 9403057, AND RECORDED IN BOOK 5645, PAGE 906 NN THE OFFICE OF THE TULSA COUNTY CLERK; UAKY 29, 1994 AS DOCUMENT X0.5901397, AND RECORDED IN BOOK 5645, PAGE 906 IN THE OFFICE OF THE TULSA COUNTY CLERK; AND ELASE MAREMENT IN FAVOR OF STOKELY OUTDOOR ADVERTISMO, INC., DATED JULY 25, 1999, FIED FEBRUARY 5, 1999 AS DOCUMENT NO. 99013977, AND RECORDED IN BOOK 6170, PAGE 308 IN THE OFFICE OF THE TULSA COUNTY CLERK; AND ELASE MAREMENT IN FAVOR OF STOKELY OUTDOOR ADVERTISMO, INC., DATED JANUARY 28, 1999, FIED FEBRUARY 5, 1999 AS DOCUMENT NO. 99013977, AND RECORDED IN BOOK 6170, PAGE 308 IN THE OFFICE OF THE TULSA COUNTY CLERK; ADD 27 TERMS,



#### LEGEND

	UTILITY EASEMENT
	CHORD BEARING
RCB	REINFORCED CONCRETE BOX
	REINFORCED CONCRETE PIPE
0	SEWER MANHOLE
	POWER POLE
*	LIGHT POLE
	WATER METER
00	WATER VALVE
•	FIRE HYDRANT
Δ	GAS METER
G	GAS SERVICE
٢	GAS VALVE
	TELEPHONE PEDESTAL
	TELEPHONE SERVICE
	CABLE PEDESTAL
E	ELECTRIC SERVICE
8	ELECTRIC PEDESTAL
AC	AIR CONDITIONER UNIT
E	ELECTRIC TRANSFORMER

IRRIGATION CONTROL BOX TRAFFIC SIGNAL BOX CLEAN OUT O M/P METER POINT GUARD POST
ROOF DRAIN SIGN CONCRETE ASPHALT SINGLE GRA SINGLE GRATE DROP INLET DOUBLE GRATE DROP INLET ---- FENCE LINE > GUY ANCHOR -OH- OVERHEAD UTILITIES -SS- SANITARY SEWER LINE -ST- STORM SEWER LINE BEFORE YOU DIG, CALL OKIE FOR LOCATION OF UNDERGROUND UTILITIES. DUAL 811

### ALTA/NSPS LAND TITLE SURVEY

#### OF:

ALL THAT PART OF THE NORTH HALF OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (N/2 SE/4 SE/4) AND THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE/4) AND THE SOUTHEAST QUARTER (SE/4) AND SEC/10) THENTY-THREE (23), TOWNSHIP NINETEEN (19) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

DESCRIBED AS FOLLOWS, TO-WIT: COMMENCING AT A POINT ON THE EAST BOUNDARY LINE OF SAID N/2 OF THE SE/4 OF THE SE/4, 430.00 FEET FROM THE NORTHEAST CORNER THEREOF; THENCE NORTH 89'57'53' WEST PARALLEL TO THE NORTH BOUNDARY OF SAID N/2 OF THE SE/4 OF THE SE/4 A DISTANCE OF 380.00 FEET; THENCE NORTH 0'30'0' EAST, PARALLEL TO THE EAST BOUNDARY OF SAID N/2 OF THE SE/4 OF THE SE/4, A DISTANCE OF 326.598 FEET TO THE POINT OF BEGINNING; THENCE NORTH 4753'01' WEST, A DISTANCE OF 326.598 FEET TO APOINT ON THE SOUTH-OF-WAY OF THE BROKEN ARROW EXPRESSWAY; THENCE NORTH 45'01'17' EAST, A DISTANCE OF 0.00 FEET; THENCE TO THE LEFT ALONG THE SOUTH-OF-WAY LINE OF THE BROKEN ARROW EXPRESSWAY, ON A CLUXC OF RADIUS 260 FEET, A DISTANCE OF 18.02 FEET; THENCE OF 142:00 FEET; THENCE SOUTH 47'53'01' EAST ALONG THE BROKEN ARROW EXPRESSWAY RIGHT-OF-WAY LINE, A DISTANCE OF 227.12 FEET; THENCE NORTH 45'01'53' WEST, PARALLE TO AND 30 FEET SOUTH OF THE NORTH BOUNDARY OF SAID N/2 OF THE SE/4 OF THE SE/4, A DISTANCE OF 57.39 FEET; THENCE SOUTH 53'45'16' WEST, A DISTANCE OF 124.06 FEET TO THE POINT OF BEGINNING.

#### CERTIFICATE

WHITE SURVEYING COMPANY, AN OKLAHOMA CORPORATION, AND THE UNDERSIGNED, A REGISTERED PROFESSIONAL LAND SURVEYOR, DO HEREBY CERTIFY TO:

#### BAMEMORIAL, LLC, an Oklahoma limited liability company **GUARANTY TITLE COMPANY, LLC** FIDELITY NATIONAL TITLE INSURANCE COMPANY

THIS IS TO CERTIFY THAT THIS MAD OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 WIRKING STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND THE SURVEYS, SWITCH STANDARD ADDITED BY ALL AND NERD, AND INCLUDES THISS 1. 2, 3, 4, 8 AND 16 OF TABLE A SWITCH STANDARD ADDITED BY ALL AND NERD, AND INCLUDES THISS 1. 2, 3, 4, 8 AND 16 OF TABLE A

	TUP	OFESSIONAL LE		EVEYING COMPANY	
	TERED	RANDY K.		TION NO. CA1098	
	And the second	ChilaHowa		DATE: 3/28/23 PROFESSIONAL LAND	
	WHITE	SURVE		COMPAN	~
			veying services since		-
-			74146 • 918.663.6924 email: info@whitesurve		

# DOOR NOTES

- 1. EXISTING HOLLOW CORE WOOD DOOR. REMOVE EXISTING PRIVACY SET. PROVIDE NEW LEVER HANDLE PRIVACY SET. BRONZE FINISH TO MATCH EXISTING.
- 2. EXISTING 30" W HOLLOW CORE WOOD DOOR. REMOVE DOOR AND FRAME. WIDEN OPENING TO FIT 36" W DOOR AND FRAME. PROVIDE NEW 36" W HOLLOW CORE DOOR AND KD DRYWALL FRAME. PROVIDE LEVER HANDLE PRIVACY SET.
- 3. EXISTING 32" HOLLOW CORE WOOD DOOR. REMOVE DOOR AND FRAME. WIDEN OPENING TO FIT 36" W DOOR AND FRAME, PROVIDE NEW 36" W HOLLOW CORE DOOR AND KD DRYWALL FRAME. PROVIDE LEVER HANDLE PRIVACY SET.
- 4. EXISTING 36" RAISED PANEL WOOD DOOR. REMOVE DOOR AND FRAME. PROVIDE NEW SOLID CORE WOOD DOOR AND HOLLOW METAL KD DRYWALL FRAME. PROVIDE LEVER HANDLE PASSAGE SET. DOOR AND FRAM ASSEMBLY IS TO BE UL 20 MINUTE RATED.
- 5. EXISTING 36" W ALUMINUM STOREFRONT DOOR.
- 6. EXISTING 36" W HOLLOW METAL DOOR. ADD PANIC EXIT DEVICE.

ADD PANIC EXIT DEVICE.

