



Board of Adjustment

**Staff Report
Variance BOA-23678**

Hearing Date: April 9, 2024
Prepared by: Sean Wallace
swallace@cityoftulsa.org
918-596-7585

Owner and Applicant Information

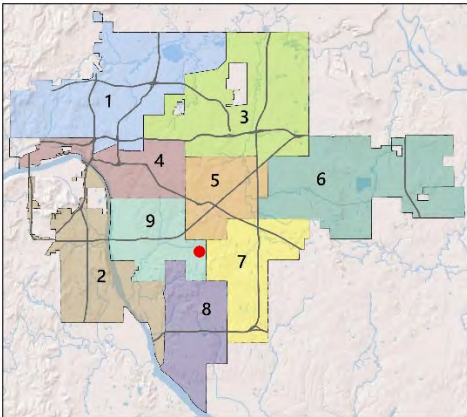
Applicant: Deborah K. Palinske
Property Owner: DEWCO LLC

Property Location

6003 S. Sheridan Rd. E
Tract Size: ± .4 acres

Location within the City of Tulsa

(shown with City Council districts)



Elected Representatives

City Council: District 9, Jayme Fowler.
County Commission: District 3, Kelly Dunkerley.

Public Notice Required

Newspaper Notice – min. 10 days in advance
Mailed Notice to 300’ radius – min. 10 days in advance

Request Summary

Variance to allow drive-through facilities to be located on the street-facing side of the property (Sec.55.100-C.2).

Zoning

Zoning District: CS
Zoning Overlays: N/A

Comprehensive Plan Considerations

Land Use

Land Use Plan: Local Center
Small Area Plans: None
Development Era: Late Automobile

Transportation

Major Street & Highway Plan: N/A
planitulsa Street Type: Secondary Arterial
Transit: BRT Route
Existing Bike/Ped Facilities: None
Planned Bike/Ped Facilities: None

Environment

Flood Area: N/A
Tree Canopy Coverage: 20-30%
Parks & Open Space: N/A

Staff Analysis

The applicant is requesting a variance to allow drive-through facilities to be located on the street-facing side of the property (Sec.55.100-C.2).

55.100-C Location and Design

1. Stacking lanes must be located on the subject property. They may not be located within required driveways or drive aisles, parking spaces or loading areas and may not interfere with access to parking and ingress and egress from the street.
2. All areas associated with drive-through facilities, including drive-through signs, stacking lanes, trash receptacles, loudspeakers and service windows must be located to the rear or on the non-street-facing side of the property. Drive-through lanes must be set back at least 10 feet from abutting R- or AG-R- zoned lots, and 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.

Statement of Hardship: There is not enough room to rotate the building to meet the requirement of not having the drive through facing a street.

Relevant Case History

- None

Comprehensive Plan Considerations

Land Use Plan

The subject property is designated as Local Center. **Local Centers** serve the daily needs of those in the surrounding neighborhoods. This designation implies that the center generally does not serve an area beyond the nearby neighborhoods. Typical uses include commercial or retail uses that serve the daily needs of nearby residents. In order to introduce a regional trip generator, the entire local center designation should be amended to be Regional Center with significant input from all affected properties and nearby neighborhoods.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning/Overlay</u>	<u>Existing Land Use Designation</u>	<u>Existing Use</u>
North	RS-3	Local Center	Church
East	CS	Local Center	Commercial
South	CS	Local Center	Commercial
West	CS	Local Center	Commercial

Small Area Plans

The subject property is 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: N/A

Comprehensive Plan Street Designation: Secondary Arterial

Transit: N/A

Existing Bike/Ped Facilities: None

Planned Bike/Ped Facilities: None

Arterial Traffic per Lane: 6,016 vehicles per lane per day on S Sheridan Rd.

Environmental Considerations

Flood Area: The subject property is not in a flood area.

Tree Canopy Coverage: Tree canopy in the area is 29%. Significant effort should be given to the preservation of mature stands of trees. Tree canopy removal should be minimized, and replacement of trees that need removing should be encouraged.

Parks & Open Space: N/A

Sample Motion

I move to approve or deny a Variance to allow drive-through facilities to be located on the street-facing side of the property (Sec.55.100-C.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 the hardship to be _____.

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

- 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;
- That literal enforcement of the subject zoning code provision is not necessary to achieve the provision’s intended purpose;
- 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;
- That the alleged practical difficulty or unnecessary hardship was not created or self-imposed by the current property owner;
- That the variance to be granted is the minimum variance that will afford relief;
- 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
- 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

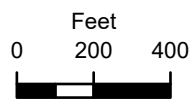
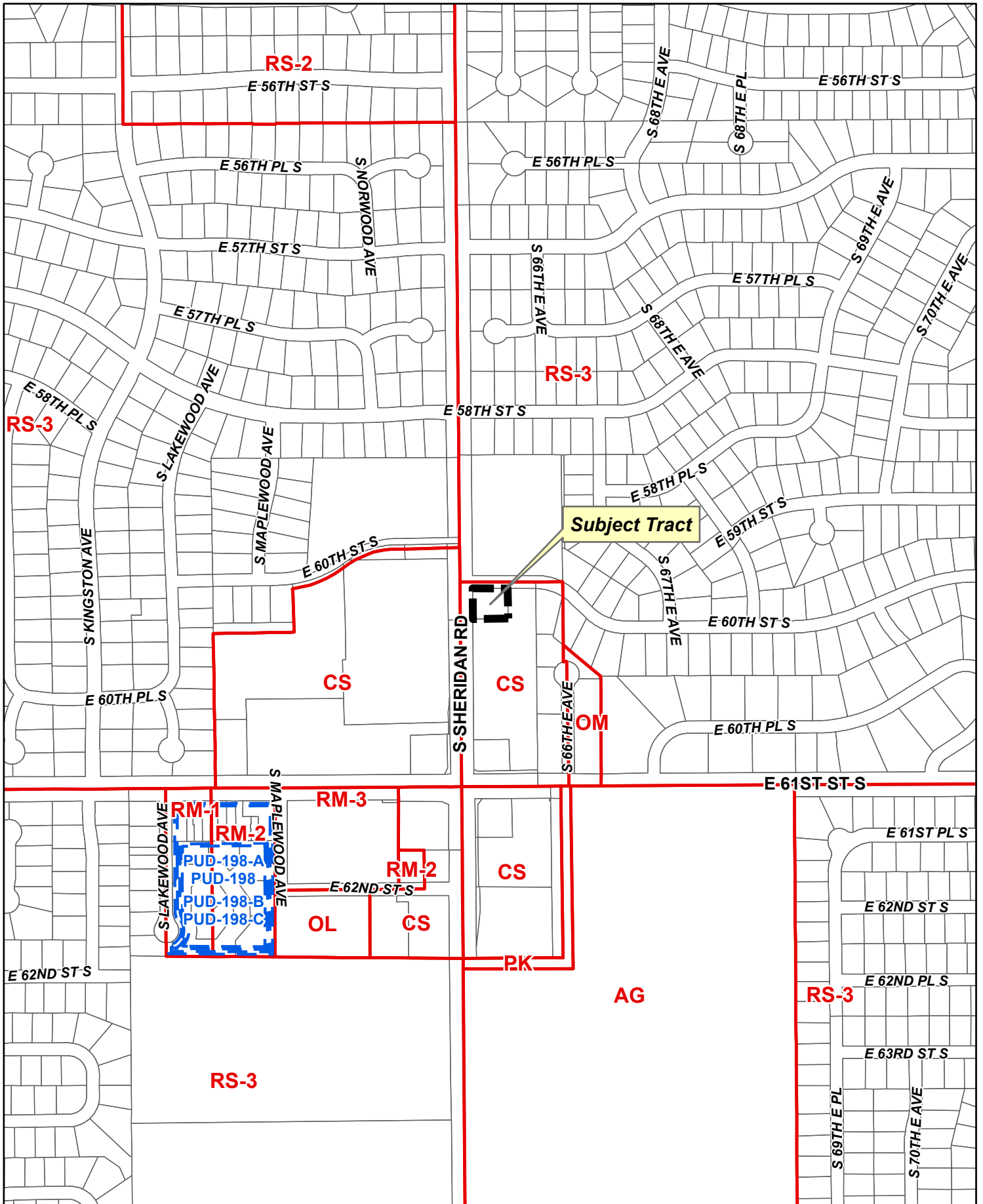
LOT 1 BLK 1, SOUTHERN HILLS CENTER RESUB, City of Tulsa, Tulsa County, State of Oklahoma

Exhibits

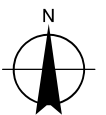
- Photos
- Case map
- Aerial (small scale)
- Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map



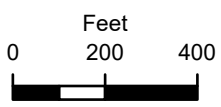
(Subject property - Image used from Google Street view)



BOA-23678



22.6

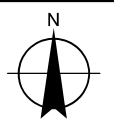


 Subject Tract

BOA-23678

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

Aerial Photo Date: 2021



22.7



E 60TH ST S

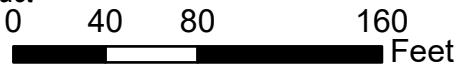
E 60TH ST S

S SHERIDAN RD

S 66TH E AVE



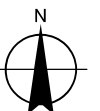
Subject Tract



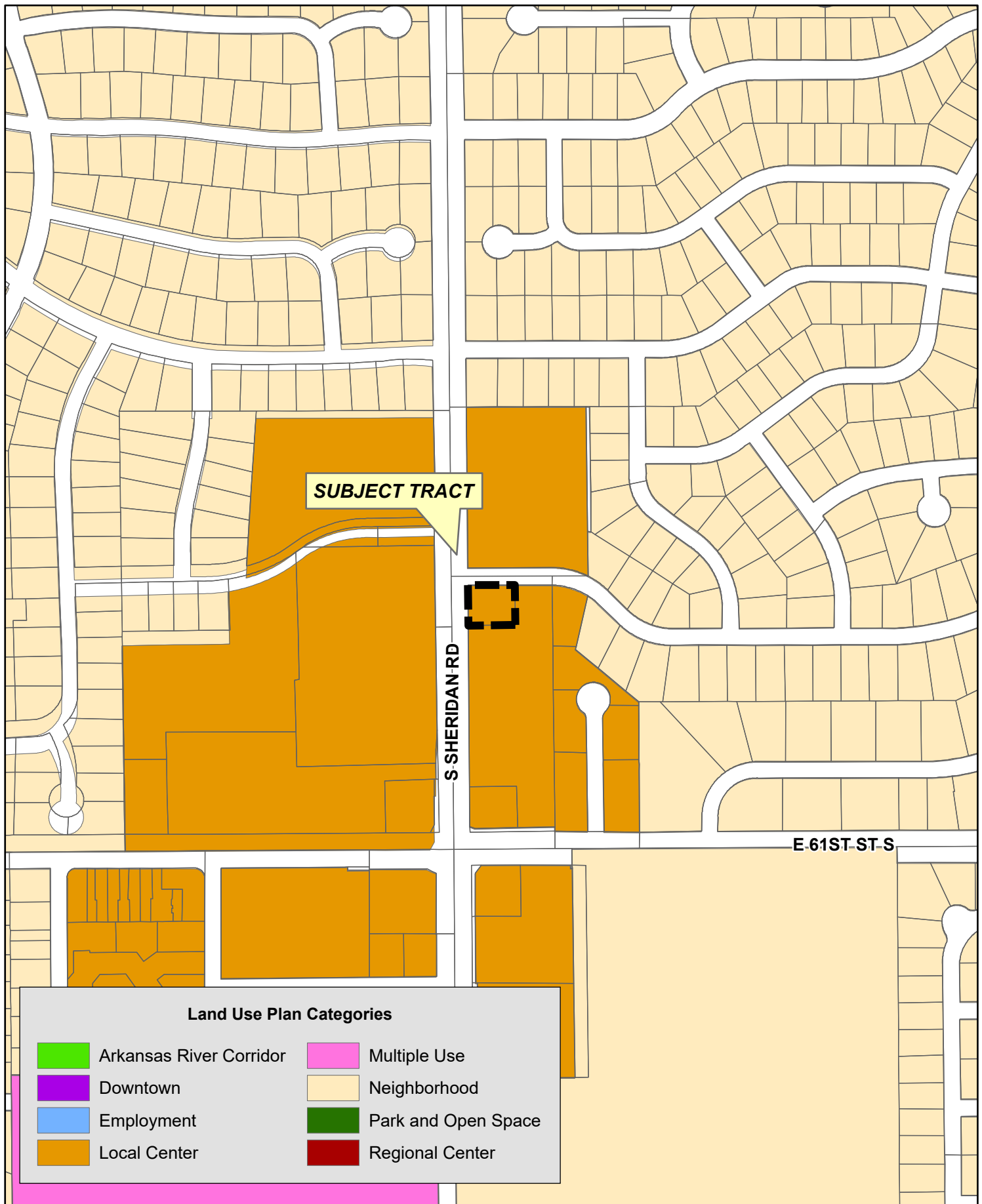
BOA-23678

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

Aerial Photo Date: 2021



22.8



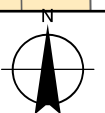
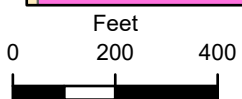
SUBJECT TRACT

S SHERIDAN RD

E 61ST ST S

BOA-23678

19-14 04



22.9



DEVELOPMENT SERVICES
175 E 2ND ST., STE 405
TULSA, OK 74103
918-596-9456

CITY OF TULSA

CORRECTIONS SUMMARY

BLDC-167340-2023 (6001 S SHERIDAN RD E Tulsa Tulsa, OK 74145) Markup Summary #3

Note (8)



Subject: Note
Page Label: 5
Author: danabox
Date: 2/29/2024 9:40:37 AM
Status:
Color: ■
Layer:
Space:

Sec. 55.100-C Location and Design

1. Stacking lanes must be located on the subject property. They may not be located within required driveways or drive aisles, parking spaces or loading areas and may not interfere with access to parking and ingress and egress from the street.

Review Comment: Provide a site plan with stacking spaces not interfering with ingress and egress from the street and parking spaces. If you cannot provide such plan, contact the Tulsa Planning Office to request relief from the code. 918-596-7526.



Subject: Note
Page Label: 5
Author: danabox
Date: 2/29/2024 9:40:52 AM
Status:
Color: ■
Layer:
Space:

Sec. 55.100-C Location and Design

2. All areas associated with drive-through facilities, including drive-through signs, stacking lanes, trash receptacles, loudspeakers and service windows must be located to the rear or on the non-street-facing side of the property. Drive-through lanes must be set back at least 10 feet from abutting R- or AGR- zoned lots, and 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.

Review Comment: The drive through service window and stacking lanes cannot be located on the street facing side of the property. Provide a plan with the drive through located on the non-street facing side of the property. If you cannot provide such plan, contact the Tulsa Planning Office to request relief from the code. 918-596-7526.

- Legend**
- ACC ACCESS
 - A/C AIR CONDITIONER
 - AS AUTO SPRINKLER
 - BLDG BUILDING
 - B/L BUILDING SETBACK LINE
 - B/W BOTTOM OF WALL
 - CGMP CORRUGATED METAL PIPE
 - CL CENTERLINE
 - CO SEWER CLEAN-OUT
 - CONC CONCRETE
 - CPED CABLE TELEVISION PEDESTAL
 - DGDI DOUBLE GRATE DROP INLET
 - DS DOWNSPOUT
 - EB ELECTRIC BOX
 - EM ELECTRIC METER
 - EPED ELECTRIC PEDESTAL
 - ESMT EASEMENT
 - FF FINISH FLOOR
 - FH FIRE HYDRANT
 - FL FLOWLINE (INVERT)
 - FNC FENCE
 - FND FOUND
 - FP FLAGPOLE
 - G GUTTER
 - GL GROUND LIGHT
 - GM GAS METER
 - GP GUARD POST
 - GR GAS RISER
 - GUY GUY DOWN
 - GV GAS VALVE
 - ICV IRRIGATION CONTROL VALVE
 - IP IRON PIN
 - LNA LIMITS OF NO ACCESS
 - LP LIGHT POLE
 - MA/E MUTUAL ACCESS EASEMENT
 - MB MAIL BOX
 - ML METAL LID
 - MW MONITOR WELL
 - OC OVERHEAD CABLE
 - OE OVERHEAD ELECTRIC
 - OT OVERHEAD TELEPHONE
 - OU OVERHEAD UTILITIES
 - PPT POWER POLE W/TRANSFORMER
 - PP POWER POLE
 - PVC POLYVINYL CHLORIDE PIPE
 - RCB REINFORCED CONCRETE BOX
 - RCP REINFORCED CONCRETE PIPE
 - RR RAILROAD
 - R/W RIGHT-OF-WAY
 - SC SUPPORT COLUMN
 - SD STORM DRAIN
 - SDMH STORM DRAIN MANHOLE
 - SGDI SINGLE GRATE DROP INLET
 - SPHD SPRINKLER HEAD
 - SS SANITARY SEWER
 - SSLH SANITARY SEWER LAMPHOLE
 - SSMH SANITARY SEWER MANHOLE
 - TC TOP OF CURB
 - TG TOP OF INLET GRATE
 - TGDI TRIPLE GRATE DROP INLET
 - TBOX TELEPHONE BOX
 - TSBX TRAFFIC SIGNAL BOX
 - TPED TELEPHONE PEDESTAL
 - TR TOP OF MANHOLE RIM
 - TSMH TRAFFIC SIGNAL MANHOLE
 - TRSL TRAFFIC SIGNAL
 - TW TOP OF WALL
 - TYP TYPICAL
 - UC UNDERGROUND CABLE
 - UG UNDERGROUND GAS LINE
 - UE UNDERGROUND ELECTRIC
 - UE UTILITY EASEMENT
 - UT UNDERGROUND TELEPHONE
 - UTMH TELEPHONE MANHOLE
 - W WATERLINE
 - WM WATER METER
 - WS WATER SPIGOT
 - WV WATER VALVE
 - XFMR TRANSFORMER

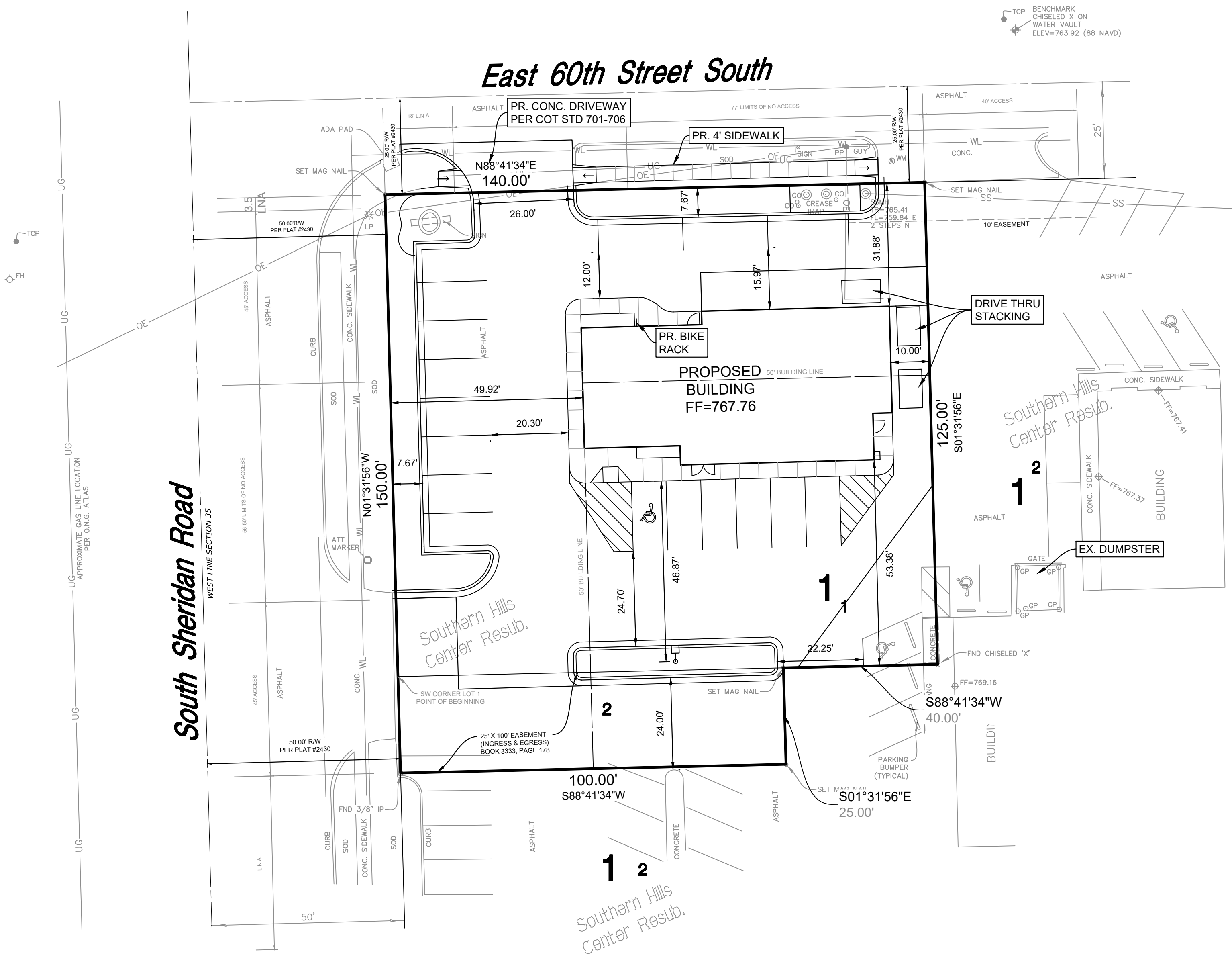
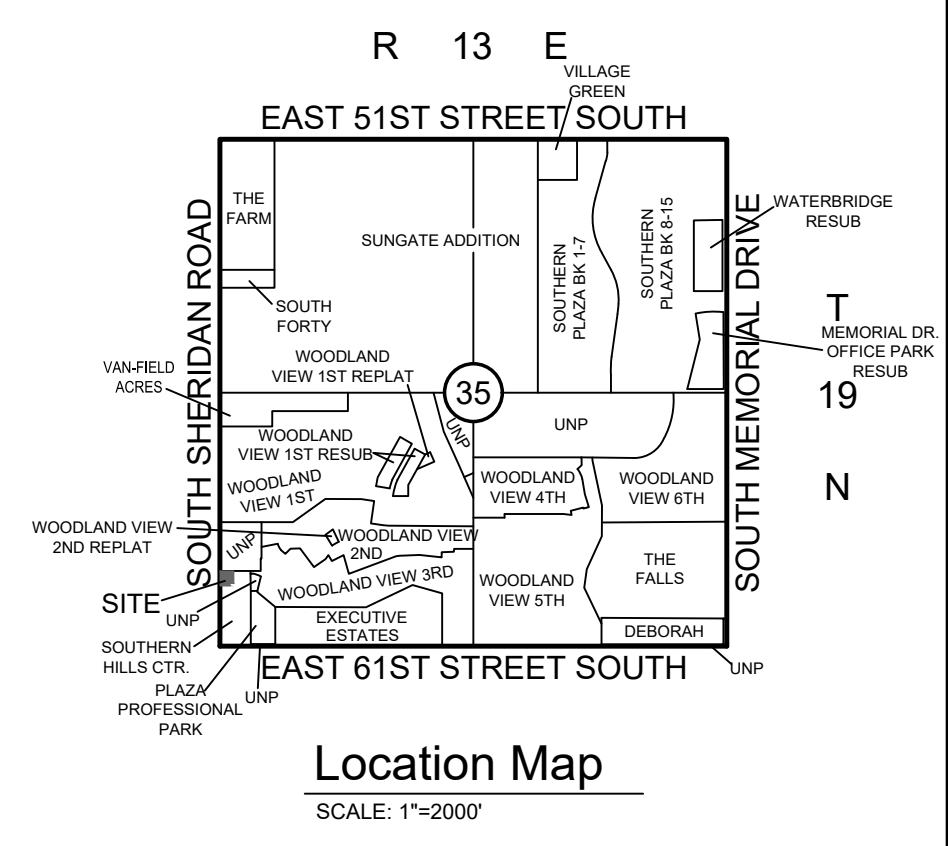
Owner:
Karen Bouse
 1609 W Detroit St.
 Broken Arrow OK, 74102
 Phone: (918) 286-0447
 Contact: Karen Bouse
 Email: karen@okcharlies.com

Cover Sheet

Charlies Chicken

ALL OF LOT ONE (1) AND PART OF LOT TWO (2), BLOCK ONE (1), RESUBDIVISION OF SOUTHERN HILLS CENTER,
 SECTION 35, TOWNSHIP 19 NORTH, RANGE 13 EAST
 AN ADDITION IN CITY OF TULSA COUNTY, STATE OF OKLAHOMA

Engineer/Surveyor:
Sisemore & Associates, Inc.
 Certificate of Authorization No. 2412 Exp. June 30, 2025
 6660 S. Sheridan Rd, Ste. 210
 Tulsa, Oklahoma 74133
 Phone: (918) 665-3600
 Email: dpalinskee@sw-assoc.com



Index

SHEET NAME	SHEET#
COVER SHEET	01
DEMOLITION PLAN	02
GRADING & EROSION CONTROL PLAN	03
GRADING & EROSION CONTROL DETAILS	04
PAVING PLAN	05
PAVING DETAILS	06
UTILITY PLAN	07

Control Data

CONTROL POINT #1	CONTROL POINT #2	CONTROL POINT #3
POINT NO.: 22	POINT NO.: 20	POINT NO.: 201
3/8" IRON PIN	3/8" IRON PIN	MAG NAIL
ELEV.=764.34	ELEV.=767.57	ELEV.=768.70
N=398974.9060	N=398917.3150	N=398781.7850
E=2587949.3440	E=2587693.1730	E=2587892.8220

Notes:

Benchmark:
 CHISELED X ON WATER VAULT
 ELEVATION= 763.92
 1988 NAVD DATUM

Basis of Bearing:
 THE BEARING BASE FOR THIS SURVEY IS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, 1988 NAVD DATUM

Legal Description:
 ALL OF LOT ONE (1) AND PART OF LOT TWO (2), BLOCK ONE (1), RESUBDIVISION OF SOUTHERN HILLS CENTER, AN ADDITION IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, THAT PART OF LOT TWO (2), BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

BEGINNING AT THE SOUTHWEST CORNER OF LOT 1, BLOCK 1, RESUBDIVISION OF SOUTHERN HILLS CENTER; THENCE EAST ON THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF ONE HUNDRED (100) FEET; THENCE SOUTH TWENTY-FIVE (25) FEET; THENCE WEST AND PARALLEL TO THE SOUTH LINE OF SAID LOT 1 A DISTANCE OF ONE HUNDRED (100) FEET TO A POINT ON THE WEST LINE OF LOT 2, BLOCK 1, SAID POINT BEING TWENTY-FIVE (25) FEET SOUTH OF THE SOUTHWEST CORNER OF LOT 1; THENCE NORTH TWENTY-FIVE (25) FEET TO THE POINT AND PLACE OF BEGINNING.

Note:
 TOTAL DISTURBED AREA = 0.43 Ac.

Impervious Area Table:

EXISTING IMPERVIOUS AREA TO BE REMOVED	16,162 S.F.
PROPOSED IMPERVIOUS AREA	14,711 S.F.
NET DECREASE	1,451 S.F.

Notes:

- DRIVEWAY AND CURB/GUTTER WITHIN CITY OF TULSA RW SHALL BE CONSTRUCTED TO CITY OF TULSA STANDARD DRAWINGS 701-706.
- MAXIMUM CROSS-SLOPES OF ALL SIDEWALKS SHALL NOT EXCEED 2%.
- MAXIMUM LONGITUDINAL SLOPES OF ALL SIDEWALKS SHALL NOT EXCEED 5%.

Sidewalk Ramp Note:
 CURB RAMP CONSTRUCTION SHALL COMPLY WITH THE CURRENT AMERICAN WITH DISABILITIES ACT STANDARDS (ADA)

ALL CONSTRUCTION TO BE IN STRICT ACCORDANCE WITH CURRENT CITY OF TULSA ENGINEERING SERVICES DEPARTMENT SPECIFICATIONS, INCLUDING O.D.O.T. 2009 EDITION SPECIFICATIONS.

CALL OKIE !

EXISTING UNDERGROUND LINES HAVE BEEN SHOWN TO THE EXTENT KNOWN AND PLANS HAVE BEEN SENT TO THE EFFECTED UTILITY OWNERS FOR VERIFICATION OF EXISTING LINES. BEFORE YOU DIG, CONTACT OKLAHOMA ONE-CALL: 1-800-522-6543.

SOUTHWESTERN BELL TELEPHONE COMPANY
 COX COMMUNICATIONS
 OKLAHOMA NATURAL GAS COMPANY
 AMERICAN ELECTRIC POWER COMPANY



DATE	REVISIONS



SISEMORE & Associates, Inc.

6660 S. SHERIDAN Rd, Ste. 210
 TULSA, OKLAHOMA 74133
 C.A. NO. 2421

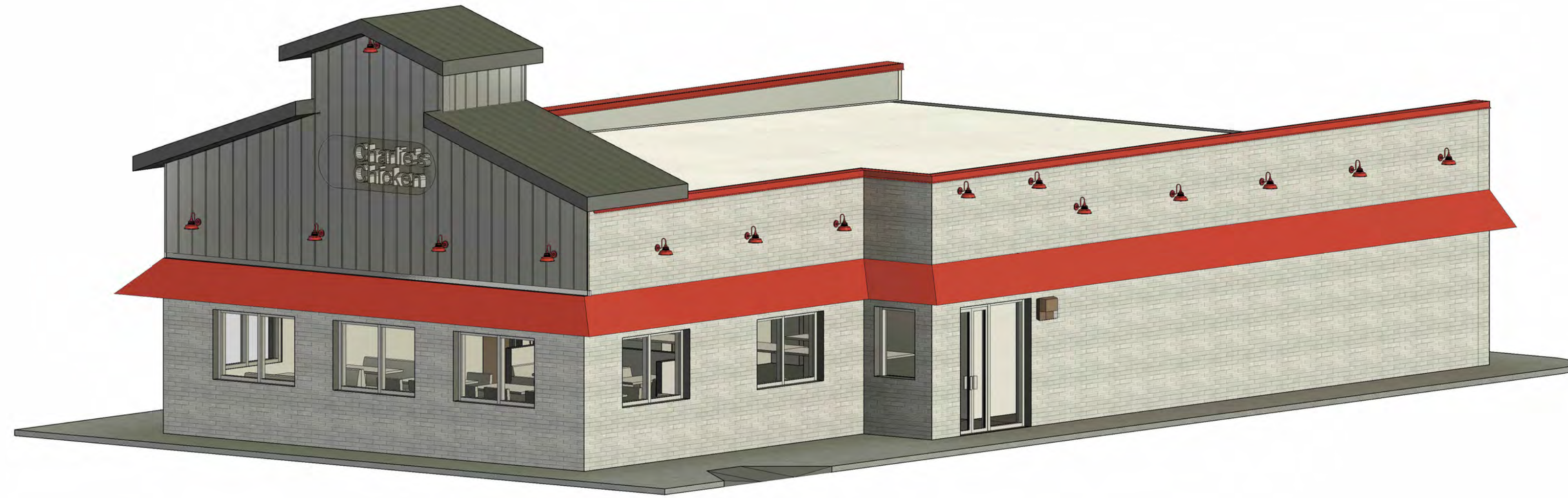
PHONE: (918) 665-3600
 FAX: (918) 665-8668
 EXP. DATE 6/30/25

PLAN SCALE: 1"=20'	WORK ORDER NO. 13824.02	TYPE OF WORK:	DATE: 2-22-2024
PROFILE SCALE: HORZ. na VERT. na	FILE: 191335	PHASE: N/A	DRAFTED BY: ACZ
ATLAS PAGE NO. 386			SHEET 01 OF 07

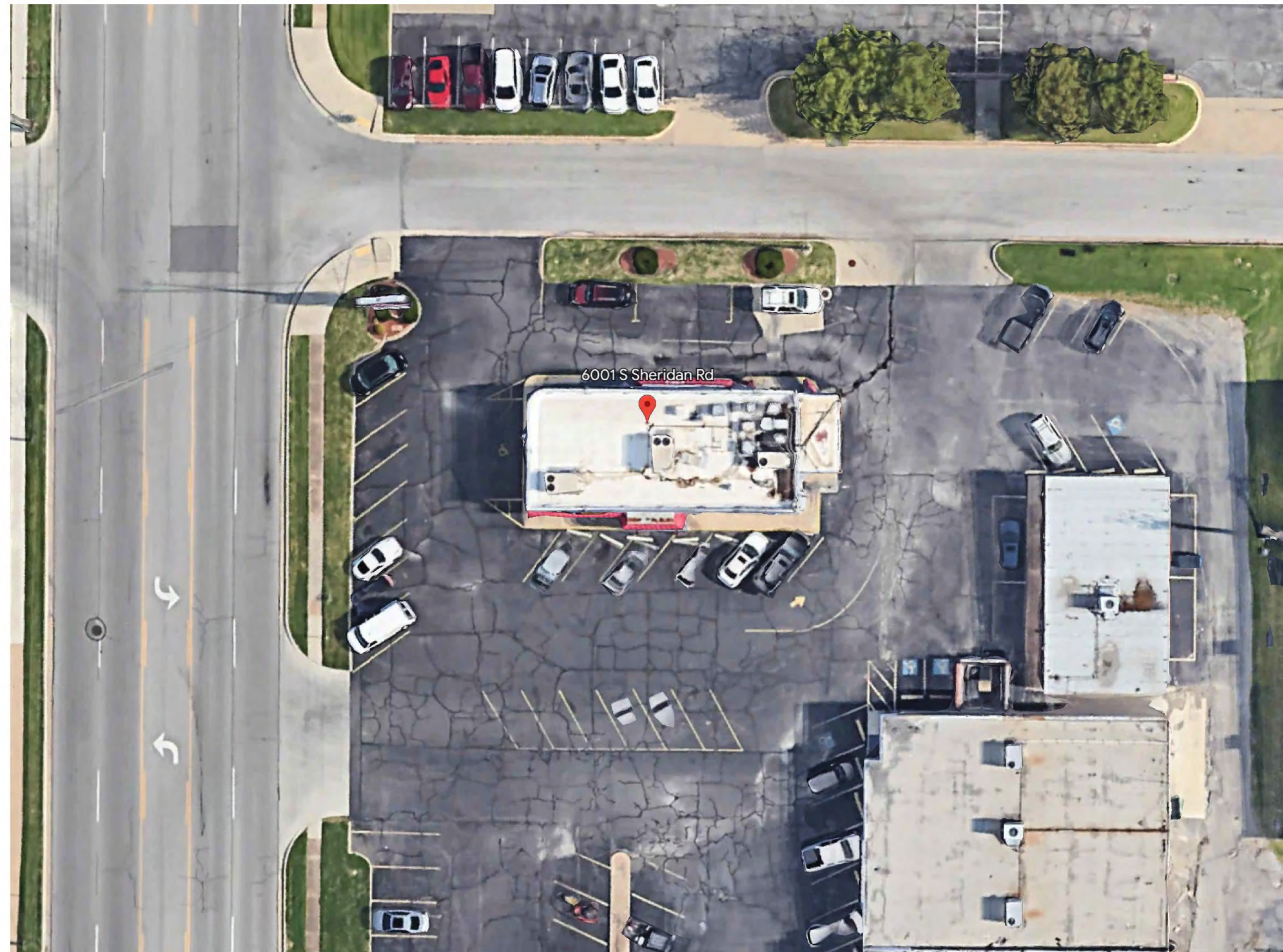
Charlies Chicken

Cover Sheet





Charlie's Chicken
6001 S. Sheridan Rd.
Tulsa, OK.

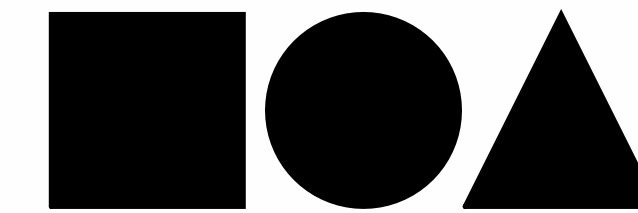


Location Map

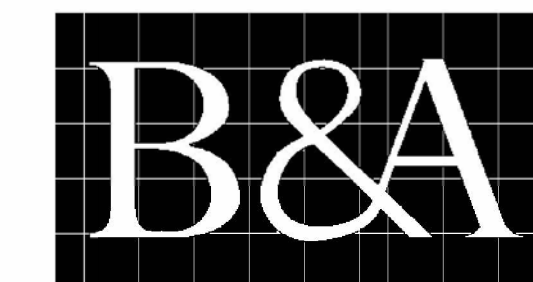
INDEX OF DRAWINGS

G000 COVER SHEET
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 C100 SITE PLAN
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 S002 GENERAL NOTES
 S101 FOUNDATION PLAN
 S102 ROOF FRAMING PLAN
 S011 LOAD PLANS AND SCHEDULES
 S501 FOUNDATION DETAILS
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 A202 WALL SECTIONS
 A300 CEILING PLAN
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 E2 ROOF PLAN
 E3 ELECTRICAL NOTES, SCHEDULES & DETAILS
 M1 MECHANICAL PLAN
 M2 ROOF / GAS PLAN
 M3 MECHANICAL NOTES & SCHEDULES
 M4 MECHANICAL DETAILS
 P1 SEWER PLAN
 P2 DOMESTIC WATER PLAN
 P3 PLUMBING NOTES & DETAILS

PROJECT TEAM



Martin Design
318 West Broadway
Muskogee, OK. 74401
(918) 682-0900



BURROWS & Associates
ENGINEERING CONSULTANTS, LTD.
3924 North Highway 71
Alma, Arkansas 72921
PH: (479) 430-7500

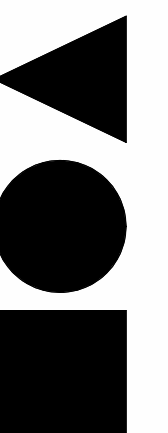


• DESIGN/BUILD
• METAL BUILDINGS
• METAL ROOFS
GENERAL CONTRACTORS

918-869-6350 1120 South Scott St
Ft Gibson, OK

Charlie's Chicken
Storm Damage Rebuild
6001 S. Sheridan Road Tulsa, OK.

11/21/2023

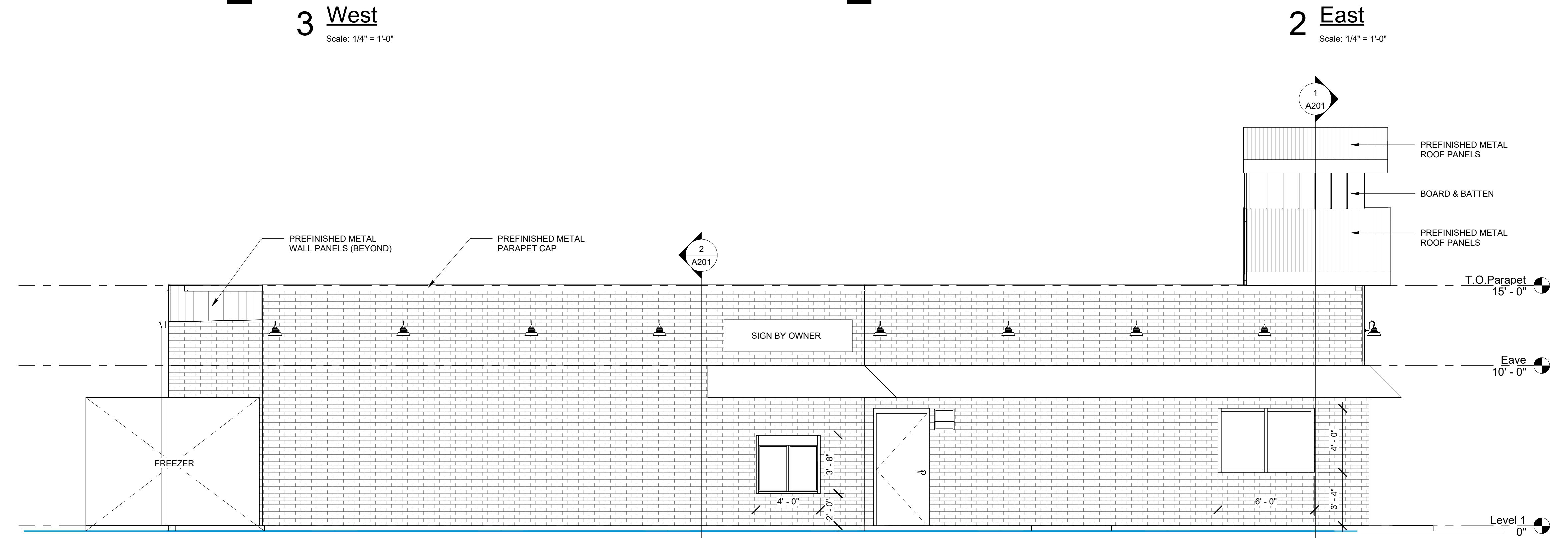
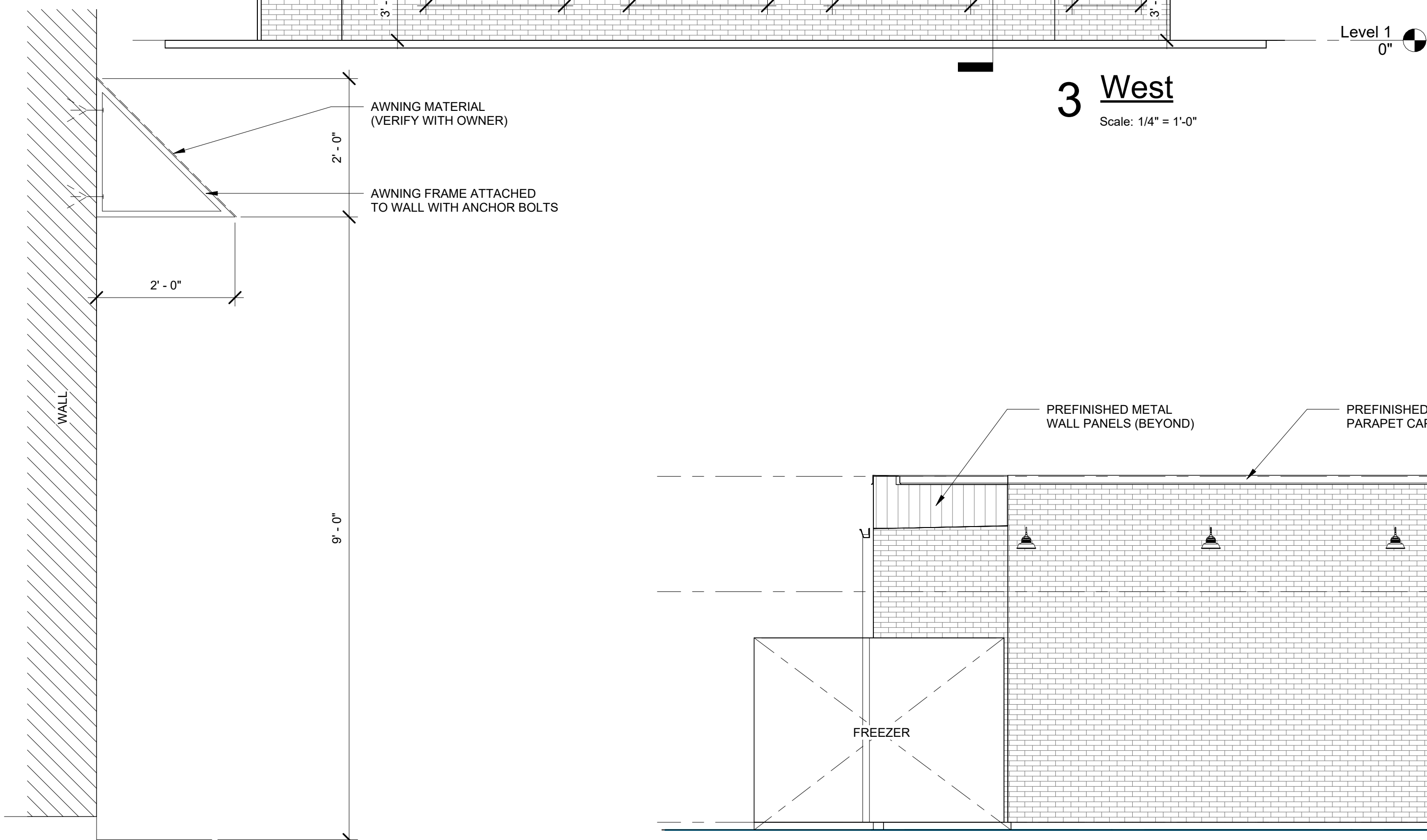
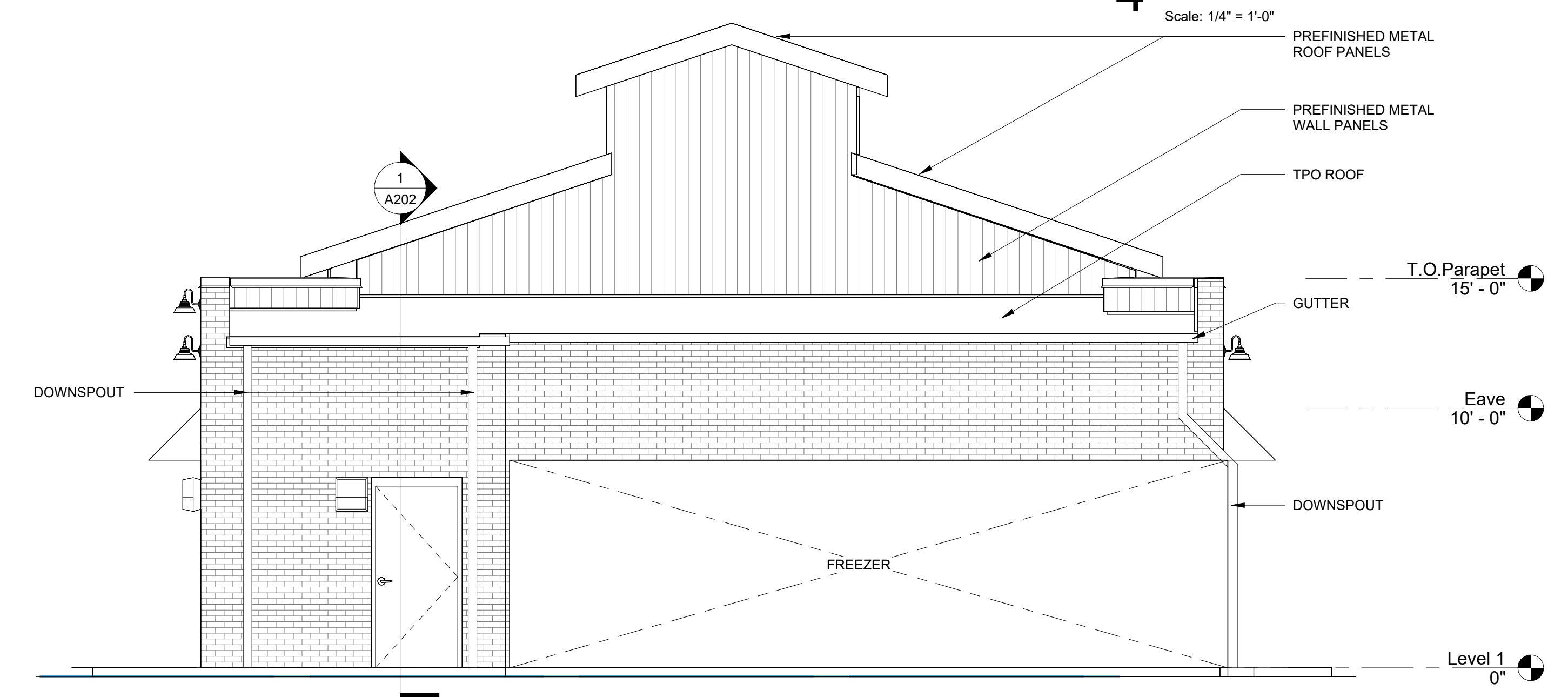
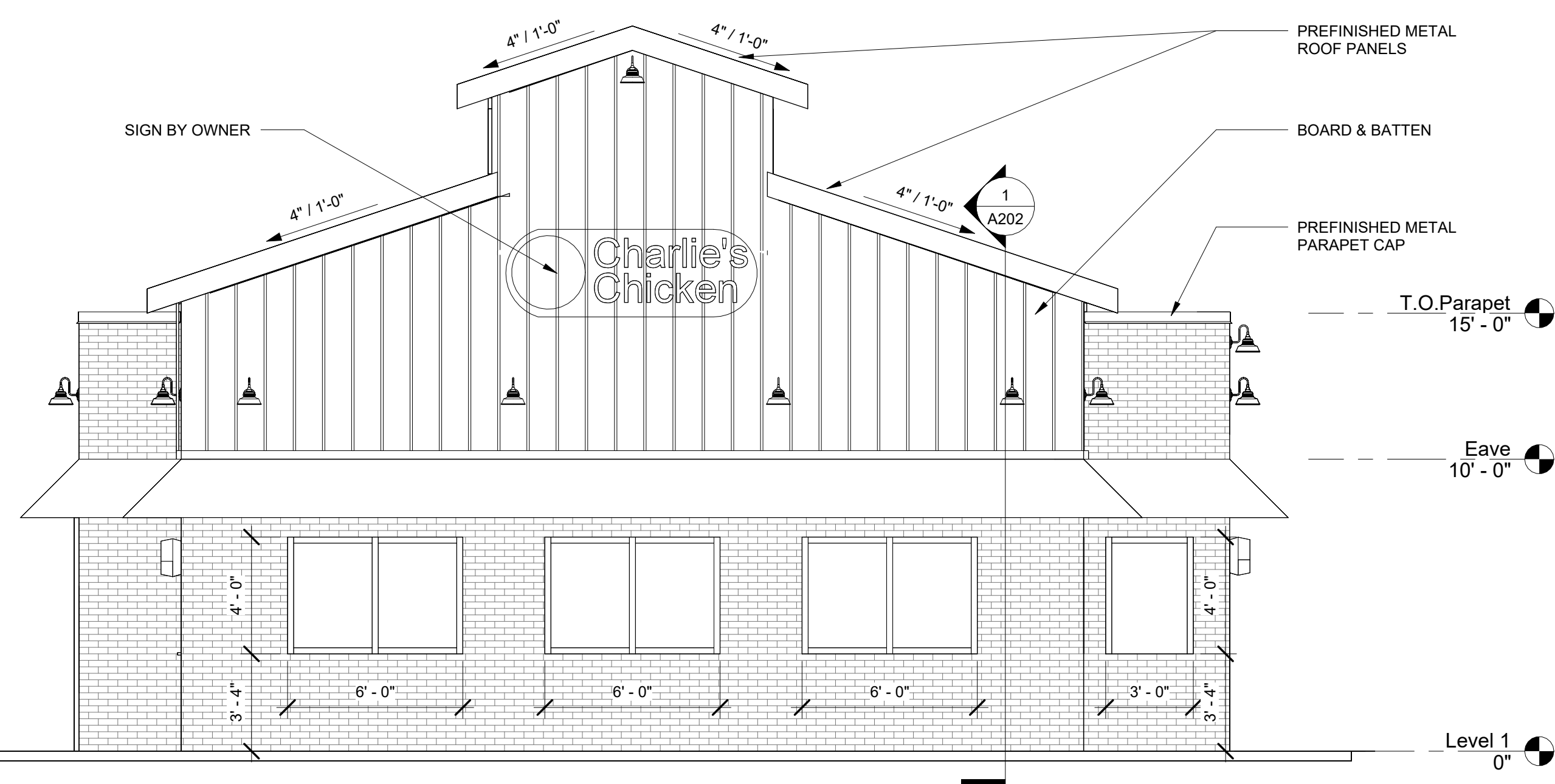
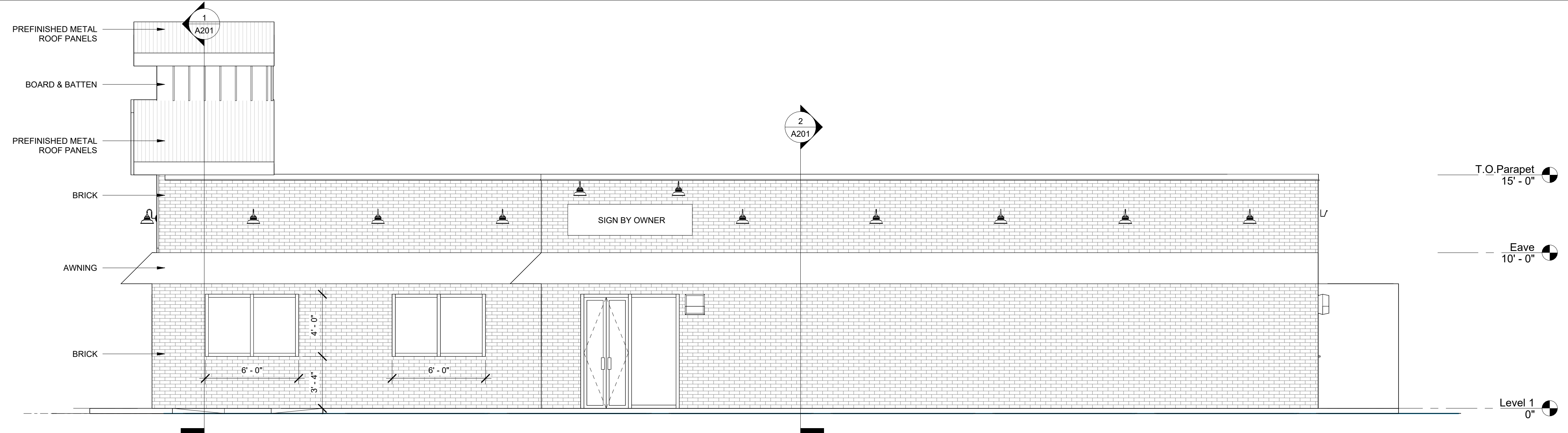


Martin Design
318 West Broadway
Muskogee, OK. 74407
918-682-0900

Date: 11/21/23
Proj. No.: 2329
Revision:

COVER SHEET

G000
22.12



4 South
Scale: 1/4" = 1'-0"

3 West
Scale: 1/4" = 1'-0"

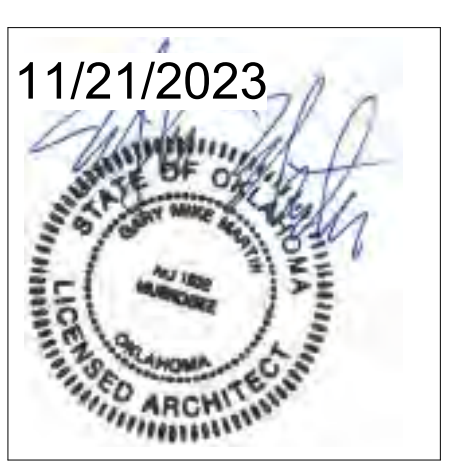
2 East
Scale: 1/4" = 1'-0"

5 AWNING SECTION
Scale: 3/4" = 1'-0"

1 North
Scale: 1/4" = 1'-0"

Charlie's Chicken Storm Damage Rebuild

6001 S. Sheridan Road Tulsa, OK.



Date: 11/21/2023
Proj. No.: 2329
Revision:

EXTERIOR
ELEVATIONS
A200
22-13

East 60th Street South

Plant Material List

KEY	QUAN.	MATERIAL NAME	SIZE/REMARK	TYPE
AG'K	19	Abella x grandiflora 'Kaleidoscope'	18-24" H. 36" O.C.	3 GAL.
IC'BN	26	Ilex cornuta 'Burfordii Nana'	18-24" H. 42" O.C.	5 GAL.
IO'C	3	Ilex opaca 'Conot'	6-7" H. SEE PLAN	5 GAL.
JC'SG'	40	Juniperus chinensis 'Sea Green'	24-30" H. 36" O.C.	B&B
LI'RR	6	Lagerstroemia indica 'Red Rocket'	6-7" H. 4 TRNK. MIN.	B&B
NT	45	Nassella tenuissima	12-18" H. 18" O.C.	1 GAL.
PT	6	Pinus taeda	6-7" H. 2 1/2" CAL.	B&B
LAWN	1,140	Triway Hybrid Bermudagrass	SEE PLAN	S.F.
SEE	197	Colmet Steel Bed Edging	1/8" X 4"	L.F.
COMPOST	360	Back To Nature Cotton Burr Compost	2 CU.FT.	BAGS
MULCH	270	Shredded Pine Bark Mulch	3 CU.FT.	BAGS

H:HEIGHT, S:SPREAD CAL:CALIPER, O.C.: ON CENTER (Approximate), B&B:BALLS & BURLAPPED GAL:GALLON, A: ALTERNATE NUMBER ONE
 THE MATERIAL LIST IS PROVIDED FOR THE CONTRACTOR'S CONVENIENCE. THE LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR FIGURING ALL QUANTITIES FROM THE PLANTING PLAN AND COVERAGES FOR ALL BED AREAS. WHEN DISCREPANCIES OCCUR BETWEEN THE MATERIAL LIST AND THE PLANTING PLAN, THE PLANTING PLAN SUPERSEDES THE MATERIAL LIST IN ALL CASES. THE LANDSCAPE CONTRACTOR WILL BE RESPONSIBLE FOR ALL PLANTS AND COVERAGE OF BED AREAS ON THE PLANTING PLAN.

Landscape Requirements

SECTION 65.040-C STREET FRONTAGE TREES

South Sheridan Road Frontage
 Required: 1 Large Tree Per 30 Ln. Ft. of Frontage or 1 Small Tree Per 25 Ln. Ft.
 150.00 Ln. Ft. / 25 = 6 Trees
 Provided: 150.00 Ln. Ft. Frontage divided by 25 = 6 Small Trees

East 60th Street Frontage
 Required: 1 Large Tree Per 30 Ln. Ft. of Frontage or 1 Small Tree Per 25 Ln. Ft.
 140.00 Ln. Ft. / 25 = 6 Trees
 Provided: 140.00 Ln. Ft. Frontage divided by 25 = 6 Small Trees

SECTION 65.070-C SCREENING

South Sheridan Road Frontage
 Required: S1 - Low Profile Screen
 200.00 Ln. Ft. of continuous vegetative hedge that attains a 3'-0" height.
 Provided: 200 Ln. Ft. of evergreen shrubs planted so at maturity they create a continuous hedge at a 3'-0" height.

East 60th Street Frontage
 Required: S1 - Low Profile Screen
 93.00 Ln. Ft. of continuous vegetative hedge that attains a 3'-0" height.
 Provided: 78 Ln. Ft. of evergreen shrubs planted so at maturity they create a continuous hedge at a 3'-0" height. (Can not plant anything above grease trap.)

SECTION 65.050-D INTERIOR PARKING LOT LANDSCAPING

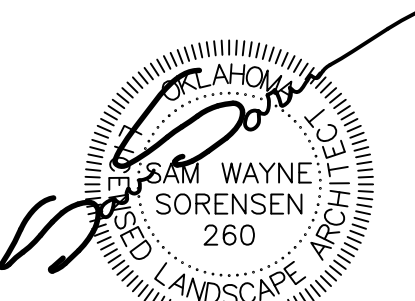
Required: 35 Sq. Ft. of Interior Parking Lot Landscape Area Per Each Space
 35 Sq. Ft. x 17 Spaces = 595 Sq. Ft.
 Provided: 604 Sq. Ft. of Interior Landscape Area
 Required: 1 Tree Per 10 Parking Spaces
 17 Spaces / 10 = 2 Trees
 Provided: 3 Trees with No Parking Spaces More Than 100 Feet From a Tree.

ALL LANDSCAPE AREA REQUIRED BY THE LANDSCAPE ORDINANCE SHALL BE IRRIGATED BY AN UNDERGROUND SPRINKLER SYSTEM.

THE SUBMITTED LANDSCAPE PLAN IS IN CONFORMANCE WITH THE REQUIREMENTS OF CITY OF TULSA ZONING CODE CHAPTER 65.

Sam Sorenson
 SAM SORENSON, PLA
 OKLAHOMA LICENSED LANDSCAPE ARCHITECT #260

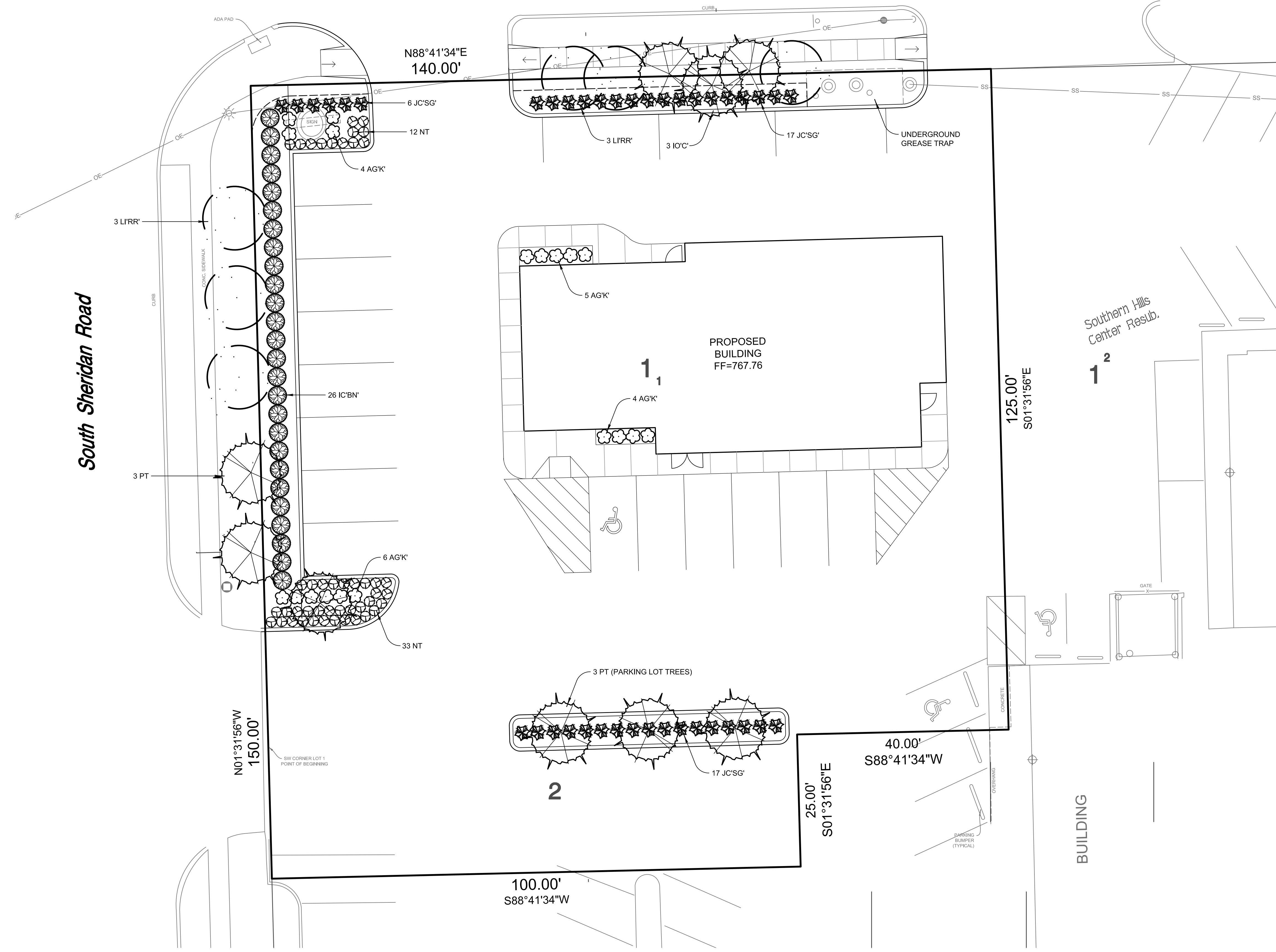
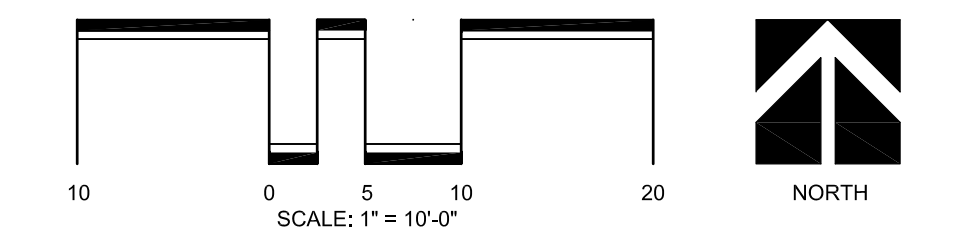
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DATE: 2-14-2024

LANDSCAPE PLAN LS1 OF LS3
CHARLIES CHICKEN - SHERIDAN

CIVIL ENGINEER: DATE: FEBRUARY 14, 2024
 Sisemore & Associates
 6660 South Sheridan Road
 Tulsa, Oklahoma
 LANDSCAPE ARCHITECT:
 PLACEMAKER CONSULTANTS, PLC
 4625 South Harvard Avenue, Suite 101A
 Tulsa, Oklahoma



South Sheridan Road

Southern Hills Center Resub.

BUILDING