

TULSA METROPOLITAN AREA PLANNING COMMISSION

175 East 2nd St, Suite 480 - Tulsa, OK 74103 - (918) 596-7526 - tulsaplanning.org

Submit applications to planning@cityoftulsa.org

SUBDIVISION PLAT

MINOR SUBDIVISION PLAT

APPLICATION INFORMATION

RECEIVED BY: NE DATE FILED: 11/2/2023 PLAT NAME: **BMX HEADQUARTERS MPD-5 (MPD #5 / Z-7673)**

SUBDIVISION PLAT SCHEDULE		REFERENCE CASES	
PUBLIC AGENCY REVIEW:	11/16/2023	ZONING/PUD/CO CASE:	
		TMAPC DATE:	
TMAPC:	12/6/2023	BOA CASE:	
		BOA DATE:	

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: **764 NORTH LANSING AVE. EAST** TRACT SIZE: **22.34** ± acres

LEGAL DESCRIPTION: **SEE ATTACHED**

PRESENT USE: **BMX HQ/EXISTING UNOCCUPIED BUILDINGS** PRESENT ZONING: **MPD** T-R-S: **19-12-01** COUNCIL DISTRICT: **1**

WATER SUPPLY: **COT** SANITARY SEWER: **COT**

ELECTRIC: **AEP/PSO** GAS: **ONG** PHONE: **AT&T** TV: **COX** SCHOOL DISTRICT: _____

INFORMATION ABOUT YOUR PROPOSAL

PROPOSED USE: _____

Office, indoor/outdoor assembly, restaurant & future mixed-use - otherwise listed in MPD-5 (Z-7673)

PROPOSED ZONING: **N/A** LOTS PROPOSED: **2** BLOCKS PROPOSED: **1**

APPLICANT INFORMATION		PROPERTY OWNER INFORMATION	
NAME	Mike Thedford	NAME	Mary Kell, Senior Architect <small>City of Tulsa, Department of City Experience - City Design Studio</small>
ADDRESS	123 North Martin Luther King, Jr. Blvd.	ADDRESS	2317 S. Jackson Avenue N-213
CITY, ST, ZIP	Tulsa, OK. 74103	CITY, ST, ZIP	Tulsa, OK 74107
DAYTIME PHONE	918.584.5858	DAYTIME PHONE	918.596.2582
EMAIL	mike.thedford@wallace.design	EMAIL	MKell@cityoftulsa.org
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.			
SIGNATURE & DATE:			

DOES OWNER CONSENT TO THIS APPLICATION YES NO

WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? **CONSULTANT**

APPLICATION FEES (Make checks payable to City of Tulsa)		PRELIMINARY PLAT DISPOSITION
PRELIMINARY PLAT FEE:	\$1,200	TMAPC ACTION: <input type="checkbox"/> APPROVED <input type="checkbox"/> DENIED
FINAL PLAT FEE:	\$900	DATE/VOTE:
MINOR PLAT FEE:	\$650	CONDITIONS:
TOTAL AMOUNT DUE:	\$ COT WAIVED	
RECEIPT NUMBER:		

Application fees in whole or part will not be refunded after notification has been given.

SUBMITTAL REQUIREMENTS:

Checklists for all submittals are available at tulsaplanning.org.

Preliminary Plats – Application, Checklist, 4 folded full-size copies & PDF of plat, deed of dedication, and Conceptual Improvement Plan

Draft Final Plats – 4 folded full-size copies & PDF

Final Plats for Signatures – 8-10 rolled full-size copies, fully executed by owner, surveyor, and engineer

BMX HEADQUARTERS

MPD-5

FINAL PLAT

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THE CITY OF TULSA, AN OKLAHOMA MUNICIPAL CORPORATION, HEREINAFTER REFERRED TO AS "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED REAL ESTATE IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA:

A TRACT OF LAND THAT IS PART OF LOT TWO (2), SECTION ONE (1), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, PART OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER (SW/4 SE/4) OF SECTION THIRTY-SIX (36), TOWNSHIP TWENTY (20) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, AND PART OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4 NE/4) OF SECTION ONE (1), TOWNSHIP NINETEEN (19) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, ALL IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF; SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

BEGINNING AT A POINT ON THE SOUTHERLY LINE OF BLOCK FORTY-NINE (49) OF THE ORIGINAL TOWNSITE OF TULSA, SAID POINT BEING 34.94 FEET EASTERLY OF THE SOUTHWEST CORNER OF LOT TWO (2), BLOCK FORTY-NINE (49), SAID POINT ALSO BEING ON THE EASTERLY ATCHISON, TOPKA & SANTA FE RAILROAD RIGHT-OF-WAY LINE; THENCE N 00° 27' 51" W AND ALONG THE EASTERLY RAILROAD RIGHT-OF-WAY LINE FOR A DISTANCE OF 511.37 FEET; THENCE N 05° 24' 22" E AND ALONG THE EASTERLY RAILROAD RIGHT-OF-WAY LINE FOR A DISTANCE OF 610.55 FEET; THENCE N 06° 11' 18" E AND ALONG THE EASTERLY RAILROAD RIGHT-OF-WAY LINE FOR A DISTANCE OF 803.65 FEET; THENCE N 88° 58' 50" E FOR A DISTANCE OF 180.00 FEET; THENCE S 00° 58' 20" E FOR A DISTANCE OF 30.00 FEET TO A POINT; THENCE N 88° 58' 50" E FOR A DISTANCE OF 255.00 FEET; THENCE S 45° 59' 49" E FOR A DISTANCE OF 70.68 FEET; THENCE S 00° 58' 20" E FOR A DISTANCE OF 611.94 FEET; THENCE N 88° 54' 41" E FOR A DISTANCE OF 11.03 FEET; THENCE S 01° 11' 17" E FOR A DISTANCE OF 282.47 FEET; THENCE S 12° 14' 47" W FOR A DISTANCE OF 332.52 FEET; THENCE S 89° 08' 39" W FOR A DISTANCE OF 15.00 FEET; THENCE S 01° 11' 17" E FOR A DISTANCE OF 10.11 FEET TO THE BEGINNING OF A NON-TANGENTIAL CURVE, SAID CURVE TURNING TO THE LEFT THROUGH AN ANGLE OF 47° 38' 16", HAVING A RADIUS OF 125.40 FEET, A LENGTH OF 104.26 FEET AND WHOSE LONG CHORD BEARS S 39° 17' 42" W FOR A DISTANCE OF 101.29 FEET TO A POINT OF INTERSECTION WITH A NON-TANGENTIAL LINE; THENCE S 01° 11' 14" E FOR A DISTANCE OF 189.63 FEET; THENCE S 27° 47' 12" W FOR A DISTANCE OF 169.78 FEET; THENCE S 55° 38' 34" W FOR A DISTANCE OF 25.00 FEET; THENCE S 65° 09' 17" W FOR A DISTANCE OF 35.71 FEET; THENCE S 79° 46' 16" W FOR A DISTANCE OF 4.92 FEET; THENCE S 65° 28' 16" W FOR A DISTANCE OF 407.79 FEET TO THE POINT OF BEGINNING; SAID TRACT CONTAINS 973,072 SQUARE FEET OR 22.34 ACRES, MORE OR LESS.

THE OWNER HAS CAUSED THE ABOVE DESCRIBED PROPERTY TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO TWO (2) LOTS, ONE (1) BLOCK, IN CONFORMITY WITH THE ACCOMPANYING PLAT AND SURVEY (THE "PLAT") AND HAS ENTITLED AND DESIGNATED THE SUBDIVISION AS BMX HEADQUARTERS, MPD 5, A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA (THE "SUBDIVISION" OR "BMX HEADQUARTERS, MPD-5").

SECTION I. PUBLIC STREETS, EASEMENTS AND UTILITIES

A. PUBLIC STREETS AND UTILITY EASEMENTS

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE STREET RIGHTS-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT. THE OWNER FURTHER DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "U/E" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, MANHOLES AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES STATED, PROVIDED THE OWNER RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND REPAIR OR REPLACE WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING AND RE-LAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO AREAS DEPICTED ON THE PLAT. THE OWNER HEREIN IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE, THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH STATED USES AND PURPOSES OF THE UTILITY EASEMENTS SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON THE OWNER'S LOT.
- WITHIN UTILITY EASEMENTS, SANITARY SEWER EASEMENTS AND STORM SEWER EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGMENT OF THE CITY OF TULSA, WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, OR STORM SEWERS SHALL BE PROHIBITED.
- THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER SYSTEMS, SANITARY SEWER MAINS, AND STORM SEWERS BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER, OR THE LOT OWNER'S AGENTS AND/OR CONTRACTORS.
- THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS, SANITARY SEWER EASEMENTS AND STORM SEWER 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.
- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND BY THESE COVENANTS.

C. UTILITY SERVICE

- OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE PERIMETER EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD LINE OR UNDERGROUND CABLE, AND ELSEWHERE THROUGHOUT THE SUBDIVISION. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE RIGHTS-OF-WAY OF THE PUBLIC STREETS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN GENERAL UTILITY EASEMENTS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WITHIN THE SUBDIVISION MAY BE EXTENDED FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE UPON THE LOT, PROVIDED UPON INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDESTAL OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR THE LOT OWNER'S AGENTS OR CONTRACTORS.
- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF ANY LOT AGREES TO BE BOUND BY THESE COVENANTS.

D. GAS SERVICE

- THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR AS OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.
- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED WITHIN THE LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH GAS SERVICE. THE SUPPLIER OF GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF ITS FACILITIES, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER, OR THE LOT OWNER'S AGENTS OR CONTRACTORS.

- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND BY THESE COVENANTS.

E. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

F. STORMWATER DETENTION EASEMENT

- THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER, AND ACROSS THE PROPERTY DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS "STORMWATER DETENTION EASEMENT" FOR THE PURPOSES OF PERMITTING THE FLOW, CONVEYANCE, RETENTION, DETENTION AND DISCHARGE OF STORMWATER RUNOFF FROM THE SUBDIVISION.
- DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES LOCATED WITHIN THE STORMWATER DETENTION EASEMENT SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF TULSA, OKLAHOMA.
- NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION MAY BE PLACED OR MAINTAINED IN THE STORMWATER DETENTION EASEMENT NOR SHALL THERE BE ANY ALTERATION OF GRADE IN SAID EASEMENT UNLESS APPROVED BY THE CITY OF TULSA, OKLAHOMA.
- DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES SHALL BE MAINTAINED BY THE OWNER, TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE, RETENTION, AND DETENTION FUNCTIONS INCLUDING REPAIR OF APPURTENANCES AND REMOVAL OF OBSTRUCTIONS AND SILTATION. DETENTION FACILITIES SHALL BE MAINTAINED BY THE OWNER IN ACCORDANCE WITH THE FOLLOWING MINIMUM STANDARDS:
 - GRASS AREAS SHALL BE MOWED (IN SEASON) AT REGULAR INTERVALS OF FOUR WEEKS, OR LESS.
 - CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACED IF DAMAGED.
 - THE DETENTION EASEMENT SHALL BE KEPT FREE OF DEBRIS.
 - CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY.
- LANDSCAPING, APPROVED BY THE CITY OF TULSA, OKLAHOMA, SHALL BE ALLOWED WITHIN THE DETENTION EASEMENT.
- IN THE EVENT THE OWNER SHOULD FAIL TO PROPERLY MAINTAIN THE DETENTION, RETENTION, AND OTHER DRAINAGE FACILITIES OR, IN THE EVENT OF THE PLACEMENT OF AN OBSTRUCTION, OR THE ALTERATION OF GRADE WITHIN A DETENTION EASEMENT, THE CITY OF TULSA, OKLAHOMA, OR ITS DESIGNATED CONTRACTOR MAY ENTER AND PERFORM MAINTENANCE NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS AND MAY REMOVE ANY OBSTRUCTION OR CORRECT ANY ALTERATION OF GRADE, AND THE COSTS THEREOF SHALL BE PAID BY THE OWNER. IN THE EVENT THE OWNER FAILS TO PAY THE COST OF MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE AND RECEIPT OF A STATEMENT OF COSTS, THE CITY OF TULSA, OKLAHOMA, MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE LAND RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE PROPERTY. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF TULSA, OKLAHOMA.

G. SURFACE DRAINAGE

EACH LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORMWATER FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE OWNER'S LOT. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF TULSA, OKLAHOMA.

H. SIDEWALKS

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH THE TULSA METROPOLITAN AREA SUBDIVISION AND DEVELOPMENT REGULATIONS AND THE ORDINANCES OF THE CITY OF TULSA, OKLAHOMA, AND ALL SUCH SIDEWALKS SHALL BE CONSTRUCTED BY THE OWNER PRIOR TO THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT FOR ANY BUILDING WITHIN THE SUBDIVISION. SIDEWALKS SHALL BE CONSTRUCTED IN CONFORMANCE WITH CITY OF TULSA ENGINEERING DESIGN STANDARDS.

I. CERTIFICATE OF OCCUPANCY RESTRICTIONS

NO CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN THE SUBDIVISION SHALL BE ISSUED BY THE CITY OF TULSA, OKLAHOMA UNTIL CONSTRUCTION OF THE REQUIRED INFRASTRUCTURE (STREETS, WATER, SANITARY SEWER, STORM SEWER SYSTEMS AND SIDEWALKS) SERVING THE ENTIRE SUBDIVISION HAS BEEN COMPLETED AND ACCEPTED BY THE CITY. NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY IF, IN THE CITY'S SOLE DISCRETION, THE CIRCUMSTANCES SUPPORT THE ISSUANCE. FURTHER NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE PHASING OF THE CONSTRUCTION OF INFRASTRUCTURE WITHIN THE SUBDIVISION, AND IF PHASING IS AUTHORIZED, A CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN AN AUTHORIZED PHASE MAY ISSUE UPON THE COMPLETION AND ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE. BUILDING CONSTRUCTION OCCURRING PRIOR TO THE CITY'S ACCEPTANCE OF THE INFRASTRUCTURE SHALL BE AT THE RISK OF THE OWNER OF THE LOT, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR OF A TEMPORARY CERTIFICATE OF OCCUPANCY.

J. STORM SEWER EASEMENTS

THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER, AND ACROSS THOSE AREAS DEPICTED ON THE ACCOMPANYING PLAT AS "STORM SEWER EASEMENT" FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING STORM SEWERS, TOGETHER WITH ALL FITTINGS, INCLUDING THE PIPES, MANHOLES, AND EQUIPMENT AND OTHER APPURTENANCES THERETO, TOGETHER WITH RIGHTS OF INGRESS AND EGRESS TO AND UPON THE EASEMENTS FOR THE USES AND PURPOSES STATED.

K. SANITARY SEWER EASEMENT

THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER, AND ACROSS THE AREA DEPICTED ON THE ACCOMPANYING PLAT AS "SANITARY SEWER EASEMENT" FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING SANITARY SEWER LINES TOGETHER WITH ALL FITTINGS INCLUDING THE PIPES, MANHOLES, LAMPHOLES AND EQUIPMENT AND OTHER APPURTENANCES THERETO TOGETHER WITH RIGHTS OF INGRESS AND EGRESS TO AND UPON THE EASEMENT FOR THE USES AND PURPOSES STATED.

L. EMERGENCY ACCESS EASEMENT

THE OWNER HEREBY DEDICATES TO THE PUBLIC A PERPETUAL EASEMENT ON, OVER AND ACROSS THE AREA DEPICTED IN THE ACCOMPANYING PLAT AS "EMERGENCY ACCESS EASEMENT" FOR THE PURPOSE OF PROVIDING EMERGENCY ACCESS TO THE SUBDIVISION BY THE CITY OF TULSA AND ITS AUTHORIZED REPRESENTATIVES, INCLUDING BUT NOT LIMITED TO POLICE, FIRE, EMERGENCY MEDICAL AND AMBULANCE SERVICE. THE OWNER, FOR ITSELF AND ITS SUCCESSORS AND ASSIGNS, COVENANTS THAT, WITH THE EXCEPTION OF PAVING AND OF FENCING AND GATING OF A DESIGN AND IN A LOCATION APPROVED BY THE CITY, NO BUILDING, STRUCTURE, FENCE, WALL OR OTHER ABOVE GROUND OBSTRUCTION, WILL BE PLACED, ERECTED, INSTALLED OR PERMITTED ON THE EMERGENCY ACCESS EASEMENT AREA, AND NO LANDSCAPING, EXCEPT FOR TURF, WILL BE PLACED, INSTALLED OR PERMITTED ON THE ABOVE DESCRIBED PREMISES; AND FURTHER COVENANTS THAT SURFACING OF ALL-WEATHER MATERIAL, A MINIMUM OF 20 FEET IN WIDTH, SUFFICIENT TO PERMIT PASSAGE OF EMERGENCY VEHICLES WILL BE REQUIRED AND MAINTAINED WITHIN THE EMERGENCY ACCESS EASEMENT AREA, AND MAINTAINED IN A CONDITION SUITABLE FOR THE USES DESCRIBED HEREIN; AND FURTHER COVENANTS THAT IN THE EVENT THE TERMS OF THIS SUBSECTION ARE VIOLATED BY THE OWNER, ITS SUCCESSORS OR ASSIGNS, OR ANY PERSONS IN PRIVITY WITH THEM, SUCH VIOLATION WILL BE CORRECTED IMMEDIATELY UPON RECEIPT OF NOTICE FROM THE CITY. IF THE VIOLATION IS NOT CORRECTED, THE CITY SHALL HAVE THE RIGHT TO REMOVE OR OTHERWISE ELIMINATE SUCH VIOLATION, AND THE COST SHALL BE PAID BY THE OWNER OR OWNERS OF THE EMERGENCY ACCESS EASEMENT AREA. IN THE EVENT THE OWNERS FAIL TO PAY THE COSTS AFTER A RECEIPT OF A STATEMENT OF COSTS, THE CITY MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS IN THE LAND RECORDS OF THE TULSA COUNTY CLERK, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST THE PROPERTY OF THE OWNERS FAILING TO PAY. A LIEN ESTABLISHED AS PROVIDED ABOVE MAY BE FORECLOSED BY THE CITY OF TULSA.

SECTION II. MPD-5 DEVELOPMENT STANDARDS:

WHEREAS, BMX HEADQUARTERS-MPD-5 WAS SUBMITTED AS A MASTER PLANNED DEVELOPMENT (DESIGNATED AS MPD-5) AS PROVIDED IN SECTION 25.070 OF TITLE 42, TULSA REVISED ORDINANCES IN EFFECT AS OF JULY 20, 2022, AND

WHEREAS, MPD-5 WAS AFFIRMATIVELY RECOMMENDED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION ON SEPTEMBER 21, 2022 AND WAS APPROVED BY THE TULSA CITY COUNCIL ON NOVEMBER 16, 2022, IMPLEMENTING ORDINANCE NO. 24936 BEING ADOPTED BY THE COUNCIL ON NOVEMBER 30, 2022 AND PUBLISHED ON DECEMBER 11, 2022, AND

WHEREAS, THE MASTER PLANNED DEVELOPMENT PROVISIONS OF THE TULSA ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD, INURING TO AND ENFORCEABLE BY THE CITY OF TULSA, SUFFICIENT TO ASSURE THE IMPLEMENTATION AND CONTINUED COMPLIANCE WITH THE APPROVED MASTER PLANNED DEVELOPMENT, AND

WHEREAS, THE OWNER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF PROVIDING FOR AN ORDERLY DEVELOPMENT OF THE SUBDIVISION AND TO INSURE ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND THE CITY OF TULSA.

THEREFORE, THE OWNER HEREBY IMPOSES THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS GRANTEEES, SUCCESSORS AND ASSIGNS IN TITLE, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

USE AND DEVELOPMENT OF THE PROPERTY WITHIN THE SUBDIVISION SHALL BE SUBJECT TO THE FOLLOWING DEVELOPMENT STANDARDS:

A. USES AND MODIFICATIONS

- MPD-5 SHALL ALLOW ONLY THOSE USES IDENTIFIED, BELOW, ALONG WITH CUSTOMARY ACCESSORY USES, AND SUBJECT TO THE SUPPLEMENTAL REGULATIONS OF THE TULSA ZONING CODE EXCEPT AS MODIFIED BELOW.
- USES IDENTIFIED BELOW ARE PERMITTED AS OF RIGHT.
- USES THAT CANNOT BE REASONABLY INTERPRETED TO FALL WITHIN A PERMITTED USE, AS STATED IN 35.020E OF THE TULSA ZONING CODE ARE PROHIBITED.
- THE TULSA PLANNING OFFICE WILL REVIEW ALL SITE PLANS FOR COMPLIANCE WITH MPD-5 PRIOR TO RELEASE OF ANY BUILDING PERMIT.
- THE FOLLOWING USE MODIFICATIONS MAY BE CONSIDERED MINOR AMENDMENTS:
 - LIMITATION OR ELIMINATION OF PREVIOUSLY APPROVED SPECIFIC FUNCTIONS AND USES PROVIDED THE CHARACTER OF THE DEVELOPMENT IS NOT SUBSTANTIALLY ALTERED.
 - ADDITION TO PREVIOUSLY APPROVED USES, PROVIDED THE CHARACTER OF THE DEVELOPMENT IS NOT SUBSTANTIALLY ALTERED.

B. PERMITTED USE CATEGORIES, SUBCATEGORIES AND SPECIFIC USES

1. RESIDENTIAL USE CATEGORY:

HOUSEHOLD LIVING SUBCATEGORY (IF IN ALLOWED BUILDING TYPE IDENTIFIED BELOW):

SPECIFIC USE:
SINGLE HOUSEHOLD
TWO HOUSEHOLDS ON SINGLE LOT
THREE OR MORE HOUSEHOLDS ON SINGLE LOT

2. PUBLIC, CIVIC, AND INSTITUTIONAL USE CATEGORY:

CEMETERY
COLLEGE OR UNIVERSITY
DAY CARE
GOVERNMENT SERVICE OR SIMILAR FUNCTION
HOSPITAL
LIBRARY OR CULTURAL EXHIBIT
NATURAL RESOURCE PRESERVATION
PARKS AND RECREATION
POSTAL SERVICE
RELIGIOUS ASSEMBLY
SCHOOL
UTILITIES AND PUBLIC SERVICE FACILITY
MINOR
WIRELESS COMMUNICATION FACILITY

3. COMMERCIAL USE CATEGORY:

ANIMAL SERVICE
BOARDING OR SHELTER
GROOMING
VETERINARY

ASSEMBLY AND ENTERTAINMENT (GUN CLUBS, OUTDOOR OR INDOOR, ARE PROHIBITED)
OTHER INDOOR,
SMALL (UP TO 250-PERSON CAPACITY)
LARGE (>250-PERSON CAPACITY)
OTHER OUTDOOR

BROADCAST OR RECORDING STUDIO

COMMERCIAL SERVICE
BUILDING SERVICE
BUSINESS SUPPORT SERVICE
CONSUMER MAINTENANCE/REPAIR SERVICE
PERSONAL IMPROVEMENT SERVICE
RESEARCH SERVICE

FINANCIAL SERVICE

LODGING
BED & BREAKFAST
SHORT-TERM RENTAL
CAMPGROUNDS AND RV PARKS
HOTEL / MOTEL

OFFICE
BUSINESS OR PROFESSIONAL OFFICE
MEDICAL, DENTAL OR HEALTH PRACTITIONER OFFICE

RESTAURANTS AND BARS
RESTAURANT
BAR (BARS IN MPD-5 ARE NOT SUBJECT TO SPACING REQUIREMENTS OF 40.050-A)
BREW PUB

RETAIL SALES
CONSUMER SHOPPING GOODS
CONVENIENCE GOODS
GROCERY STORE
SMALL BOX DISCOUNT STORE

STUDIO, ARTIST OR INSTRUCTIONAL SERVICE

TRADE SCHOOL

VEHICLE SALES AND SERVICE
PERSONAL VEHICLE RENTALS ONLY

AGRICULTURAL
COMMUNITY GARDEN,
FARM, MARKET OR COMMUNITY SUPPORTED

4. INDUSTRIAL USE CATEGORY:

LOW IMPACT MANUFACTURING AND INDUSTRY

5. RESIDENTIAL BUILDING TYPES:

SINGLE HOUSEHOLD
TOWNHOUSE
MIXED-USE BUILDING
VERTICAL MIXED-USE BUILDING

TWO HOUSEHOLDS ON SINGLE LOT
MIXED-USE BUILDING
VERTICAL MIXED-USE BUILDING

THREE HOUSEHOLDS ON SINGLE LOT
APARTMENT/CONDO
MIXED-USE BUILDING

C. MPD-5 LOT & BUILDING REGULATIONS

MINIMUM LOT AREA: N/A
MINIMUM STREET FRONTAGE: N/A
MAXIMUM FLOOR AREA RATIO (FAR): N/A
MINIMUM LOT AREA PER UNIT: N/A
MINIMUM OPEN SPACE PER UNIT: N/A
BUILDING SETBACKS: N/A
MAXIMUM BUILDING COVERAGE: N/A
MAXIMUM BUILDING HEIGHT: N/A

D. PARKING:

MINIMUM OFF-STREET PARKING SPACES:

PARKING IS NOT REQUIRED HOWEVER WHEN PARKING IS CONSTRUCTED IT SHALL CONFORM TO THE DESIGN STANDARDS OUTLINED IN SECTION 55.090 OF THE TULSA ZONING CODE.

MINIMUM BICYCLE PARKING SPACES:

SHORT-TERM BICYCLE PARKING IS REQUIRED PER SECTION 55.060-B OF THE TULSA ZONING CODE. BICYCLE PARKING SHALL CONFORM TO THE DESIGN STANDARDS OUTLINED IN SECTION 55.060-D OF THE TULSA ZONING CODE.

E. LANDSCAPING AND SCREENING

LANDSCAPING AND SCREENING FOR THE PROJECT SHALL CONFORM TO THE REQUIREMENTS IDENTIFIED IN THE TULSA ZONING CODE, CHAPTER 65.

FOR THE PURPOSES OF ADMINISTERING LANDSCAPING REGULATIONS, MPD-5 SHALL FOLLOW THE REQUIREMENTS FOR THE CBD ZONING DISTRICT.

SCREENING REQUIREMENTS FOR SPECIFIC USES SHALL CONFORM TO THE SUPPLEMENTAL USE & BUILDING REGULATIONS IDENTIFIED FOR SPECIFIC USES IN THE TULSA ZONING CODE, CHAPTER 40.

