

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
**Meeting No. 2892**

**June 21, 2023, 1:00 PM**  
**175 East 2nd Street, 2nd Level, One Technology Center**  
**Tulsa City Council Chamber**

**INTRODUCTION AND NOTICE TO THE PUBLIC**

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

Call to Order:

**REPORTS:**

**Chairman's Report:**

**Work session Report:**

**Director's Report:**

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

1. Minutes of June 7, 2023 Meeting No. 2891

**CONSENT AGENDA**

**All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.**

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

2. **PUD-467-9/Z-6310-SP-1b Lou Reynolds** (CD 9) Location: East of the northeast corner of South Harvard Avenue and East 51<sup>st</sup> Street South requesting a **PUD Minor Amendment** to define development area 4 and amend building height, building setbacks and signage standards for this development area

**PUBLIC HEARING-PLATS**

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

3. **Admiral Place Warehouse** (CD 6) Preliminary Plat, Location: East of the southeast corner of East Admiral Place and South 161<sup>st</sup> East Avenue
4. **Old Dominion Freight Line** (CD 3) Preliminary Plat, Location: Northwest corner of East 36<sup>th</sup> Street North and North David Patrick Avenue

#### **PUBLIC HEARING-REZONING**

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

5. **Z-7719 Tulsa City Council** (CD 4) Location: South of East 11<sup>th</sup> Street and north of East 15<sup>th</sup> Street between South Lewis Avenue and South Harvard Avenue requesting rezoning from **RS-2 to RS-4 (Related to SA-6)**
6. **SA-6, Neighborhood Character Overlay, Tulsa City Council** (CD 4) Location: South of East 11<sup>th</sup> Street and north of East 15<sup>th</sup> Street between South Lewis Avenue and South Harvard Avenue (**Related to Z-7719**)
7. **Z-7723 Tulsa City Council c/o Nordic LLC** (CD 9) Location: South of the southeast corner of East 41<sup>st</sup> Street South and South Peoria Avenue requesting rezoning from **RS-3 to MX-3-U-U**
8. **Z-7724 Mark Capron** (CD 3) Location: North of East 36<sup>th</sup> Street North and east of Mohawk Park Road requesting rezoning from **RS-3 to CG (Related to CPA-103)**

#### **PUBLIC HEARING-COMPREHENSIVE PLAN AMENDMENTS**

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

9. **CPA-103 Mark Capron** (CD 3) Location: North of East 36<sup>th</sup> Street North and east of Mohawk Park Road requesting to amend the Land Use Map designation from **Parks and Open Space to Mixed Use Corridor (Multiple Use)(Related to Z-7724)**

#### **OTHER BUSINESS**

10. Consider possible TMAPC initiation of zoning code amendments relating to principal use day cares

#### **Commissioners' Comments**

## ADJOURN

CD = Council District

**NOTE:** If you require special accommodation pursuant to the Americans with Disabilities Act, please notify the Tulsa Planning Office at 918-584-7526. Exhibits, petitions, pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained Tulsa Planning Office at INCOG. All electronic devices must be silenced during the Planning Commission meeting.

Visit our website at [tulsaplanning.org](http://tulsaplanning.org)

email address: [esubmit@incog.org](mailto:esubmit@incog.org)

**TMAPC Mission Statement:** The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development and planning, to adopt and maintain a comprehensive plan for the metropolitan area, and to provide other planning, zoning and land division services that promote the harmonious development of the Tulsa Metropolitan Area and enhance and preserve the quality of life for the region's current and future residents.





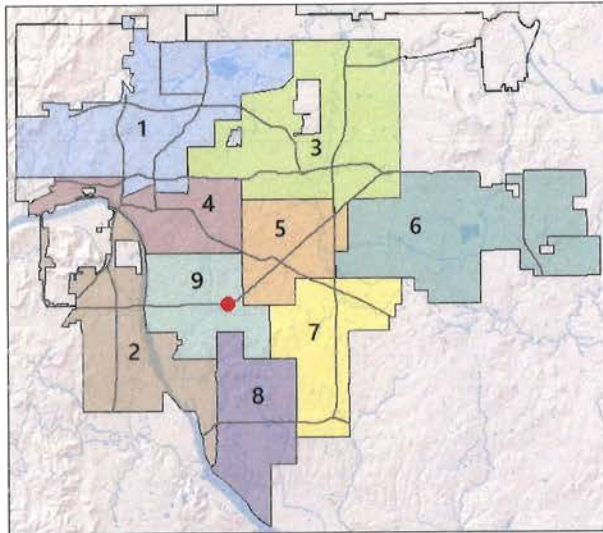
**Case Number:** Minor Amendment  
PUD-467-9 and Z-6310-SP-1b

**Hearing Date:** June 21, 2023

**Case Report Prepared by:**  
Dylan Siers

**Owner and Applicant Information:**  
Applicant: Lou Reynolds  
Property Owner: Bank7

**Location Map:**  
(shown with City Council Districts)



**Applicant Proposal:**

Concept summary: PUD minor amendment to define development area 4 and amend building height, building setbacks and signage standards for this development area.

Gross Land Area: 2.30 acres

Location: East of the Northeast corner of South Harvard Avenue and East 51st Street South

All of Lot Three (3) and the East 97.46 feet of Lot Two (2), Block One (I), DICKENS COMMONS, an addition to the City of Tulsa, Tulsa County, State of Oklahoma

**Zoning:**  
Existing Zoning: PUD-467/Z-6310-SP-1  
Proposed Zoning: No Change

**Comprehensive Plan:**  
Land Use Map: Town Center  
Growth and Stability Map: Growth

**Staff Recommendation:**  
Staff recommends approval.

**Staff Data:**  
TRS: 9328

**City Council District: 9**  
Councilor Name: Jayme Fowler  
**County Commission District: 3**  
Commissioner Name: Kelly Dunkerley

June 21, 2023

2.1

## **SECTION I:      CONCEPT STATEMENT**

PUD-467-9 and Z-6310-SP-1b Minor Amendment

Amendment Request: PUD minor amendment to define development area 4 and amend building height, building setbacks and signage standards for this development area.

PUD-467-9 & Z-6310-SP-1b is a minor amendment to revise development areas and establish development standards for this development area. Some of the development standards affected are setbacks, sign standards, and building height. The building height will be increased from 28' to 35' and unoccupied architectural features cannot exceed 50' and would be permitted with approval of a Detail Sign Plan and Corridor Site Plan.

### **DEVELOPMENT AREA 4**

#### **Maximum Building Height:**

35 FT\*

\*Unoccupied architectural features, not to exceed 50 FT in height, are permitted with Detail Sign Plan and Corridor Site Plan approval.

#### **Minimum Building Setbacks:**

From the East boundary:	15 FT
From the South boundary:	75 FT
From the North boundary:	20 FT
From the West boundary:	5 FT
From the Internal boundary:	0 FT

#### **Signs:**

For each Lot in Development Area 4, the following signage shall be permitted:

Freestanding Signs: 1 free standing sign per lot in Development Area 4

I-44 Frontage –	175 SF display surface area
E. 51 <sup>st</sup> Street –	80 SF display surface area

#### **Wall Signs**

On-premise wall signs shall not exceed an aggregate area of more than two (2) square feet per linear foot of building wall to which they are attached. For purposes hereof, a building shall be deemed to have four (4) walls, facing north, south, east, and west. Measurement of the "building wall" shall mean the cumulative length of each such wall, inclusive of all wall-like architectural features and/or undulations in the respective building wall.

Driveway and Drive-Through Signs shall be permitted in accordance with the provisions of the Tulsa Zoning Code.

#### **Drive-Through Facilities :**

A drive-through facility shall be permitted to be located facing S. Pittsburg Ave.

2.2

Staff Comment: This request is considered a Minor Amendment as outlined by Section 30.010.I.2.c(1)(9) and by Section 25.040.E.5 of the City of Tulsa Zoning Code.

*“Adjustment of internal development area boundaries, provided the allocation of land to particular uses and the relationship of uses within the project are not substantially altered.”*

*“Changes in structure heights, building setbacks, yards, driveway coverage measured by width, square footage or percentage of the yard, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved PUD standards and the character of the development are not substantially altered.”*

*“The planning commission is authorized to approve minor amendments to an approved development plan as long as substantial compliance is maintained with the approved development plan.”*

Staff has reviewed the request and determined:

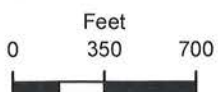
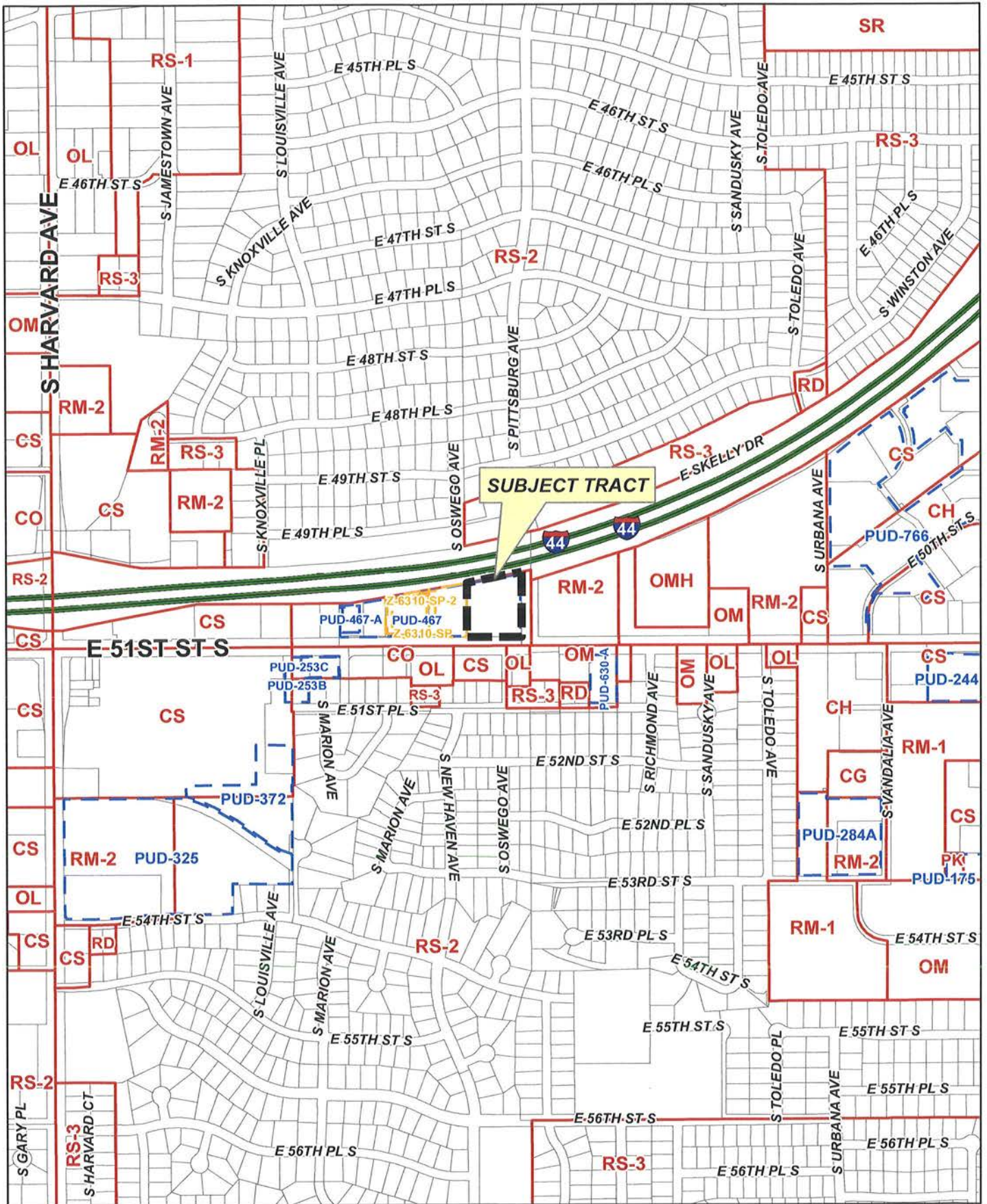
- 1) PUD-467-9 is consistent with the provisions for administration and procedures of a PUD in section 30.010-H.
- 2) PUD-467-9 and Z-6310-SP-1b does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-467 and Z-6310-SP-1.
- 3) All remaining development standards defined in PUD-467-9 and subsequent amendments shall remain in effect.

Exhibits included with staff report:

- INCOG zoning case map
- INCOG aerial photo
- Applicant Exhibit – Survey
- Applicant Exhibit – Renderings
- Applicant Exhibit – Renderings
- Applicant Exhibit – Deal Center Site Plan

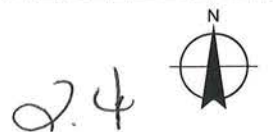
With considerations listed above, staff recommends **approval** of the minor amendment to define development area 4 and amend building height, building setbacks and signage standards for this development area.



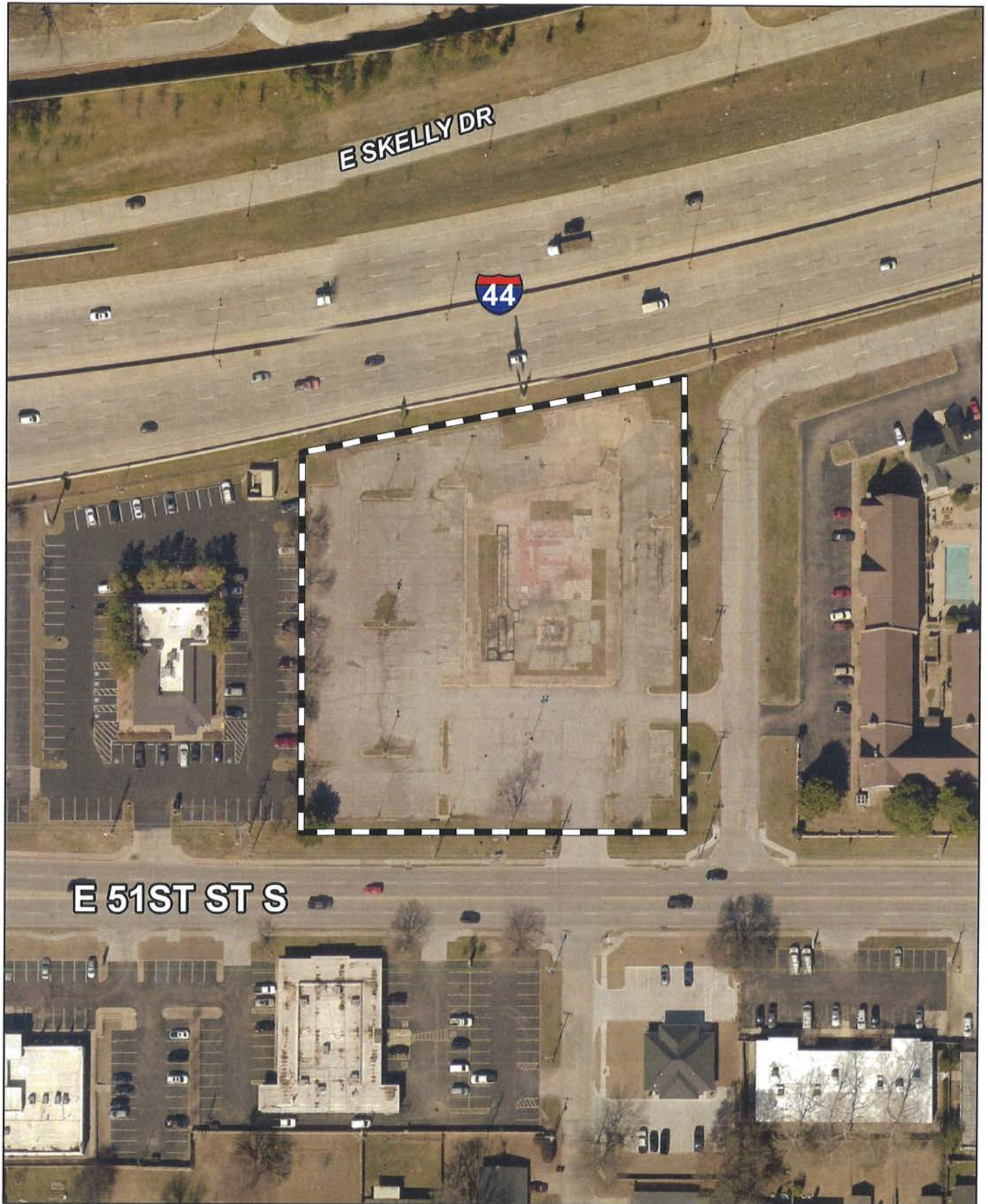


**PUD-467-9/  
Z-6310-SP-1-b**

19-13 28







0 50 100  
Feet



Subject  
Tract

**PUD-467-9/  
Z-6310-SP-1-b**

19-13 28

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

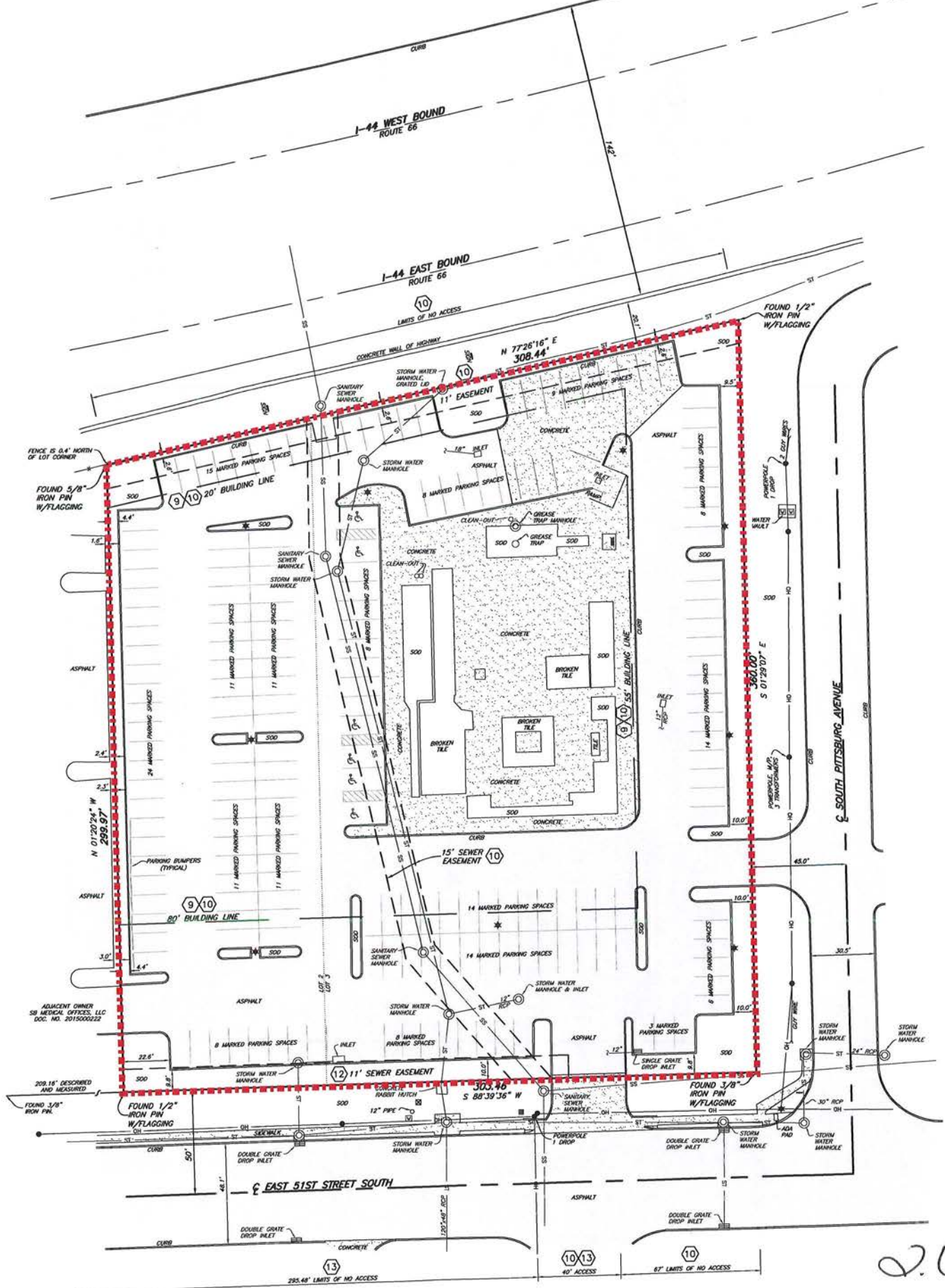
Aerial Photo Date: 2020/2021



2.5



**EXHIBIT "B.1"**  
**Development Area 4**  
**Boundary Survey**



2.6











279



**DEAL CENTER**  
Tulsa, Oklahoma



**TDR**  
**TRANSFORMS**  
TROY D. RHODES & COMPANY





Tulsa Metropolitan Area  
Planning Commission

**Case:** Admiral Place Warehouse

**Hearing Date:** June 21, 2023

**Case Report Prepared by:**

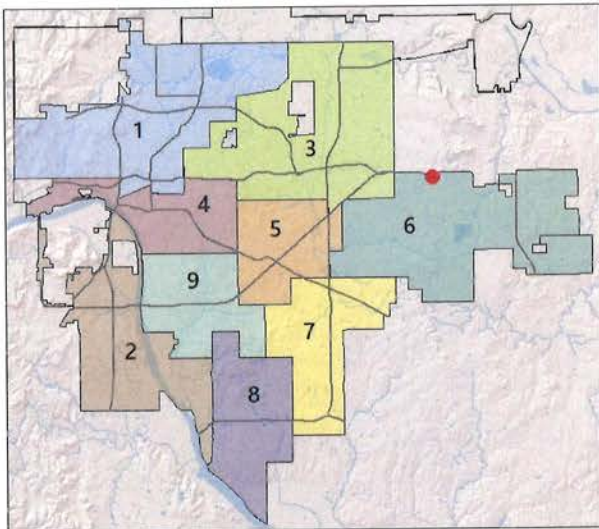
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Karl Fritschen, Wallace Design

*Owner:* Blue Bull Capital, LLC

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

Preliminary Plat

1 lot, 1 block, on 4.99 ± acres

*Location:* East of the southeast corner of East Admiral Place and South 161<sup>st</sup> East Avenue

**Zoning:** CG with optional development plan (Z-7664)

**Staff Recommendation:**

Staff recommends **approval** of the preliminary plat

**City Council District:** 6

*Councilor Name:* Christian Bengel

**County Commission District:** 1

*Commissioner Name:* Stan Sallee

## PRELIMINARY SUBDIVISION PLAT

### Admiral Place Warehouse - (CD 6)

East of the southeast corner of East Admiral Place and South 161<sup>st</sup> East Avenue

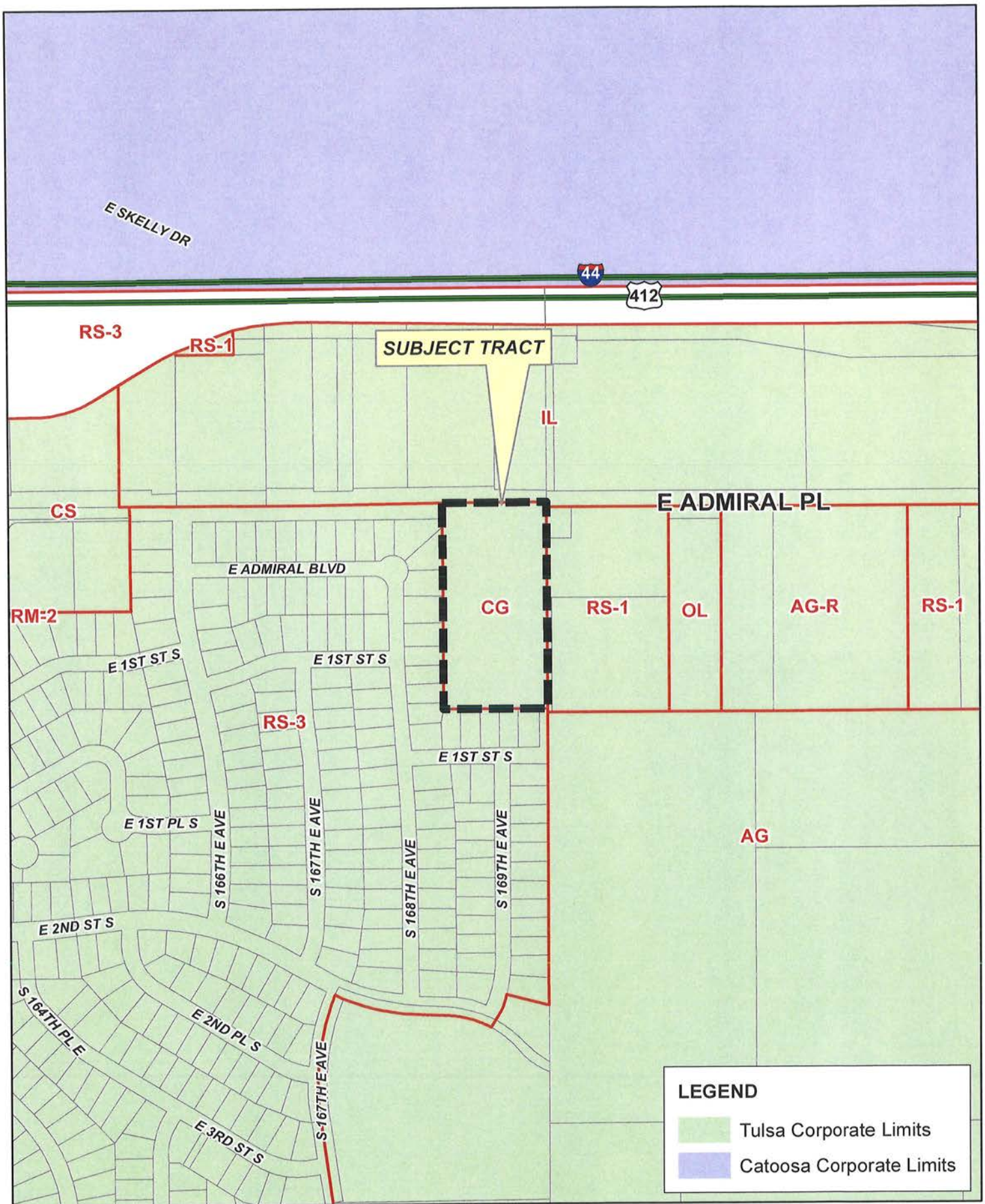
This plat consists of 1 lot, 1 block on 4.99 ± acres.

The Technical Advisory Committee (TAC) met on June 1, 2023 and provided the following conditions:

1. **Zoning:** The property is currently zoned CG with an optional development plan, Z-7664. The proposed lot conforms to the requirements of the development plan. Optional development plan number must be included on the face of the plat and the approved development standards are required to be incorporated into the deed of dedication.
2. **Addressing:** City of Tulsa addresses and street names must be assigned and affixed to the face of the final plat along with the address disclaimer.
3. **Transportation & Traffic:** Sidewalks and appropriate ADA compliant ramps are required along all street frontages adjacent to the property and proposed street. Right-of-way permits will be required for driveways connecting to public streets. IDP approval is required prior to final plat approval. Label and dimension all street right-of-way adjacent to the site with either recording information or "dedicated by plat". Right-of-way dedications are required to comply with major street and highway plan. Provide limits of access/no access along public street frontages.
4. **Sewer/Water:** Label and dimension all required or existing easements. Any required offsite easements are required to be recorded and recording information must be provided on the final plat.
5. **Engineering Graphics:** Submit subdivision control data sheet with final plat. Provide the date of the surveyor's last visit or range if consecutive days. Under the basis of bearing information include the coordinate system used. Provide a bearing angle preferably shown on the face of the plat. Provide a written legal description that incorporates a point of commencement tied to a section corner, half section, or quarter section with a bearing angle and distance to the point of beginning.
6. **Stormwater, Drainage, & Floodplain:** IDP approval for storm sewer improvements is required prior to final plat approval. No floodplain on site.
7. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivision and Development Regulations. City of Tulsa release letter is required prior to final plat approval.





## Admiral Place Warehouse

19-14 02

3.3







0 Feet 200 400



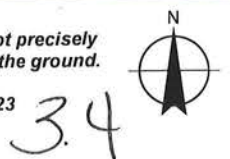
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## Admiral Place Warehouse

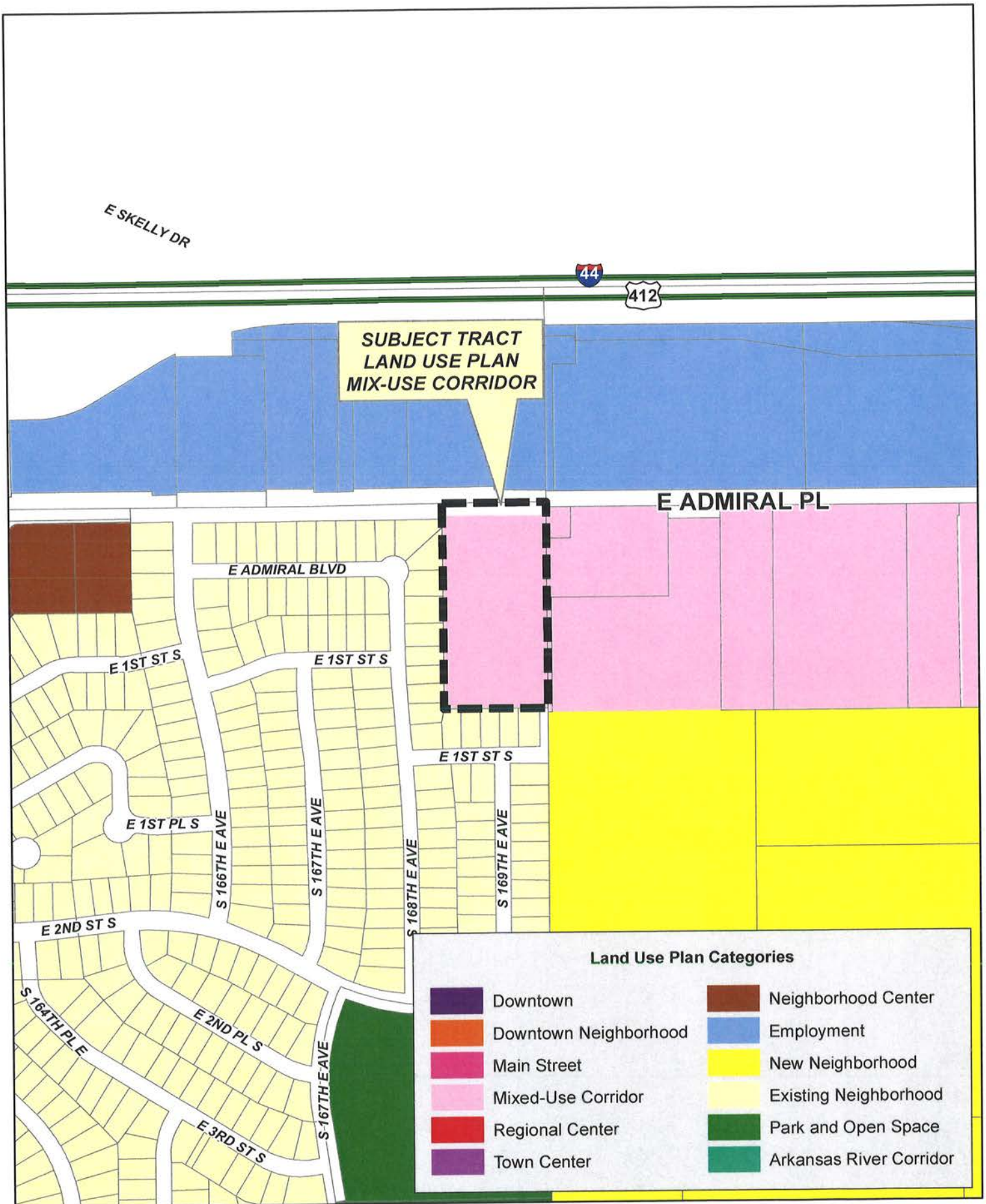
19-14 02

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

Aerial Photo Date: 2023







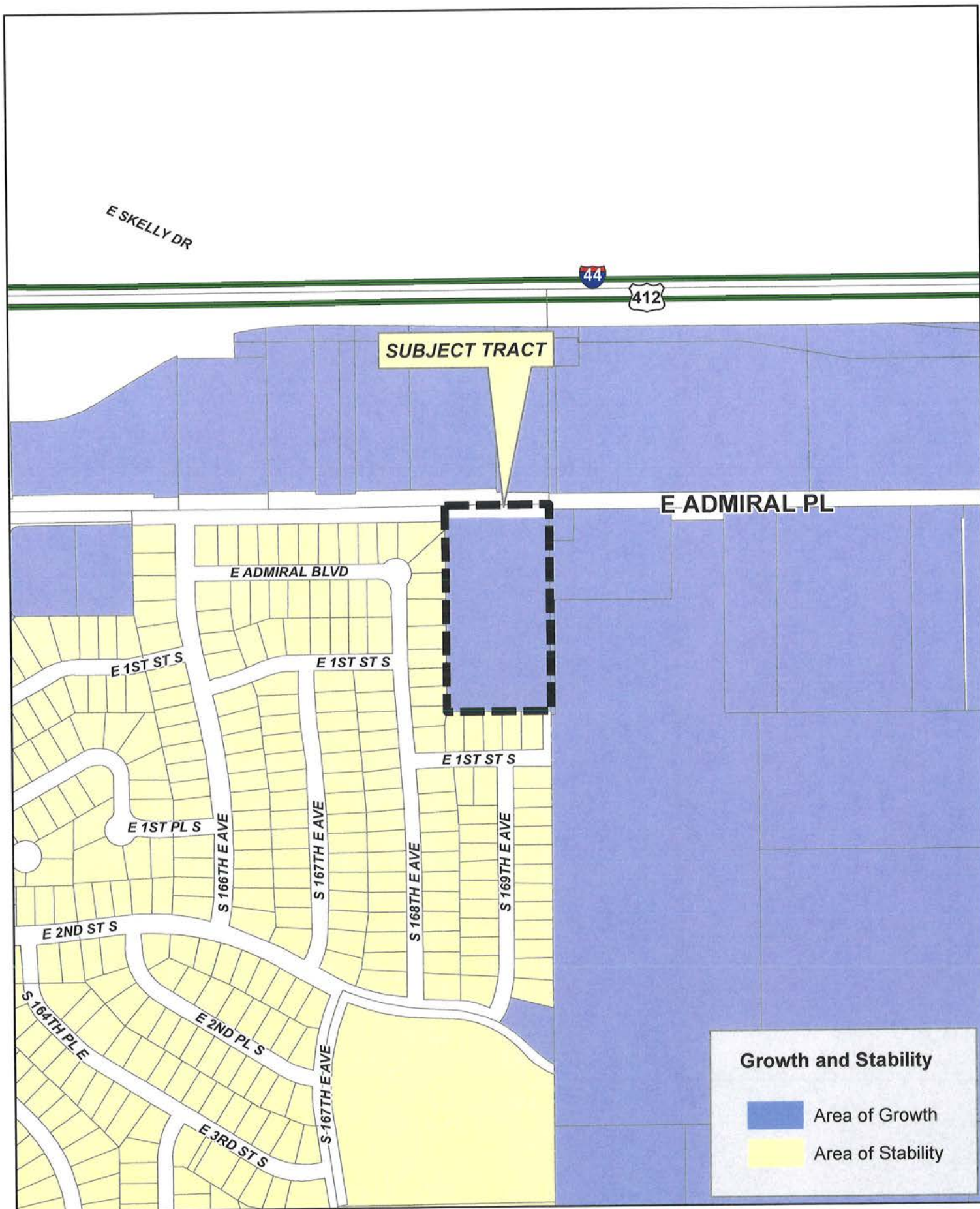
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Feet

## Admiral Place Warehouse

19-14 02

3.5





## Admiral Place Warehouse

0 Feet 200 400

19-14 02

3.6





# PRELIMINARY PLAT ADMIRAL PLACE WAREHOUSE

PART OF SECTION TWO (2), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN,  
CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.

**OWNER:**  
Blue Bull Capital, LLC  
4400 Saint Patrick Drive  
Oklahoma City, Oklahoma, 73120  
CONTACT: JASON JOHNSON  
jason@bluebullcapital.com

**ENGINEER:**  
Wallace Design Collective, PC  
123 North Martin Luther King Jr Blvd.  
Tulsa, Oklahoma, 74103  
Phone: (918) 584-5858  
OK CA NO. 1402, EXPIRES 6/30/2023  
ALAN TAYLOR, PE  
alan.taylor@wallacedesign.com

**SURVEYOR:**  
Wallace Design Collective, PC  
123 North Martin Luther King Jr Blvd.  
Tulsa, Oklahoma, 74103  
Phone: (918) 584-5858  
OK CA NO. 1402, EXPIRES 6/30/2023  
B. WADE BENNETT, PLS 1558  
wade.bennett@wallacedesign.com



## LEGEND

- ACC = ACCESS
- LNA = LIMITS OF NO ACCESS
- R/W = RIGHT-OF-WAY
- LS = LANDSCAPE
- UE = UTILITY EASEMENT
- F.M. = FIELD MEASURE
- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- XXXXX = ADDRESS

## SUBDIVISION STATISTICS

SUBDIVISION CONTAINS ONE (1) LOT IN ONE (1) BLOCK.  
SUBDIVISION CONTAINS 217,711 SF (5.0 ACRES).  
LOT 1 CONTAINS 221,104 SF (5.02 ACRES).  
R/W DEDICATED BY PLAT CONTAINS 18,507 SF (0.42 ACRES).

## MONUMENTATION

50' IRON PINS TO BE SET AT ALL PROPERTY CORNERS UNLESS MONUMENTATION OTHERWISE NOTED.

## BENCHMARK

50' IRON PIN STAMPED "WHITE 1089"  
NORTHING: 426886.2003  
EASTING: 362024.720  
ELEV: 172.83

## BASE OF BEARINGS

HORIZONTAL DATUM BASED UPON OKLAHOMA STATE PLANE COORDINATE SYSTEM NAD 83 (2011) NORTH ZONE (50).  
VERTICAL DATUM NAVD 1988 (ESTABLISHED USING A TROMBLE R10 ON RTK NETWORK).

## ADDRESS NOTE

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.

## FLOODPLAIN NOTE

SUBJECT PARCELS ARE WITHIN ZONE X UNSHADDED DEFINED AS "AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN" AS SHOWN ON FIRM MAP NUMBER 40143C2370M WITH AN EFFECTIVE DATE OF 5/8/2018.  
THE PROPERTY DESCRIBED HEREON IS NOT LOCATED WITHIN THE REGULATORY FLOOD ZONE AS PER THE CITY OF TULSA REGULATORY FLOOD PLAN MAP ATLAS DATED 2/28/2021.

## DATE OF SURVEYOR'S LAST SITE VISIT:

XXXXXX/XXXXXX/XXXX

FINAL PLAT ENDORSEMENT OF APPROVAL	
TULSA METROPOLITAN AREA PLANNING COMMISSION	APPROVAL DATE _____
TAMPC / INCOG	_____
CITY ENGINEER	_____
COUNCIL OF THE CITY OF TULSA OKLAHOMA	APPROVAL DATE _____
CHAIR	_____
MEMBER	_____
ATTORNEY 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.

3.7

PRELIMINARY PLAT

# ADMIRAL PLACE WAREHOUSE

PART OF SECTION TWO (2), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN,  
CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.

## DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS

BLUE BULL CAPITAL, LLC, AN OKLAHOMA CORPORATION (HEREINAFTER REFERRED TO AS THE "OWNER"), IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND THAT IS THE EAST THREE HUNDRED THIRTY (330) FEET OF LOT SIX (6), IN SECTION TWO (2), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

(AWAITING LEGAL)

THE OWNER HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 1 LOT AND 1 BLOCK (HEREIN AFTER THE "LOT") IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "ADMIRAL PLACE WAREHOUSE" A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA (HEREINAFTER THE "SUBDIVISION").

## SECTION I. STREETS, EASEMENTS AND UTILITIES

### A. PUBLIC STREETS AND GENERAL UTILITY EASEMENTS

THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE STREET RIGHT-OF-WAY AS DEPICTED ON THE ACCOMPANYING PLAT. ADDITIONALLY, THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "U" 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 AFORESAID. PROVIDED HOWEVER, THE OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND REPAIR OR RE-LAY WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON THE OWNER AND ITS SUCCESSORS AND ASSIGNS (TOGETHER, THE "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 THE ABOVE SET FORTH USES AND PURPOSES OF AN EASEMENT SHALL BE PLACED, ERRECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES THAT DO NOT CONSTITUTE AN OBSTRUCTION.

### B. UTILITY SERVICE

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE, AND CABLE TELEVISION SERVICE MAY BE LOCATED IN THE PERMETER UTILITY EASEMENTS AND THE IN THE PERMETER RIGHT-OF-WAY OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD 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 RIGHT-OF-WAY OF THE PUBLIC STREETS AS DEPICTED UPON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE GENERAL UTILITY EASEMENTS.

2. 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 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.

3. THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICES, THROUGH ITS AUTHORIZED AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE 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 SERVICE FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

4. THE LOT OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE OVERHEAD AND/OR UNDERGROUND SERVICE FACILITIES LOCATED ON THE LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH MAY INTERFERE WITH SAID ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF OVERHEAD AND/OR 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.

5. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, COMMUNICATION, CABLE TELEVISION, OR GAS SERVICE AND THE LOT OWNER AGREES TO BE BOUND BY THESE COVENANTS.

### C. WATER, SANITARY SEWER AND STORM SEWER SERVICE

1. THE LOT OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED IN THE SUBDIVISION.

2. WITHIN THE UTILITY 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, OKLAHOMA, WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS SHALL BE PROHIBITED.

3. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER SYSTEMS, SANITARY SEWER MAINS AND STORM SEWERS, BUT THE 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.

4. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO THE UTILITY EASEMENTS DEPICTED ON THE 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.

5. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, AND THE LOT OWNER AGREES TO BE BOUND BY THESE COVENANTS.

### D. GAS SERVICE

1. THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL THE UTILITY EASEMENTS SHOWN ON THE PLAT OR AS OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, REPAIRING OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

2. THE LOT OWNER SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED WITHIN THE SUBDIVISION 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.

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

### E. SURFACE DRAINAGE

THE LOT SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORMWATER FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION. 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 OWNERS LOT. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY AFFECTED LOT OWNER AND BY THE CITY OF TULSA, OKLAHOMA.

### F. PAVING AND LANDSCAPING WITHIN EASEMENTS

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

### G. LIMITS OF NO ACCESS

THE LOT OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO EAST ADMIRAL PLACE SOUTH WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" ON THE ACCOMPANYING PLAT, WHICH LIMITS OF NO ACCESS MAY BE AMENDED OR RELEASED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSOR, WITH THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ESTABLISHED ABOVE SHALL BE ENFORCEABLE 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 FIRST ISSUANCE OF THE FIRST OCCUPANCY PERMIT FOR ANY BUILDING WITHIN THE SUBDIVISION. SIDEWALKS SHALL BE CONSTRUCTED IN CONFORMANCE WITH THE 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 OF TULSA, OKLAHOMA, NOTWITHSTANDING THE FOREGOING, THE CITY OF TULSA, OKLAHOMA MAY AUTHORIZE THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY IF, IN THE CITY OF TULSA'S SOLE DISCRETION, THE CIRCUMSTANCES SUPPORT THE ISSUANCE. FURTHER NOTWITHSTANDING THE FOREGOING, THE CITY OF TULSA, OKLAHOMA 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 OF TULSA, OKLAHOMA'S ACCEPTANCE OF THE INFRASTRUCTURE SHALL BE AT THE RISK OF THE LOT OWNER, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR OF A TEMPORARY CERTIFICATE OF OCCUPANCY.

## SECTION II. ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

### A. ENFORCEMENT

THE COVENANTS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, WITHIN THE PROVISIONS OF SECTION I (STREETS, EASEMENTS AND UTILITIES) ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO. ADDITIONALLY, THE COVENANTS WITHIN SECTION I, WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA. IF THE UNDERSIGNED OWNER OR ITS SUCCESSORS OR ASSIGNS SHALL VIOLATE ANY OF THE COVENANTS WITHIN THIS INSTRUMENT, IT SHALL BE LAWFUL FOR ANY PERSON OR PERSONS DANNING OR BEING SITUATED WITHIN THE SUBDIVISION, OR THE CITY OF TULSA, TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT HIM OR THEM FROM SO DOING OR TO COMPEL COMPLIANCE WITH THE COVENANT OR TO RECOVER DAMAGES. IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

### B. DURATION

THESE COVENANTS AND RESTRICTIONS SHALL REMAIN IN FULL FORCE AND EFFECT UNTIL TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

### C. AMENDMENT OR TERMINATION

THE COVENANTS CONTAINED HEREIN MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION AND THE CITY OF TULSA. ANY SUCH AMENDMENT SHALL BECOME EFFECTIVE WHEN RECORDED IN THE RECORDS OF THE TULSA COUNTY CLERK.

### D. SEVERABILITY

INVALIDATION OF ANY COVENANT SET FORTH HEREIN OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, BLUE BULL INC., HAS EXECUTED THIS INSTRUMENT THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

BLUE BULL INC.

BY \_\_\_\_\_

## ACKNOWLEDGMENT

STATE OF OKLAHOMA

COUNTY OF TULSA

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023, BY \_\_\_\_\_ AS \_\_\_\_\_ OF BLUE BULL CAPITAL LLC, AN OKLAHOMA CORPORATION.

NOTARY PUBLIC

MY COMMISSION NO.

MY COMMISSION EXPIRES

(SEAL)

## CERTIFICATE OF SURVEY

I, R. WADE BENNETT, OF BENNETT SURVEYING, A LICENSED LAND SURVEYOR REGISTERED IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "ADMIRAL PLACE WAREHOUSE" A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, IS A REPRESENTATION OF THE SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED LAND SURVEYING PRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED.

WITNESS MY HAND AND SEAL THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023.

R. WADE BENNETT  
LICENSED PROFESSIONAL LAND SURVEYOR  
OKLAHOMA #1556



## ACKNOWLEDGMENT

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2023, BY R. WADE BENNETT.

NOTARY PUBLIC

MY COMMISSION NO. # \_\_\_\_\_

MY COMMISSION EXPIRES \_\_\_\_\_

(SEAL)

# CONCEPTUAL IMPROVEMENTS PLAN

## ADMIRAL PLACE WAREHOUSE

PART OF SECTION TWO (2), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN,  
CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.

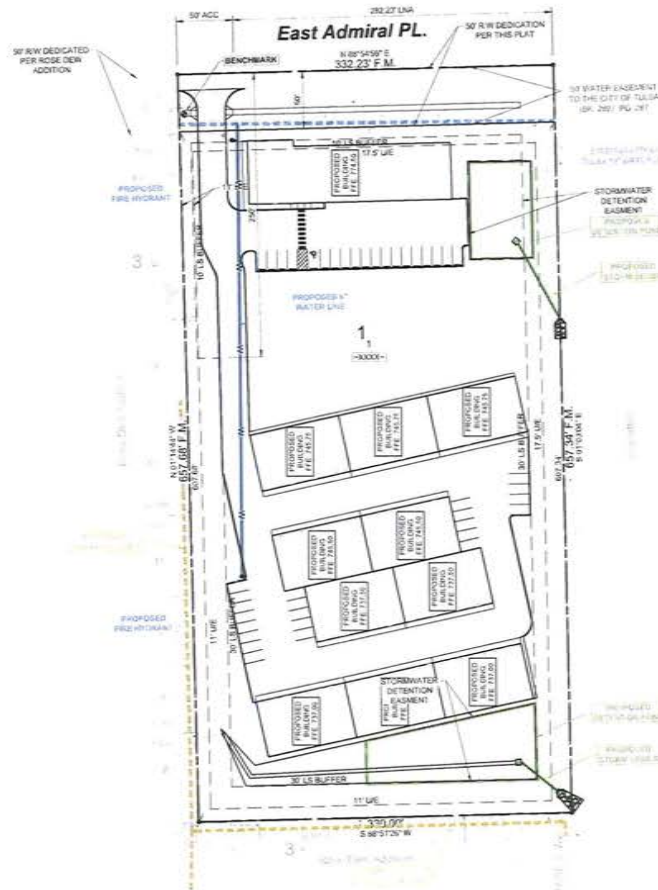
**OWNER:**  
Blue Bull Capital, LLC  
4400 Saint Patrick Drive  
Oklahoma City, Oklahoma, 73120  
CONTACT: JASON JOHNSON  
CONTACT: jason@bluebullcapital.com

**ENGINEER:**  
Wallace Design Collective, PC  
123 North Martin Luther King Jr Blvd.  
Tulsa, Oklahoma, 74103  
Phone: (518) 584-5858  
OK CA NO. 1460, EXPIRES 6/30/2023  
ENGINEER NAME P.E.  
engineer email address

**SURVEYOR:**  
Wallace Design Collective, PC  
123 North Martin Luther King Jr Blvd.  
Tulsa, Oklahoma, 74103  
Phone: (518) 584-5858  
OK CA NO. 1460, EXPIRES 6/30/2023  
R. WADE BENNETT, PLS 1856  
wade.bennett@wallacedesign.com



- LEGEND**
- ACC = ACCESS
  - LNA = LIMITS OF NO ACCESS
  - R/W = RIGHT-OF-WAY
  - BSK = BOOK
  - PG. = PAGE
  - LS = LANDSCAPE
  - USE = UTILITY BASEMENT
  - EXISTING WATER
  - PROPOSED WATER
  - EXISTING SANITARY SEWER
  - PROPOSED STORM SEWER



3.9

ViewSourceProperties2242360 Annual Warehouse | Deductible | Actions2242360 | Estimating | Tools for PP 0699 | PLOT JUN2021 2:03:28 PM | OHIO SIZE 22X34



Know what's below.  
Call before you dig.

**CAUTION**  
NOTICE TO CONTRACTOR

THE CONTRACTOR IS SPECIFICALLY CAUTIONED THE LOCATION AND ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES.



wallace  
design  
collective

waters, drought-tolerant, or structural soil treatments, where (1) non-manufactured virgin steel tube diameter = (2) 6-inches dia.

ADMIRAL PLACE  
WAREHOUSE

TULSA, OKLAHOMA

DATE					
DESCRIPTION					
REV					
DATE				5.3.21	
PROJECT NO.			22-04360		
SHEET NAME					
EXISTING TOPO					
SHEET NO.					

**Case:** Old Dominion Freight Line

**Hearing Date:** June 21, 2023

**Case Report Prepared by:**

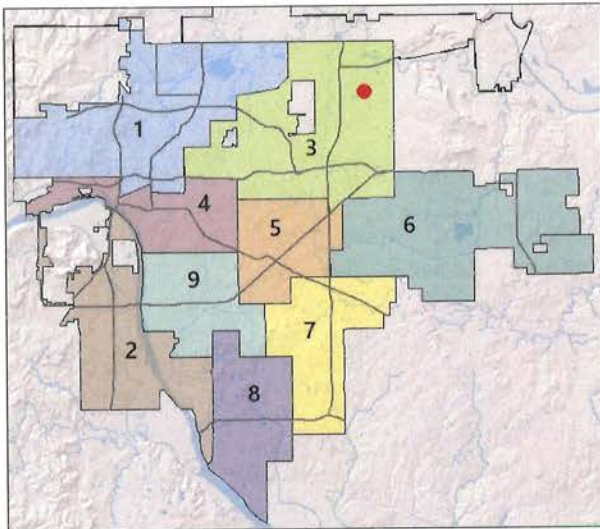
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Will Hay, Hoyt & Berenyi

*Owner:* Old Dominion Freight Line, Inc.

**Location Map:**  
(shown with City Council Districts)



**Applicant Proposal:**

Preliminary Plat

1 lot, 1 block, on 21.16 ± acres

*Location:* Northwest corner of East 36<sup>th</sup> Street North and North David Patrick Avenue

**Zoning:** IH

**Staff Recommendation:**

Staff recommends **approval** of the preliminary plat

**City Council District:** 3

*Councilor Name:* Crista Patrick

**County Commission District:** 1

*Commissioner Name:* Stan Sallee



## PRELIMINARY SUBDIVISION PLAT

### Old Dominion Freight Line - (CD 3)

Northwest corner of East 36<sup>th</sup> Street North and North David Patrick Avenue

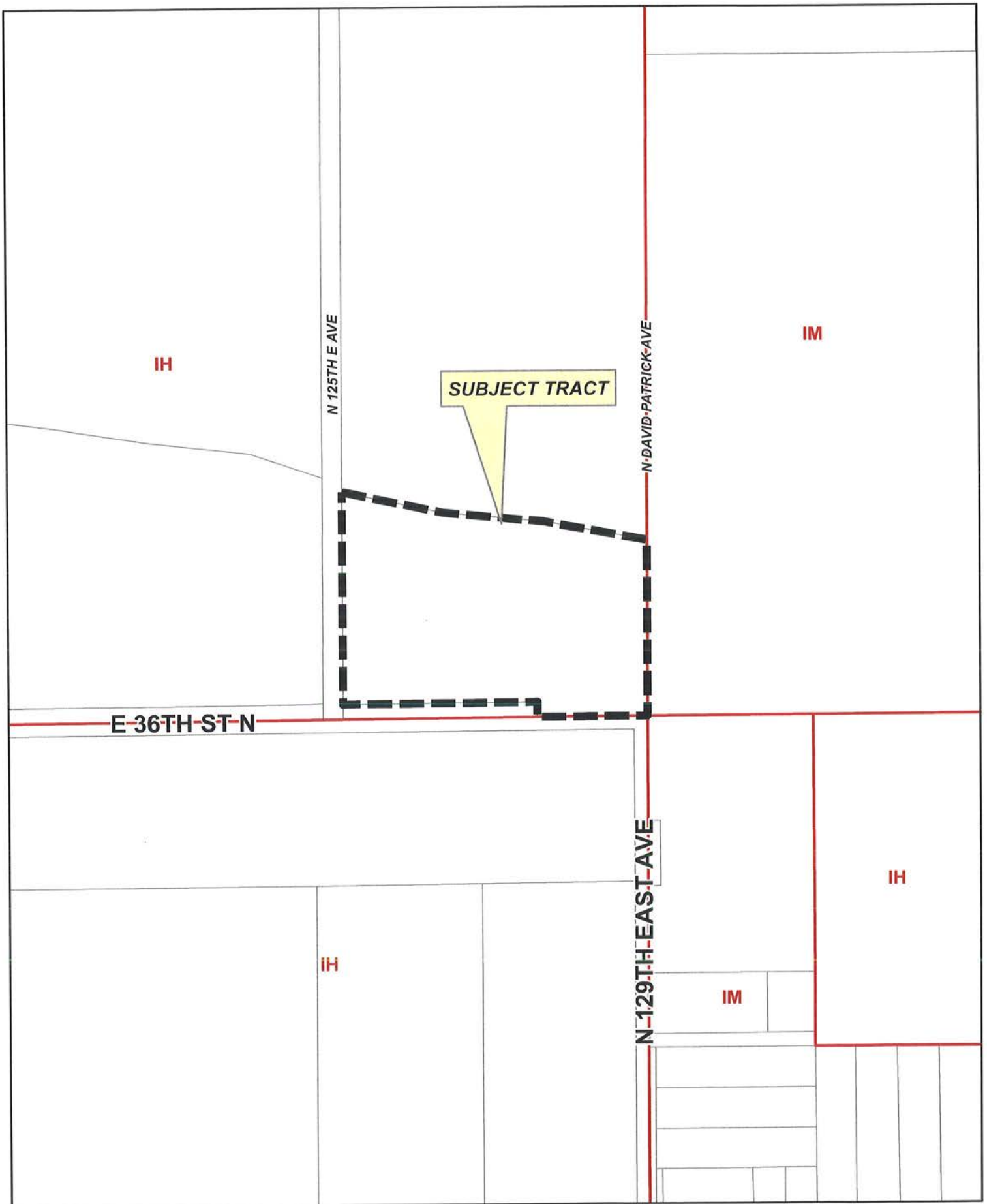
This plat consists of 1 lot, 1 block on 21.16 ± acres.

The Technical Advisory Committee (TAC) met on June 1, 2023 and provided the following conditions:

1. **Zoning:** The property is currently zoned IH. Proposed lot conforms to the requirements of the IH district.
2. **Addressing:** City of Tulsa addresses and street names must be assigned and affixed to the face of the final plat along with the address disclaimer. N. 129<sup>th</sup> East Avenue needs to be changed to David Patrick Avenue.
3. **Transportation & Traffic:** Sidewalks and appropriate ADA compliant ramps are required along all street frontages adjacent to the property and proposed street. Right-of-way permits will be required for driveways connecting to public streets. IDP approval is required prior to final plat approval. Label and dimension all street right-of-way adjacent to the site with either recording information or "dedicated by plat". Right-of-way dedications are required to comply with major street and highway plan. Provide limits of access/no access along public street frontages.
4. **Sewer/Water:** IDP approval for sewer and water main extension is required prior to final plat approval. Label and dimension all required or existing easements. Any required offsite easements are required to be recorded and recording information must be provided on the final plat. Provide perimeter utility easement as required by Development Services.
5. **Engineering Graphics:** Submit subdivision control data sheet with final plat. Remove contours from final plat submittal. Add engineer email and CA number with expiration date. Add missing platted properties to the location map and label all other land as unplatted. Under the basis of bearing heading include the vertical datum used.
6. **Stormwater, Drainage, & Floodplain:** IDP approval for storm sewer improvements is required prior to final plat approval. City of Tulsa Regulatory Floodplain must be plotted by elevation and contained within an overland drainage easement. Development in the floodplain must conform to Title 11-A Stormwater Management and Hazard Mitigation.
7. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and all other requirements of the Subdivision and Development Regulations. City of Tulsa release letter is required prior to final plat approval.

4.2



E 36TH ST N

N 125TH E AVE

SUBJECT TRACT

N DAVID PATRICK AVE

N 129TH E AVE

Feet

0 250 500

**Old Dominion Freight Line**

20-14 17

43







SUBJECT TRACT

N 125TH E AVE

N DAVID PATRICK AVE

E 36TH ST N

N 129TH EAST AVE



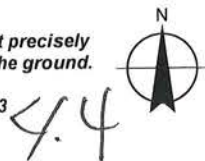
Subject  
Tract

**Old Dominion  
Freight Line**

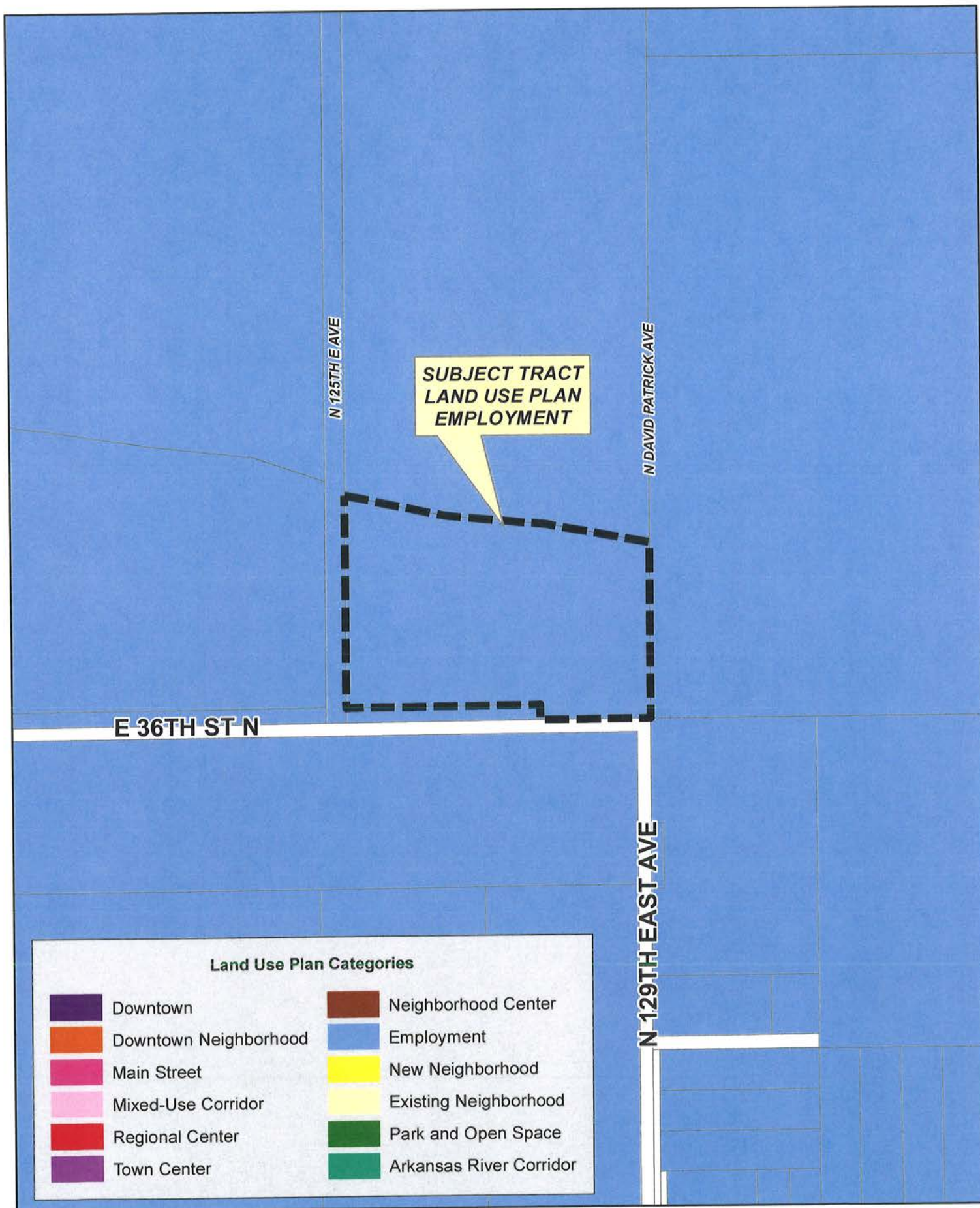
20-14 17

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

Aerial Photo Date: 2023





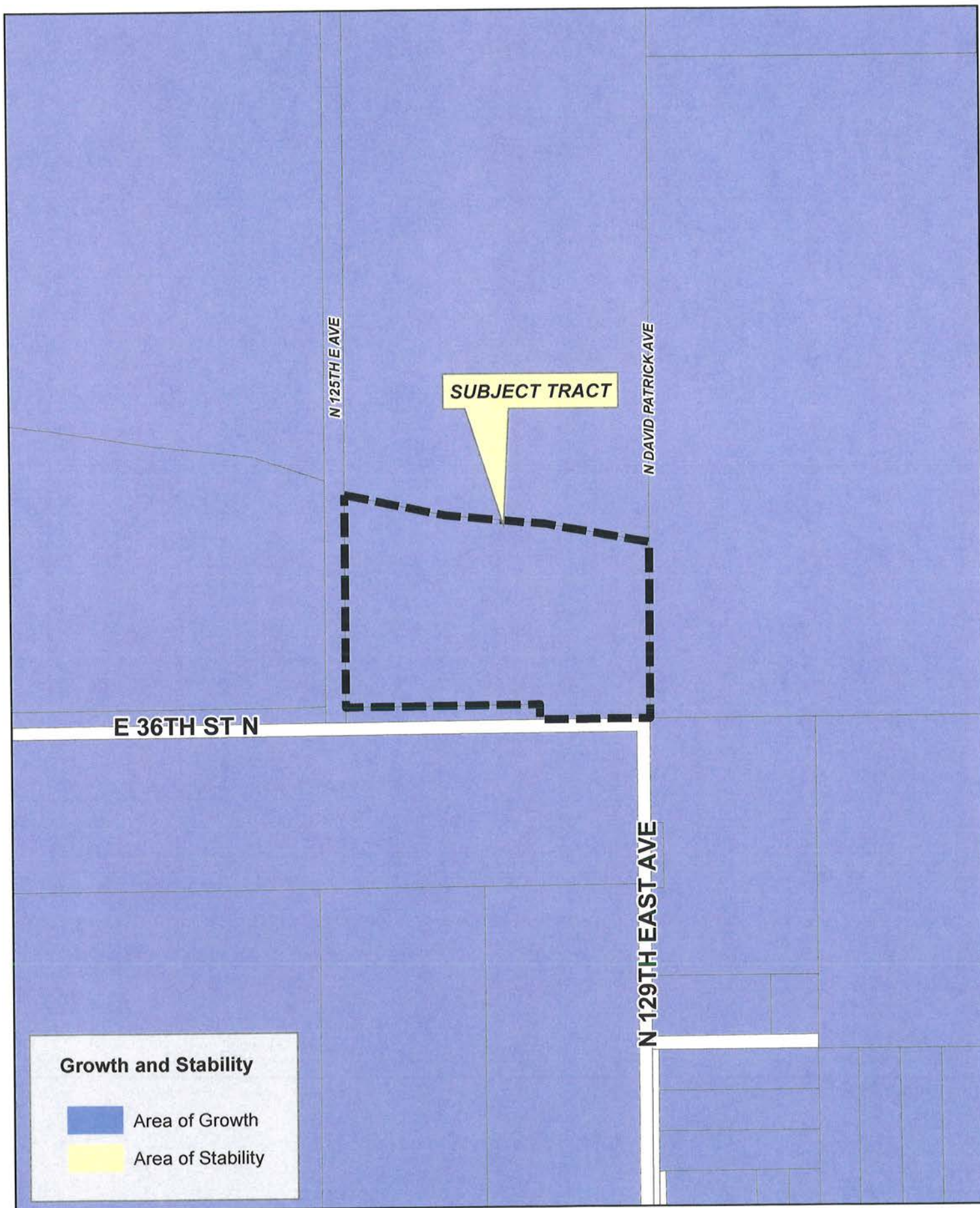


**Old Dominion Freight Line**

20-14 17

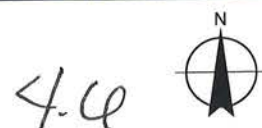
45





**Old Dominion Freight Line**

20-14 17





1. THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
2. ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
3. THE PROPERTY DESCRIBED HEREON WAS LAST VISITED IN THE FIELD ON NOVEMBER 9, 2022.

THE PROPERTY DESCRIBED HAS BEEN EXAMINED BY A MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, TULSA COUNTY, OKLAHOMA, MAPS NO. 401403025-4 EFFECTIVE 10/16/2012, WHICH SHOWS THE PROPERTY DESCRIBED HEREON WITHIN ZONE X DEFINED AS "AREAS TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN"

HORIZONTAL DATUM BASED ON NAD 83 OKLAHOMA STATE PLANE COORDINATE SYSTEM NORTH ZONE 3501 USING 501°05'10"E AS THE EAST LINE OF THE SE¼ OF SECTION 12, T-20-N, R-14-E OF THE INDIAN BASE AND MERIDIAN WAS USED AS THE BEARING FOR THIS SURVEY.

TOTAL ACREAGE:	23.36 ACRES (321,766.79 SQUARE FEET)
NUMBER OF BLOCKS:	1
NUMBER OF LGTS:	1

ALL CORNERS TO BE SET WITH A 1/2" IRON PIN WITH CAP STAMPED  
BENNETT CO. 45077 AT ALL CORNERS UNLESS OTHERWISE NOTED.

[illegible]

IPP	IRON PIN FOUND
IPS	IRON PIN SET
PGB	POINT OF BEGINNING
ROW	RIGHT-OF-WAY
SS/E	SANITARY SEWER EASEMENT
ST/E	STORM EASEMENT
SW/E	SIDEWALK EASEMENT
UT/E	UTILITY EASEMENT
WL/E	RESTRICTED WATERLINE EASEMENT

Demographic	Demographic	Demographic
Cholesterol: 75	Cholesterol: 75	Cholesterol: 75
LDL: 140.42	LDL: 140.42	LDL: 140.42
H: 44.95 (0.030)	H: 44.95 (0.030)	H: 44.95 (0.030)
S: 10.04 (0.030)	S: 10.04 (0.030)	S: 10.04 (0.030)

A TRACT OF LAND BEING A PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 17, TOWNSHIP 20 NORTH, RANGE 14 EAST, OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF

OWNER:  
OLD DOMINION FREIGHT LINE  
INVESTMENT COMPANY, LLC  
2921 Dawson Rd, Tulsa, OK 74110  
Phone: (918) 835-4222

ENGINEER:  
Cyntergy  
810 S Cincinnati Ave #200  
Tulsa, Oklahoma, 74119  
Phone: (918) 877-6000  
Certificate of Authorization No. CA3637  
EXPIRES 6/30/2013

SURVEYOR:  
Bennett Surveying, Inc.  
P.O. Box 848  
Chouteau, OK 74337  
Phone: (918) 935-0350  
OK CA AD. NO. 4502, EXPIRES 5/30/2024  
CONTACT: Wade Bennett  
wade@bennettsurveying.com

Unplatted

**Lot 1,  
Block 1**

## Unplatted

East 36th Street North

NORTH

R 14 E  
East 46th Street North

FINAL PLAT  
ENDORSEMENT OF APPROVAL

Tulsa Metropolitan Area Planning Commission

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

TSAPCINCOG

CITY ENGINEER  
Council of the City of Tulsa, Oklahoma

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

---

CHAR

MAYOR

ATTEST: CITY CLERK

CITY ATTORNEY.

The approval of the 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.

**CERTIFICATE**

I hereby certify that all real estate taxes involved in this plot have been paid as reflected by the current tax rolls. Security as required has been provided in the amount of \$\_\_\_\_\_ per trust record no. \_\_\_\_\_ to be applied to 20\_\_\_\_\_ taxes. This certificate in NDT to be construed as payment of 20\_\_\_\_\_ taxes in full but is given in order that this plot may be filed on record 20\_\_\_\_\_ taxes may exceed the amount of the security deposit.

Dated: \_\_\_\_\_  
DENNIS SEMLER  
Tulsa County Treasurer

By: \_\_\_\_\_  
Deputy

PLAT OF OLD DOMINION FREIGHT LINE

JOURNAL OF POST KEYNESIAN ECONOMICS 2008, 24(1), 1-12

# PRELIMINARY PLAT OLD DOMINION FREIGHT LINE

SOUTHEAST QUARTER OF SECTION SEVENTEEN (17), TOWNSHIP 20 NORTH, RANGE FOURTEEN  
EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA

## DEED OF DEDICATION AND DECLARATION OF RESTRICTIVE COVENANTS

### KNOW ALL MEN BY THESE PRESENTS

OLD DOMINION FREIGHT LINE, INC. HEREINAFTER REFERRED TO AS THE "OWNER/DEVELOPER", IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, TO-WIT:

A TRACT OF LAND BEING A PART OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE4 SE4) IN SECTION SEVENTEEN (17) OF TOWNSHIP TWENTY (20) NORTH AND RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN (S.B.M.), ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, TULSA COUNTY, STATE OF OKLAHOMA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SOUTHEAST CORNER OF THE SE4 SE4 OF SECTION 17; THENCE S89°32'19"W ALONG THE SOUTHWEST LINE OF THE SE4 SE4 A DISTANCE OF 437.32 FEET; THENCE N07°26'41"W FOR A DISTANCE OF 82.00 FEET; THENCE S89°32'19"W PARALLEL WITH THE SOUTHWEST LINE OF THE SE4 SE4 FOR A DISTANCE OF 175.19 FEET; THENCE N07°26'41"W PARALLEL WITH THE WEST LINE OF THE SE4 SE4 FOR A DISTANCE OF 488.87 FEET TO THE SOUTHWEST LINE OF A PRESENT SANITARY SEWER EASEMENT RECORDED IN DOC. NO. 20190881; THENCE S77°08'51"E ALONG THE SOUTHWEST LINE OF SAID EASEMENT FOR A DISTANCE OF 5.51 FEET; THENCE S79°12'57"E ALONG THE SOUTHWEST LINE OF SAID EASEMENT FOR A DISTANCE OF 40.79 FEET; THENCE S89°42'07"E ALONG THE SOUTHWEST LINE OF SAID EASEMENT FOR A DISTANCE OF 422.30 FEET; THENCE S89°42'07"E ALONG THE SOUTHWEST LINE OF SAID EASEMENT FOR A DISTANCE OF 422.30 FEET TO A POINT ON THE EAST LINE OF THE SE4 SE4; THENCE S01°39'12"E ALONG THE EAST LINE OF THE SE4 SE4 FOR A DISTANCE OF 12.85 FEET TO THE POINT OF BEGINNING, CONTAINING 821.768 SQUARE FEET OR 21.36 ACRES MORE OR LESS.

### SECTION I. STREETS, EASEMENTS AND UTILITIES

#### 1. PUBLIC STREETS AND UTILITY EASEMENTS

1.1. THE OWNER HEREBY DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "USE 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, MASTS, CONDUITS, PIPES, VALVES, METERS, MANHOLES AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THEREON, 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 PURPOSES OF FURNISHING WATER AND/OR SEWER SERVICES TO AREAS DEPICTED ON THE PLAT. THE OWNER HEREBY 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, ERRECTED, 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.

#### 2. RESTRICTED WATERLINE EASEMENTS

2.1. THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS ON, OVER AND ACROSS THOSE AREAS DEPICTED ON THE ACCOMPANYING PLAT AS "RESTRICTED WATERLINE EASEMENT" FOR THE PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING WATER LINES TOGETHER WITH ALL FITTINGS INCLUDING THE PIPES, VALVES, METERS AND EQUIPMENT AND OTHER APPURTENANCES THEREON TOGETHER WITH RIGHTS OF INGRESS AND EGRESS TO AND UPON THE EASEMENTS FOR THE USES AND PURPOSES STATED.

#### 3. STORMWATER DETENTION EASEMENTS

3.1. THE OWNER DOES HEREBY DEDICATE TO THE PUBLIC PERPETUAL EASEMENTS 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.

3.2. DETENTION, RETENTION AND OTHER DRAINAGE FACILITIES LOCATED WITHIN THE STORMWATER DETENTION EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS APPROVED BY THE CITY OF TULSA, OKLAHOMA.

3.3. NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION MAY BE PLACED OR MAINTAINED IN STORMWATER DETENTION EASEMENTS OR BUILDINGS THEREIN BE ANY ALTERATION OF GRADE IN SAID EASEMENTS UNLESS APPROVED BY THE CITY OF TULSA, OKLAHOMA.

3.4. 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:

- 3.4.1. GRASS AREAS SHALL BE MOWED IN SEASON AT REGULAR INTERVALS OF FOUR WEEKS, OR LESS.
- 3.4.2. CONCRETE APPURTENANCES SHALL BE MAINTAINED IN GOOD CONDITION AND REPLACES IF DAMAGED.
- 3.4.3. THE DETENTION EASEMENT SHALL BE KEPT FREE OF DEBRIS.
- 3.4.4. CLEANING OF SILTATION AND VEGETATION FROM CONCRETE CHANNELS SHALL BE PERFORMED TWICE YEARLY.

3.5. LANDSCAPING, APPROVED BY THE CITY OF TULSA, OKLAHOMA, SHALL BE ALLOWED WITHIN THE DETENTION EASEMENTS.

3.6. 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 AND DETENTION 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 COMPLIANCE WITH THE NOTICE 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 IN THE SUBDIVISION. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY THE CITY OF TULSA, OKLAHOMA.

#### 4. UTILITY SERVICES

4.1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE PERMETER EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD LINE OR UNDERGROUND CABLE, AND UNDERGROUND 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 REESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN GENERAL UTILITY EASEMENTS.

4.2. 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 USE 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 25 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.

4.3. 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 THE 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.

4.4. THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNERS 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 OWNERS AGENTS OR CONTRACTORS.

4.5. 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.

#### 5. WATER, SANITARY SEWER AND STORM SEWER SERVICES

5.1. 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 OWNERS LOT.

5.2. WITHIN UTILITY EASEMENTS, RESTRICTED WATERLINE, SANITARY SEWER, STORM SEWER AND DRAINAGE 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, OKLAHOMA, MAY INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, OR STORM SEWERS SHALL BE PROHIBITED.

5.3. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER SYSTEMS, SANITARY SEWER MAINS, AND STORM SEWERS, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR THE LOT OWNERS AGENTS AND/OR CONTRACTORS.

5.4. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS, RESTRICTED WATERLINE, SANITARY SEWER, STORM SEWER AND DRAINAGE EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION, FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.

5.5. 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.

#### 6. GAS SERVICE

6.1. THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR AS OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSES OF INSTALLING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

6.2. 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 OWNERS AGENTS OR CONTRACTORS.

6.3. 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.

#### 7. LIMITS OF NO ACCESS

7.1. THE UNDERSIGNED OWNER/DEVELOPER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO NORTH 10TH EAST AVENUE, EAST 36TH AVENUE NORTH AND DAVID PATRICK BOULEVARD WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" (L.N.A.) ON THE ACCOMPANYING PLAT, WHICH "LIMITS OF NO ACCESS" MAY BE AMENDED OR RELEASED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, AND WITH THE AGREEMENT OF THE CITY OF TULSA, OKLAHOMA, OR AS OTHERWISE PROVIDED BY THE STATUTES AND LAWS OF THE STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ABOVE ESTABLISHED SHALL BE ENFORCEABLE BY THE CITY OF TULSA.

### CERTIFICATE OF OWNERSHIP

IN WITNESS WHEREOF, OLD DOMINION FREIGHT LINE, INC. BEING THE OWNER OF THE SUBDIVISION, HEREBY APPROVES THE FOREGOING DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS ON THIS

\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

BY

CECIL OVERBEY, SENIOR VICE PRESIDENT

STATE OF TEXAS }

COUNTY OF \_\_\_\_\_

BEFORE ME, THE UNDERSIGNED, NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023 PERSONALLY APPEARED TO ME CECIL OVERBEY, SENIOR VICE PRESIDENT OF OLD DOMINION FREIGHT LINE, INC. KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THEIR NAME AS THE MAKER OF THE FOREGOING INSTRUMENT, AS ITS OWNER AND ACKNOWLEDGED TO ME THAT EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SUCH COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL OF OFFICE THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC

### CERTIFICATE OF SURVEY

I, CLIFF BENNETT, A REGISTERED LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT SAID PLAT DESIGNATED HEREIN AS THE FINAL PLAT OF "OLD DOMINION FREIGHT LINE", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY.

WITNESS MY HAND AND SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023.

CLIFF BENNETT  
REGISTERED PROFESSIONAL LAND SURVEYOR  
OKLAHOMA NO. 1815

STATE OF OKLAHOMA }

COUNTY OF \_\_\_\_\_

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2023, PERSONALLY APPEARED CLIFF BENNETT TO ME KNOWN TO BE THE IDENTICAL PERSON WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT.

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

MY COMMISSION EXPIRES \_\_\_\_\_

NOTARY PUBLIC

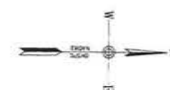
OLD DOMINION FREIGHT LINE  
PRELIMINARY PLAT - \_\_\_\_\_, 2023  
Sheet 2 of 2

4/8





ALL SIDEWALKS, RAMPS AND ACCESS ALONG STREET FRONTS OF PROJECT SHALL BE ADA COMPLIANT. FOR PROJECT COMPLYING WITH ADA, SIDEWALKS, CURB RAMPS AND CROSSWALKS SHALL BE EVALUATED FOR ADA COMPLIANCE AND SHALL BE RESPONSIBILITY OF OWNER TO REPAIR AND MAINTAIN. OWNER SHALL ASSESS AND VERIFY ALL SIDEWALKS, CURB RAMPS AND CROSSWALKS ABUTTING PROPERTY TO BE COMPLIANT WITH ADA REQUIREMENTS. OWNER/CONTRACTOR SHALL BE RESPONSIBLE TO BRING NON-ADA COMPLIANT SIDEWALKS, CURB RAMPS, AND CROSSWALKS TO BE ADA COMPLIANT AND REPAIR/MAINTAIN AS NECESSARY PRIOR TO BUILDING PERMIT FINAL INSPECTION/CERTIFICATE OF OCCUPANCY.



TRAFFIC CONTROL SHALL CONFORM TO THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD). CURRENT EDITION. IT IS THE CONTRACTOR'S RESPONSIBILITY TO ENSURE PROPER TRAFFIC CONTROL IS IN PLACE FOR EACH PHASE OF CONSTRUCTION. THE CONTRACTOR IS ALSO RESPONSIBLE FOR PROPERLY MAINTAINING TRAFFIC CONTROL DEVICES THROUGHOUT THE DURATION OF THE WORK. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING TRAFFIC CONTROL PLANS TO THE CITY AND DEPARTMENT OF TRANSPORTATION AS REQUIRED.

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE REPLACEMENT OF ALL EXISTING TRAFFIC SIGNS AND MARKINGS REMOVED OR DAMAGED AS PART OF THIS PROJECT. ALL SIGNS AND POLES PROVIDED SHALL BE NEW AND UNDAMAGED AND SHALL MEET THE REQUIREMENTS OF COT SPECIFICATION 608 TRAFFIC SIGNS. ALL TRAFFIC MATERIAL REMOVED SHALL BE HANDLED PER COT SPECIFICATIONS #625 REMOVAL OF TRAFFIC ITEMS.

ALL RIGHT-OF-WAY  
AND EASEMENTS TO  
BE DEDICATED BY  
THE PLAT UNLESS  
NOTED OTHERWISE.

MICHAEL LING, PE, CFM                      DATE: \_\_\_\_\_  
INFRASTRUCTURE DEVELOPMENT MANAGER  
CITY OF TULSA



IDP #129497-2022  
ATLAS NO. 220, 260  
CITY OF TULSA, OK

DRAWN BY	William C. Hoag, Jr. P.E.
CHECKED BY	Kyle M. Hoag, P.E.
DATE	May 25, 2023
PROJECT #	21-040
SCALE	1" = 30'
SHEET TITLE	
Sidewalk & Driveway Plans - Overall	
SHEET NUMBER	

PV01

Topographic map of a site in SW04. The map shows North 125th East Ave at the top, E 30th St N on the left, and N David Patrick Ave at the bottom. A building footprint is labeled "(N) BUILDING 1-24375 SF FIVE-652.50". The map includes contour lines and a rectangular area highlighted with a thick black border. The map is oriented with North at the top.



OLD DOMINION FREIGHT LINE  
TULSA



**NOTE:**  
ALL RIGHT-OF-WAY  
AND EASEMENTS TO  
BE DEDICATED BY  
THE PLAT UNLESS  
NOTED OTHERWISE.

APPROVED  
FOR IDP PERMIT ONLY

AE. LING, PE, CFM DATE  
STRUCTURE DEVELOPMENT MANAGER  
OF TULSA

DRAWN BY	William C. May, Jr., P.E.
CHECKED BY	Kyle M. Hogg, P.E.
DATE	May 20, 2025
PROJECT #	25-042
SCALE	1" = 80'
SHEET TITLE	Stormwater - Overall
SHEET NUMBER	SW03

SW03

# **WATER NOTES:**

1. TESTING, CHLORINATING AND FLUSHING NOTES PERFORMED IN ACCORDANCE WITH GENERAL SPECIFICATIONS, SECTION 109.3.
2. TESTING AND CHLORINATION TO BE PERFORMED BY CITY OF TULSA.
3. NO WATER SERVICE CONNECTIONS WILL BE ALLOWED UNDER DP SCOPE OF WORK.
4. METERS 3-INCH AND LARGER REQUIRE A VAULT.
5. DOMESTIC METERS SHALL BE COMPOUND METERS.
6. IRRIGATION METERS SHALL BE TURBINE METERS.
7. FIRE CONNECTIONS SHALL BE PROTECTIVE FIRE FLOW 3/4" METER W/ PRIVATE DOUBLE DETECTOR CHECK ASSEMBLY.

WATER OPERATIONS SHALL OPERATE ALL VALVES ON TRANSMISSION MAINS (16" AND LARGER) CONTRACTOR SHALL OPERATE ALL VALVES ON DISTRIBUTION MAINS (SMALLER THAN 16") WITH THE COORDINATION OF FIELD ENGINEERING AND WATER OPERATIONS AND IN THE PRESENCE OF A FIELD ENGINEERING INSPECTOR.

A. ATTEMPTS WILL BE MADE WITH ASSISTANCE FROM THE CONTRACTOR TO NOTIFY ALL AFFECTED CUSTOMERS 48-HOURS IN ADVANCE, PARTICULARLY IF COMMERCIAL OR INDUSTRIAL CUSTOMERS ARE INVOLVED. PRIOR TO SHUT-DOWN, FIELD ENGINEERING WILL NOTIFY WATER OPERATIONS, AT 918-598-8488, GIVING AN ESTIMATED CONTINUING WATER OPERATIONS WILL NOTIFY THE FIRE DEPARTMENT OF ALL FIRE HYDRANTS OUT OF SERVICE AND WHEN THEY ARE BACK IN SERVICE, BY STREET ADDRESS OR INTERSECTION.

B. WHERE COMMERCIAL, INDUSTRIAL, OR CRITICAL CUSTOMERS ARE AFFECTED, AND FOR ALL LINES 16-INCH AND LARGER A 5-DAY FIELD ENGINEERING WILL "REQUEST" WATER OPERATIONS TO SHUT DOWN THE MAIN. THERE WILL BE A MINIMUM OF 48-HOUR NOTICE TO WATER OPERATIONS.

## **PRIVATE FIRE LINE:**

A FIRE LINE IS A PRIVATE PIPE SYSTEM CONNECTED DIRECTLY TO THE CITY WATER SYSTEM. ALL MAINTENANCE OF THE PRIVATE FIRE LINE IS THE RESPONSIBILITY OF THE PROPERTY OWNER AND BEGINS FROM THE BUILDING STRUCTURE UP TO THE PUBLIC RIGHT-OF-WAY, UTILITY EASEMENT OR WATER EASEMENT. A FIRE LINE, BY THE NATURE OF ITS FUNCTION AND USE, IS SUSCEPTIBLE TO BACKFLOW; CONSEQUENTLY, IT IS SUBJECT TO THE REQUIREMENTS FOR BACKFLOW PREVENTION.

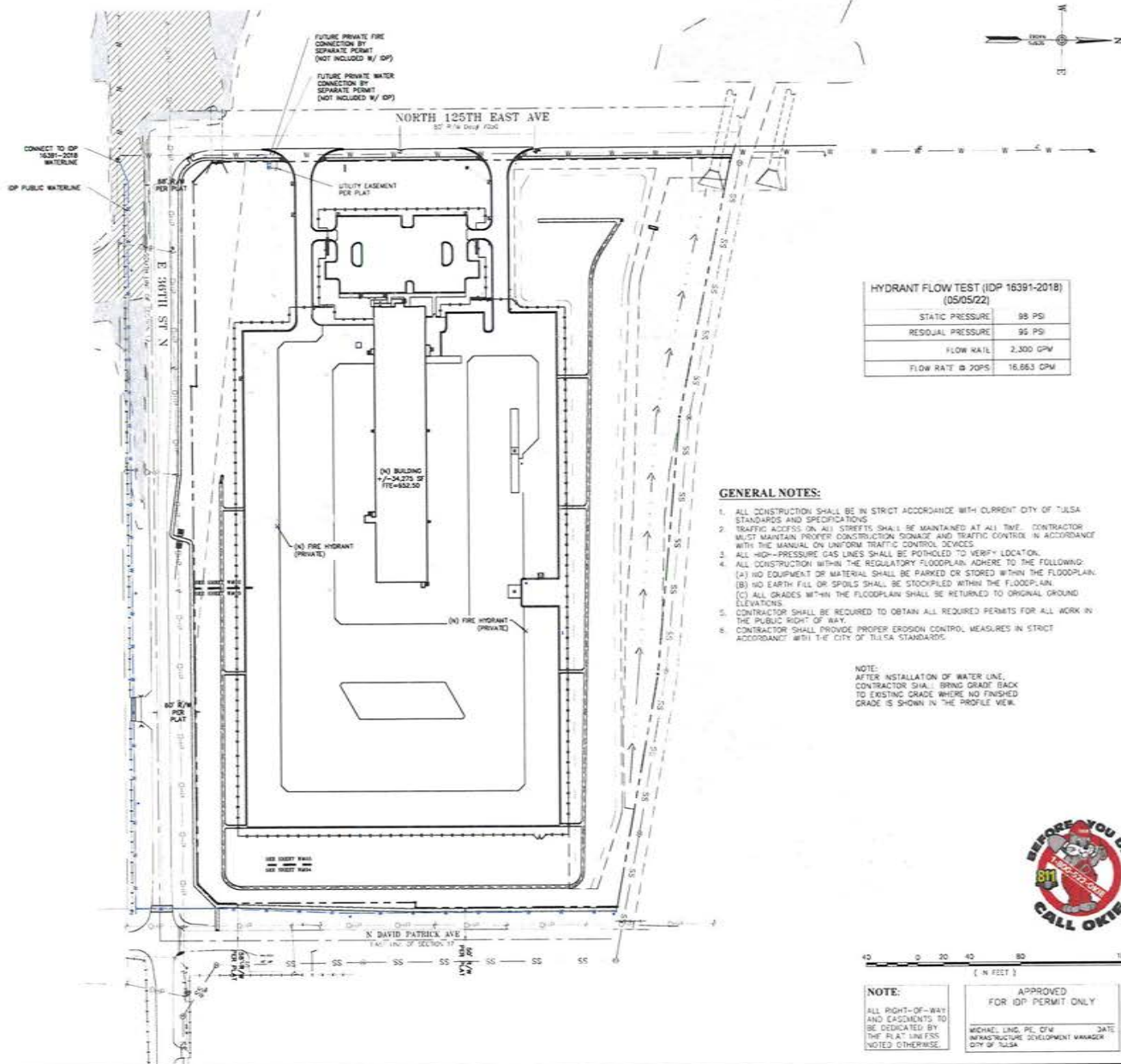
A FIRE LINE SHALL BE UTILIZED FOR FIRE PROTECTION ONLY AND SHALL SERVE ONLY A SINGLE PROPERTY. TYPICALLY, A FIRE LINE IS A CONNECTION FOR ON-SITE PRIVATE HYDRANTS OR AN INTERIOR FIRE SPRINKLER SYSTEM FOR A BUILDING. PERMITTING REVIEW AND APPROVAL, INTEREST IS LIMITED ONLY TO THAT PORTION TO BE CONSTRUCTED IN THE ROW OR WATER EASEMENT.

**TABLE OF QUANTITIES**

ITEM NO.	WATERLINE REPLACEMENT BASE BID UNIT	TOTAL QUANTITY
1	12" DIP LI	1,197
2	10" DIP LT	750
3	12" 22.5' BEND EA	2
4	10" 45' BEND EA	4
5	12"x12"x6" TEE EA	4
6	10"x10"x6" TEE EA	2
7	12"x12"x10" TEE EA	1
8	6" GATE VALVE FA	6
9	10" GATE VALVE EA	3
10	12" GATE VALVE EA	3
11	VALVE BOX & EXTENSION EA	12
12	3-WAY FIRE HYDRANT EA	6
13	10" PLUG EA	1
14	12" PLUG EA	1
15	HEAVY DUTY ASPHALT CONCRETE CY	24
16	TYPE "A" AGGREGATE BASE CY	16
17	CO# STD 322 LOCATOR BALL EA	27
18	CO# STD 311 SAMPLING TAPS EA	3

**PRIVATE FIRE LINE QUANTITIES**

ITEM UNIT	TOTAL QUANTITY
10" C900 LT	1,530
6" C900 LT	260
PRIVATE FIRE HYDRANT EA	2
10"x10"x6" TEE EA	2



HYDRANT FLOW TEST (IDP 16391-2018) (05/05/22)	
STATIC PRESSURE	98 PSI
RESIDUAL PRESSURE	95 PSI
FLOW RATE	2,300 GPM
FLOW RATE @ 20PS	16,663 GPM

## **GENERAL NOTES:**

1. ALL CONSTRUCTION SHALL BE IN STRICT ACCORDANCE WITH CURRENT CITY OF TULSA STANDARDS AND SPECIFICATIONS.
2. TRAFFIC ACCESS ON ALL STREETS SHALL BE MAINTAINED AT ALL TIME. CONTRACTOR MUST MAINTAIN PROPER CONSTRUCTION SIGNALS AND TRAFFIC CONTROL IN ACCORDANCE WITH THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES.
3. ALL HIGH-PRESSURE GAS LINES SHALL BE POTHOLED TO VERIFY LOCATION.
4. ALL CONSTRUCTION WITHIN THE REGULATORY FLOODPLAIN, ADHERE TO THE FOLLOWING:
  - (A) NO EQUIPMENT OR MATERIAL SHALL BE PARKED OR STORED WITHIN THE FLOODPLAIN.
  - (B) NO EARTH FILL OR SPOILS SHALL BE STOCKPILED WITHIN THE FLOODPLAIN.
  - (C) ALL GRADES WITHIN THE FLOODPLAIN SHALL BE RETURNED TO ORIGINAL GROUND ELEVATIONS.
5. CONTRACTOR SHALL BE REQUIRED TO OBTAIN ALL REQUIRED PERMITS FOR ALL WORK IN THE PUBLIC RIGHT-OF-WAY.
6. CONTRACTOR SHALL PROVIDE PROPER EROSION CONTROL MEASURES IN STRICT ACCORDANCE WITH THE CITY OF TULSA STANDARDS.

NOTE:  
AFTER INSTALLATION OF WATER LINE, CONTRACTOR SHALL BRING GRADE BACK TO EXISTING GRADE WHERE NO FINISHED GRADE IS SHOWN IN THE PROFILE VIEW.



## **NOTE:**

ALL RIGHT-OF-WAY AND EASEMENTS TO BE DEDICATED BY THE PLAT UNLESS NOTED OTHERWISE.

## **APPROVED FOR IDP PERMIT ONLY**

MICHAEL LIND, P.E., CEM  
INFRASTRUCTURE DEVELOPMENT MANAGER  
CITY OF TULSA



OLD DOMINION FREIGHT LINE  
TULSA

IDP #128497-2022  
ATLAS NO. 226, 228  
CITY OF TULSA, OK

DRAWN BY: William C. Hays, Jr., P.E.  
CHECKED BY: Kyle M. Hays, P.E.  
DATE: May 25, 2023  
PROJECT #: 21-049  
SCALE: 1" = 40'  
SHEET TITLE: Water Main - Overall  
SHEET NUMBER:

**WM01**

4-12



**Case Number:** Z-7719 (Related to SA-6)

**Hearing Date:** June 21, 2023

**Case Report Prepared by:**

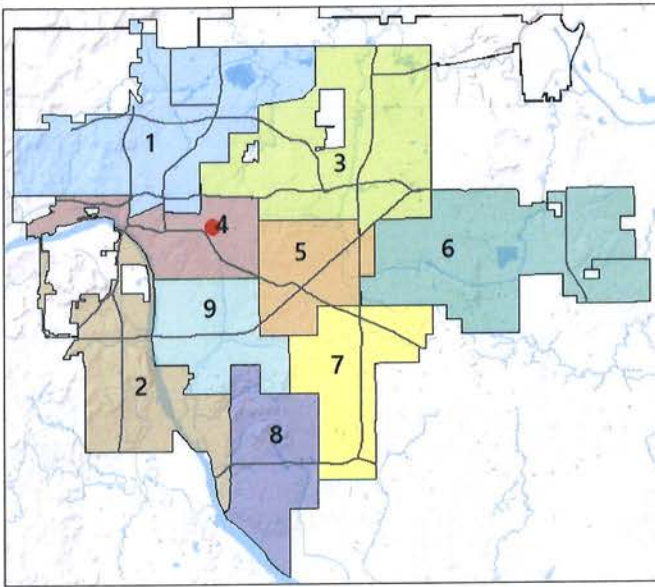
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Tulsa City Council

*Property Owner:* Multiple property owners

**Location Map:**  
**(shown with City Council districts)**



**Applicant Proposal:**

*Present Use:* Single-Family Residential

*Proposed Use:* Single-Family Residential

*Concept summary:* Rezone existing neighborhood areas from RS-3 to RS-4 to align zoning regulations with existing lot pattern

*Location:* Multiple properties located within the Renaissance Neighborhood as shown on the attached maps

**Zoning:**

*Existing Zoning:* RS-3

*Proposed Zoning:* RS-4 with Neighborhood Character Overlay (SA-6)

**Comprehensive Plan:**

*Land Use Map:* Multiple designations

*Stability and Growth Map:* Multiple designations

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 9308  
CZM: 37

**City Council District: 4**

*Councilor Name:* Laura Bellis

**County Commission District: 2**

*Commissioner Name:* Karen Keith

## SECTION I: Z-7719

### DEVELOPMENT CONCEPT:

#### EXHIBITS:

- INCOG Case map
- INCOG Aerial
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map

#### **DETAILED STAFF RECOMMENDATION:**

Z-7719 proposes a rezoning of properties located within the Renaissance Neighborhood from their existing RS-3 zoning designation to an RS-4 designation. As staff began assessing the neighborhood conditions for consideration of the Neighborhood Character Overlay (SA-6), it was determined that most of the lots in the neighborhood were non-conforming to the current RS-3 zoning district as it relates to the requirements of minimum lot width and in some cases lot area.

The RS-3 zoning district was applied to the neighborhood as a zoning of best fit in 1970. At the time, RS-3 was the highest density single-family residential district; however, many neighborhoods that were platted prior to 1970 did not comply with lot and building regulations that were stipulated in RS-3. In 2016 the City of Tulsa updated their zoning ordinance to include higher density single-family residential districts including RS-4 and RS-5.

A change from RS-3 to RS-4 would reduce the minimum lot width required for single-family residential lots from 60 feet down to 50 feet which is the predominant lot width within the Renaissance Neighborhood. There are no changes to use allowances between RS-3 and RS-4 with the intent of each district being single-family residential development.

Z-7719 is related to SA-6 which seeks to adopt a Neighborhood Character Overlay for the Renaissance Neighborhood and apply additional regulations to the development of new single-family homes, duplexes, and accessory buildings located within the proposed boundary.

**Staff recommends approval of Z-7719.**

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary:* The proposed boundary for Z-7719 primarily includes lots included within the *Existing Neighborhood* designation. There are a few lots on the edge of the neighborhood that are zoned for single-family residential but are included within the *Mixed-Use Corridor* designation as anticipated areas of growth. A single property owned by the City of Tulsa and operated as Gary Park is included within the *Park and Open Space* land use designation. The change from RS-3 to RS-4 for included properties would be consistent with the land use designations and the existing zoning on the properties.

### Land Use Vision:

*Land Use Plan map designation:* Existing Neighborhood, Mixed-Use Corridor, Park and Open Space

The *Existing Neighborhood* category is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation,

improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.

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

The *Parks and Open Space* building block designates Tulsa's park and open space assets. These are areas to be protected and promoted through the targeted investments, public-private partnerships, and policy changes identified in the Parks, Trails, and Open Space chapter. Zoning and other enforcement mechanisms will assure that recommendations are implemented. No park and/or open space exists alone; they should be understood as forming a network, connected by green infrastructure, a transportation system, and a trail system. Parks and open space should be connected with nearby institutions, such as schools and hospitals, if possible.

*Areas of Stability and Growth designation:* Area of Stability, Area of Growth

*Areas of Stability* include approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

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.

### **Transportation Vision:**

*Major Street and Highway Plan:* The neighborhood under application is served with standard residential streets with 50 feet of right-of-way dedicated under the original subdivision plats for the neighborhood. The area is bound by East 11<sup>th</sup> Street to the north, South Lewis Avenue to the west, South Harvard Avenue to the east, and East 15<sup>th</sup> Street to the South which serve as the arterial streets providing service to the neighborhood.

*Trail System Master Plan Considerations:* South Delaware Avenue and East 13<sup>th</sup> Street South are both proposed to include bike lanes per the adopted GO Plan.



**Small Area Plan:** None

**Special District Considerations:** None

**Historic Preservation Overlay:** None

**DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** The properties under application are part of the existing Renaissance Neighborhood. The neighborhood is served with a well-connected public street system consisting of 50 foot wide right-of-way which is typical for residential streets in the City of Tulsa.

**Environmental Considerations:** Neighbors have stated concerns with historic flooding in the neighborhood. Any lots seeking new development permits will be required to comply with the stormwater criteria of the City of Tulsa to ensure stormwater runoff is managed appropriately and does not negatively impact existing homes in the neighborhood.

**Streets:**

The neighborhood under application is served with standard residential streets with 50 feet of right-of-way dedicated under the original subdivision plats for the neighborhood. The area is bound by East 11<sup>th</sup> Street to the north, South Lewis Avenue to the west, South Harvard Avenue to the east, and East 15<sup>th</sup> Street to the South which serve as the arterial streets providing service to the neighborhood.

**Utilities:**

The subject tract is an existing residential neighborhood that is fully developed and served with public water and sewer.

**SECTION III: Relevant Zoning History**

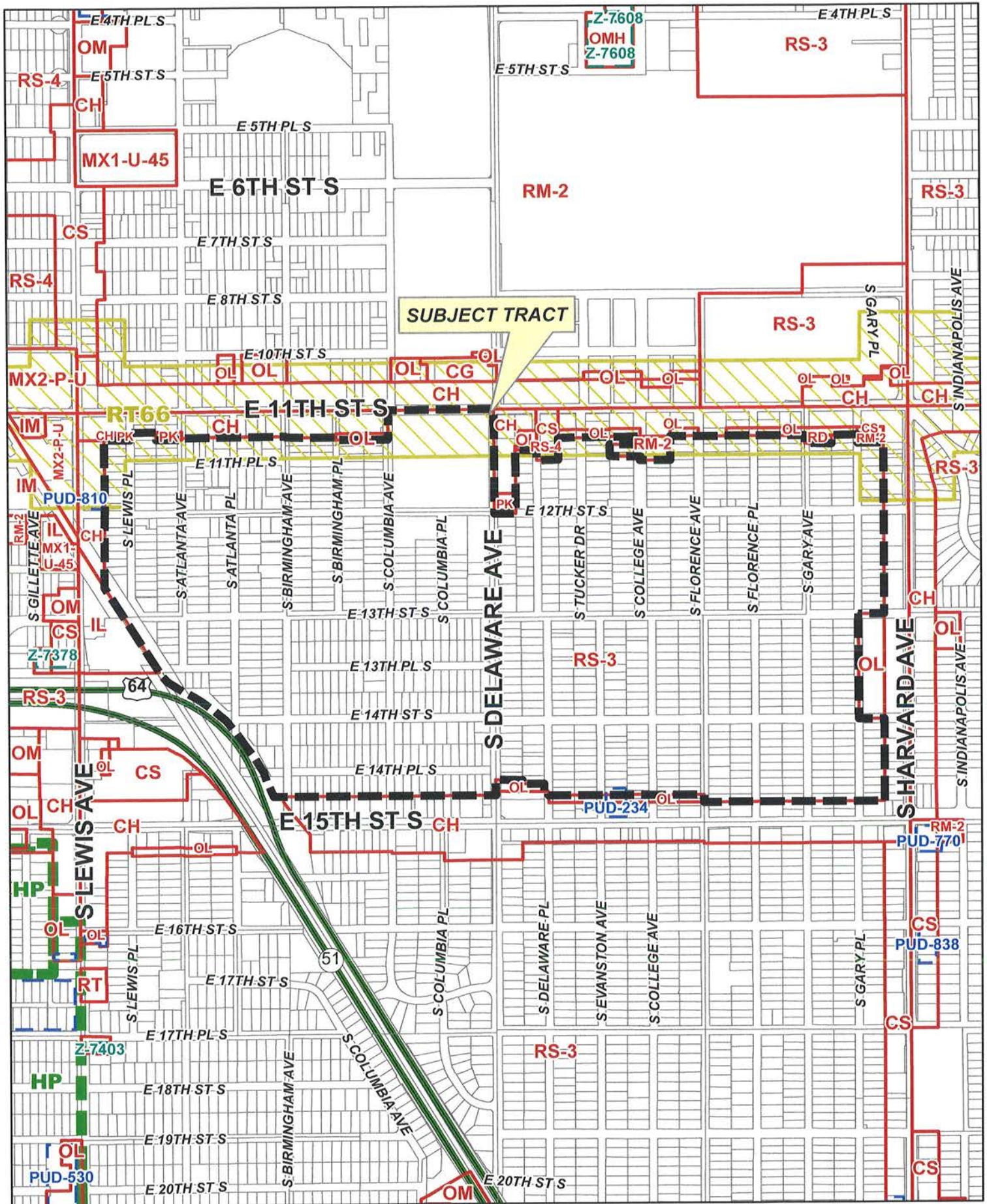
**ZONING ORDINANCE:** Ordinance number 11815 dated June 26, 1970, established RS-3 zoning for the subject properties under this application.

6/7/2023

1:00

PM

54



**Z-7719**

19-13 08

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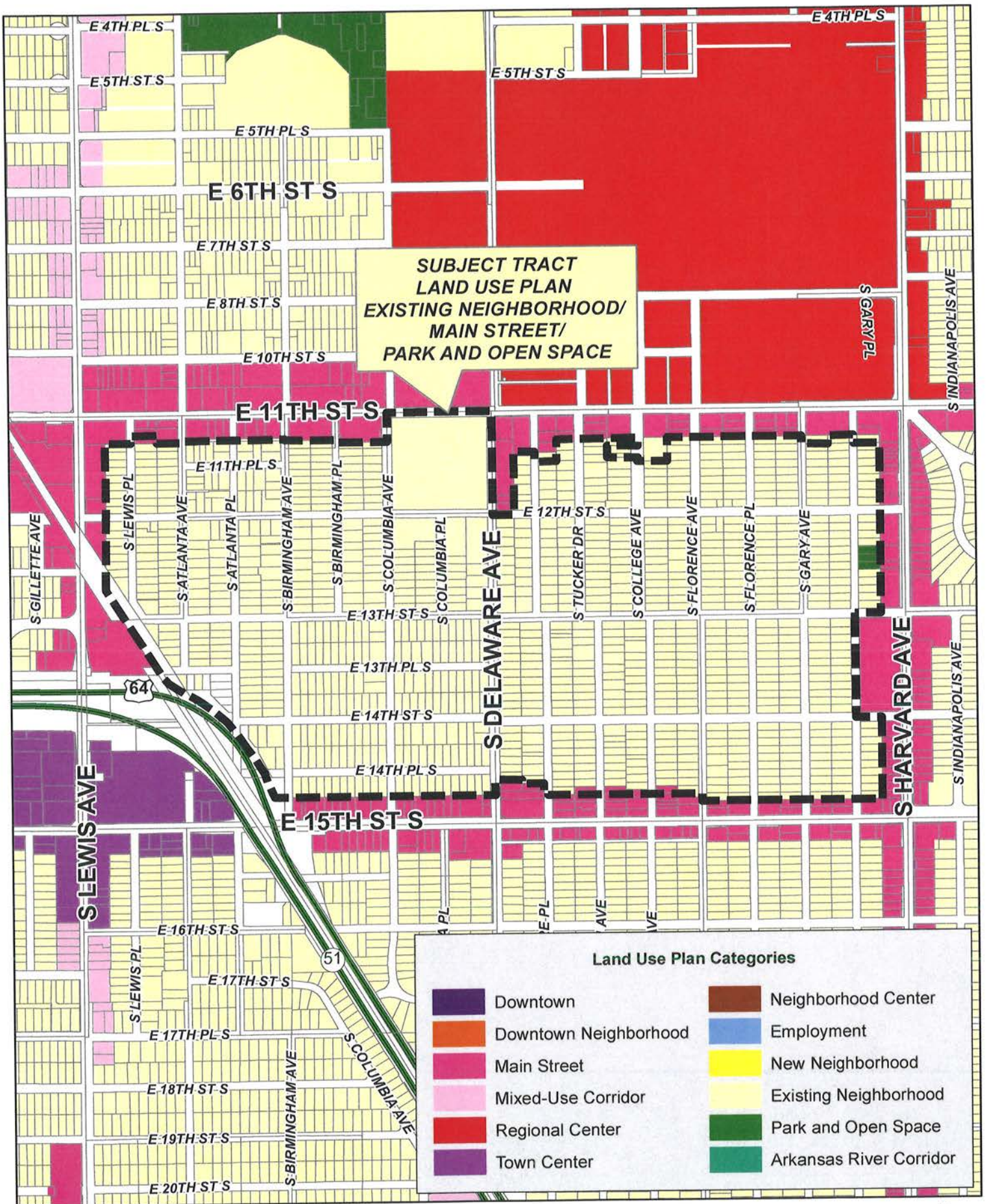
**Z-7719**

19-13 08

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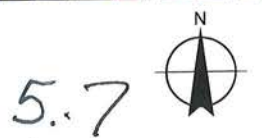




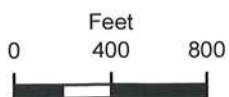
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**Z-7719**

19-13 08

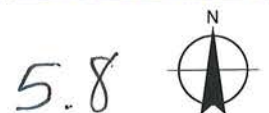






**Z-7719**

19-13 08



## Foster, Nathan

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**From:** Mark Ogan <crdtczar@hotmail.com>  
**Sent:** Tuesday, May 23, 2023 4:40 PM  
**To:** esibmit@imcog.org; Foster, Nathan; Clark, Casey  
**Subject:** ZCA-18

My understand of the zoning overlay when I spoke with Mr Foster last fall did not have any indication of a zoning change. My most recent understanding is that it will rezone my neighborhood and I am opposed to that.

The short notice of an upcoming meeting, which I will be unable to attend as I am away for a holiday, feels quite suspicious to me. And until I have a complete understanding of this change I am opposed to ANY change in the zoning or overlay.

Sincerely,

Mark Ogan  
Treasurer, Renaissance Neighborhood Association

Sent from my Galaxy

FILE COPY



**Foster, Nathan**

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**From:** Connor Cooper <connormcooper@gmail.com>  
**Sent:** Tuesday, May 23, 2023 6:56 PM  
**To:** Foster, Nathan  
**Cc:** esubmit  
**Subject:** ZCA-18

Hello Nathan,

I would like to state my disinterest in the character zoning for Renaissance neighborhood. I feel that this zoning would hold us back from normal improvement that should happen in an old neighborhood. If we are not seeking a historical status (which shouldn't be sought) then we should not be making zoning and planning stricter. If someone would like to tear down the junkier houses in the neighborhood and make them into nice modern homes, I am all for it and do not care how tall their house is or how wide their driveways are. Infact, it would raise my property value which I would love. People have talked about not wanting our area to become the next "Brookside", which makes no sense. If you look anywhere in Tulsa, the highest property values are in the Brookside area. Our part of town is making huge improvements and is becoming a place where people WANT to live, let's not slow that momentum down. I would love to have a diverse neighborhood that has old and new homes in it.

FILE COPY

**Sawyer, Kim**

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**From:** Heather Scott <hlscottplano@yahoo.com>  
**Sent:** Tuesday, May 30, 2023 9:43 AM  
**To:** esubmit  
**Subject:** Case Nos. Z-7719 and SA-6

I would ask that the Planning Commission recommend approval of the amendments to the zoning map as outlined in the referenced case numbers.

On another note, I have an extremely helpful conversation with Nathan Foster this am. He was very informative and very pleasant.

Heather Scott, Manager  
Scott Real Estate of Tulsa, LLC  
Owner of: 1136 South Gary Avenue, Tulsa, Oklahoma 74104  
405-474-0274

FILE COPY

**Sawyer, Kim**

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**From:** Donna Bingham <donna.bingham@cox.net>  
**Sent:** Tuesday, May 30, 2023 5:44 PM  
**To:** esubmit  
**Subject:** Case numbers Z-7719 and SA-6

My name is Donna Bingham, and my address is 2639 E. 13th Pl. I attended the first neighborhood meeting where this overlay was introduced, but I couldn't make it to the meeting this evening.

I totally support the Incog overlay plan for my neighborhood. My brother lives in Brookside and I've seen firsthand what has happened to the neighborhood as McMansions have sprung up one after the other on tiny lots, towering over the original cottages in the neighborhood. Most of them take up the entire lot with structure, leaving very little green space. I do not want to see this happen here in Renaissance, so I want to express my support for the work Incog has done to try to preserve the neighborhood character.

Sincerely,  
Donna Bingham

FILE COPY



**Foster, Nathan**

---

**From:** Nathan Vann <nathanvann89@gmail.com>  
**Sent:** Tuesday, May 30, 2023 6:53 PM  
**To:** esubmit  
**Subject:** SA-6 / z-7719 special overlay for Renaissance

I'm in support of the proposal. 1409 s Evanston ave

*FILE COPY*

**Sawyer, Kim**

---

**From:** Tod Harrison <tobigrady1@gmail.com>  
**Sent:** Tuesday, May 30, 2023 7:05 PM  
**To:** esubmit  
**Subject:** SA-6 & Z-7719

Thank you for the invite to the meeting at the Campbell Hotel. My wife and I purchased a home in this area recently. It is a neighborhood like we have dreamed of living in for a very long time. The simple fact that you are addressing and attempting to protect the historical integrity of this beautiful neighborhood is enough for me to be grateful for, but the fact that we will be moving into this neighborhood make me enormously grateful and very easy to express my support of these changes. Thank you very much.

Sincerely,

Tod Harrison, who is not letting his iPhone send this

FILE COPY

**Sawyer, Kim**

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**From:** Angela S <angela.sheckarski@gmail.com>  
**Sent:** Tuesday, May 30, 2023 7:54 PM  
**To:** esubmit  
**Subject:** Case Numbers Z-7719 and SA-6

Thank you to Nathan Foster for speaking to the Renaissance neighborhood today.

I am in support of the proposal, especially the garage and driveway limits and the new ADU guidelines. Generally, I am in favor of changes like these that increase walkability in my neighborhood and reduce car-centric infrastructure.

I have lived in the Renaissance for seven years, and my husband and I plan to make this our forever home. Our address is 2644 E 14th Pl. I also own a rental property at 1421 S College Ave.

Thank you again,  
Angela Sheckarski

FILE COPY



**Sawyer, Kim**

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**From:** Stella Austin <odyssey1309@att.net>  
**Sent:** Thursday, June 1, 2023 5:14 PM  
**To:** esubmit  
**Subject:** SA-6, Z-7719

This is to inform you that we at 1309 S Atlanta Ave are in full support of the neighborhood overlay project as outlined in the meeting on Tuesday, May 30th.  
Please count on our continued support in the worthy endeavor.

Thank you.

Stella Austin and Mark LeMieux  
Renaissance homeowners since 1985

FILE COPY

**Sawyer, Kim**

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**From:** Sarah Scimeca <sarah.scimeca@gmail.com>  
**Sent:** Thursday, June 1, 2023 6:06 PM  
**To:** esubmit  
**Subject:** SA-6 + Z-7719

Good evening,

This email is to note that the Scimeca residence at 2724 E 13th Place is in support of both the rezoning and the character overlay proposed for the Renaissance neighborhood.

We attended Nathan Foster's recent neighborhood presentation and were greatly appreciative of his willingness to field concerns and questions. We will continue to follow and support this process as it moves forward.

Many thanks,  
Sally Scimeca  
2724 E 13th Pl  
Tulsa, OK 74104

FILE COPY

**Sawyer, Kim**

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**From:** P. Casey Morgan <p.casey.morgan@gmail.com>  
**Sent:** Friday, June 2, 2023 11:35 AM  
**To:** esubmit  
**Subject:** Z-7719 and SA-6

We are writing in support of Z-7719 and SA-6, the Neighborhood Character Overlay and the zoning change from RS-3 to RS-4 for the Renaissance Neighborhood in Tulsa - 11th to 15th Street, Lewis to Harvard.

We are homeowners in the neighborhood and support these zoning changes

Harold L. Morgan, Jr  
Patricia Casey Morgan  
2716 East 14th Place,  
Tulsa, OK 74104

FILE COPY



**Sawyer, Kim**

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**From:** ted massad <tmassad@yahoo.com>  
**Sent:** Friday, June 2, 2023 12:00 PM  
**To:** esubmit  
**Subject:** Re: Case number Z-7719 and SA-6

Teodor and Meagan Massad  
1424 s Birmingham ave tula ok 74104

I am a resident of the Renaissance Neighborhood who also owned 3 more commercial lots on 15th st. I am in support of the proposed measures

FILE COPY

**Foster, Nathan**

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**From:** Tamra Moore <tuscantamra@gmail.com>  
**Sent:** Friday, June 02, 2023 5:25 PM  
**To:** esubmit  
**Subject:** Case numbers Z-7719 and SA-6

Hello. I am a resident in the Renaissance neighborhood and support the proposed Neighborhood Character Overlay zoning, or the zoning change from RS -3 to RS - 4  
Thank you,

Tamra Moore

Order Clean Crafted Wine & Coffee - Delivered to your door!

FILE COPY

**Sawyer, Kim**

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**From:** Foster, Nathan  
**Sent:** Tuesday, June 6, 2023 9:04 AM  
**To:** Scott; esubmit  
**Subject:** RE: SA-6, Z-7719

Hi Scott,

Thank you for your letter. We will ensure your comments are included with the materials we provide to TMAPC prior to June 21st.

I'm sorry to hear that some of the Board members feel this overlay did not accomplish the intended objectives. I had not heard that before, but I certainly don't doubt that some things didn't go as far as the original request.

At this time, the text of the overlay has already been adopted into the zoning code. The proposal in front of us today is to change the zoning map to apply those adopted standards. Without an additional amendment to the text of the zoning code, these are the standards that would apply. If this effort is not successful it is possible that we go back to the adopted standards and see if there are amendments that would make it more palatable to the neighborhood.

For Z-7719/SA-6 I assume you will be in opposition due to the concerns you have with the standards as written.

Thanks again for your input and the additional information you provided.

**Nathan Foster**  
Senior Planner

**Tulsa Planning Office**  
918.579.9481  
nfoster@incog.org



FILE COPY

-----Original Message-----

**From:** Scott <fscottf@juno.com>  
**Sent:** Monday, June 05, 2023 4:41 PM  
**To:** esubmit <esubmit@incog.org>  
**Subject:** SA-6, Z-7719

Nathan Foster

Nathan,



Thank you for attending our Renaissance Neighborhood meeting last week to inform us of the upcoming zoning and overlay issues with our neighborhood. I was the one who was quite vocal about the garage apartments and street flooding. This is my second letter to you, as I never received a response from the last one I sent .

I have lived in this neighborhood since 1981. I am a registered architect, dealing mostly with home renovations, additions and restorations. Sadly, I have no examples of my work in this neighborhood ( besides my own home ) because the moderate homeowners here cannot afford a legitimate architect. I was able to convert my small 1000 sf house into a 4 br, 3 bath 2200sf, 2 story residence, with a detached garage, all within the old building code for RS3. (Yes, it was all permitted). Up until the latest code revamp, second floor garages were not allowed without a variance. Your notice about the Overlay states that garage apartments were common when Renaissance was first established. Was that 1920s or 1980s? I decided to do a block by block survey to debunk that notion. My findings were as follows:

There are over 55 blocks in our association, each with an average of 24 homes. ( I am ignoring church, school and small pie shaped lots ). That makes about 1300 lots. I counted only 29 second story garages in this area. Some were only obviously storage and unrentable. All except one ( on an original double lot) appeared to be added at a later date, likely without permit. This computes to about one second story garage for every 2 blocks, so, as I stated in the meeting, they are not that common. When this area was developed, these moderate homes would not have had any live- in help, as was common in more affluent neighborhoods. Most garages were poorly built sheds that are now disintegrating, if not totally gone. Some have been replaced.

My objections to the overlay, as now worded, are as follows:

1. Allowing a second story dwelling unit without a variance, as was previously required.  
( if my adjoining neighbor wants to build a structure that will affect my privacy, sunlight in my yard, I want to be able to object and come to an agreement )
2. Allowing such dwelling units without any requirement for on site parking.  
( such units will only add to the already unsightly and a bit dangerous street parking we already have )
3. Reducing the required open area, and not really defining what it means  
( besides making the lots more dense, it adds to the water runoff. We already have localized street flooding, and a storm sewer system that is nearing 100 years old ) I can find no reference to permeable surfaces within the code. I lived here through the Memorial Day Flood, and 10 homes across the street from me are now gone, replaced with a flood retention area. If INCOG isn't responsible for stormwater mitigation during the permit process, who is, and what are their regulations ?

I actually support the idea of an overlay. I just think it needs some tweaking. I have visited with some of the board who developed the plan. They said most of their ideas were abandoned by INCOG, and we got some things we didn't ask for. It appears to me the proposed overlay is mostly already in the code, under overlay districts, and not very specific to our needs. I always support infill of abandoned lots. ( my home was such a lot in 1949). Guidelines for infill can be tricky with no HOA and protective covenants. But, I do not appreciate INCOG trying to fulfill housing shortages at my expense. Our lots are extra small, utilities and streets are aging. Why compound the issue? I don't, as a homeowner, feel it is my duty to provide affordable housing for someone wanting to live in a nicer neighborhood. A neighborhood full of rentals soon loses value.

Thank You

F. Scott Ferguson, Architect  
1319 S Atlanta Place  
Tulsa, Oklahoma 74104

**Sawyer, Kim**

---

**From:** JG ROHR <jgrohr@sbcglobal.net>  
**Sent:** Tuesday, June 13, 2023 9:05 AM  
**To:** esubmit  
**Subject:** Case Numbers Z-7719 and SA-6

We want to thank Nathan Foster for his presentation to the Renaissance Neighborhood on May 30, 2023, and appreciate the work that has gone into the Overlay Proposal. However, as it stands, we are against the proposal. As one longtime resident asked during the meeting regarding the proposal and inherit garage apartments, "Where are they?" We have lived in eastern half of Renaissance for 38 years and are aware of only 6 in this half of the neighborhood. A special exemption is currently required for the addition of oversized accessory dwelling units which gives a homeowner an opportunity to voice concerns to what is built and present vital facts such as run-off and drainage issues and for parking issues. This half of Renaissance is located directly south of the University of Tulsa and has "No Parking" signs on one side of the streets.

On-site parking should be required for any additional dwellings (garage apartment). If someone wants to build a garage apartment for potential extra income it should not be at the neighbor's detriment. They should provide on-site parking for their own renter(s). Added cars parked in the street inhibit emergency vehicles, weekly trash pick-up, and quarterly street sweepers.

The overlay proposal focuses on one factor, the non-conforming 50-foot width of current lots, and thereby proposes the RS-4 designation. However, according to the Tulsa County interactive map, [Tulsa County Assessor - Home](#), the majority of the lots in Renaissance are 140 feet deep, making a 7000 square foot lot. This is greater than the minimum 6,900 sq. ft. lot area requirement for the current RS-3 designation.

We would hope that TMAPC supports the best interests of homeowners who actually live in the neighborhood over those of investors.

Thank you,

Joseph & Virginia Rohr  
1228 S. Florence Avenue

**FILE COPY**



Tulsa Metropolitan Area  
Planning Commission

**Case Number:** SA-6 (Related to Z-7719)

**Hearing Date:** June 21, 2023

**Case Report Prepared by:**

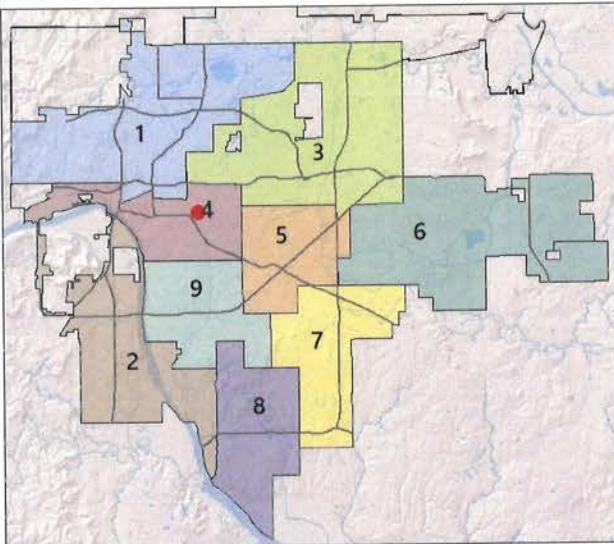
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Tulsa City Council

*Property Owner:* Multiple owners

**Location Map:**  
**(shown with City Council districts)**



**Proposal:**

Apply Neighborhood Character Overlay (NCO) Zoning

*Location:* Multiple properties located within the Renaissance Neighborhood, as shown on the attached maps.

**Zoning:**

*Current & Proposed Zoning:*

*Within the proposed boundaries:*

- RS-3 properties would be rezoned to RS-4 under Z-7719
- RD and RM-2 properties would remain as RD and RM-2
- All properties would receive the Neighborhood Character Overlay designation

**Comprehensive Plan:**

*Land Use Map:* Multiple designations

*Stability and Growth Map:* Multiple designations

**Staff Recommendation:**

Approval of proposed Neighborhood Character Overlay (NCO) map amendments as shown in Attachment I;

**City Council Districts: 4**

*Councilor Names:* Laura Bellis

**County Commission District: 2**

*Commissioner Names:* Karen Keith





Prepared by Nathan Foster, [nfoster@incog.org](mailto:nfoster@incog.org), 918-579-9481

## Item

Public hearing to provide a recommendation to the City Council regarding amending the zoning map to supplementally rezone various properties to Neighborhood Character Overlay (NCO), a Special Overlay Area.

## SECTION I:

### NCO Purpose and Intent

The Neighborhood Character Overlay (NCO) district establishes zoning regulations that are intended to promote compatibility of infill housing in established neighborhoods.

### Applicability

The regulations of the Neighborhood Character Overlay (NCO) district apply to newly permitted detached houses, duplexes, and accessory buildings and any building alterations and site modifications for detached houses, duplexes, or accessory buildings that require a building permit within the adopted boundaries of the district.

### Background

In 2019, the Board of the Renaissance Neighborhood Association worked with then-City Councilor Kara Joy McKee to request the initiation of a zoning overlay for the neighborhood to preserve the existing built character of the neighborhood. In conversations that have followed, Renaissance neighbors expressed concern about existing homes being razed and replaced with overly large, wide, suburban-style homes with prominent driveways and garages, as has already happened in several other neighborhoods.

The text of the overlay was adopted, and now it is time to apply those regulations to the properties in the neighborhood. The Neighborhood Character Overlay helps preserve the way the neighborhood looks by:

- **Limiting the height of new detached houses and duplexes to 30 feet, down from the citywide limit of 35 feet.** Early discussions had lower limits, but many of the existing homes in the area would not have even met those height limits.
- **Limiting the width of new buildings to 40 feet.** This discourages the practice of combining multiple lots to build new homes that do not fit the existing development and are out of scale with the rest of the neighborhood.
- **Limiting driveway widths to 18 feet within the street right-of-way and within the street setback.** The maximum width is applied to cumulatively to all driveway entrances and exits. For example, each portion of a circle drive that meets the street may only be 9 feet wide, for a total of 18 feet.
- **Requiring garage doors to be set back further from the street.** Street-facing garage doors must be set back at least 36 feet from the right-of-way and may not be





located closer to the street than the front façade of the main residential building. On corner lots, the side street setback along a non-arterial street may be reduced to 20 feet.

- **Regulating the size of Accessory Buildings and permitted Accessory Dwelling Units (ADUs) by right**

- Accessory buildings are limited to 25 feet in height and a maximum of two stories.
- Accessory Dwelling Units (aka granny flats, backyard cottages, garage apartments) are allowed by right, as was common when Renaissance was first established.
- The total floor area of all accessory buildings may not exceed 750 square feet or 40% of the floor area of the main residential structure, whichever is greater.
- The maximum allowable coverage of the rear setback by accessory buildings is 50%

### **Timeline and Public Engagement**

**Summer 2019** – Renaissance Neighborhood Association approached the Tulsa Planning Office and the City Council to discuss possibilities for a future overlay.

**October 2019** – City Council initiates a process for the Tulsa Planning Office to develop concepts that could be considered within a neighborhood overlay.

**Spring 2020** – COVID 19 Pandemic delays efforts

**Spring 2022** – Concepts presented to City Council with discussion about next steps

**June 2022** – City Council initiates the process to develop and adopt a Neighborhood Character Overlay for the Renaissance Neighborhood Association with related rezoning items

**July 2022** – Notices sent to 900+ property owners within the proposed overlay boundary to describe proposal and advertise public meetings to be held in August 2022.

**August 2022** – Overlay draft (ZCA-18) was presented to the Renaissance Neighborhood for discussions on two separate occasions: August 15 – In-Person meeting at Campbell Hotel; and August 19 – Virtual meeting on Zoom

**October 5, 2022** – TMAPC recommends approval of the overlay text amendment (ZCA-18)

**November 2, 2022** – City Council approves overlay text amendment (ZCA-18) to incorporate the Neighborhood Character Overlay into the Tulsa Zoning Code.



**January 3, 2023** – Neighborhood Character Overlay becomes effective in the Tulsa Zoning Code

**May 18, 2023** – 1200+ notices were sent to property owners within the proposed boundary and within 300 feet of the proposed boundary to describe proposal and advertise public meeting held on May 30, 2023 and public hearing date of June 21, 2023.

**May 30, 2023** – Public meeting held at the Campbell Hotel to present the overlay proposal and respond to neighborhood questions and feedback.

## **SECTION II:**

### **Staff Analysis**

The proposed overlay boundary is consistent with the purpose and intent of the adopted Neighborhood Character Overlay. The associated rezoning request (Z-7719) will align the underlying zoning with the existing lot pattern and remove existing non-conformities.

### **Staff Recommends Approval of:**

Proposed Neighborhood Character Overlay (NCO) map amendment as shown in Attachment I;

### **Attachment(s)**

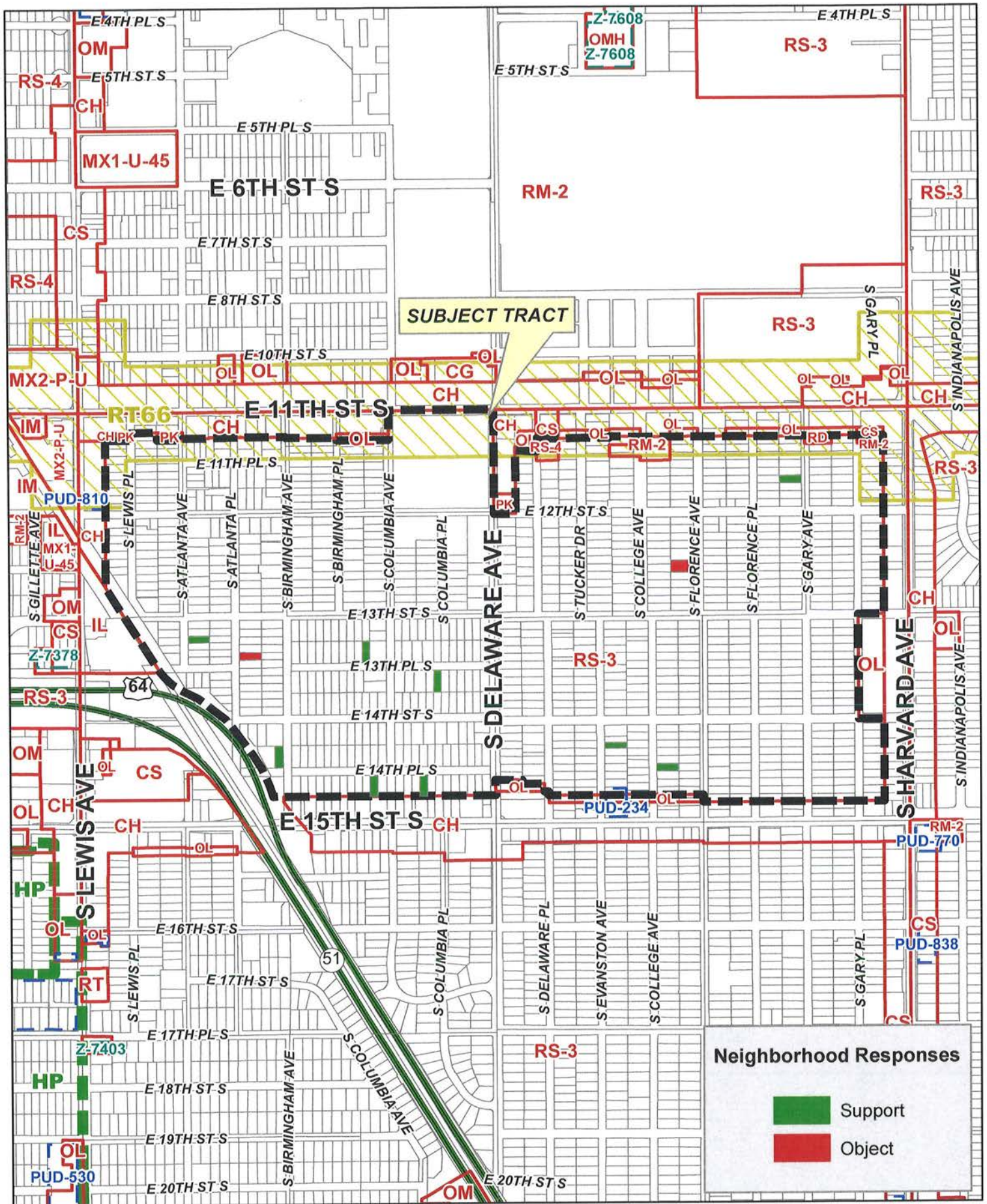
Attachment I: Neighborhood Character Overlay map  
Attachment II: Property owner input map  
Attachment II: Zoning Map  
Attachment IV: Aerial Map  
Attachment V: Land Use Map  
Attachment VI: Stability and Growth Map

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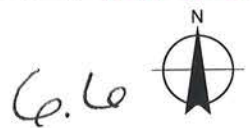






SA-6

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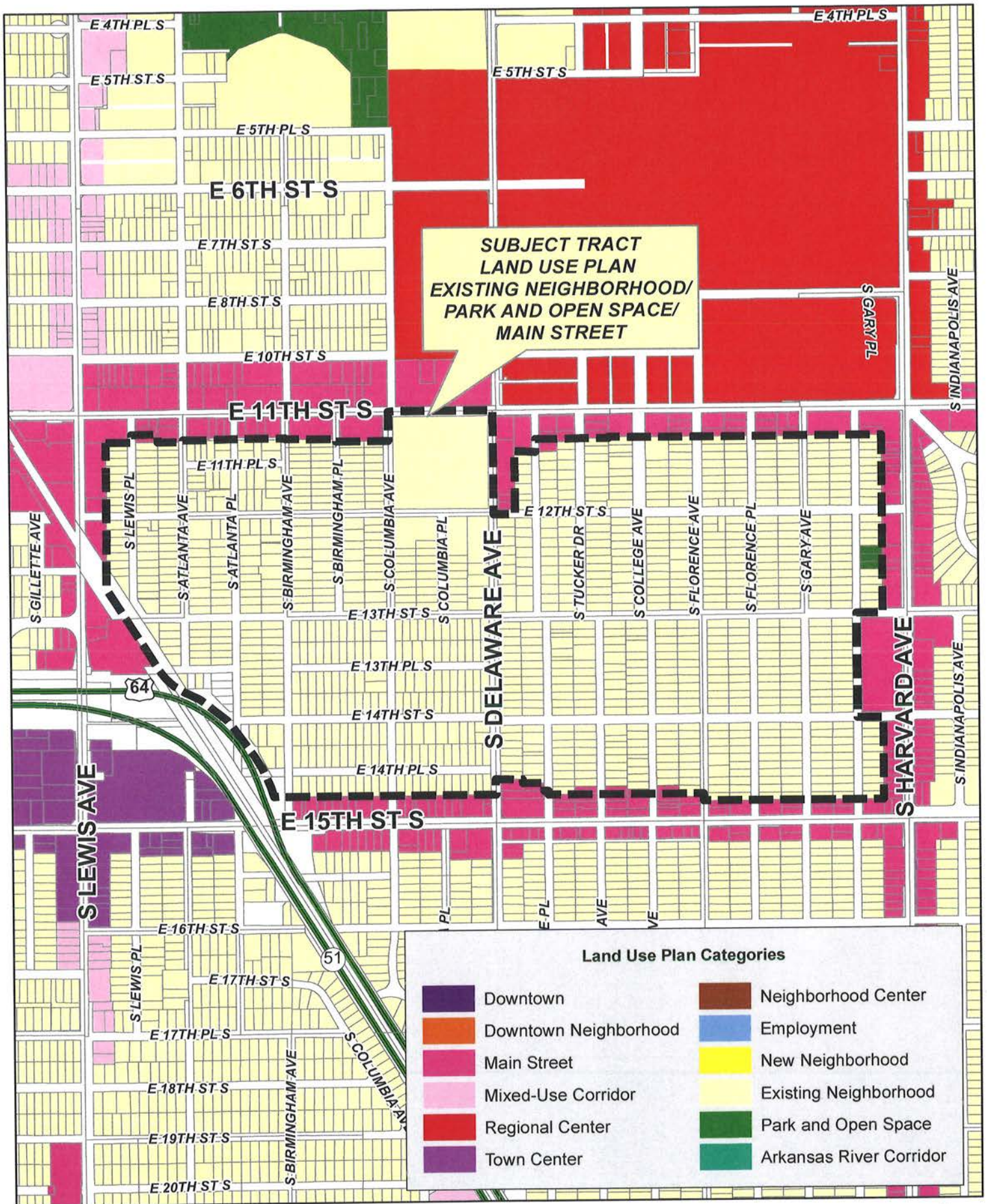
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SA-6

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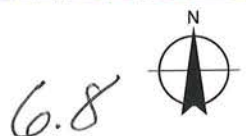




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**SA-6**

19-13 08







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SA-6  
19-13 08



## Foster, Nathan

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**From:** Mark Ogan <crdtczar@hotmail.com>  
**Sent:** Tuesday, May 23, 2023 4:40 PM  
**To:** esibmit@imcog.org; Foster, Nathan; Clark, Casey  
**Subject:** ZCA-18

My understand of the zoning overlay when I spoke with Mr Foster last fall did not have any indication of a zoning change. My most recent understanding is that it will rezone my neighborhood and I am opposed to that.

The short notice of an upcoming meeting, which I will be unable to attend as I am away for a holiday, feels quite suspicious to me. And until I have a complete understanding of this change I am opposed to ANY change in the zoning or overlay.

Sincerely,

Mark Ogan  
Treasurer, Renaissance Neighborhood Association

Sent from my Galaxy

FILE COPY



## Foster, Nathan

---

**From:** Connor Cooper <connormcooper@gmail.com>  
**Sent:** Tuesday, May 23, 2023 6:56 PM  
**To:** Foster, Nathan  
**Cc:** esubmit  
**Subject:** ZCA-18

Hello Nathan,

I would like to state my disinterest in the character zoning for Renaissance neighborhood. I feel that this zoning would hold us back from normal improvement that should happen in an old neighborhood. If we are not seeking a historical status (which shouldn't be sought) then we should not be making zoning and planning stricter. If someone would like to tear down the junkier houses in the neighborhood and make them into nice modern homes, I am all for it and do not care how tall their house is or how wide their driveways are. Infact, it would raise my property value which I would love. People have talked about not wanting our area to become the next "Brookside", which makes no sense. If you look anywhere in Tulsa, the highest property values are in the Brookside area. Our part of town is making huge improvements and is becoming a place where people WANT to live, let's not slow that momentum down. I would love to have a diverse neighborhood that has old and new homes in it.

FILE COPY

**Sawyer, Kim**

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**From:** Heather Scott <hlscottplano@yahoo.com>  
**Sent:** Tuesday, May 30, 2023 9:43 AM  
**To:** esubmit  
**Subject:** Case Nos. Z-7719 and SA-6

I would ask that the Planning Commission recommend approval of the amendments to the zoning map as outlined in the referenced case numbers.

On another note, I have an extremely helpful conversation with Nathan Foster this am. He was very informative and very pleasant.

Heather Scott, Manager  
Scott Real Estate of Tulsa, LLC  
Owner of: 1136 South Gary Avenue, Tulsa, Oklahoma 74104  
405-474-0274

FILE COPY



**Sawyer, Kim**

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**From:** Donna Bingham <donna.bingham@cox.net>  
**Sent:** Tuesday, May 30, 2023 5:44 PM  
**To:** esubmit  
**Subject:** Case numbers Z-7719 and SA-6

My name is Donna Bingham, and my address is 2639 E. 13th Pl. I attended the first neighborhood meeting where this overlay was introduced, but I couldn't make it to the meeting this evening.

I totally support the Incog overlay plan for my neighborhood. My brother lives in Brookside and I've seen firsthand what has happened to the neighborhood as McMansions have sprung up one after the other on tiny lots, towering over the original cottages in the neighborhood. Most of them take up the entire lot with structure, leaving very little green space. I do not want to see this happen here in Renaissance, so I want to express my support for the work Incog has done to try to preserve the neighborhood character.

Sincerely,  
Donna Bingham

FILE COPY

**Foster, Nathan**

---

**From:** Nathan Vann <nathanvann89@gmail.com>  
**Sent:** Tuesday, May 30, 2023 6:53 PM  
**To:** esubmit  
**Subject:** SA-6 / z-7719 special overlay for Renaissance

I'm in support of the proposal. 1409 s Evanston ave

**FILE COPY**



**Sawyer, Kim**

---

**From:** Tod Harrison <tobigrady1@gmail.com>  
**Sent:** Tuesday, May 30, 2023 7:05 PM  
**To:** esubmit  
**Subject:** SA-6 & Z-7719

Thank you for the invite to the meeting at the Campbell Hotel. My wife and I purchased a home in this area recently. It is a neighborhood like we have dreamed of living in for a very long time. The simple fact that you are addressing and attempting to protect the historical integrity of this beautiful neighborhood is enough for me to be grateful for, but the fact that we will be moving into this neighborhood make me enormously grateful and very easy to express my support of these changes. Thank you very much.

Sincerely,

Tod Harrison, who is not letting his iPhone send this

FILE COPY

**Sawyer, Kim**

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**From:** Angela S <angela.sheckarski@gmail.com>  
**Sent:** Tuesday, May 30, 2023 7:54 PM  
**To:** esubmit  
**Subject:** Case Numbers Z-7719 and SA-6

Thank you to Nathan Foster for speaking to the Renaissance neighborhood today.

I am in support of the proposal, especially the garage and driveway limits and the new ADU guidelines. Generally, I am in favor of changes like these that increase walkability in my neighborhood and reduce car-centric infrastructure.

I have lived in the Renaissance for seven years, and my husband and I plan to make this our forever home. Our address is 2644 E 14th Pl. I also own a rental property at 1421 S College Ave.

Thank you again,  
Angela Sheckarski

FILE COPY

**Sawyer, Kim**

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**From:** Stella Austin <odyssey1309@att.net>  
**Sent:** Thursday, June 1, 2023 5:14 PM  
**To:** esubmit  
**Subject:** SA-6, Z-7719

This is to inform you that we at 1309 S Atlanta Ave are in full support of the neighborhood overlay project as outlined in the meeting on Tuesday, May 30th.  
Please count on our continued support in the worthy endeavor.

Thank you.

Stella Austin and Mark LeMieux  
Renaissance homeowners since 1985

FILE COPY



**Sawyer, Kim**

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**From:** Sarah Scimeca <sarah.scimeca@gmail.com>  
**Sent:** Thursday, June 1, 2023 6:06 PM  
**To:** esubmit  
**Subject:** SA-6 + Z-7719

Good evening,

This email is to note that the Scimeca residence at 2724 E 13th Place is in support of both the rezoning and the character overlay proposed for the Renaissance neighborhood.

We attended Nathan Foster's recent neighborhood presentation and were greatly appreciative of his willingness to field concerns and questions. We will continue to follow and support this process as it moves forward.

Many thanks,  
Sally Scimeca  
2724 E 13th Pl  
Tulsa, OK 74104

**FILE COPY**

*G. 18*

**Sawyer, Kim**

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**From:** P. Casey Morgan <p.casey.morgan@gmail.com>  
**Sent:** Friday, June 2, 2023 11:35 AM  
**To:** esubmit  
**Subject:** Z-7719 and SA-6

We are writing in support of Z-7719 and SA-6, the Neighborhood Character Overlay and the zoning change from RS-3 to RS-4 for the Renaissance Neighborhood in Tulsa - 11th to 15th Street, Lewis to Harvard.

We are homeowners in the neighborhood and support these zoning changes

Harold L. Morgan, Jr  
Patricia Casey Morgan  
2716 East 14th Place,  
Tulsa, OK 74104

FILE COPY

**Sawyer, Kim**

---

**From:** ted massad <tmassad@yahoo.com>  
**Sent:** Friday, June 2, 2023 12:00 PM  
**To:** esubmit  
**Subject:** Re: Case number Z-7719 and SA-6

Teodor and Meagan Massad  
1424 s Birmingham ave tula ok 74104

I am a resident of the Renaissance Neighborhood who also owned 3 more commercial lots on 15th st. I am in support of the proposed measures

FILE COPY



**Foster, Nathan**

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**From:** Tamra Moore <tuscantamra@gmail.com>  
**Sent:** Friday, June 02, 2023 5:25 PM  
**To:** esubmit  
**Subject:** Case numbers Z-7719 and SA-6

Hello. I am a resident in the Renaissance neighborhood and support the proposed Neighborhood Character Overlay zoning, or the zoning change from RS -3 to RS - 4  
Thank you,

Tamra Moore

[Order Clean Crafted Wine & Coffee](#) - Delivered to your door!

FILE COPY

**Sawyer, Kim**

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**From:** Foster, Nathan  
**Sent:** Tuesday, June 6, 2023 9:04 AM  
**To:** Scott; esubmit  
**Subject:** RE: SA-6, Z-7719

Hi Scott,

Thank you for your letter. We will ensure your comments are included with the materials we provide to TMAPC prior to June 21st.

I'm sorry to hear that some of the Board members feel this overlay did not accomplish the intended objectives. I had not heard that before, but I certainly don't doubt that some things didn't go as far as the original request.

At this time, the text of the overlay has already been adopted into the zoning code. The proposal in front of us today is to change the zoning map to apply those adopted standards. Without an additional amendment to the text of the zoning code, these are the standards that would apply. If this effort is not successful it is possible that we go back to the adopted standards and see if there are amendments that would make it more palatable to the neighborhood.

For Z-7719/SA-6 I assume you will be in opposition due to the concerns you have with the standards as written.

Thanks again for your input and the additional information you provided.

**Nathan Foster**  
Senior Planner

**Tulsa Planning Office**  
918.579.9481  
nfoster@incog.org



**FILE COPY**

-----Original Message-----

**From:** Scott <fscottf@juno.com>  
**Sent:** Monday, June 05, 2023 4:41 PM  
**To:** esubmit <esubmit@incog.org>  
**Subject:** SA-6, Z-7719

Nathan Foster

Nathan,

6.22

Thank you for attending our Renaissance Neighborhood meeting last week to inform us of the upcoming zoning and overlay issues with our neighborhood. I was the one who was quite vocal about the garage apartments and street flooding. This is my second letter to you, as I never received a response from the last one I sent .

I have lived in this neighborhood since 1981. I am a registered architect, dealing mostly with home renovations, additions and restorations. Sadly, I have no examples of my work in this neighborhood ( besides my own home ) because the moderate homeowners here cannot afford a legitimate architect. I was able to convert my small 1000 sf house into a 4 br, 3 bath 2200sf, 2 story residence, with a detached garage, all within the old building code for RS3. (Yes, it was all permitted). Up until the latest code revamp, second floor garages were not allowed without a variance. Your notice about the Overlay states that garage apartments were common when Renaissance was first established. Was that 1920s or 1980s? I decided to do a block by block survey to debunk that notion. My findings were as follows:

There are over 55 blocks in our association, each with an average of 24 homes.  
( I am ignoring church, school and small pie shaped lots ). That makes about 1300 lots. I counted only 29 second story garages in this area. Some were only obviously storage and unrentable. All except one ( on an original double lot) appeared to be added at a later date, likely without permit. This computes to about one second story garage for every 2 blocks, so, as I stated in the meeting, they are not that common. When this area was developed, these moderate homes would not have had any live- in help, as was common in more affluent neighborhoods. Most garages were poorly built sheds that are now disintegrating, if not totally gone. Some have been replaced.

My objections to the overlay, as now worded, are as follows:

1. Allowing a second story dwelling unit without a variance, as was previously required.  
( if my adjoining neighbor wants to build a structure that will affect my privacy, sunlight in my yard, I want to be able to object and come to an agreement )
2. Allowing such dwelling units without any requirement for on site parking.  
( such units will only add to the already unsightly and a bit dangerous street parking we already have )
3. Reducing the required open area, and not really defining what it means  
( besides making the lots more dense, it adds to the water runoff. We already have localized street flooding, and a storm sewer system that is nearing 100 years old ) I can find no reference to permeable surfaces within the code. I lived here through the Memorial Day Flood, and 10 homes across the street from me are now gone, replaced with a flood retention area. If INCOG isn't responsible for stormwater mitigation during the permit process, who is, and what are their regulations ?

I actually support the idea of an overlay. I just think it needs some tweaking. I have visited with some of the board who developed the plan. They said most of their ideas were abandoned by INCOG, and we got some things we didn't ask for. It appears to me the proposed overlay is mostly already in the code, under overlay districts, and not very specific to our needs. I always support infill of abandoned lots. ( my home was such a lot in 1949). Guidelines for infill can be tricky with no HOA and protective covenants. But, I do not appreciate INCOG trying to fulfill housing shortages at my expense. Our lots are extra small, utilities and streets are aging. Why compound the issue? I don't, as a homeowner, feel it is my duty to provide affordable housing for someone wanting to live in a nicer neighborhood. A neighborhood full of rentals soon loses value.

Thank You

F. Scott Ferguson, Architect  
1319 S Atlanta Place  
Tulsa, Oklahoma 74104



**Sawyer, Kim**

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**From:** JG ROHR <jgrohr@sbcglobal.net>  
**Sent:** Tuesday, June 13, 2023 9:05 AM  
**To:** esubmit  
**Subject:** Case Numbers Z-7719 and SA-6

We want to thank Nathan Foster for his presentation to the Renaissance Neighborhood on May 30, 2023, and appreciate the work that has gone into the Overlay Proposal.

However, as it stands, we are against the proposal. As one longtime resident asked during the meeting regarding the proposal and inherit garage apartments, "Where are they?" We have lived in eastern half of Renaissance for 38 years and are aware of only 6 in this half of the neighborhood. A special exemption is currently required for the addition of oversized accessory dwelling units which gives a homeowner an opportunity to voice concerns to what is built and present vital facts such as run-off and drainage issues and for parking issues. This half of Renaissance is located directly south of the University of Tulsa and has "No Parking" signs on one side of the streets.

On-site parking should be required for any additional dwellings (garage apartment). If someone wants to build a garage apartment for potential extra income it should not be at the neighbor's detriment. They should provide on-site parking for their own renter(s). Added cars parked in the street inhibit emergency vehicles, weekly trash pick-up, and quarterly street sweepers.

The overlay proposal focuses on one factor, the non-conforming 50-foot width of current lots, and thereby proposes the RS-4 designation. However, according to the Tulsa County interactive map, [Tulsa County Assessor - Home](#), the majority of the lots in Renaissance are 140 feet deep, making a 7000 square foot lot. This is greater than the minimum 6,900 sq. ft. lot area requirement for the current RS-3 designation.

We would hope that TMAPC supports the best interests of homeowners who actually live in the neighborhood over those of investors.

Thank you,

Joseph & Virginia Rohr  
1228 S. Florence Avenue

**FILE COPY**



Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7723

**Hearing Date:** June 21, 2023

**Case Report Prepared by:**

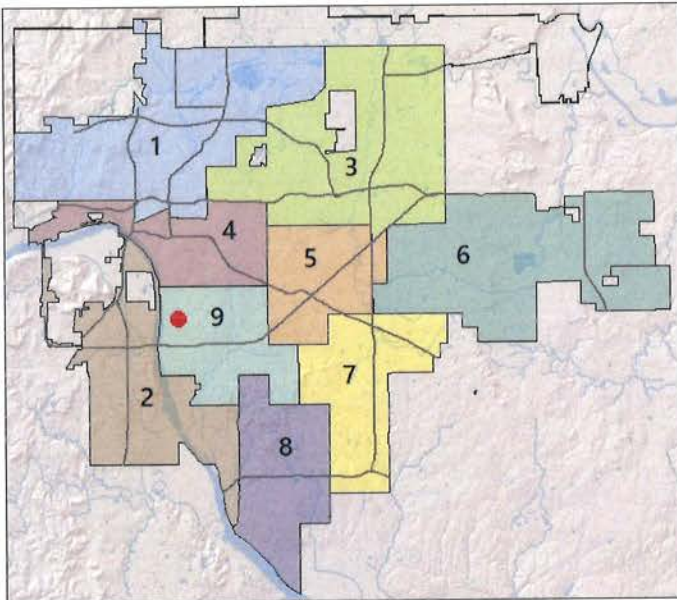
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Tulsa City Council c/o Nordic LLC

*Property Owner:* NORDIC LLC

**Location Map:**  
**(shown with City Council districts)**



**Applicant Proposal:**

*Present Use:* Parking

*Proposed Use:* Mixed Use

*Concept summary:* Rezone property from RS-3 to MX-U-U to permit mixed-use development

*Tract Size:* 0.77 ± acres

*Location:* South of the southeast corner of East 41<sup>st</sup> Street South and South Peoria Avenue

**Zoning:**

*Existing Zoning:* RS-3

*Proposed Zoning:* MX3-U-U

**Comprehensive Plan:**

*Land Use Map:* Mixed-Use Corridor

*Stability and Growth Map:* Area of Growth

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 9330

CZM: 47

**City Council District:** 9

*Councilor Name:* Jayme Fowler

**County Commission District:** 2

*Commissioner Name:* Karen Keith

7.1

## SECTION I: Z-7723

**DEVELOPMENT CONCEPT:** This request for rezoning is responsive to a City Council initiative to encourage mixed-use development along the proposed bus rapid transit system route. The current zoning on the site is RS-3; however, the site is surrounded by mixed-use and commercial zoning and has historically been used as a parking area to serve commercial development.

### EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Bus rapid transit mixed use zoning initiative map
- Applicant Exhibits:
  - None Included

### **DETAILED STAFF RECOMMENDATION:**

Case Z-7723 request to change the zoning from RS-3 to MX3-U-U is consistent with the expected development pattern in the area and,

MX3-U-U is not injurious to the surrounding property owners and,

The MX3 requested is considered more of a Regional Mixed-Use district intended to accommodate larger scale development and supports the anticipated uses in this area location along South Peoria. The rezoning request is consistent with the Bus Rapid Transit System study and its land use recommendations and,

MX3-U-U is consistent with the Brookside Infill Plan and,

MX3-U-U is consistent with the Mixed-Use Corridor land use vision in the Tulsa Comprehensive Plan therefore

**Staff recommends Approval of Z-7723 to rezone property from RS-3 to MX3-U-U.**

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: MX3-U-U is consistent with the land use vision in the Tulsa Comprehensive Plan and is also consistent with the goals, objectives, and strategies of the Brookside Infill Plan.*

### Land Use Vision:

*Land Use Plan map designation:* Mixed-Use Corridor

A Mixed-Use Corridor is a plan category used in areas surrounding Tulsa's modern thoroughfares that pair high-capacity transportation facilities with housing, commercial, and employment uses. The streets usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings

7.2



along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods.

*Areas of Stability and Growth designation: Area of Growth*

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

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

Transportation Vision:

*Major Street and Highway Plan:*

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required to address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

*Trail System Master Plan Considerations:* None that affect site development however the River Parks trail system is less than ½ mile from this site. Pedestrian and bicycle connectivity should be an important concept with any new redevelopment opportunity.

Small Area Plan: Brookside Infill Design Recommendations (Completed 2002)

Concept statement: “As Tulsa continues to mature as a city, infill development will become more important as land on the perimeter is no longer available for development. Infill will no longer be the exception; it will be the rule in terms of predominant types of development. Support and encouragement of infill development are strongly recommended and should be implemented through City regulations, policies, and philosophies in order to ensure quality and consistency in future development”.

Peoria from 38<sup>th</sup> Street South to 51<sup>st</sup> Street South (Skelly Drive) Goals:

- A. It is intended that the physical environment and services in the business areas are maintained and enhanced to benefit existing business, as well as to promote and

encourage revitalization, redevelopment and reuse of undervalued, vacant lots and obsolete buildings.

- B. Improvements in the area will be made to help provide a continuity of image and to foster an improved emphasis on pedestrians. This is to be accomplished in part by providing sidewalk design and replacement crosswalks at selected locations, streetscape elements and other features will link this area and connect with the other portions of Brookside
- C. The historical context of business development patterns in this area is encouraged to continue, but with the additional emphasis of accommodating pedestrians and linking with the overall Brookside marketplace.
- D. Business in this area along Peoria Avenue and those streets intersecting with Peoria Avenue may develop with buildings constructed nearer to the abutting street property line. Developments with storefront parking should provide no more than one or two rows of double-loaded parking in the front of buildings. Zero-setback from the front property lines is encouraged.
- E. Sufficient parking for all business land uses is intended to be provided for all new development and redevelopment.

Special District Consideration: None

Historic Preservation Overlay: None

**DESCRIPTION OF EXISTING CONDITIONS:**

Staff Summary: The site is currently zoned RS-3; however, it has not been utilized as a residential property. A surface parking lot currently exists on the lot and does not conform to the RS-3 district. The site is adjacent to commercial and mixed-use zoning on 3 sides with RS-3 zoning to the south across East 42<sup>nd</sup> Street.

Environmental Considerations: None that would affect site redevelopment.

**Streets:**

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 42 <sup>nd</sup> Street South	None	50'	2

**Utilities:**

The subject tract has municipal water and sewer available.

**Surrounding Properties:**

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	MX3-U-U	Mixed-Use Corridor	Growth	Apartments
East	MX3-U-U	Mixed-Use Corridor	Growth	Vacant
South	RS-3	Mixed-Use Corridor/Existing Neighborhood	Growth	Vacant/Residential
West	CH	Mixed-Use Corridor	Growth	Commercial

7.4

### SECTION III: Relevant Zoning History

**ZONING ORDINANCE:** Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

#### ***Surrounding Property:***

**Z-7422:** All concurred in approval of a request for rezoning a 2.72  $\pm$  acre tract of land from RM-1, RM-2, CH, PUD-744, PUD-744-A, and RS-3 to MX3-U-U on property located east and north of the subject tract.

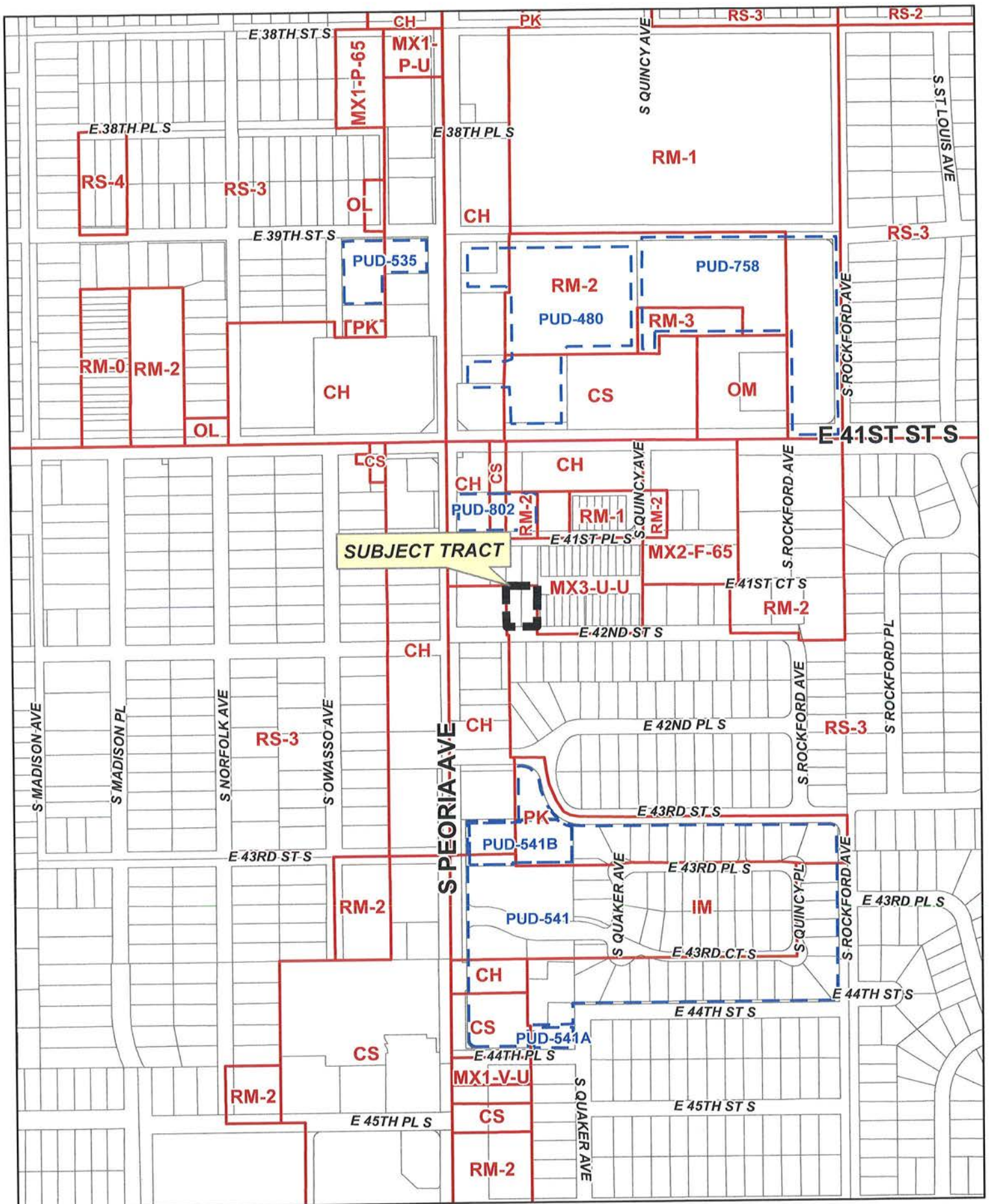
**PUD-744-B:** All concurred in approval to abandon PUD-744 and PUD-744-A on a 1.98  $\pm$  acre tract of land for on property located east of the subject tract.

6/21/2023

1:00

PM





**Z-7723**

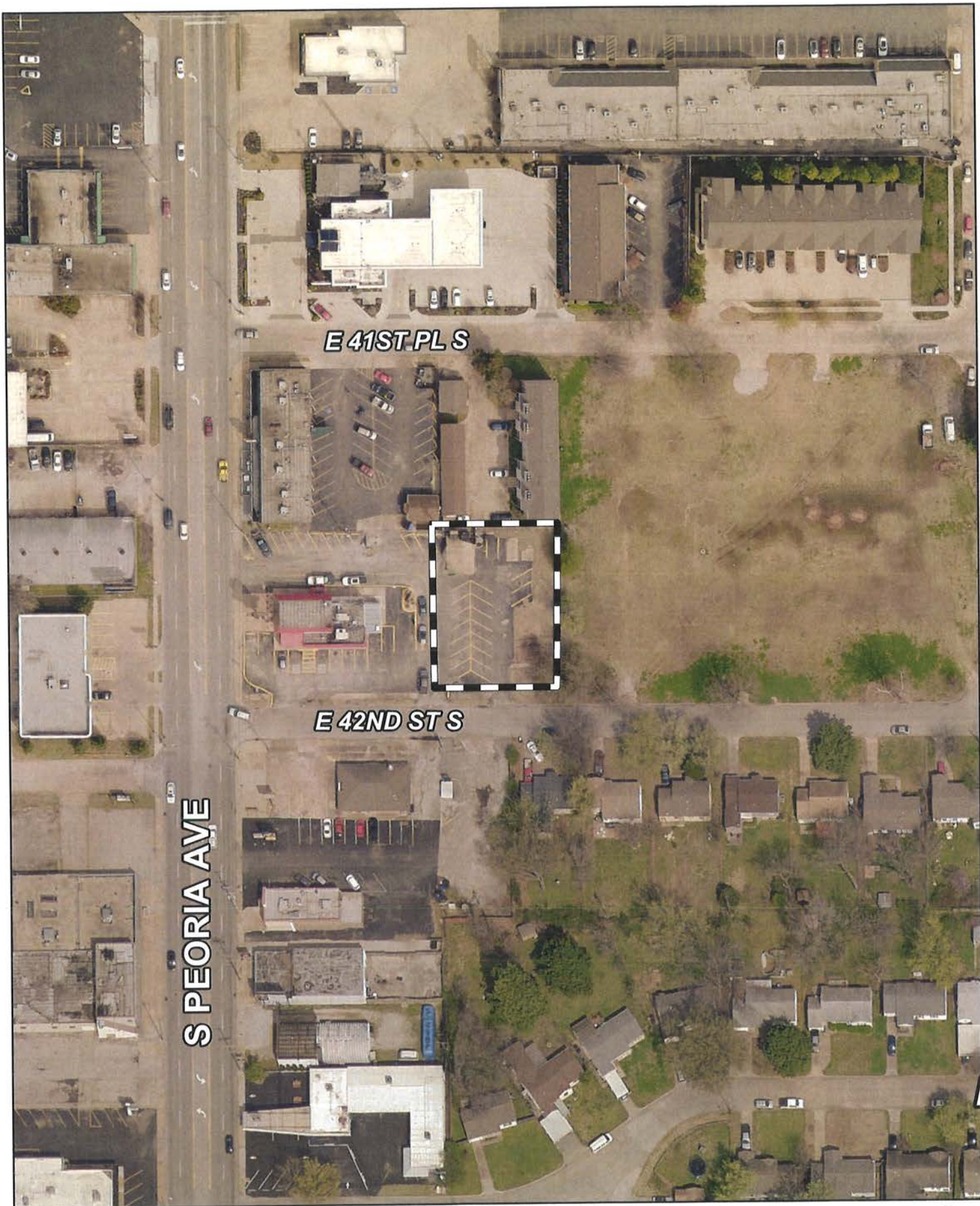
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Subject  
Tract

**Z-7723**

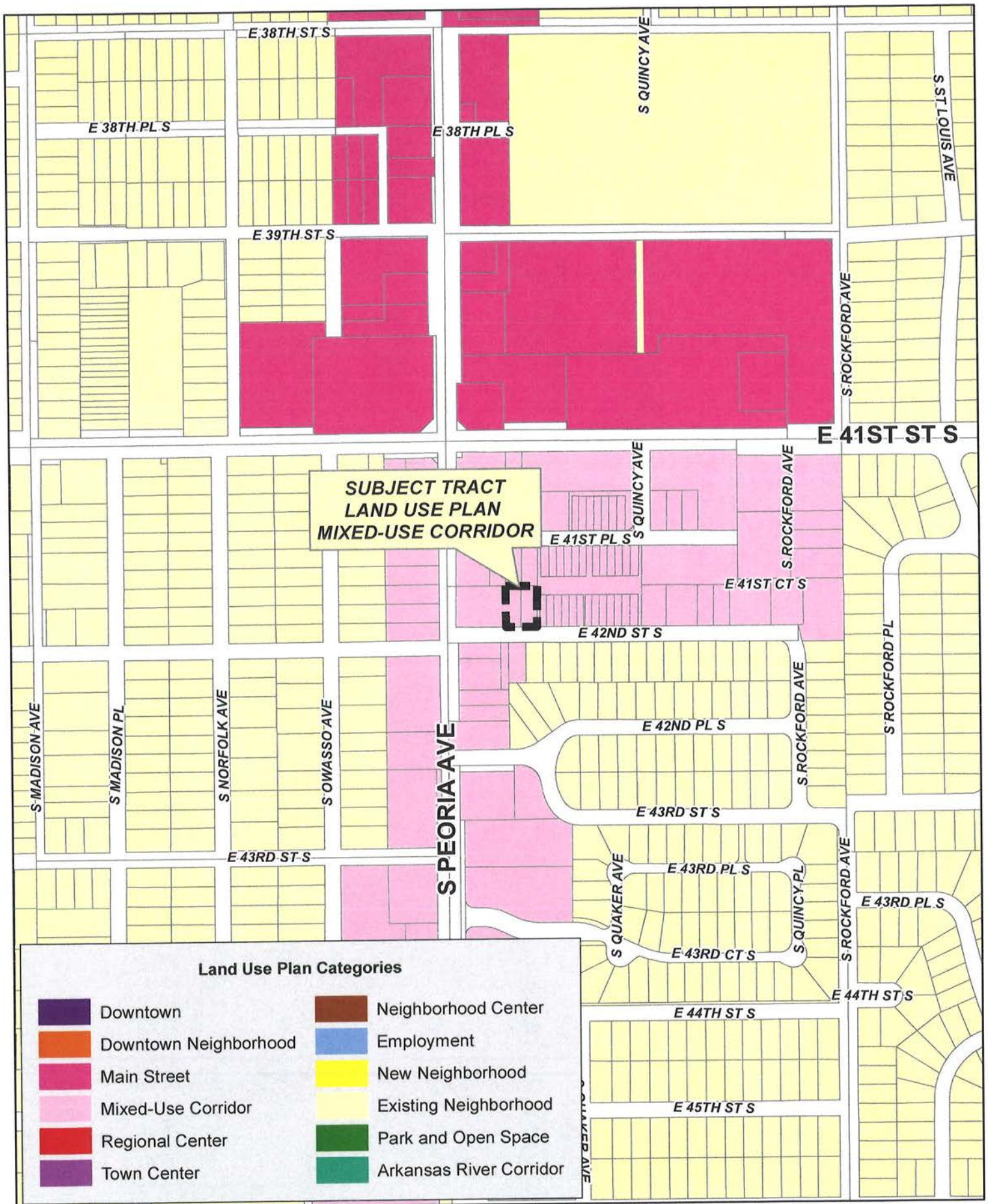
19-13 30

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

Aerial Photo Date: 2020/2021





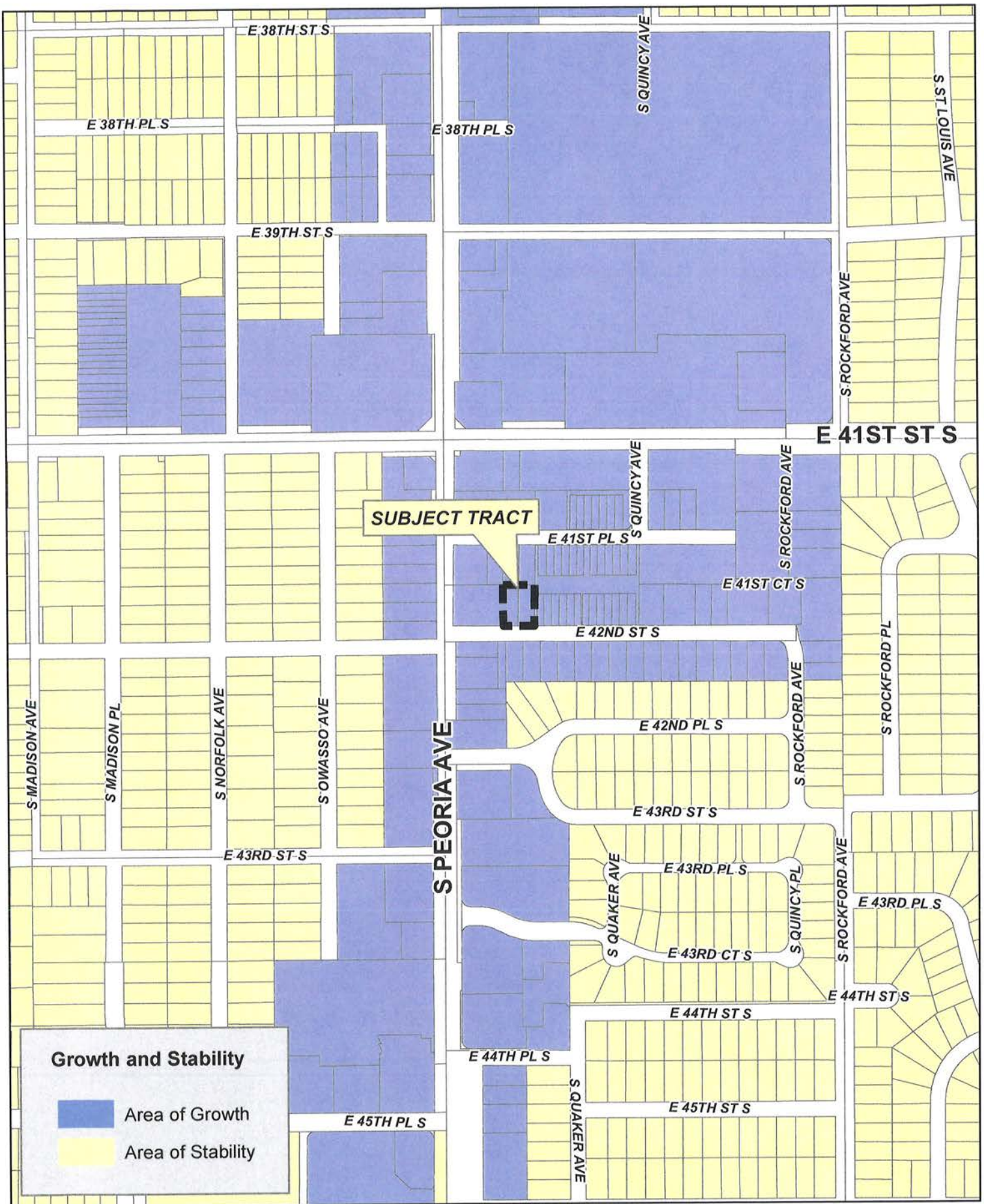


**Z-7723**

19-13 30

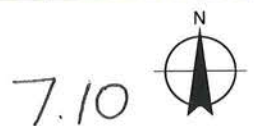




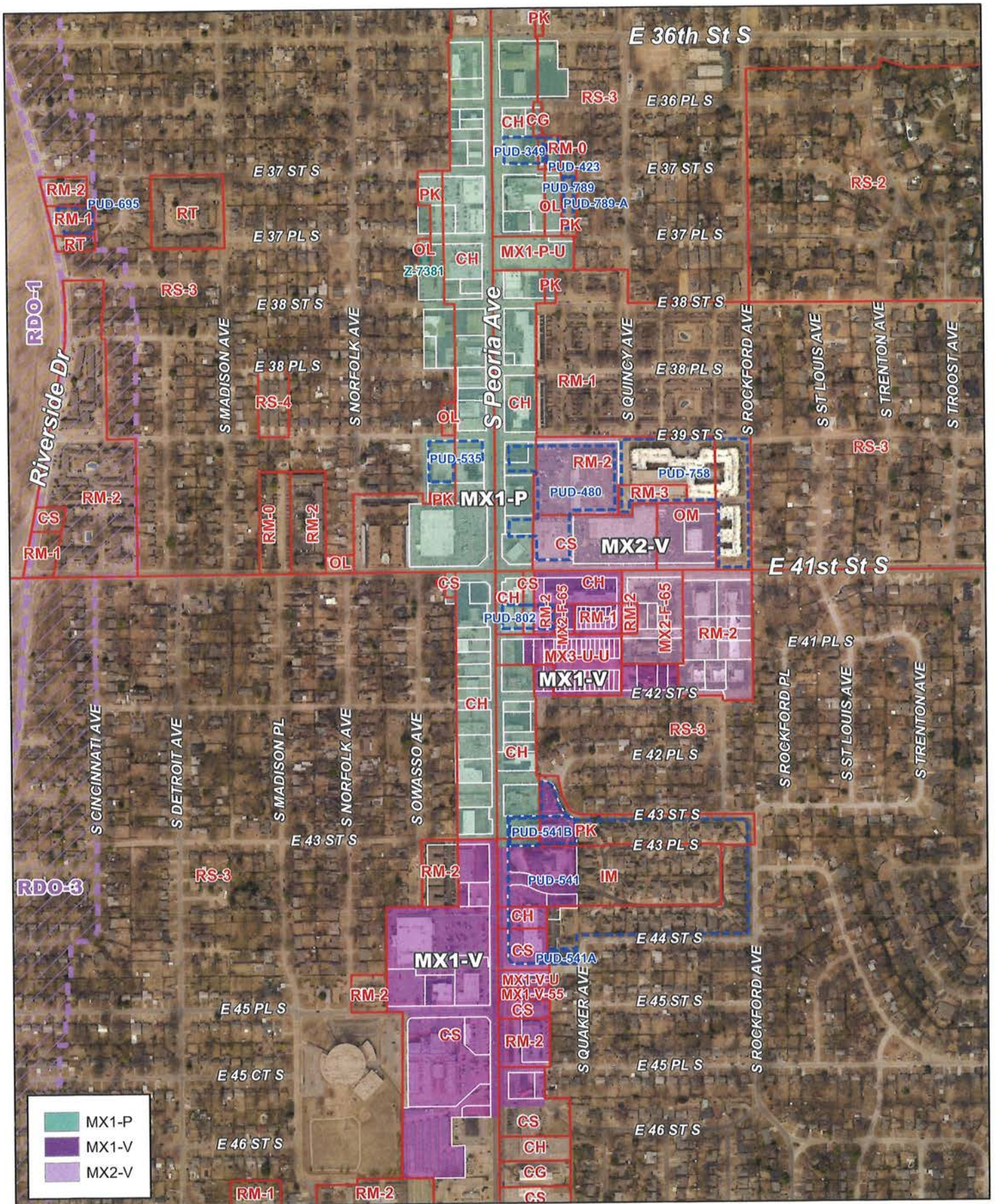


**Z-7723**

19-13 30







Note: Graphic overlays may not precisely align with physical features on the ground.  
Aerial Photo Date: February 2018  
Map Date: 2/10/2020

**41st Street**

0 300 600  
Feet



7.11



**Case Number:** Z-7724 (Related to CPA-103)

**Hearing Date:** June 21<sup>st</sup> 2023

**Case Report Prepared by:**

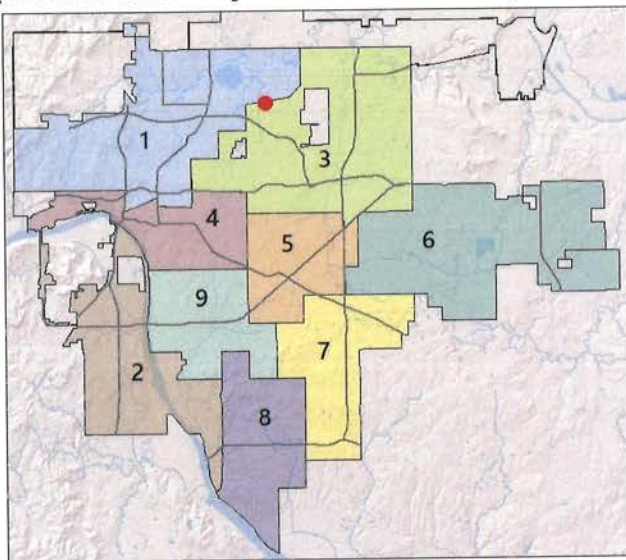
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Mark Capron

*Property Owner:* CITY OF TULSA

**Location Map:**  
**(shown with City Council districts)**



**Applicant Proposal:**

*Present Use:* Vacant

*Proposed Use:* Animal Shelter

*Concept summary:* Rezone property from RS-3 to CG to permit the construction of a public animal shelter. An associated comprehensive plan amendment requests an update to the land use designation from Park and Open Space to Mixed-Use Corridor (Multiple Use).

*Tract Size:* 3.86 ± acres

*Location:* North of East 36<sup>th</sup> Street North and East of Mohawk Park Road

**Zoning:**

*Existing Zoning:* RS-3

*Proposed Zoning:* CG

**Comprehensive Plan:**

*Land Use Map:*

*Existing:* Park and Open Space

*Proposed:* Mixed-Use Corridor (Multiple Use)

*Stability and Growth Map:* Area of Stability

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 0315

CZM: 23

**City Council District:** 3

*Councilor Name:* Crista Patrick

**County Commission District:** 1

*Commissioner Name:* Stan Sallee

8.1

## SECTION I: Z-7724

**DEVELOPMENT CONCEPT:** The applicant is proposing a rezoning of the subject tract from RS-3 to CG to permit the construction of a public animal shelter. An associated comprehensive plan amendment has been submitted to update the land use designation for the site from the existing Park and Open Space designation to Mixed-Use Corridor (Multiple Use).

### EXHIBITS:

INCOG Case map  
INCOG Aerial (small scale)  
INCOG Aerial (large scale)  
Tulsa Comprehensive Plan Land Use Map  
Tulsa Comprehensive Plan Areas of Stability and Growth Map  
Applicant Exhibits: None

### **DETAILED STAFF RECOMMENDATION:**

The subject tract is zoned RS-3; however, it has not been used for residential purposes. It is adjacent to the Tulsa Zoo and the Mohawk Golf Course, both of which were allowed through special exception approvals in the RS-3 district. The proposed use of the site is a public animal shelter which is not permitted within residential zoning districts.

Properties on the east and west of the subject tract are zoned CS (Commercial – Shopping) with existing commercial uses. Across 36<sup>th</sup> Street North to the south are multiple properties zoned for industrial uses and located within *Employment* land use designations.

Staff is supportive of the rezoning of the subject tract, as well as the associated comprehensive plan amendment to update the land use designation for this property from *Park and Open Space* to *Mixed-Use Corridor (Multiple Use)*. The proposed zoning and land use designations more closely align with the anticipated use, future development, and existing uses located within the 36<sup>th</sup> Street North corridor.

**Staff recommends approval of Z-7724.**

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The property is currently designated as Park and Open Space by the Tulsa Comprehensive Plan. The applicant has submitted an associated request to change the land use designation to Mixed-Use Corridor (Multiple Use). The Park and Open Space designation is an extension of the designation utilized for the Tulsa Zoo and the Mohawk Golf Course, but is inconsistent with the anticipated use of the subject property.

### Land Use Vision:

*Land Use Plan map designation:* Park and Open Space

The Parks and Open Space building block designates Tulsa's park and open space assets. These are areas to be protected and promoted through the targeted investments, public-private partnerships, and policy changes identified in the Parks, Trails, and Open Space chapter. Zoning and other enforcement mechanisms will assure that recommendations are implemented. No park and/or open space exists alone; they should be understood as forming a network, connected by green infrastructure, a transportation system, and a trail system. Parks and open space should be connected with nearby institutions, such as schools and hospitals, if possible.

8.2

### *Areas of Stability and Growth designation: Area of Stability*

Areas of Stability include approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

### **Transportation Vision:**

*Major Street and Highway Plan:* The Major Street and Highway Plan designates East 36<sup>th</sup> Street North as a primary arterial adjacent to the subject site. An ultimate right-of-way dedication of 120 feet is anticipated for the corridor and will require right-of-way dedication as part of any development of the site.

*Trail System Master Plan Considerations:* The GO Plan recommends the implementation of a shared use path along the South Kansas and Oklahoma Railroad corridor adjacent to the subject site on the north. Considerations should be made during a review of any subdivision plat or subdivision conformance application to ensure appropriate easements are in place for the planned shared use path.

**Small Area Plan:** None

**Special District Considerations:** None

**Historic Preservation Overlay:** None

### **DESCRIPTION OF EXISTING CONDITIONS:**

**Staff Summary:** The subject tract is adjacent to commercial development on the east and west side with industrial uses located to the south. To the north of the subject tract is the Tulsa Zoo, primarily the zoo's maintenance facility.

**Environmental Considerations:** None that would effect site development.

### **Streets:**

Existing Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 36 <sup>th</sup> Street North	Primary Arterial	120'	2

### **Utilities:**

The subject tract has municipal water available. Public sanitary sewer systems are in the area and serve the Tulsa Zoo; however, extensions of those services will be required to serve the subject tract.

8.3



**Surrounding Properties:**

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3	Park and Open Space	Stability	Tulsa Zoo
East	CS	Existing Neighborhood	Stability	Commercial Retail
South	IL/RS-3	Employment/Existing Neighborhood	Stability	Industrial/Single-Family Residential
West	CS	Existing Neighborhood	Stability	Cell Tower

**SECTION III: Relevant Zoning History**

**ZONING ORDINANCE:** Ordinance number 11603 dated June 26, 1970, established zoning for the subject property.

***Surrounding Property:***

**Z-7396:** All concurred in approval of a request for rezoning a 14.19 ± acre tract of land from RMH to IL with an optional development plan on property located south of the subject tract.

**CPA-64:** All concurred in approval of a comprehensive plan amendment to the land use plan map from Existing Neighborhood to Employment on a 14.19 ± acre tract located south of the subject tract.

7/5/2023

1:00

PM

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Subject  
Tract

**Z-7724**

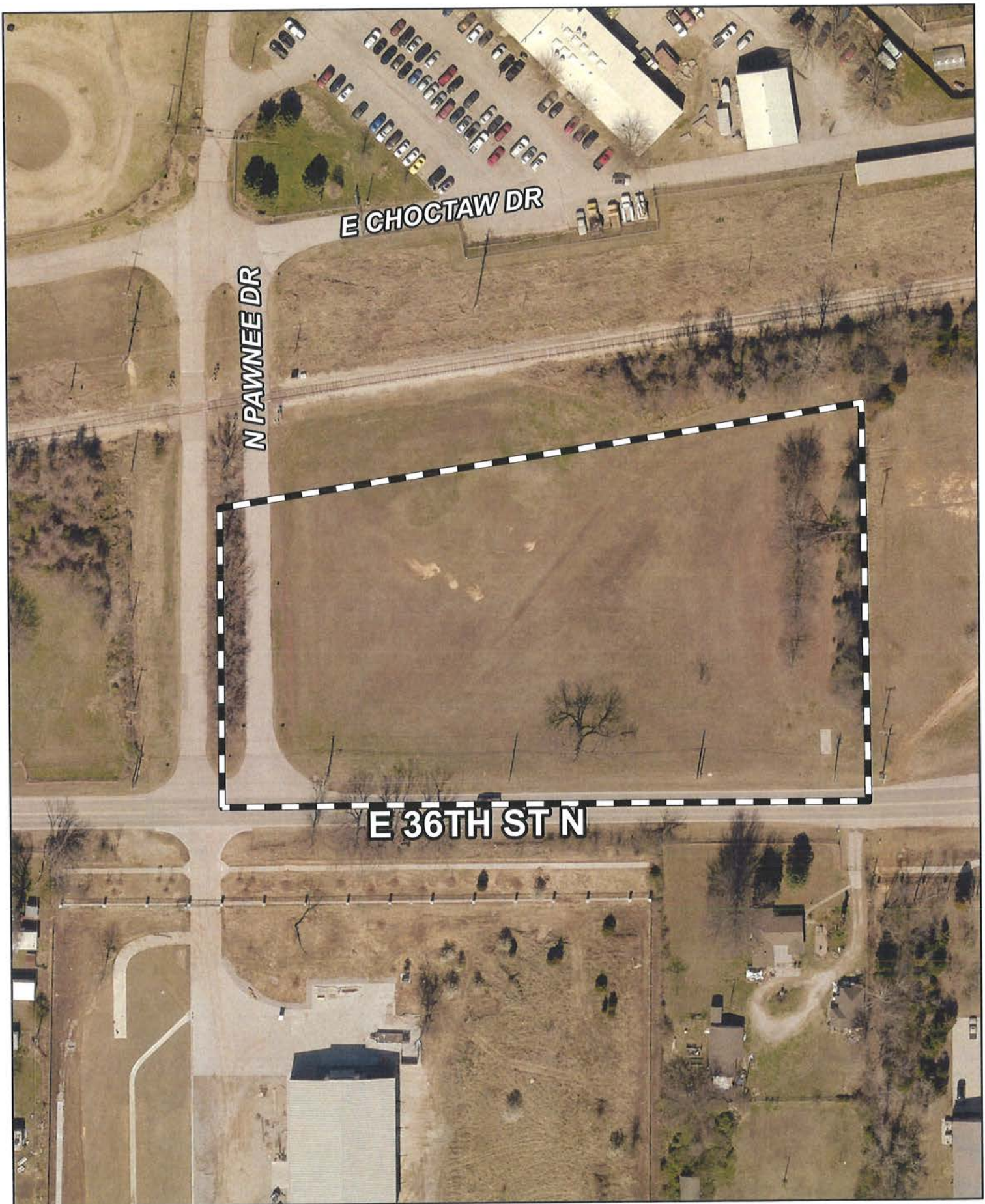
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Note: Graphic overlays may not precisely  
align with physical features on the ground.

Aerial Photo Date: 2020/2021







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Subject  
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**Z-7724**

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Aerial Photo Date: 2020/2021



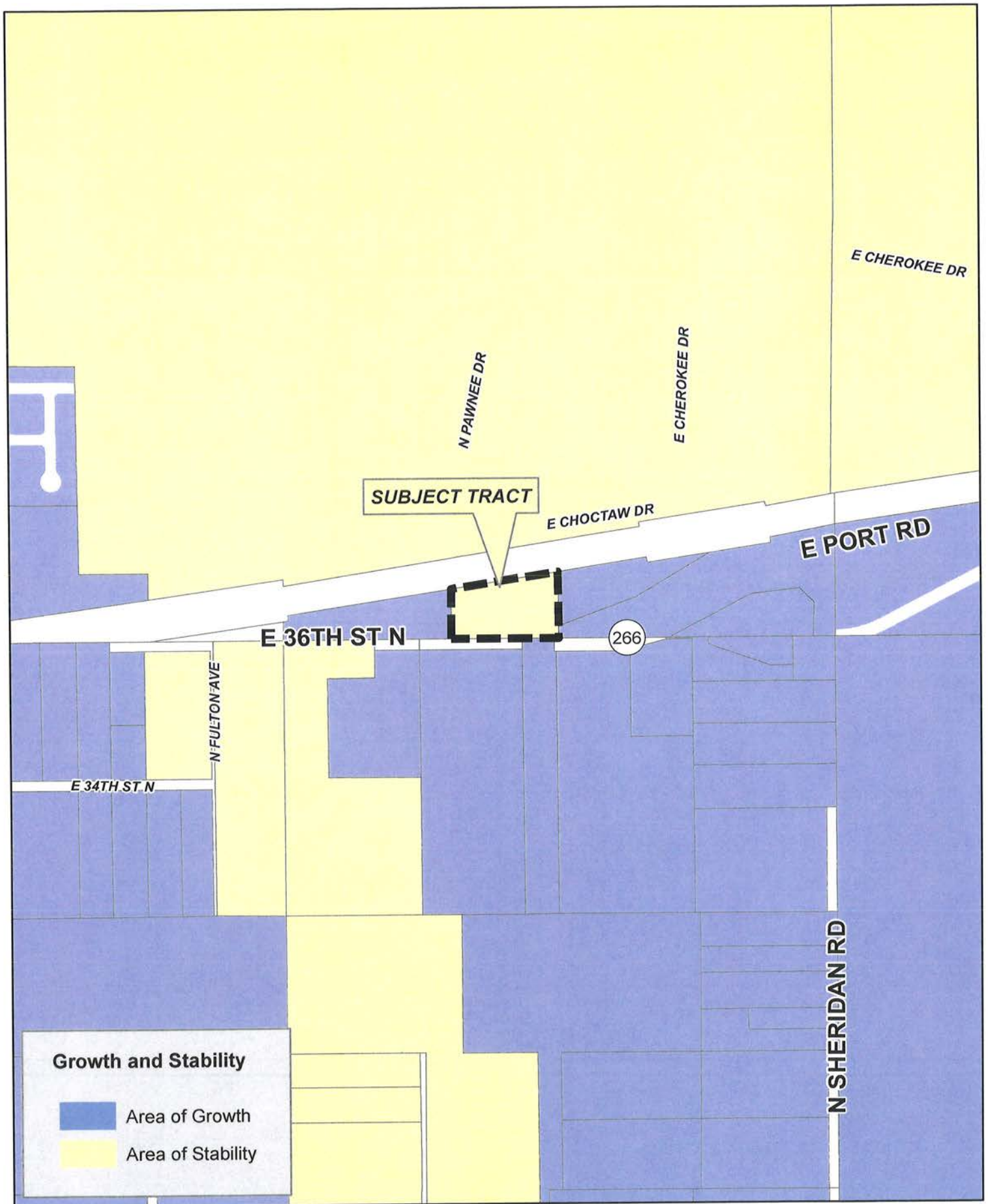




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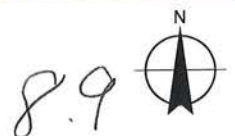
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**Z-7724**

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Tulsa Metropolitan Area  
Planning Commission

**Case Number:** CPA-103  
**Comprehensive Plan Amendment**  
(Related to Z-7724)

**Hearing Date:** June 21, 2023

**Case Report Prepared by:**

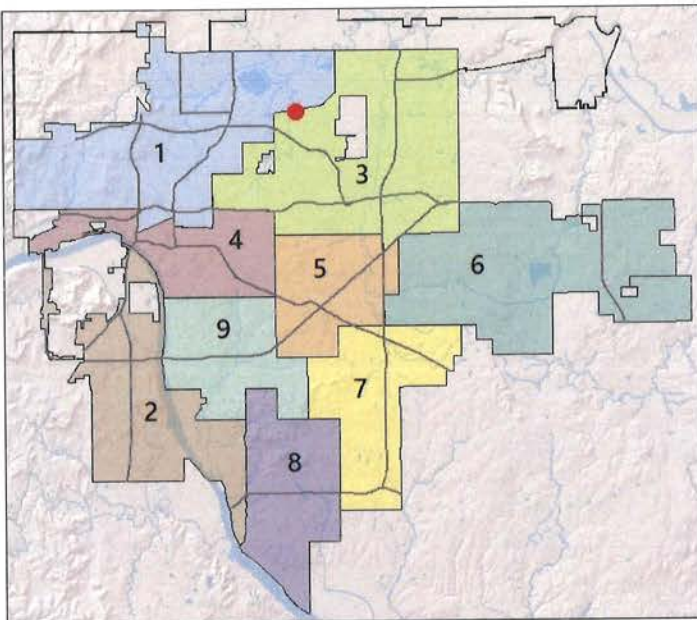
Nathan Foster

**Owner and Applicant Information:**

Applicant: Mark Capron

Property Owner: City of Tulsa

**Location Map:**  
**(shown with City Council districts)**



**Applicant Proposal:**

Land Use Map change from ***Park and Open Space*** to ***Mixed-Use Corridor (Multiple Use)***

Tract Size: 3.86 + acres

Location: North of East 36<sup>th</sup> Street North and East of Mohawk Park Road

**Staff Recommendation:**

Staff recommends **approval** of ***Mixed-Use Corridor (Multiple Use)***

**Comprehensive Plan:**

**Land Use Map**

Existing: *Park and Open Space*

Proposed: *Mixed-Use Corridor (Multiple Use)*

**Zoning**

Existing Zoning: RS-3

Proposed Zoning: CG

**City Council District:** 3

*Councilor Name:* Crista Patrick

**County Commission District:** 2

*Commissioner Name:* Karen Keith

9.1



# **TMAPC Staff Report CPA-103 Comprehensive Plan Amendment**

## **Property Information and Land Use Request**

The applicant has submitted this proposed Comprehensive Plan amendment (CPA-103) with a concurrent rezoning request (Z-7724) to request a change in the Land Use designation of the subject property from *Park and Open Space* to *Mixed-Use Corridor (Multiple Use)*. The concurrent zoning request proposes a change from RS-3 to CG for redevelopment of the subject tract as a public animal shelter.

## **Background**

The Land Use and Area of Stability or Growth designations for the subject property have been in place since the adoption of the 2010 Tulsa Comprehensive Plan. At this time, the subject property was assigned a Land Use designation of *Park and Open Space* and an Area of Stability/Growth designation of *Area of Growth*.

The proposed land use designation for this site is *Mixed-Use Corridor* or *Multiple Use* as it will be known under the 2023 update to the Tulsa Comprehensive Plan.

The subject property is located on East 36<sup>th</sup> Street North adjacent to the Tulsa Zoo. It currently shares the same land use designation as the Tulsa Zoo and the Mohawk Golf Course. Both the zoo and the golf course were approved through special exception approvals in the RS-3 district. Animal shelters are not permitted within residential districts. To accommodate the animal shelter use, a commercial zoning district is required which does not align with the park and open space designation of the comprehensive plan.

Across the street from the subject tract are two industrial developments located within the *Employment* land use designation. There is also one detached single-family home and a mobile home park. On the east and west of the subject tract, there are two commercially zoned lots located within the *Existing Neighborhood* land use designation with an established commercial use on the lot to the east. Future amendments to align the existing commercial properties with the land use plan should be considered and would be consistent with the mixed-use corridor (multiple use) land use designation requested for this site.

## **Existing Land Use and Growth Designations**

A *Park and Open Space* land use designation was assigned at the time of the adoption of the Tulsa Comprehensive Plan in 2010:

“The Parks and Open Space building block designates Tulsa’s park and open space assets. These are areas to be protected and promoted through the targeted investments, public-private partnerships, and policy changes identified in the Parks, Trails, and Open

9.2

Space chapter. Zoning and other enforcement mechanisms will assure that recommendations are implemented. No park and/or open space exists alone; they should be understood as forming a network, connected by green infrastructure, a transportation system, and a trail system. Parks and open space should be connected with nearby institutions, such as schools and hospitals, if possible."

### Proposed Land Use and Growth Designations (Tulsa Comprehensive Plan)

The applicant is proposing the *Mixed-Use Corridor (Multiple Use)* land use designation for the subject property:

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

### Zoning and Surrounding Uses

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3	Park and Open Space	Area of Growth	Tulsa Zoo
South	IL/RS-3	Employment/Existing Neighborhood	Area of Growth	Industrial/Single-Family Residential
East	CS	Existing Neighborhood	Area of Growth	Commercial Retail
West	CS	Existing Neighborhood	Area of Growth	Cell Tower

### Applicant's Justification

As part of the amendment application, the applicant is asked to justify their amendment request. Specifically, they are asked to provide a written justification to address:

1. How conditions on the subject site have changed, as well as those on adjacent properties and immediate area;
2. How changes have impacted the subject site to warrant the proposed amendment; and;
3. How the proposed change will enhance the surrounding area and the City of Tulsa.

*"In addition to the existing circumstances the conditions of the site and surrounding area have also changed. The subject tract is now designated as Park and Open Space, presumably in connection to the Mohawk Park/Tulsa Zoo. However, there is*

9.3



*a railroad track between the subject tract and the zoo. Although the zoo is to the north, it is the zoo's maintenance facilities that are located in that location. This is not really the park and open space portion of the zoo and more like an office/commercial use part of the park.*

*Both the properties to the east and west are zoned as Commercial Shopping (CS) and the property to the east is currently a commercial site. The property to the south was recently rezoned from residential to Industrial Light (IL) with an ODP and now has an industrial use in place.*

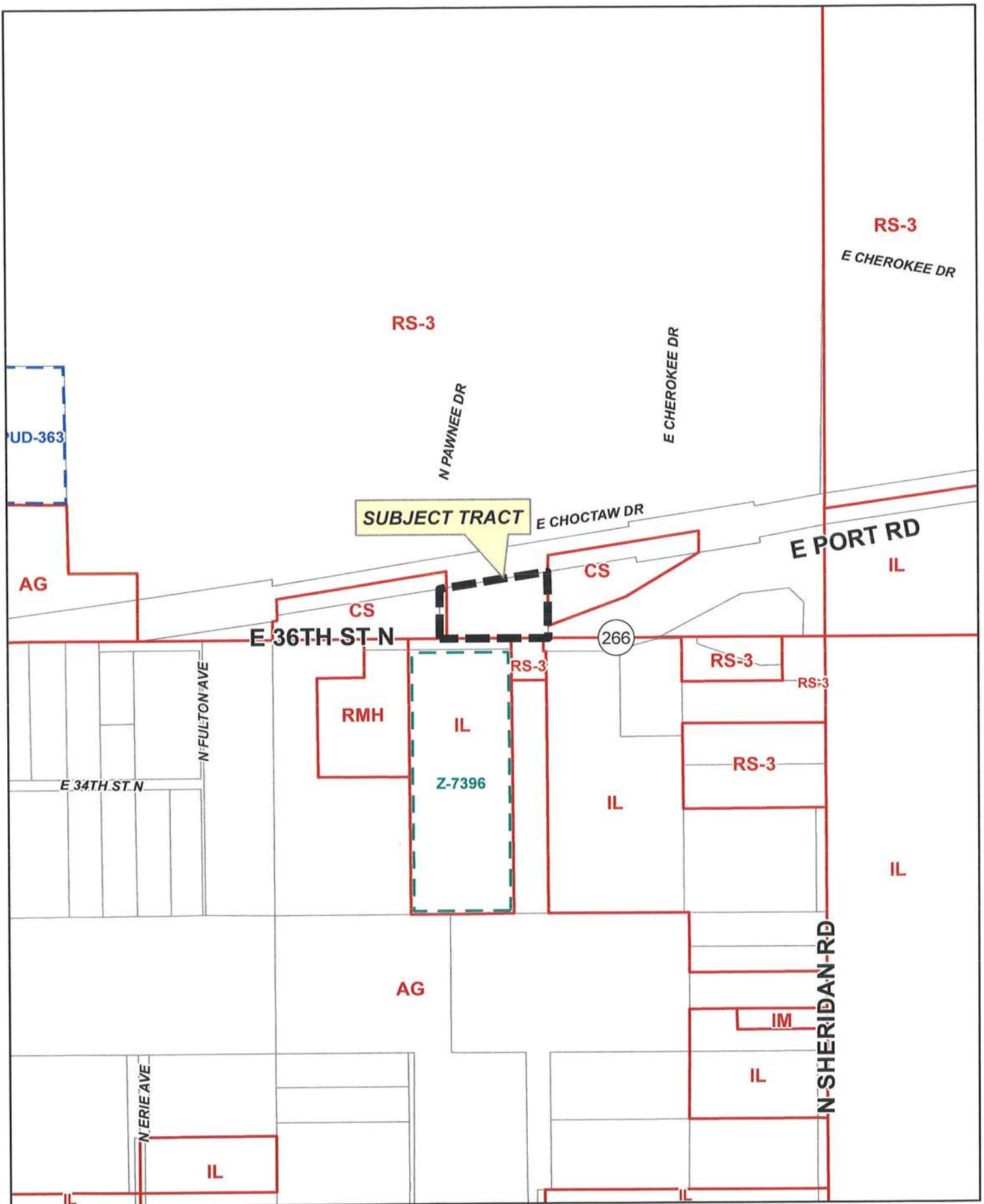
*With the existing conditions and more recent changes to the comprehensive plan and zoning map in the surrounding area, the proposed comprehensive plan and zoning amendment will provide a more consistent and logical use pattern for the area. The amendment will allow the City of Tulsa the opportunity to provide services for the citizens of Tulsa in an appropriate location."*

### **Staff Summary & Recommendation**

The property under application is located within a unique area with various land use designations. The *Park and Open Space* designation is inconsistent with the anticipated use of the subject tract and was applied as an extension of the Tulsa Zoo and Mohawk Golf Course sites. The *Existing Neighborhood* designation for properties east and west of the subject tract is inconsistent with the current zoning and use of those tracts.

*Mixed-Use Corridor (Multiple Use)* more closely aligns with the anticipated development along the 36<sup>th</sup> Street North corridor.

Staff recommends **approval** of the *Mixed-Use Corridor (Multiple Use)* designation.



**CPA-103**

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Subject Tract

**CPA-103**

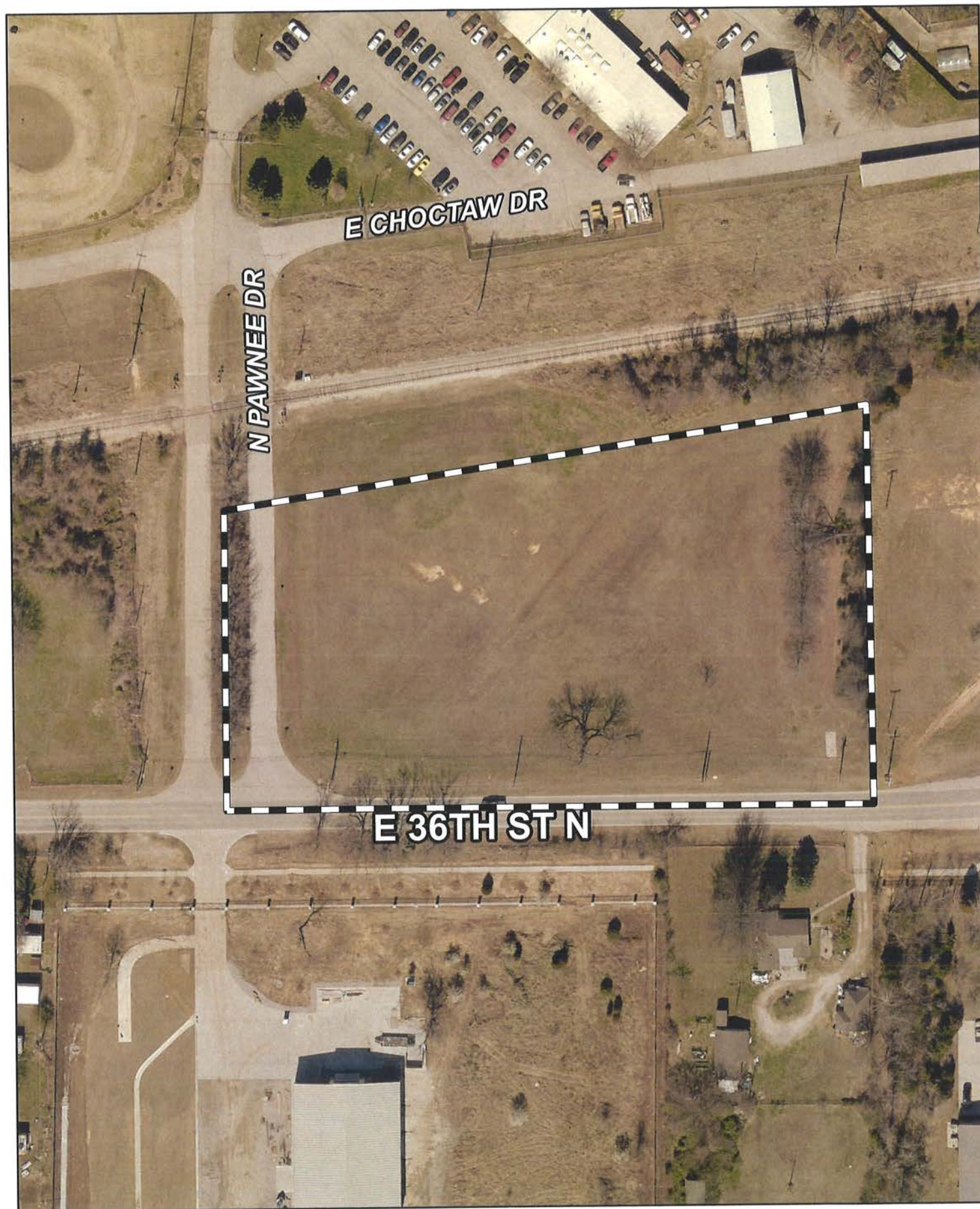
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Aerial Photo Date: 2020/2021







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Subject  
Tract

**CPA-103**

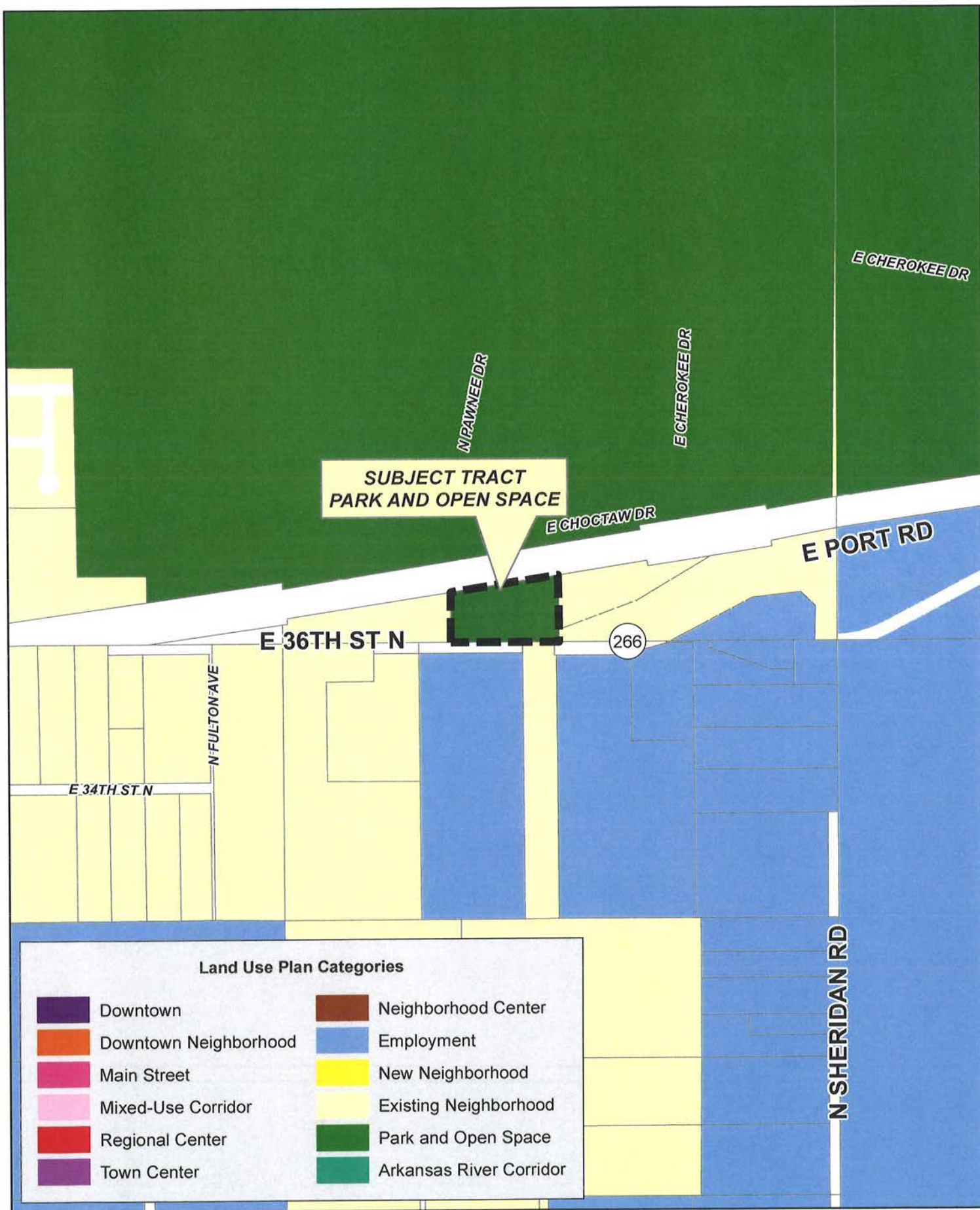
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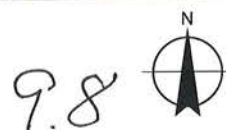




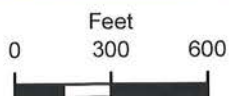
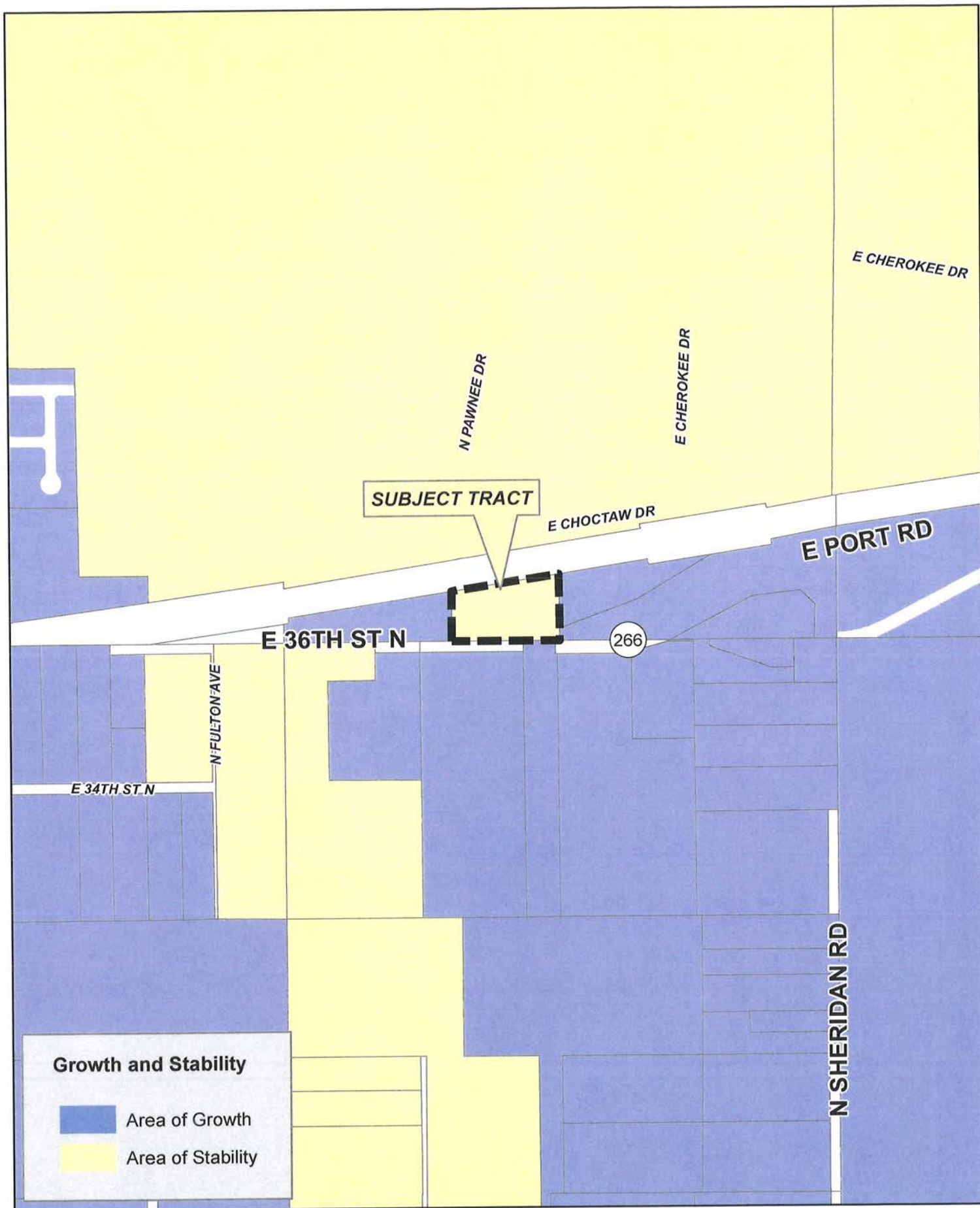


**CPA-103**

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**CPA-103**

20-13 15







**To:** TMAPC

**From:** Austin Chapman, AICP, Planner, Tulsa Planning Office

**Date:** June 21, 2023

**Re:** Possible TMAPC initiation of zoning code amendments relating to principal use day cares

Recently, the need to look more closely at regulations regarding Day Care uses has come to the attention of the Tulsa Planning Office and several City Councilors. The City of Tulsa Zoning Code currently has two classifications for day care uses:

1. Family Child Care Homes
  - a. Accessory to an allowed household living use
  - b. Limited to no more than 7 children
  - c. Requires operator to reside in the home
  - d. Must be properly licensed by the State of Oklahoma
  - e. Must be spaced-300 feet from other Family Child Care Homes.
2. (Principal use) Day Cares
  - a. Principal use care of children or adults that requires a special exception in residentially zoned districts
  - b. Not required to be used for household living (operator is not required to reside in the home)
  - c. No limit on number of children or adult clients

Principal use day cares require special exception approval by the Board of Adjustment if located in a residential zoned district and must also meet a minimum lot size that is greater than that required for residences in the district. For example, to construct a single-family home in the RS-3 district, the minimum lot area required is 6,900 square feet and the minimum lot width required is 60 feet. If a special exception is approved for a principal use day care, the minimum lot area is increased to 12,000 square feet and the minimum lot width is increased to 100 feet. (The greater lot size is also required for all other uses permitted by special exception in a residential zoned district.)

To address this issue the City Council initiated amendments to the City of Tulsa zoning Code on November 30, 2022. Tulsa Planning Office presented these proposed changes to TMAPC at a work session on March 22, 2023, and at a public hearing on May 17, 2023. TMAPC recommended approval of the changes, which included: reducing lot and area requirements for day cares in residential zoning districts; allowing the addition of day cares as an allowed use to be processed as a minor amendment to development plans; increasing the allowed number of children in

10.1

Family Child Care homes; and allowing non-resident employees in Family Child Care Homes.

Based on public comments at the May 17, 2023, public hearing, Commissioner Hood requested Tulsa Planning Office staff place the initiation of further amendments to the Zoning Code on a future TMAPC agenda. The amendments are to consider removing residency requirement for Family Child Care Homes and removing the 300-foot spacing requirements for Family Child Care Homes from other Family Child Care Homes.

If the TMAPC chooses to initiate the change, Tulsa Planning Office will draft amendments to the City of Tulsa Zoning Code to remove the residency requirement for Family Child Care Homes and remove the 300-foot spacing requirements for Family Child Care Homes from other Family Child Care Homes.