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 August 2, 2023 Meeting No. 2895
2. Minutes of August 16, 2023 Meeting No. 2896

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:

3. PUD-855-1 (County) Location: North of the Northeast corner of East 106th Street North and North Memorial Drive requesting a PUD Minor Amendment to reduce the required lot area and frontage in order to create an HOA reserve for landscape and irrigation.
PUBLIC HEARING-REZONING
Review and possible recommendation of approval, approval with modifications, denial, or deferral of the following:

4. **Z-7738 Club Carwash Operating, LLC** (CD 7) Location: Southeast corner of South Memorial Drive and East 68th Street South requesting rezoning from AG, OL, OM and CS to CS

5. **Z-7737 Deborah K. Palinskee** (CD 8) Location: North of the northeast corner of South Sheridan Road and East 78th Street South requesting rezoning from RS-3 to OL (Related to CPA-108)

PUBLIC HEARING-COMPREHENSIVE PLAN AMENDMENTS
Review and possible adoption, adoption with modifications, denial, or deferral of the following:

6. **CPA-108 Deborah K. Palinskee** (CD 8) Location: North of the northeast corner of South Sheridan Road and East 78th Street South requesting to amend the Land Use Map designation from Neighborhood to Multiple Use (Related to Z-7737)

PUBLIC HEARING-PLATS
Review and possible approval, approval with modifications, denial, or deferral of the following:

7. **Stone Lake Phase V** (County) Preliminary Plat, Location: West of the southwest corner of North Sheridan Road and East 136th Street North

8. **Magnolia Farms** (County) Preliminary Plat, Location: South of the southwest corner of South Sheridan Road and East 171st Street South

9. **41 East Apartments** (CD 6) Preliminary Plat, Location: North and east of the northeast corner of East 41st Street South and South 145th East Avenue

OTHER BUSINESS

10. 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 918-596-7526. Exhibits, petitions, pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained by the Tulsa Planning Office. All electronic devices must be silenced during the Planning Commission meeting.

Visit our website at tulsaplanning.org email address: planning@cityoftulsa.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:** PUD-855-1  
**Minor Amendment**

**Hearing Date:** September 6th, 2023

**Case Report Prepared by:**  
Jay Hoyt

**Owner and Applicant Information:**  
Applicant: AAB Engineering, LLC  
Property Owner: Executive Homes, LLC

**Location Map:**  
(shown with County Commission Districts)

![Location Map](image)

**Applicant Proposal:**  
Concept summary: PUD minor amendment to reduce the required lot area and frontage in order to create an HOA reserve for landscape and irrigation.

Gross Land Area: 0.51 Acres

Location: North of the Northeast corner of East 106th Street North and North Memorial Drive

Lot 1, Block 5 Meadows | Amended

**Zoning:**  
Existing Zoning: RS/PUD-855  
Proposed Zoning: No Change

**Comprehensive Plan:**  
Land Use Map: Transitional (Owasso)

**Staff Recommendation:**  
Staff recommends approval.

**Staff Data:**  
TRS: 2113

**County Commission District:** 1  
*Commissioner Name:* Stan Sallee
SECTION I: PUD-855-1 Minor Amendment

Amendment Request: Minor amendment to reduce the required lot area and frontage in order to create an HOA reserve for landscape and irrigation.

Currently the PUD requires a minimum lot area of 21,780 sf and a minimum lot width of 115 ft. The applicant is proposing to reduce the minimum lot area on the subject lot to 420 sf, remove the minimum width requirement and add a minimum frontage of 35 feet. The amendment is intended to allow an HOA owned reserve area for landscape and irrigation purposes only. This amendment would apply only to the portion of the subject lot illustrated as Tract A in the document provided by the applicant. The remainder of the subject lot would comply with the existing standards of PUD-855.

Staff Comment: This request is considered a Minor Amendment as outlined by Section 1170.7 of the Tulsa County Zoning Code.

"Minor changes in the PUD may be authorized by the Planning Commission, so long as a substantial compliance is maintained with the outline development plan and the purposes and standards of the PUD provisions hereof. Changes which would represent a significant departure from the outline development plan shall require compliance with the notice and procedural requirements of an original Planned Unit Development."

Staff has reviewed the request and determined:

1) PUD-855-1 does not represent a significant departure from the approved development standards in the PUD and is considered a minor amendment to PUD-855.

2) Proposed changes would apply only to the reserve area shown as Tract A.

3) All remaining development standards defined in PUD-855 shall remain in effect.

Exhibits included with staff report:
- INCOG zoning case map
- INCOG aerial photo
- INCOG aerial photo (Enlarged)
- Applicant Proposed Reserve Area (Tract A)

With considerations listed above, staff recommends approval of Minor amendment to reduce the required lot area, minimum lot width and add minimum lot frontage for the proposed reserve area.
Note: Graphic overlays may not precisely align with physical features on the ground.
Tract A

PART OF LOT 1, BLOCK 5, THE MEADOWS I AMENDED
ADDITION, TULSA COUNTY, OKLAHOMA, ACCORDING TO
THE RECORDED PLAT THEREOF.

LEGAL DESCRIPTION

A TRACT OF LAND LOCATED IN PART OF
LOT ONE (1), BLOCK FIVE (5), THE
MEADOWS I AMENDED, A SUBDIVISION
IN TULSA COUNTY, STATE OF
OKLAHOMA, ACCORDING TO
THE RECORDED PLAT THEREOF AND BEING
MORE PARTICULARLY DESCRIBED AS
FOLLOWS: COMMENCING AT THE
SOUTHWEST CORNER OF
LOT 1, BLOCK 5; THENCE NORTH
01'23'58" WEST A
DISTANCE OF 125.00
FEET ALONG
THE
WEST
LINE OF
SAID
LOT
1
TO
THE
POINT
OF
BEGINNING; THENCE
ON
A
CURVE TO THE
RIGHT
HAVING
A
RADIUS
OF
25.00
FEET
AND A
CHORD
BEARING OF NORTH
43°36'02" EAST, A
CHORD DISTANCE
OF
35.36
FEET
AND
AN ARC LENGTH OF 39.27
FEET;
THENCE SOUTH
09'54'38"
WEST A
DISTANCE
OF
25.50
FEET;
THENCE
SOUTH
88°36'02" WEST A DISTANCE
OF
20.00 FEET; TO THE SOUTH
LINE
OF
SAID LOT
1
AND TO THE
POINT
OF
BEGINNING.

SURVEYOR'S STATEMENT

THIS SURVEY MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS FOR THE
PRACTICE OF LAND SURVEYING AS ADOPTED BY THE BOARD OF LICENSURE FOR
PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR THE STATE OF OKLAHOMA.
The field work was completed on July 20, 2023.

JAY P. BISSELL
OKLAHOMA PLS NO. 1318

REGISTERED LAND SURVEYOR
OKLAHOMA

AAB Engineering, LLC
Engineering • Surveying • Land Planning
3 No. 2507 E 25th St., Ste. 10605
Oklahoma City, OK 73106
(405) 391-0113
Fax: (405) 391-0114
jpb@aabengineering.com

LEGEND
IPF - IRON PIN FOUND
IPS - IRON PIN SET (W/ CAP
STamped CA 6318)
U/E - UTILITY EASEMENT
B/L - BUILDING LINE
### Case Report Prepared by:
Nathan Foster

### Owner and Applicant Information:
**Applicant:** Club Carwash Operating, LLC  
**Property Owner:** RH, Inc & Nichola V. Duncan Rev Trust

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

### Applicant Proposal:
**Present Use:** Restaurant  
**Proposed Use:** Personal Vehicle Repair and Maintenance (Carwash)  
**Concept summary:** Rezone the site from AG, OL, OM, and CS to CS to support redevelopment of the site.  
**Tract Size:** 1.73 acres  
**Location:** Southeast corner of South Memorial Drive and East 68th Street South

### Zoning:
**Existing Zoning:** AG, OL, OM, CS  
**Proposed Zoning:** CS  

### Comprehensive Plan:
Regional Center

### Staff Recommendation:
Staff recommends approval.

### Staff Data:
**TRS:** 9307  
**CZM:** 37

### City Council District:
**City Council District:** 7  
**Councilor Name:** Lori Decter Wright

### County Commission District:
**County Commission District:** 2  
**Commissioner Name:** Karen Keith
SECTION I: Z-7738

DEVELOPMENT CONCEPT: The applicant is proposing to rezone the property to CS to permit redevelopment of the site. The property currently has four separate zoning designations, CS, AG, OL, and OM. The proposal to rezone the entire property to CS would provide one set of zoning regulations that would be consistent with other zoning districts in the area.

EXHIBITS:
- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map

DETAILED STAFF RECOMMENDATION:

The application would rezone a property that currently has four separate zoning districts into one zoning district.

The CS district is primarily intended to accommodate convenience, neighborhood, subcommunity, community, and regional shopping centers providing a range of retail and personal service uses.

CS zoning would align with the land use designation of “Regional Center” by allowing for a range of commercial and residential uses. CS is listed as the least intensive commercial zoning district.

Staff recommends approval of Z-7738 to rezone the property from CS, AG, OL, and OM to CS.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The land use designation for this site is “Regional Center”. The designation is supportive of commercial uses, including those that would be permitted by the CS district. The proposed rezoning would be consistent with the comprehensive plan.

Land Use Vision:

Regional Center
Existing regional trip generators define the Regional Centers in contrast to Local Centers. These centers should be the most connected land use pockets outside of downtown for public transit access and high-capacity arterial streets. New regional trip generators should be permitted in the area with special consideration given to the transportation access and circulation. Regional trip generators include universities, malls, large medical campuses, casinos, big-box shopping centers, and very large churches.

Transportation Vision:

Major Street and Highway Plan: South Memorial Drive is classified as a primary arterial street which requires 120’ of right-of-way. The existing street consists of 6 driving lanes with turn lanes and a signalized intersection with East 68th Street South.

Trail System Master Plan Considerations: None.
Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

**Staff Summary:** There is currently a vacant restaurant space on the property. There are commercial uses on all sides and the property has frontage on South Memorial Drive which serves as a primary arterial street and East 68th Street which serves as a primary entrance to Woodland Hills Mall.

Streets:

<table>
<thead>
<tr>
<th>Existing Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Memorial Drive</td>
<td>Primary Arterial</td>
<td>120’</td>
<td>6</td>
</tr>
<tr>
<td>East 68th Street South</td>
<td>None</td>
<td>50’</td>
<td>4</td>
</tr>
</tbody>
</table>

Utilities:
The subject tract has municipal water and sewer available.

Surrounding Properties:

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>CS/PUD-470-A</td>
<td>Regional Center</td>
<td>Office</td>
</tr>
<tr>
<td>South</td>
<td>CS/OL</td>
<td>Regional Center</td>
<td>Drive-through Restaurant</td>
</tr>
<tr>
<td>East</td>
<td>CS</td>
<td>Regional Center</td>
<td>Automotive Parts Store</td>
</tr>
<tr>
<td>West</td>
<td>CS/PUD-379-A</td>
<td>Regional Center</td>
<td>Commercial</td>
</tr>
</tbody>
</table>

SECTION III: Relevant Zoning History

**ZONING ORDINANCE:** Ordinance number 11829 dated June 26, 1970, established zoning for the subject property.
## Case Report Prepared by:
Austin Chapman

## Owner and Applicant Information:
**Applicant:** Deborah K. Palinskee  
**Property Owner:** Henry Penix / HP Global Asset Management

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

![Location Map](image)

## Applicant Proposal:
**Present Use:** Single-family home and a salon  
**Proposed Use:** Office Park  
**Concept summary:** Rezoning to allow an office park on the western half of the property and leave the eastern portion undeveloped.  
**Tract Size:** 8.1 ± acres  
**Location:** North of the northeast corner of S. Sheridan Rd. and E. 78th St. S.

## Zoning:
**Existing Zoning:** RS-3  
**Proposed Zoning:** OL

## Comprehensive Plan:
**Existing Land Use:** Neighborhood  
**Proposed Land Use:** Multiple Use (CPA-108)

## Staff Recommendation:
Staff recommends **approval** of OL on the west 646.29-feet and **denial** of OL zoning on the east 623.45-feet of the property.

## Staff Data:
**TRS:** 8311  
**CZM:** 53

## City Council District:
**District:** 8  
**Councilor Name:** Phil Lakin

## County Commission District:
**District:** 3  
**Commissioner Name:** Kelly Dunkerley
SECTION I: Z-7737

DEVELOPMENT CONCEPT: Applicant is seeking rezoning of the property from RS-3 to OL to develop a low-intensity office park with the stated intent to place the eastern portion into a conservation easement.

EXHIBITS:
- Case map
- Aerial (small scale)
- Tulsa Comprehensive Plan Land Use Map
- Applicant Exhibits
- Comments from interested parties.

DETAILED STAFF RECOMMENDATION:

The application is related to CPA-108 which proposes to change the land use designation from “Neighborhood” to “Multiple Use”. There is currently a creek that bisects the property making the west portion more favorable to development. The applicant has noted their intent to place the east portion of the property inside a conservation easement which would limit the development of that area. The proposed conservation easement is not considered by staff in their recommendation and the City of Tulsa does not have any mechanism to require it be put into a conservation easement.

Staff supports a change to Multiple Use and a rezoning to OL on the western portion of the property. The western portion of the lot has frontage on South Sheridan Road which is a secondary arterial. OL zoning would permit small-scale office uses that are consistent with existing uses along the Sheridan corridor including a day care, a nail salon, and a religious assembly. Staff has recommended denial of the rezoning to OL and land use change for the eastern 623.45-feet of property. The change for the eastern portion of the property would support commercial development interior to an established neighborhood. Allowed uses approved through zoning should remain residential in nature for the portion of the property that that far back into the neighborhood.

The OL district is primarily intended to facilitate the development and preservation of low-intensity office development and is compatible with a “Multiple Use” land use Designation. Residential zoning districts are primarily intended to create, maintain, and promote a variety of housing opportunities for individual households and to maintain and promote the desired physical character of existing and developing neighborhoods. Maintaining the existing RS-3 Zoning on the property is consistent with the “Neighborhood” Land Use designation.

Staff recommends approval of OL on the West 646.29-feet and denial of OL zoning on the East 623.45-feet of the property, contingent on the approval of CPA-108 per staff recommendation to change the land use designation from “Neighborhood” to “Multiple Use” the Western portion of the property.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: Staff is in support of the Comprehensive plan amendment to change the land use designation to “Multiple Use” on the West 646.29-feet of the property and denial of the of the Comprehensive plan amendment on the East 623.45-feet of the property.
Land Use Vision:

Existing:

Neighborhood

Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off of a lower-order street separated from the arterial, then it would be considered Neighborhood.

Proposed in CPA-108:

Multiple Use

Multiple Use areas are “Mostly Commercial or Retail Uses” which include restaurants, shops, services, and smaller format employment uses. This land use designation is most common in areas of the city from earlier development patterns, with Local Centers being more commonplace in newer parts of the city. For single properties that are commercial but surrounded by Neighborhood, Multiple Use is the preferred designation.

Transportation Vision:

Major Street and Highway Plan: South Sheridan Road is designated as a Secondary Arterial Street and the ultimate right-of-way is in place for the Major Street and Highway plan at this location.

Trail System Master Plan Considerations: None.

Development Era:

Late Automobile Era: The properties surrounding the subject tract began to develop during the Late Automobile Era (1950-present): In the late 1950s and early 1960s the suburbs grew at a tremendous rate in the Tulsa metropolitan area. It was at this time that surrounding communities, such as Broken Arrow, began to grow at a rapid pace. At this time, the City of Tulsa annexed more than 100 square miles, and neighborhood subdivisions began to proliferate from the core of the city toward the suburban communities. This property was never included in a subdivision though the majority of the pretty in the square mile section of land have been platted.

Small Area Plan: None.

Special District Considerations: None.

Historic Preservation Overlay: None.

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The property contains a non-conforming beauty salon in the front of the property and single-family structures in the rear. The majority of the property is currently undeveloped and rich with mature trees. The Little Haikey Creek Tributary runs through the property and bisects
the property leaving the rear portion accessible by a bridge. Property current has access to South Sheridan Road and is bounded by single family subdivision on three sides.

**Environmental Considerations:**

The eastern side of the property is cut-off from the Western portion by the Little Haikey Creek Tributary which makes development of the East side of the property considerably more challenging than development on the West Side. The property contains a roughly 36% tree canopy coverage which is evidenced from the aerial imagery provided in the staff report.

![Aerial Image](Taken from the City of Tulsa Floodplain Atlas)

**Streets:**

<table>
<thead>
<tr>
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<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>S. Sheridan Road</td>
<td>Secondary Arterial</td>
<td>100-feet</td>
<td>4 lanes</td>
</tr>
</tbody>
</table>

**Utilities:** City utilities are available to the subject site from S. Sheridan Road.

**Zoning and Surrounding Uses:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>AG and RS-3</td>
<td>Neighborhood</td>
<td>Single-family Residential Subdivision and Single large acre single family lot on the Sheridan frontage</td>
</tr>
<tr>
<td>West</td>
<td>RS-3 inside PUD-290</td>
<td>Neighborhood</td>
<td>Single-family Residential Subdivision</td>
</tr>
<tr>
<td>South</td>
<td>AG and RS-3</td>
<td>Neighborhood</td>
<td>Day care, Religious Assembly and Single-family Residential Subdivision</td>
</tr>
<tr>
<td>East</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Single-family Residential Subdivision</td>
</tr>
</tbody>
</table>
Relevant Zoning History:

**ZONING ORDINANCE:** Ordinance number 20779 dated February 6, 2004 established RS-3 zoning for the subject property. Previous ordinance number 11829 dated June 26th, 1970 established AG zoning on the subject property.

Board of Adjustment History:

**BOA-8260:**
On 05.16.74 the Board approved a daycare and pre-kindergarten school in the AG District.

**BOA-14332:**
On 01.08.87 the Board approved an appeal and reversed the code enforcement Officer decision finding a beauty salon was not a legally non-conforming use.
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2021
Dear community members,

We hope this message finds you well. As lifelong residents of Tulsa, we deeply value the importance of our neighborhood and its harmonious development. Over the years, we have had the privilege of undertaking numerous commercial and non-commercial projects, always with our neighbors' best interests at heart. It is with this same mindset that we approach the property on Sheridan.

Within the expansive 8+ acres of land available, our plan is to develop only the front portion, approximately 3.5 acres that directly abuts Sheridan Road, into a light office space. Our intention is to create a space that seamlessly integrates with the existing surroundings while serving the needs of the community.

We understand the significance of preserving our natural environment and maintaining the aesthetic appeal of our neighborhood. Therefore, we are committed to designating everything behind the large house situated in the middle of the property, as well as the area beyond the creek, as a conservation easement. This decision ensures that no further development can ever take place on this land, safeguarding its pristine condition and contributing to the overall appreciation of the properties surrounding it. It will essentially be akin to having a private park in your own backyard.

We want to assure you that the development will be strategically situated at a considerable distance from any residential areas, ensuring minimal disruptions to the tranquility of the community. The architectural style of the project will be both contemporary and tasteful, reflecting current design trends while maintaining a conservative approach. In terms of utilization, we envision the offices primarily catering to medical services such as chiropractic, dentistry, family physician, and pediatrics. Given the proximity to a childcare center and a church, we are committed to upholding the highest standards regarding the selection of appropriate tenants and compatible uses.

By implementing this plan, we believe that the approximate 3.5 acres abutting Sheridan will be put to great use, while concurrently preserving and protecting nearly 5 acres from any further development. This approach ensures a clean and wholesome environment for the benefit of our community, not just for today, but for many years to come.

We sincerely appreciate your understanding and support for this project. Should you have any questions or concerns, we encourage you to reach out to us directly. We value your input and are committed to open dialogue as we move forward in our shared commitment to the betterment of this neighborhood. Henry.Penix@Gmail.com
LEGAL DESCRIPTION

A TRACT OF LAND LYING IN THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (NW/4,SW/4) OF SECTION ELEVEN (11), TOWNSHIP EIGHTEEN (18) NORTH RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, MORE PARTICULARLY DESCRIBED AS FOLLOWS.

BEGINING AT A POINT ON THE WEST SECTION LINE 35 FEET SOUTH OF THE NORTHWEST CORNER OF SAID TRACT; THENCE DUE EAST A DISTANCE OF 568 FEET; THENCE S37 34'10"E A DISTANCE OF 65 FEET; THENCE DUE SOUTH A DISTANCE OF 65 FEET; THENCE DUE EAST A DISTANCE OF 367.76 FEET; THENCE DUE NORTH A DISTANCE OF 200 FEET; THENCE EAST A DISTANCE OF 189.24 FEET; THENCE DUE SOUTH A DISTANCE OF 396.00 FEET; THENCE DUE WEST A DISTANCE OF 1020 FEET; THENCE DUE NORTH A DISTANCE OF 58 FEET; THENCE N48 11'53"W A DISTANCE OF 137.20 FEET; THENCE DUE WEST A DISTANCE OF 190.00 FEET; THENCE DUE NORTH A DISTANCE OF 221.00 FEET TO THE POINT OF BEGINNING.
Good Afternoon,

I am writing to express my objection to the zoning request RE: Case Z-7737 changing the property from Residential Single Family to Office. A few of my neighbors in Minshall park were talking it over in our facebook group and many of us are opposed to the change. There is more than enough office space in Tulsa to clutter up our area with it. We don't need more parking lots, traffic, and unused/ vacant buildings. The developer/ owner not being able to offload the property isn't an imperative to rezone it to something more lucrative for them.

Hope you all are staying safe in all this heat!

-Eric Yeager
**Case Number:** CPA-108  
**Comprehensive Plan Amendment**  
(related to Z-7737)  
**Hearing Date:** September 6, 2023  

**Case Report Prepared by:**  
Austin Chapman  

**Owner and Applicant Information:**  
Applicant: Deborah K. Palinskee  
Property Owner: Henry Penix / HP Global Asset Management  

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

**Applicant Proposal:**  
Land Use Map change from *Neighborhood* to *Multiple Use*  
*Tract Size:* 8.1 + acres  
*Location:* North of the northeast corner of S. Sheridan Rd. and E. 78th St. S.  

**Staff Recommendation:**  
Staff recommends *approval* of *Multiple Use* land use designation on the west 646.29- feet of the property and recommends *denial* of Multiple Use land use designation on the east 623.45-feet.  

**Comprehensive Plan:**  
**Land Use Map**  
Existing: *Neighborhood*  
Proposed: *Multiple Use*  

**Zoning**  
Existing Zoning: RS-3  
Proposed Zoning: OL (Z-7737)  

**City Council District:** 8  
**Councilor Name:** Phil Lakin  

**County Commission District:** 3  
**Commissioner Name:** Kelly Dunkerly
Property Information and Land Use Request

The applicant has submitted this proposed Comprehensive Plan amendment (CPA-108) with a concurrent rezoning request (Z-7737) to request a change in the Land Use designation of the subject property from Neighborhood to Multiple Use for the entirety of the site. The concurrent zoning request proposes a change from RS-3 to OL to support redevelopment of the subject property.

Background

The property contains a non-conforming beauty salon in the front of the property and single-family structures in the rear. The majority of the property is currently undeveloped and rich with mature trees. The Little Hailey Creek Tributary runs through the property and bisects the property leaving the rear portion accessible by a bridge. Property currently has access to South Sheridan Road and is bounded by single family subdivisions on three sides.

EXISTING LAND USE:

Neighborhood

Neighborhoods are “Mostly Residential Uses” which includes detached, missing middle, and multi-dwelling unit housing types. Churches, schools, and other low-intensity uses that support residents’ daily needs are often acceptable, particularly for properties abutting Multiple Use, Local Center, or Regional Center land use areas. Multi-dwelling unit housing that takes access off of an arterial is considered Multiple Use, Local Center, or Regional Center. If a multi-dwelling unit housing property takes access off of a lower-order street separated from the arterial, then it would be considered Neighborhood. Neighborhood development in Future Growth areas should be well connected to the arterial network and setup with street stubs to accommodate future connectivity to surrounding subdivisions. Higher density is only preferred when adjacent to developed areas, e.g. “leapfrog” subdivisions should be low density to not strain public service distribution.

PROPOSED LAND USE IN CPA-109:

Multiple Use

Multiple Use areas are “Mostly Commercial or Retail Uses” which include restaurants, shops, services, and smaller format employment uses. This land use designation is most common in areas of the city from earlier development patterns, with Local Centers being more commonplace in newer parts of the city. For single properties that are commercial but surrounded by Neighborhood, Multiple Use is the preferred designation. In general, commercial and retail uses in Future Growth areas should be located on arterial streets.
or on existing or planned streets that are easily accessed by the arterial street grid. Where development is occurring at the intersection of significant streets, local center is the preferred designation.

Zoning and Surrounding Uses

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North</td>
<td>AG and RS-3</td>
<td>Neighborhood</td>
<td>Single-family Residential Subdivision and Single large acre single family lot on the Sheridan frontage</td>
</tr>
<tr>
<td>West</td>
<td>RS-3 inside PUD-290</td>
<td>Neighborhood</td>
<td>Single-family Residential Subdivision</td>
</tr>
<tr>
<td>South</td>
<td>AG and RS-3</td>
<td>Neighborhood</td>
<td>Day care, Religious Assembly and Single-family Residential Subdivision</td>
</tr>
<tr>
<td>East</td>
<td>RS-3</td>
<td>Neighborhood</td>
<td>Single-family Residential Subdivision</td>
</tr>
</tbody>
</table>

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.

How conditions have changed:

The site has not been developed. The surrounding area has developed around it. North and east of the site has developed into a residential neighborhood. South of the property is a church and a preschool. The property faces Sheridan. West of Sheridan is a regional detention pond and another residential neighborhood.

How those changes have impacted the property:

The way the properties around the site have developed makes it difficult to develop to meet the RS-3 zoning along with the presence of City of Tulsa Regulatory Floodplain on the site.

How the proposed change will enhance the area:
The easterly portion of this property is in the City of Tulsa Regulatory Floodplain will be in a conservation easement. This conservation easement ensures that it will not be developed. It will be left in its current condition or become a more natural area. The area near Sheridan will be developed into offices, possibly housing medical offices. This will enhance the area and bring needed office space to this area of Tulsa.

The office park coupled with leaving the floodplain and easterly part of the property as natural as possible would be an improvement to the area.

**STAFF SUMMARY & RECOMMENDATION**

Staff supports a change to Multiple Use on the western portion of the property. The western portion of the lot has frontage on South Sheridan Road which is a secondary arterial. Staff has recommended denial of the land use change for the eastern 623.45-feet of property. The change for the eastern portion of the property would support commercial development interior to an established neighborhood. Allowed uses approved through zoning should remain residential in nature for the portion of the property that far back into the neighborhood.

There is currently a creek that bisects the property making the west portion more favorable to development. The applicant has noted their intent to place the east portion of the property inside a conservation easement which would limit the development of that area. The proposed conservation easement is not considered by staff in their recommendation and the City of Tulsa does not have any mechanism to require it be put into a conservation easement.

Staff recommends **approval** of *Multiple Use* land use designation on the West 646.29-feet of the property and recommends **denial** of Multiple Use land use designation on the East 623.45-feet.
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2021
COMPREHENSIVE PLAN JUSTIFICATION

How conditions have changed:

The site has not been developed. The surrounding area has developed around it. North and east of the site has developed into a residential neighborhood. South of the property is a church and a preschool. The property faces Sheridan. West of Sheridan is a regional detention pond and another residential neighborhood.

How those changes have impacted the property:

The way the properties around the site have developed makes it difficult to develop to meet the RS-3 zoning along with the presence of City of Tulsa Regulatory Floodplain on the site.

How the proposed change will enhance the area:

The easterly portion of this property is in the City of Tulsa Regulatory Floodplain will be in a conservation easement. This conservation easement ensures that it will not be developed. It will be left in its current condition or become a more natural area.

The area near Sheridan will be developed into offices, possibly housing medical offices. This will enhance the area and bring needed office space to this area of Tulsa.

The office park coupled with leaving the floodplain and easterly part of the property as natural as possible would be an improvement to the area.
Case: Stone Lake Phase V

Hearing Date: September 6th, 2023
(Revised 8/31/2023)

Case Report Prepared by:
Jay Hoyt

Owner and Applicant Information:
Applicant: Kellogg Engineering, Inc.
Owner: K&S Development, Inc.

Location Map:
(shown with County Commission Districts)

Applicant Proposal:
Preliminary Plat
32 lots, 4 blocks, 23.31 ± acres
Location: West of the southwest corner of North Sheridan Road and East 136th Street North

EXHIBITS:
Zoning Case Map
Aerial
Land Use Plan
Plat Submittal

Zoning: RE (Residential Estate)

Staff Recommendation:
Staff recommends approval of the preliminary plat.

County Commission District: 1
Commissioner Name: Stan Sallee
PRELIMINARY PLAT

Stone Lake Phase V - (County)
West of the southwest corner of North Sheridan Road and East 136th Street North

This plat consists of 32 lots, 4 blocks on 23.31 ± acres.

The Technical Advisory Committee (TAC) met on August 17th, 2023 and provided the following comments:

1. **Zoning**: Proposed lots conform to the requirements of the RE district. Planning Services will provide comments prior to final plat release.

2. **Addressing**: Addresses provided by INCOG must be shown on face of the final plat.

3. **Sewer/Water**: On-site sewage disposal must be approved by the Oklahoma Department of Environmental Quality. Water service to be provided by Rural Water District #3. Any improvements to existing water lines must be approved through the RWD.

4. **County Engineering**: Plat should include detention area as part of plat.

5. **Utilities**: Telephone, Electric, Gas, Cable, Pipeline, Others: Release letters are required from all utilities serving the site.

Modifications of the Subdivision & Development Regulations:

*Section 5-070.2 Sidewalks – Unincorporated Tulsa County*

Sidewalks are required to be installed on both sides of all arterial, collector and residential streets with curb and gutter. They are to be installed prior to issuance of a certificate of occupancy, installed within the right-of-way line or an alternative location approved by the county engineer and installed per the standards and specifications of Tulsa County.

The applicant has requested a modification to eliminate the requirement for sidewalks within the area of this plat. County Engineering has indicated that they will not require sidewalks as part of this development and plat.

Staff recommends APPROVAL of the preliminary plat and modification of the Subdivision & Development Regulations for sidewalks subject to the conditions provided by TAC all other requirements of the Subdivisions Regulations.
# Magnolia Farms

**Hearing Date:** September 6th, 2023

## Case Report Prepared by:

Jay Hoyt

## Owner and Applicant Information:

**Applicant:** Select Design

**Owner:** Pine Springs Development Group, LLC

## Applicant Proposal:

**Preliminary Plat**

32 lots, 3 blocks, 41.5 ± acres

**Location:** South of the southwest corner of South Sheridan Road and East 171st Street

## Location Map:

(shown with County Commission Districts)

![Location Map](image)

## Zoning:

RE (Residential Estate)/PUD-863

## Staff Recommendation:

Staff recommends approval of the preliminary plat.

## County Commission District:

3

**Commissioner Name:** Kelly Dunkerley
PRELIMINARY PLAT

**Magnolia Farms** - (County)
South of the southwest corner of South Sheridan Road and East 171st Street
South
This plat consists of 32 lots, 2 blocks on 41.5 ± acres.

The Technical Advisory Committee (TAC) met on August 17th, 2023 and provided the following comments:

1. **Zoning:** Proposed lots conform to the requirements of the RE district and PUD-863. Planning Services will provide comments prior to final plat release.

2. **Addressing:** Addresses provided by INCOG must be shown on face of the final plat.

3. **Sewer/Water:** On-site sewage disposal must be approved by the Oklahoma Department of Environmental Quality. Water service to be provided by Okmulgee County Rural Water District #6. Any improvements to existing water lines must be approved through the RWD.

4. **County Engineering:** Provide Right-Of-Way along Sheridan Road.

5. **Utilities:** Telephone, Electric, Gas, Cable, Pipeline, Others: Release letters are required from all utilities serving the site.

Staff recommends APPROVAL of the preliminary plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.
SUBJECT TRACT
LAND USE PLAN
RURAL RESIDENTIAL & NEIGHBORHOOD COMMERCIAL

Tulsa County Land Use Plan
Fenceline - Bixby
- Rural Agriculture (Unincorporated)
- Agricultural
- Rural Residential
- Low Density Residential
- Medium Density Residential
- Medium-High Density Residential
- High Density Residential
- Residential Manufactured Home Park
- Mixed Use
- Neighborhood Commercial
- Commercial
- Industrial
- Public/Institutional
- Recreation and Open Space
- Flood District

MAGNOLIA FARMS
17-13 34
8.5
Magnolia Farms

A SUBMISSION IN TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP SEVENTEEN (T17N) RANGE THIRTEEN (R13E) EAST OF THE TOWNSHIP BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

**Address:**
1376 EAST 181ST STREET SOUTH

**GROSS SUBDIVISION AREA:** 1,809,300.76 SF OR 41.54 ACRES

**Reserve 'C'**

**T.B.D.**

**Driveway Culvert Summary Table**

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**Line Table**

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**Curve Table**

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<tr>
<td>C3</td>
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</tr>
</tbody>
</table>

**Subdivision Statistics**

SUBDIVISION CONTAINS THIRTY-TWO (32) LOTS IN THIRTY-THREE (33) SITES IN THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP SEVENTEEN (T17N) RANGE THIRTEEN (R13E) EAST OF THE TOWNSHIP BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

**Basis of Bearings**

BEARINGS ARE BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (WGS 84) OR TOWNSHIP BASE AND MERIDIAN.

**Monumentation**

ALL CORNER MONUMENTS HEREIN MUST BE A 3" X 3" X 12" CEMENT BLOCK WITH A HOLE DRILLED THROUGH THE CENTER WITH A RING HANGING IN THE HOLE AND MARKED "THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ) REQUIREMENTS FOR MINIMUM LOT SIZE FOR INDIVIDUAL SEPTIC SYSTEMS FOR EACH LOT.

**Floodplain Data**

WE HAVE EXAMINED A MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY (ODEQ), WHICH INDICATES THE SUBJECT PROPERTY TO BE IN THE FLOODPLAINS DETERMINED TO BE OUTSIDE THE 1% ANNUAL CHANCE FLOODPLAIN.

**Final Plat Certificate of Approval**

CERTIFICATE OF APPROVAL

1. This plat is in conformance with the Unified Development Code of the City of Tulsa.

2. This plat is in conformance with the Unified Development Code of the City of Tulsa.

3. This plat is in conformance with the Unified Development Code of the City of Tulsa.

4. This plat is in conformance with the Unified Development Code of the City of Tulsa.

5. This plat is in conformance with the Unified Development Code of the City of Tulsa.

6. This plat is in conformance with the Unified Development Code of the City of Tulsa.

7. This plat is in conformance with the Unified Development Code of the City of Tulsa.

8. This plat is in conformance with the Unified Development Code of the City of Tulsa.

9. This plat is in conformance with the Unified Development Code of the City of Tulsa.
THENCE SOUTH 00°57'39" EAST ALONG THE EAST LINE THEREOF A DISTANCE OF 903.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING SOUTH 00°57'39" EAST ALONG SAID SOUTH LINE OF THE NE/4 OF SAID SECTION 34; THENCE SOUTH 88°45'41" WEST 1022.80 FEET; THENCE NORTH 01°04'23" WEST 439.00 FEET; THENCE NORTH 48°21'58" EAST 241.23 FEET.

SECTION II. PLANNED UNIT DEVELOPMENT RESTRICTIONS

A. FORMATION OF HOMEOWNERS’ ASSOCIATION

The undersigned developer, JERRY GORDON, MANAGING MEMBER, DEVELOPMENT GROUP, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, and ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, MY COMMISSION EXPIRES: 8/13/2026

B. MANDATORY MEMBERSHIP

Each record owner of a residential lot within Magnolia Farms shall be a member of the Association. Membership in the Association shall not be terminated until the lot is no longer a part of the Association’s community. Membership in the Association shall not be transferred unless transferred in conformance with the Act and the Declaration of Covenants, Conditions, and Restrictions.

C. PAYMENTS

All payments due, including assessments, fines, penalties, and other expenses, shall be paid to the Association and recorded in its books in the manner as provided for in the Act and Declaration of Covenants, Conditions, and Restrictions.

D. MEMBERSHIP RIGHTS

All members shall have the right to vote at meetings of the Association and to participate in the management of the Association. The Declaration of Covenants, Conditions, and Restrictions contains the affirmative vote requirements for the Association to take any action.

E. RESERVE ‘A’

RESERVE AREA ‘A’ IS HEREBY DEDICATED FOR THE PURPOSE OF ESTABLISHING AND MAINTAINING A DETENTION FACILITY, UTILITY EASEMENT, OPEN SPACE, LANDSCAPING AND MOWER APPURTENANCES THERETO, WITH RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID; PROVIDED HOWEVER, THE MAGNOLIA FARMS HOMEOWNERS’ ASSOCIATION MAY ENTER THE EASEMENTS AND PERFORM SUCH MAINTENANCE, AND THE COST THEREOF SHALL BE PAID BY THE MAGNOLIA FARMS HOMEOWNERS’ ASSOCIATION.

F. RESERVE ‘B’

RESERVE AREA ‘B’ IS HEREBY DEDICATED FOR SUCH PURPOSES AS THE MAGNOLIA FARMS HOMEOWNERS’ ASSOCIATION MAY, FROM TIME TO TIME, DESIGNATE, SUBJECT TO THE MUNICIPAL ORDINANCES OF THE CITY OF CANTON, WHERE THE TRACT OF LAND IS LOCATED.

G. RESERVE ‘C’

RESERVE AREA ‘C’ IS HEREBY DEDICATED FOR SUCH PURPOSES AS THE MAGNOLIA FARMS HOMEOWNERS’ ASSOCIATION MAY, FROM TIME TO TIME, DESIGNATE, SUBJECT TO THE MUNICIPAL ORDINANCES OF THE CITY OF CANTON, WHERE THE TRACT OF LAND IS LOCATED.

H. HOMEOWNERS’ ASSOCIATION

A. FORMATION OF HOMEOWNERS’ ASSOCIATION

The undersigned developer, JERRY GORDON, MANAGING MEMBER, DEVELOPMENT GROUP, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, and ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, MY COMMISSION EXPIRES: 6/23/2026

B. MEMBERSHIP

All residents of residential lots within the Association shall be members of the Association. Membership in the Association shall not be terminated until the lot is no longer a part of the Association’s community. Membership in the Association shall not be transferred unless transferred in conformance with the Act and the Declaration of Covenants, Conditions, and Restrictions.

C. ORGANIZATIONAL RIGHTS

The Declaration of Covenants, Conditions, and Restrictions, as amended by the Association, is hereby declared to be the “organizational rights” of the Association, and are hereby incorporated into this section of the Preliminary Plat by reference. The organizational rights of the Association shall be subject to and governed by the Declaration of Covenants, Conditions, and Restrictions, as amended by the Association.

D. ADMINISTRATION

The Association shall be administered by the Association, and the Declaration of Covenants, Conditions, and Restrictions shall be the exclusive means by which the Association may amend or modify the Declaration of Covenants, Conditions, and Restrictions.

E. FINANCIAL RECORDS

The Association shall keep and maintain financial records of all monies received or collected, including any funds held in trust for other persons or organizations, and shall release all such funds on request to the Association.

F. LIENS

Any person who performs any work or labor on the Association’s property shall be entitled to a lien for the amount of the labor or materials performed. The lien shall be subject to the provisions of the Act and the Declaration of Covenants, Conditions, and Restrictions.

G. ENFORCEMENT

The provisions of the Act and the Declaration of Covenants, Conditions, and Restrictions shall be enforced by the Association and its officers, agents, and/or any person designated by the Association.

H. CERTIFICATE OF COMPLIANCE

Upon completion of all required improvements and compliance with all the provisions of the Act and the Declaration of Covenants, Conditions, and Restrictions, the undersigned developer, JERRY GORDON, MANAGING MEMBER, DEVELOPMENT GROUP, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, and ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, MY COMMISSION EXPIRES: 8/13/2026

I. CERTIFICATE OF COMPLIANCE WITH ENVIRONMENTAL QUALITY

The undersigned developer, JERRY GORDON, MANAGING MEMBER, DEVELOPMENT GROUP, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, and ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, MY COMMISSION EXPIRES: 6/23/2026

J. LIMITS OF NO ACCESS

The area delineated on the Plat as "Reserve Area ‘A’" shall be a limit of no access, and no building, structure, or other above or below ground obstruction shall be placed, erected, installed, or maintained. Nothing herein shall be deemed to prohibit drives, parking areas, curbing, landscaping, customary screen fences and maintenance as above set forth.

K. DETENTION AND OTHER DRAINAGE FACILITIES

1. DETENTION AND OTHER DRAINAGE FACILITIES CONSTRUCTED WITHIN THE DETENTION EASEMENT AREAS SHALL BE IN ACCORDANCE WITH STANDARDS AND SPECIFICATIONS DEPICTED ON THE ACCOMPANYING PLAT, NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING, CUSTOMARY SCREENING FENCES AND MAINTENANCE AS ABOVE SET FORTH, TULSA COUNTY, STATE OF OKLAHOMA MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS AND THEREAFTER THE COSTS SHALL BE PAID BY THE MAGNOLIA FARMS HOMEOWNERS’ ASSOCIATION. A LIEN ESTABLISHED AS ABOVE PROVIDED MAY BE FORECLOSED BY TULSA COUNTY, STATE OF OKLAHOMA.

L. APPROVED PLAN

The approved plan for installing, maintaining, removing or replacing any portion of its underground water facilities. The foregoing covenants concerning public storm sewer facilities shall be enforceable by TULSA COUNTY, STATE OF OKLAHOMA and the owner of each lot agrees to be bound hereby.

M. LIENS

In the event of noncompliance or violation of the Act or the Declaration of Covenants, Conditions, and Restrictions, TULSA COUNTY, STATE OF OKLAHOMA, or its designated contractor may enter the easements and perform such maintenance, and the cost thereof shall be paid by the MAGNOLIA FARMS HOMEOWNERS’ ASSOCIATION. A lien established as above provided may be foreclosed by TULSA COUNTY, STATE OF OKLAHOMA.
Magnolia Farms

A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, BEING A PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-FOUR (34), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.
<table>
<thead>
<tr>
<th><strong>Case Report Prepared by:</strong></th>
<th><strong>Owner and Applicant Information:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Nathan Foster</td>
<td>Applicant: Tanner Consulting, LLC</td>
</tr>
<tr>
<td></td>
<td>Owner: 151 Bixby, LLC</td>
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**Location Map:**
(Shown with City Council Districts)

<table>
<thead>
<tr>
<th><strong>Applicant Proposal:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>Preliminary Plat</td>
</tr>
<tr>
<td>1 lot, 1 block, on 12.91 ± acres</td>
</tr>
<tr>
<td>Location: North and east of the northeast corner of East 41st Street South and South 145th East Avenue</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>Zoning:</strong></th>
<th><strong>Staff Recommendation:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td>RM-3 with optional development plan (Z-7683)</td>
<td>Staff recommends <strong>approval</strong> of the preliminary plat</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>City Council District:</strong></th>
<th><strong>County Commission District:</strong></th>
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<tbody>
<tr>
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<tr>
<td>Councilor Name: Christian Bengel</td>
<td></td>
</tr>
<tr>
<td>Commissioner Name: Stan Sallee</td>
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</tr>
</tbody>
</table>
PRELIMINARY SUBDIVISION PLAT

41 East Apartments - (CD 6)
North and east of the northeast corner of East 41st Street South and South 145th East Avenue

This plat consists of 1 lot, 1 block on 12.91 ± acres.

The Technical Advisory Committee (TAC) met on August 17th and provided the following conditions:

1. **Zoning:** The property is currently zoned RM-3 with an optional development plan, Z-7683. 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. 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. Align limits of access and no access dimensions with proposed driveway. Fire access roads will require a minimum 28 feet inside turning radius. Ensure proper right of way dedication is made for turn lane extension.

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. Internal lines that serve only this project should be made private.

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. Update surveyor/engineer heading with valid expiration date.

6. **Stormwater, Drainage, & Floodplain:** IDP approval for storm sewer improvements is required prior to final plat approval.

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.
41 East Apartments
Optional Development Plan Z-7683
41 East Apartments

Owner: 151 Bixby LLC
An Oklahoma Limited Liability Company

Surveyor/Engineer: Tanner Consulting, LLC

Location Map
Scale: 1" = 2000'

Date of Preparation: July 27, 2023

Notes:
1. This plat meets the Oklahoma Minimum Standards for the Practice of Land Surveying as adopted by the Oklahoma State Board of License for Professional Engineers and Land Surveyors.
2. All property corners are set 3/8" iron rebar with yellow cap stamped "Tanner RLS 1435" unless otherwise noted.
3. The bearings shown herein are based upon the Oklahoma State Plane Coordinate System, North American Datum 1983; said bearings are based locally upon field-observed ties to the following monuments:
   a. Found magnetic nail at the southeast corner of the Southwest Quarter (SW/4) of section 22
   b. Found magnetic nail at the southwest corner of the Southwest Quarter (SW/4) of section 22; the bearing between said monuments being South 88°44'17" West.
4. 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.
5. Access at the time of plat was provided by South 145th East Avenue and East 41st Street South by virtue of right-of-way dedicated by this plat.

Legend
B/L Building Line
BK PG Book & Page
DOC Document
ESMT Easement
FL/E Fence & Landscape Easement
R/W Right-Of-Way
SEP Instr Separate Instrument
U/E Utility Easement

Address Assigned
Set Monument (See Note #2)
Found Monument
DEED OF DEDICATION & RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

THAT LEE BIXBY, LLC, an Oklahoma limited liability company, hereinafter referred to as the "Owner," does hereby set forth certain covenants and restrictions for the protection of the public welfare, safety, health and convenience of the community and the property owners in the vicinity of the subject tract, as hereinafter set forth.

1. GENERAL PROVISIONS

1.1. The Owner hereby grants certain covenants and restrictions as hereinafter set forth for the protection of the public welfare, safety, health and convenience of the community and the property owners in the vicinity of the subject tract, as hereinafter set forth.

1.2. This Deed of Dedication and Restrictive Covenants (the "Deed") shall be enforceable by the Owner, its successor and assigns, and by the City of Tulsa, Oklahoma, and its successor and assigns, and all persons acquiring title to the subject tract or any part thereof, and by any party having record notice of this Deed.

1.3. All persons acquiring title to the subject tract or any part thereof, shall be bound by the provisions of this Deed whether or not recorded.

1.4. This Deed shall be recorded in the public records of the County of Tulsa, State of Oklahoma, and a copy thereof shall be kept on file at the office of the Owner.

1.5. This Deed shall be construed and enforced according to the laws of the State of Oklahoma.

1.6. The Owner shall report all violations of the covenants set forth herein to the City of Tulsa, Oklahoma, and its successor and assigns.

1.7. This Deed shall be binding upon the Owner, its successors and assigns, and upon all persons having record notice thereof.

1.8. In the event of any conflict between the provisions of this Deed and the laws of the State of Oklahoma, the provisions of this Deed shall control.

1.9. This Deed shall be binding upon all persons acquiring record title to the subject tract or any part thereof.

SECTION II. LOCATION OF DEVELOPMENT PLAN

2.1. The Owner hereby grants certain covenants and restrictions as hereinafter set forth for the protection of the public welfare, safety, health and convenience of the community and the property owners in the vicinity of the subject tract, as hereinafter set forth.

2.2. This Deed shall be recorded in the public records of the County of Tulsa, State of Oklahoma, and a copy thereof shall be kept on file at the office of the Owner.

2.3. All persons acquiring title to the subject tract or any part thereof, shall be bound by the provisions of this Deed whether or not recorded.

2.4. This Deed shall be construed and enforced according to the laws of the State of Oklahoma.

2.5. The Owner shall report all violations of the covenants set forth herein to the City of Tulsa, Oklahoma, and its successor and assigns.

2.6. This Deed shall be binding upon the Owner, its successors and assigns, and upon all persons having record notice thereof.

2.7. In the event of any conflict between the provisions of this Deed and the laws of the State of Oklahoma, the provisions of this Deed shall control.

2.8. This Deed shall be binding upon all persons acquiring record title to the subject tract or any part thereof.

SECTION III. DEVELOPMENT PLAN

3.1. The Owner hereby grants certain covenants and restrictions as hereinafter set forth for the protection of the public welfare, safety, health and convenience of the community and the property owners in the vicinity of the subject tract, as hereinafter set forth.

3.2. This Deed shall be recorded in the public records of the County of Tulsa, State of Oklahoma, and a copy thereof shall be kept on file at the office of the Owner.

3.3. All persons acquiring title to the subject tract or any part thereof, shall be bound by the provisions of this Deed whether or not recorded.

3.4. This Deed shall be construed and enforced according to the laws of the State of Oklahoma.

3.5. The Owner shall report all violations of the covenants set forth herein to the City of Tulsa, Oklahoma, and its successor and assigns.

3.6. This Deed shall be binding upon the Owner, its successors and assigns, and upon all persons having record notice thereof.

3.7. In the event of any conflict between the provisions of this Deed and the laws of the State of Oklahoma, the provisions of this Deed shall control.

3.8. This Deed shall be binding upon all persons acquiring record title to the subject tract or any part thereof.

SECTION IV. ENFORCEMENT, AMENDMENT ON TERMINATION, AND SEVERABILITY

4.1. The Owner hereby grants certain covenants and restrictions as hereinafter set forth for the protection of the public welfare, safety, health and convenience of the community and the property owners in the vicinity of the subject tract, as hereinafter set forth.

4.2. This Deed shall be recorded in the public records of the County of Tulsa, State of Oklahoma, and a copy thereof shall be kept on file at the office of the Owner.

4.3. All persons acquiring title to the subject tract or any part thereof, shall be bound by the provisions of this Deed whether or not recorded.

4.4. This Deed shall be construed and enforced according to the laws of the State of Oklahoma.

4.5. The Owner shall report all violations of the covenants set forth herein to the City of Tulsa, Oklahoma, and its successor and assigns.

4.6. This Deed shall be binding upon the Owner, its successors and assigns, and upon all persons having record notice thereof.

4.7. In the event of any conflict between the provisions of this Deed and the laws of the State of Oklahoma, the provisions of this Deed shall control.

4.8. This Deed shall be binding upon all persons acquiring record title to the subject tract or any part thereof.
Conceptual Utility Plan

41 East Apartments

PART OF THE SOUTHWEST QUARTER (SW/4) OF THE SOUTHWEST QUARTER (SW/4) OF SECTION TWENTY-TWO (22), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

OWNER:
151 Bixby LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY
CONTACT: JULIUS PUMA
EMAIL: PUMA74011@YAHOO.COM
10618 South Winston Court
Tulsa, Oklahoma 74137
Phone: (918) 298-6700

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.
DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2019
EMAIL: DAN@TANNERBAITSHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929

Notes:
1. THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
2. ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER RLS 1435" UNLESS OTHERWISE NOTED.
3. THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3501), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
   a. FOUND MAGNETIC NAIL AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 22
   b. FOUND MAGNETIC NAIL AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SW/4) OF SECTION 22; THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 88°44'17" EAST.
4. 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.
5. ACCESS AT THE TIME OF PLAT WAS PROVIDED BY SOUTH 145TH EAST AVENUE AND EAST 41ST STREET SOUTH BY VIRTUE OF RIGHT-OF-WAY DEDICATED BY THIS PLAT.

550x3.00' 8no 41 East Apartments

SCALE: 1"= 2000'

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.