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 September 20, 2023 Meeting No. 2898

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

2. CZ-544 (County) Location: North of the Northwest corner of North Memorial Drive and East 166th Street North requesting a rezoning from AG to AG-R.(Staff requests a continuance to October 18, 2023)

3. Z-7733 Abdul Alhlou (CD 3) Location: North of the northeast corner of 11th Street South and South 129th East Avenue requesting rezoning from CS and RS-2 to CG with an optional development plan (Continued from August 2 2023, August 16, 2023 and September 20, 2023)
PUBLIC HEARING-PLATS
Review and possible approval, approval with modifications, denial, or deferral of the following:

4. **Jack Wills** (CD 7) Preliminary Plat, Location: North of the northwest corner of East 67th Street South and South 105th East Avenue (Continued from September 20, 2023) *(Staff requests a continuance to November 1, 2023)*

5. **Northwest Passage I** (CD 1) Preliminary Plat, Location: East of the northeast corner of North Gilcrease Museum Road and Apache Street North

6. **Forrest Warehouse and Distribution Center** (CD 3) Preliminary Plat, Location: East of the southeast corner of East Pine Street and North Mingo Road

7. **Phoenix at 36N** (CD 1) Preliminary Plat and Modification of the Subdivision and Development Regulations to remove requirement for performance guarantees, Location: Southeast corner of East 36th Street North and North Peoria Avenue (Related to Phoenix at 36N Request for Authorization of Accelerated Release of Building Permits)

8. **Phoenix at 36N** (CD 1) Request for Authorization of Accelerated Release of Building Permits, Location: Southeast corner of East 36th Street North and North Peoria Avenue (Related to Phoenix at 36N Preliminary Plat)

OTHER BUSINESS

9. Proposed 2024 TMAPC Meeting Dates

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 tulsaplaning.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.
Kim,

Due to an error in the notifications for this case, staff requests a continuance to the October 18th agenda.

Thank you,

Jay Hoyt
Land Development Planner
2 W. 2nd St., 8th Floor | Tulsa, OK 74103
918.579.9476
jhojt@incog.org
**Case Number:** Z-7733  
(Related to CPA-109)

**Hearing Date:** October 4th, 2023  
(Continued from September 20th, 2023)

### Case Report Prepared by:
Austin Chapman

### Owner and Applicant Information:
- **Applicant:** Abdul Alhlou
- **Property Owner:** Mitchell Trotter III

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

![Location Map Image](image)

### Applicant Proposal:
- **Present Use:** Vacant
- **Proposed Use:** Truck Terminal Warehouse/Storage
- **Concept summary:** Rezone the site from CS and RS-2 to CG with an optional development plan on the northern portion to accommodate a Trucking Terminal/Warehousing and Storage Uses.
- **Tract Size:** 6.81 acres
- **Location:** North of the NE/c of E. 11th St. S. and S. 129th E. Ave.

### Zoning:
- **Existing Zoning:** CS and RS-2
- **Proposed Zoning:** CG with an optional development plan

### Comprehensive Plan:
- **Existing Land Use:** Neighborhood & Multiple Use
- **Proposed Land Use:** Multiple Use (CPA-109)

### Staff Recommendation:
Staff recommends **denial** of CG with an optional development plan but recommends **approval** of CS without an optional development plan.

### Staff Data:
- **TRS:** 9404
- **CZM:** 39

### City Council District:
- **District:** 3
- **Councilor Name:** Crista Patrick

### County Commission District:
- **District:** 1
- **Commissioner Name:** Stan Salee
SECTION I: Z-7733

DEVELOPMENT CONCEPT: The overall site totals 6.81 acres. The site is located north of the northeast corner of East 11th Street and 129th E. Ave. The property is in the southwest quarter of the of Section 4, Township 19 North, Range 14 East, in Tulsa County, Oklahoma.

*The original application submitted included two development areas as shown in the exhibits provided by the applicant. What is referred to as Area A has been removed from the application and what is referred to as Area B remains.

EXHIBITS:

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

DETAILED STAFF RECOMMENDATION:
Staff finds that the requested CG zoning to allow a Truck Terminal, Warehouse and Storage uses would not be compatible with recommendations in the Comprehensive Plan and Plan 66. Staff finds that CS zoning is supported by those documents and by the proposed change of the Comprehensive Plan to Multiple Use land use designation. The proposed Trucking and Transportation Terminal, Warehousing and Storage uses proposed by the applicant could be allowed by Special Exception inside the CS Zoning district but would not be allowed by right.

Staff recommends **Denial** of CG with an optional development plan but recommends **Approval** of CS without an optional development plan.

SECTION II: Z-7733 OPTIONAL DEVELOPMENT PLAN STANDARDS FOR CG (Recommended for Denial):

All uses categories, subcategories, or specific uses and residential building types that are not listed in the following permitted uses categories are prohibited.

Those uses marked with a * require a Special Exception approved in accordance with Sec. 70.120 of the City of Tulsa Zoning Code.

PERMITTED USES: PERMITTED USE CATEGORIES:

**RESIDENTIAL (IF IN ALLOWED BUILDING TYPE LISTED BELOW)**
- Household Living
  - Single household
  - Two households on a single lot
  - Three or more households on a single lot
- Group Living
  - Assisted living facility
  - Community group home
  - Convent/monastery/novitiate
  - Elderly/retirement center
  - Life care retirement center
Residential treatment center*
Rooming/boarding house
Shelter, emergency and protective*
Transitional living center*

PUBLIC, CIVIC, AND INSTITUTIONAL
College or University
Day Care
Fraternal Organization*
Governmental Service or Similar Functions*
Hospital
Library or Cultural Exhibit
Natural Resource Preservation
Parks and Recreation
Postal Services*
Religious Assembly
Safety Service
School
Utilities and Public Service Facility
  Minor
  Major*
Wireless Communication Facility
  Freestanding tower
  Building or tower-mounted antenna

COMMERCIAL
Animal service
  Boarding or Shelter
  Grooming
  Veterinary
Assembly and Entertainment
  Indoor
    Small (Up to 250-person capacity)* (Special Exception only required if serving alcohol within 150-feet of a residential district)
    Large (Greater than 250-person capacity) *
Broadcast or Recording Studio
Commercial Service
  Building service
  Business support service
  Consumer maintenance/repair service
  Personal improvement service
  Research service*
Financial Services
Funeral or Mortuary Service
Lodging
  Bed & Breakfast
  Short-term rental
  Hotel/motel
Office
  Business or professional office
  Medical, dental or health practitioner office
  Plasma Center
Parking, Non-accessory
Restaurants and Bars
  Restaurant
  Bar * (Special Exception only required if serving alcohol within 150-feet of a residential district)
  Brewpub*
Retail Sales
  Building supplies and equipment
  Consumer shopping goods
  Convenience goods
  Grocery Store
  Small Box Discount Store
  Medical Marijuana Dispensary
Studio, Artist or Instructional Service
Trade School
Vehicle Sales and Service
  Fueling station

WHOLESALE, DISTRIBUTION AND STORAGE
  Equip. & Materials Storage, Outdoor
  Trucking and Transportation Terminal
  Warehouse
  Wholesale Sales and Distribution

INDUSTRIAL
  Low-impact Manufacturing & Industry*
AGRICULTURAL
  Community Garden
  Farm, Market- or Community supported
OTHER
  Drive-in or Drive-through Facility (as a component of an allowed principal use)

PERMITTED RESIDENTIAL BUILDING TYPES
Household living
  Single household
    Detached House*
    Townhouse
    Patio House*
    Mixed-Use building
    Vertical mixed-use building
Two households on a single lot
  Mixed-use building
  Vertical-mixed use building
Three or more households on a single lot
  Multi-unit House*
  Apartment/Condo
  Mixed-use building
  Vertical-mixed use building
MINIMUM LOT WIDTH: 280-feet

MINIMUM LOT AREA: 250,000 square feet

MAXIMUM NUMBER LOTS: 4

MAXIMUM BUILDING HEIGHT: 35-feet

MINIMUM BUILDING SETBACKS (from the lot line):
- From South 129th E. Ave.: 50-feet
- Rear Yard: 20-feet
- Side Yard: 20 feet

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The Land Use Designation amendment on this site from Neighborhood/Multiple Use to Multiple (CPA-109) was recommended for approval by TMAPC on 8/16/2023. The Multiple Use land use coupled with the recommendation of Plan 66 would not support the rezoning of this property to support of trucking/transportation terminal and warehousing and storage uses.

Land Use Vision:

Existing:

Multiple 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.

Proposed 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.

Transportation Vision:
The property 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.

**Major Street and Highway Plan:**

Both S. 129th and E. 11th Street are Secondary Arterials, and the ultimate right-of-way has been acquired on both streets.

**Trail System Master Plan Considerations:** None.

**Small Area Plan: Plan 66 (December 2020)**

The purpose of Plan 66 is as follows:

Highlight the historic significance of Route 66 in Tulsa by identifying elements that contribute to its past, present, and future legacy. Acknowledge past successes from project implementation along the corridor and promote future investment. Improve opportunities for visitors and Tulsa residents of all ages to explore along the Route. Develop strategies for supporting established businesses while encouraging further growth, and contribute to a diverse, sustainable economy. Support Route 66’s potential to create a thriving tourism industry. Create recommendations for the built environment to assist with branding, marketing, mobility, public perception, preservation, and new conditions.

Included on the plan is Strategy 2.1 which is to encourage pedestrian-oriented development by implementing elements of the City’s Complete Streets Policy and existing planning documents. The proposed development as outlined in the optional development plan would be in contradiction to the following actions:

- Action 2.1.1 Encourage development built up to the right-of-way to mirror historical built form and promote parking behind buildings.
- Action 2.1.2 Enhance the Route through higher density, infill, and mixed-use development.
- Action 2.1.3 Redevelop vacant or underutilized lots into green spaces and public use spaces where appropriate.
- Action 2.1.8 Adopt design standards for vehicle sales and service businesses.

The majority of the development would be limited to the Trucking and Transportation/Warehousing use that is designed with little consideration for pedestrian infrastructure or for a mix of uses that would be built at or near the right-of-way.

**Special District Considerations:**

The southern portion of this site lies within the Route 66 Overlay. The purpose and intent of the Route 66 Overlay is to establish zoning regulations and incentives intended to ensure the enhancement, development, and revitalization of the authentic Route 66 through the promotion of historic and historically inspired signage, especially neon, along and adjacent to the two alignments of Route 66 in
Tulsa. The regulations are generally intended to guide the character of both public and private development as it occurs along Route 66.

**Historic Preservation Overlay:** None.

**DESCRIPTION OF EXISTING CONDITIONS:**

*Staff Summary:* The property is a vacant lot that sits near the intersection of two arterial streets. The subject property is surrounded by a variety of uses, some of which are conforming to the current zoning code. The subject property site is roughly a half mile from Interstate 44.

**Environmental Considerations:** None currently.

**Streets:**

<table>
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<tr>
<th>Existing Access</th>
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<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tr>
<td>129th E. Ave.</td>
<td>Secondary Arterial</td>
<td>100-feet</td>
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**Utilities:**
The subject tract has municipal water and sewer available, through there is not sewer running the length of the property. Additional infrastructure may be needed along 129th East Avenue to support the proposed development.

**Surrounding Properties:**

<table>
<thead>
<tr>
<th>Location</th>
<th>Existing Zoning</th>
<th>Existing Land Use Designation</th>
<th>Existing Use</th>
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<td>North</td>
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<td>Neighborhood</td>
<td>Church</td>
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<tr>
<td>West</td>
<td>RS-2, CO, CS</td>
<td>Employment/ Multiple Use</td>
<td>Residential, HVAC Business, Landscaping Business, Vehicle Sales</td>
</tr>
<tr>
<td>South</td>
<td>CS</td>
<td>Multiple Use</td>
<td>Vacant</td>
</tr>
<tr>
<td>East</td>
<td>RS-2, CH</td>
<td>Neighborhood/ Multiple Use</td>
<td>Vacant</td>
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**Relevant Zoning History:**

**ZONING ORDINANCE:** Ordinance number 11817 dated June 26, 1970, established RS-2 and CS zoning for the subject property.
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2021

Subject Tract

Z-7733

19-14 04
129th TRUCK TERMINAL

Section 4, T-19-N, R-14-E
City of Tulsa
Tulsa County Oklahoma

DEVELOPMENT PLAN CONCEPT

June 1, 2023

JR Donelson, Inc.
12820 S. Memorial Dr., Office 100
Bixby, Oklahoma 74008
Email: jrdon@tulsacoxmail.com
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<td>Exhibit G</td>
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<td>Exhibit H</td>
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</table>
129TH TRUCK TERMINAL

DEVELOPMENT CONCEPT

Introduction.

129TH TRUCK TERMINAL is a mixed use project planned for two development areas. The overall site totals 8.09 acres. The Site is located at the northeast corner of East 11th Street and 129th E. Ave. The property is in the southwest quarter of the of Section 4, Township 19 North, Range 14 East, in Tulsa County, Oklahoma. See Exhibit A, which is a Concept Illustration of the Site, including a Location Map insert.

As illustrated by the Concept Site Plan for 129TH TRUCK TERMINAL the proposed Development Plan Concept consists of two development areas. A 1.27 acre parcel designed for a retail building will be developed in what is referred to as Development Area A. A 6.81 acre Truck Terminal, Warehouse and Storage will be built in Development Area B. Legal descriptions are provided as follows: Exhibit B-1 (Overall PUD Site Legal Description); Exhibit B-2 (Development Area A Legal Description, with Area Depiction); Exhibit B-3 (Development Area B Legal Description, with Area Depiction).

Zoning.

The Site currently is zoned both RS-2 and CS. Attached as Exhibit C is a map illustrating the existing zoning of the site area. The request is for rezoning of the site as follows:

- Development Area A – CS Zoning District.
- Development Area B – CG Zoning District.

Exhibit A contains the Site Plan and encourages the use of planned unit developments to ensure maximum use of the land in accord with the natural and man-made features of the area. Features of the area and of the property itself should allow for both commercial and truck terminal/warehouse/storage.

Features of the area and of the Site.

The property to the south of this tract of land is zoned CS. Land to the east of this site is zoned RS-2. The I-244 exit/on ramps are less than one mile to the north. The adjacent businesses are as follows: an auction house to the west, as well as commercial businesses and vacant land to the east, and commercial businesses to the north, which include a tract of land selling 18 wheeler tractor trailer rigs.

There are no residential subdivisions to the east in the RS-2 zoned property.
Development of the Site is compatible with existing zoning and uses of land surrounding the Site.

**Viability and Compatibility.**

The Comprehensive Plan designates the site as CS (Commercial Shopping) and RS-2 (Residential). All of the zoning and uses proposed for the Site will require an amendment to the City of Tulsa Comprehensive Plan. Compatibility of the development plan with the existing and planned properties surrounding the site further is achieved by the development standards explained in the text that follows.

**Public Utilities**

There is an existing 12 inch water line on the east side of South 129th E. Ave. and along the south side of East 11th Street South. Development Area A is served by the public sanitary sewer along the north side of East 11th Street South. The south portion of Development Area B shown in Exhibit A will be served by the existing sanitary sewer along the west side of South 129th E. Ave. Storm sewer is existing on So. 129th E. Ave.
129TH TRUCK TERMINAL

DEVELOPMENT STANDARDS

Area A (Commercial Use - CS)

LAND AREA:

Gross: 1.27 acres  55,321 square feet*
Net: 1.27 acres  55,321 square feet*

PERMITTED USES (to be allowed by right):

MINIMUM FRONTAGE  250 feet

MAXIMUM BUILDING FLOOR AREA (using .40 FAR):  22,128 square feet

.40 Floor Area Ratio per the City of Tulsa Zoning Code

MAXIMUM BUILDING HEIGHT:  1-Story

Architectural elements and business logos may exceed maximum building height with Detailed Site Plan approval.

OFF-STREET PARKING:

As required by the applicable Use Unit of the City of Tulsa Zoning Code.

MINIMUM BUILDING SETBACKS:

From the centerline of East 11th Street  100 feet
From the east boundary of the PUD  20 feet
From the north boundary of Development Area A  20 feet
From the centerline of So. 129th E. Ave.  100 feet

* The internal boundaries of Development Area A may be adjusted by a minor amendment to the 129TH TRUCK TERMINAL Development Plan approved by the Tulsa Metropolitan Area Planning Commission.
LANDSCAPED AREA AND SCREENING

(1) A Preliminary Landscape and Screening Concept Plan depicted on Exhibit H.

(2) All landscaping and screening shall meet or exceed the requirements of the Tulsa Zoning Code, or as approved by the INCOG staff. Appropriate screening shall be provided between the development area and the residential areas to the west and to the north. All landscaping and screening shall be approved administratively.

(3) A detail landscape plan for the development area shall be administratively approved prior to issuance of a building permit. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved landscape plan for the lot, prior to issuance of an occupancy permit. The landscape materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.

SIGNS:

1) Signage shall comply with the City of Tulsa Zoning Code.

2) No sign permits shall be issued for erection of a sign on a lot within the project until a detail sign plan for that lot has been administratively approved as being in compliance with the approved development plan standards.

LIGHTING:

(1) Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs with movement shall be prohibited.

(2) Lighting used to illuminate the development area shall be so arranged as to shield and direct the light away from adjacent residential areas. Shielding of such light shall be designed so as to prevent the light-producing element or reflector of the light fixture from being visible to a person standing in the adjacent residential areas or residential street right-of-way. No light standard or building-mounted light shall exceed shall exceed 20 feet or the height which complies with the standard stated in the preceding sentence, whichever is lower.
TRASH, MECHANICAL AND EQUIPMENT AREAS:

(1) There shall be no storage of recyclable materials, trash or similar material outside a screened receptacle. All trash, mechanical and equipment areas, including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.

(2) No trucks or trailers shall be parked in the development area except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for permanent storage in the development area.
129TH TRUCK TERMINAL

DEVELOPMENT STANDARDS

Area B (Trucking and Transportation Terminal)

LAND AREA:

- Gross: 6.81 acres 296,643 square feet
- Net 6.81 acres 296,643 square feet

PERMITTED USES: Trucking and Transportation Terminal

MINIMUM LOT WIDTH 280 feet

MINIMUM LOT AREA 250,000 square feet

MAXIMUM NUMBER LOTS 4

MAXIMUM BUILDING HEIGHT: 35 feet

MINIMUM BUILDING SETBACKS (from the lot line):

- Centerline 129th E. Ave. Yard 50 feet
- Rear Yard 20 feet
- Side Yards (each) 20 feet
TOPOGRAPHY, DRAINAGE AND UTILITIES

(1) Topography. Exhibit E shows the topography for 129TH TRUCK TERMINAL.

(2) Drainage. 129TH TRUCK TERMINAL is situated in FEMA Flood Zone ‘X’. (NOTE: CONFIRM) On-site stormwater detention and drainage will be provided, as depicted on Exhibit F, or otherwise as required by the City of Tulsa Department of Stormwater Management, during the platting process.

The Department of Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required storm water drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit on that lot.

During construction on the property, the owners of the lots in the development areas will provide adequate and reasonable erosion control, and, after construction, they will provide and maintain vegetative, landscaped ground cover so that soil does not erode from the property across the south and west boundaries of the property onto the adjoining residential lots.

(3) Utilities. An existing _12-inch water line is located in the east right of way of So. 129th E. Ave. and along the south right of way of E. 11th Street South, as depicted on Exhibit E. An existing 8 inch sanitary sewer main is located, as depicted on the north right of way of E. 11th Street South and the west side of South 129th E. Ave. Gas, electric, telephone and cable television services are available to 129TH TRUCK TERMINAL.

ACCESS, CIRCULATION AND PARKING

As shown on Exhibit G (Access and Traffic Circulation Plan), access to Development Areas A, B are provided from East 11th Street and So. 129th E. Ave. There shall be a maximum of two access points to East 11th Street and four access points to So. 129th E. Ave.

Pedestrian Access and Circulation Plan.

All curbs and paving materials used shall be of a quality and thickness which meets City of Tulsa standards.
LANDSCAPING, SCREENING AND SIGNS

A preliminary landscape concept plan is depicted on Exhibit H. The plan includes the depiction of all required landscaping and screening, a table identifying the amount of required open space and landscaping for the development areas, depiction of sign locations and a table showing the number and size of business signs.

RESTRICTIVE COVENANTS; ENFORCEMENT

Restrictive covenants will be adopted and recorded for the Development Areas. Owners of the respective lots will be required by the covenants to keep and maintain the lots in a clean and professional manner (the "maintenance covenant"). The Maintenance Covenant will be enforced by the owners’ association for each development area.

PERMIT PREREQUISITES

No zoning clearance permit shall be issued for a development area within the Development Plan until a detail site plan for the development area, which includes all buildings, parking, screening fences and landscape areas, has been administratively reviewed and approved as being in compliance with the development plan standards.

No building permit can be issued until the requirements of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk’s office, incorporating within the restrictive covenants the development plan and making the City beneficiary to said covenants that relate to said conditions.

SCHEDULE OF DEVELOPMENT

Development Area A is planned for 5/1/2024 Development Area B is planned for 1/1/2024.

EXHIBITS

Exhibit A: Concept Site Plan.
Exhibit B: Site Plan with Development Areas Outlined.
Exhibit B-1: Overall Site Legal Description.
Exhibit B-2: Development Area A Legal Description, with Area Depiction.
Exhibit B-3: Development Area B Legal Description, with Area Depiction.
Exhibit C: Existing Zoning and Land Use.
Exhibit D: Proposed Underlying Zoning.
Exhibit E: Site Plan with Existing Topography and Utilities.
Exhibit F: Drainage Concept
Exhibit G: Access and Traffic Circulation Plan
Exhibit H: Preliminary Landscape Concept Plan.
DEVELOPMENT AREAS

DEVELOPMENT AREA B

DEVELOPMENT AREA A

EXHIBIT B

SANSEW MH

SANSEW MH

SANSEW
EXHIBIT B-1
OVERALL SITE

SCALE: 1" = 200'

LEGEND

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</tr>
<tr>
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<tr>
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<td>ac</td>
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LEGAL DESCRIPTION

THE W/2 SW/4 LESS THE FOLLOWING, BEGINNING AT THE SOUTHWEST CORNER OF THE SW/4, THENCE NORTH TO THE NORTH-WEST CORNER OF THE SW/4 SW/4; THENCE EAST 50 FEET, THENCE SOUTH TO A POINT 202.10 FEET NORTH AND 50 FEET EAST OF THE SOUTHWEST CORNER OF THE SW/4; THENCE EAST 15 FEET, THENCE SOUTH 15 FEET, THENCE WEST 15 FEET; THENCE SOUTH 101.10 FEET TO A POINT 86 FEET NORTH AND 50 FEET EAST OF THE SOUTHWEST CORNER OF THE SW/4; THENCE SOUTHEASTERLY 36.38 FEET TO A POINT 74 FEET EAST AND 58 FEET NORTH OF THE SOUTHWEST CORNER OF THE SW/4; THENCE EAST TO THE EAST LINE OF THE W/2 SW/4 SW/4; THENCE SOUTH 58 FEET; WEST TO THE POINT OF BEGINNING, SECTION 14, T-19-N, R-14-E, TULSA COUNTY, OKLAHOMA.
LEGAL DESCRIPTION

THE SOUTH 200 FEET OF THE FOLLOWING DESCRIBED PROPERTY:
THE W/2 W/2 SW/4 SW/4 LESS THE FOLLOWING, BEGINNING AT THE SOUTHWEST CORNER OF
THE SW/4, THENCE NORTH TO THE NORTHWEST CORNER OF THE SW/4 SW/4; THENCE EAST
50 FEET, THENCE SOUTH TO A POINT 202.10 FEET NORTH AND 50 FEET EAST OF THE
SOUTHWEST CORNER OF THE SW/4; THENCE EAST 15 FEET, THENCE SOUTH 15 FEET, THENCE
WEST 15 FEET; THENCE SOUTH 101.10 FEET TO A POINT 86 FEET NORTH AND 50 FEET EAST
OF THE SOUTHWEST CORNER OF THE SW/4; THENCE SOUTHEASTERLY 36.38 FEET TO A POINT
74 FEET EAST AND 58 FEET NORTH OF THE SOUTHWEST CORNER OF THE SW/4; THENCE
EAST TO THE EAST LINE OF THE W/2 W/2 SW/4 SW/4; THENCE SOUTH 58 FEET; WEST
TO THE POINT OF BEGINNING, SECTION 14, T-19-N, R-14-E, TULSA COUNTY, OKLAHOMA.
EXHIBIT B-3

LEGAL DESCRIPTION
A TRACT OF LAND THAT IS PART OF THE WEST HALF OF THE WEST HALF OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER W/2 W/2 SW/4 SW/4 OF SECTION FOUR (4), TOWNSHIP NINETEEN (19) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:
COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHWEST QUARTER; THENCE N 01°35'36" W, ALONG THE WESTERLY LINE OF SAID SW/4, FOR 1316.52 FEET TO THE NORTHWEST CORNER OF SAID W/2 W/2 SW/4 SW/4; THENCE N 88°36'27" E, ALONG THE NORTHERLY LINE OF SAID SW/4 SW/4 FOR 50.00 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE N 88°36'27" E, CONTINUING ALONG SAID NORTHERLY LINE, FOR 280.64 FEET TO A POINT ON THE EASTERLY LINE OF SAID W/2 W/2 SW/4 SW/4; THENCE S 01°34'15" E, ALONG SAID EASTERLY LINE, FOR 1058.89 FEET; THENCE S 88°40'21" W FOR 280.23 FEET; THENCE N 01°35'36" W, PARALLEL WITH THE WESTERLY LINE OF SAID SW/4, FOR 1058.57 FEET TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.
PRELIMINARY LANDSCAPE CONCEPT PLAN

SECTION 4
LOCATION MAP

EXHIBIT H
Kim,

Staff is requesting a continuance on the Jack Wills Preliminary Plat until November 1, 2023.

The applicant has submitted an associated zoning application that is scheduled for that date. We would like to discuss the items together.

Thanks,

Nathan Foster | Principal Planner
Tulsa Planning Office
Department of City Experience
175 E. 2nd Street, Suite 480
Tulsa, OK 74103-3216
T: 918-596-7609
E: nathanfoster@cityoftulsa.org
www.tulsaplanning.org
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<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
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<tr>
<td>Nathan Foster</td>
<td>Applicant: TEP, Jack Taber</td>
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<td>Owner: DR Horton, Brian Doyle</td>
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<th>Location Map: (shown with City Council districts)</th>
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<td>Preliminary Plat</td>
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<td>101 lots, 9 blocks, on 27.5 ± acres</td>
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<tr>
<td>Location: East of the northeast corner of North Gilcrease Museum Road and Apache Street North</td>
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<tr>
<th>Zoning:</th>
<th>Staff Recommendation:</th>
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<tr>
<td>RS-3, PUD-624-A</td>
<td>Staff recommends <strong>approval</strong> of the preliminary plat</td>
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<th>County Commission District:</th>
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<td>Osage District 3</td>
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<tr>
<td>Councilor Name: Vanessa Hall-Harper</td>
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<td>Commissioner Name: Charlie Cartwright</td>
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PRELIMINARY SUBDIVISION PLAT

Northwest Passage I - (CD 1)

East of the northeast corner of North Gilcrease Museum Road and Apache Street North

This plat consists of 101 lots, 9 blocks on 27.5 ± acres.

The Technical Advisory Committee (TAC) met on September 21, 2023 and provided the following conditions:

1. **Zoning:** The property is zoned RS-3 with a Planned Unit Development (PUD-624-A). Final subdivision plans are required to comply with the standards adopted in PUD-624-A. PUD number must remain on the face of the plat and applicable standards must be included in 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. 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 included in the plat or adjacent to the plat with either recording information or “dedicated by plat”. Right-of-way dedications are required to comply with major street and highway plan. Provide a connection to the unplatted property in the center of the subdivision to establish connectivity for potential future development. Reconfigure West 26th Place North to eliminate Reserve C. Stub streets are required to comply with Section 5-060.5 of the Subdivision Regulations including notes on the face of the plat and signage installed to indicate future connections. Any stub streets exceeding 150 feet in length will be required to provide approved turnarounds.

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. IDP approval is required for all sewer and water extensions prior to approval of the final plat.

5. **Engineering Graphics:** Submit subdivision control data sheet with final plat. Remove contours from final plat. Under the basis of bearing information, include the coordinate system used. Provide a bearing angle shown on the face of the plat. Graphically show all pins found or set that are associated with the plat.

6. **Stormwater, Drainage, & Floodplain:** IDP approval for storm sewer improvements 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.

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.
Northwest Passage I

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

P. O. D. No. 62-A

KNOW ALL MEN BY THESE PRESENTS:

D. HORTON, LTD., a Texas limited partnership, hereafter referred to as the Owner/Developer, c/o the Owner/Developer, 500 South Lindsley Avenue, Suite 300, Oklahoma City, Oklahoma 73102; and D. R. HORTON-TEXAS, LTD., a Texas limited partnership, hereafter referred to as D. R. HORTON-TEXAS, LTD., a Texas limited partnership, do hereby dedicate to the public the utility easements contained in the accompanying plat of Northwest Passage I (the "Plat"), for the several purposes of constructing, maintaining, operating, replacing, and/or providing water and/or sewer services to the lots located on or adjacent to the Plat, for the purpose of furnishing water and/or sewer services to the owner(s) of said lot(s) located on or adjacent to the Plat, and renewing or replacing any portion of the underground water, sanitary sewer, or storm sewer facilities.
3.2 Floor Area of Dwelling

be binding upon the Owner / Developer, its successors, grantees and assigns, and compatibility of improvements therein.

2.7 Other Bulk and Area Requirements: As established within a RS-4 District to satisfy this requirement, if necessary. Livability Space per Lot may take into account and utilize common open space to satisfy the requirement, if necessary.

WHEREAS, the Owner/Developer desires to establish restrictions for the purpose when PUD 624-A was adopted as open space not allocated to off street parking.

Powers and duties shall be exercised by the Board of Directors of the County Clerk, State of Oklahoma.

a bove committee members is the owner of any lot or part thereof to the extent that any action seeks to enforce the covenants or restrictions set forth within Section II. Planned Unit Development Restrictions are established pursuant to the provisions of the Tulsa Zoning Code and shall inure to the benefit of the City of Tulsa.

Corporation.

2023 by Leslie Jemison as Division President of Meadows I, Ltd., a Delaware Corporation.

IN WITNESS WHEREOF, D.R. HORTON - TEXAS, LTD., has executed this instrument this day of _____________________________, 2023, by Bobby D. Long.

Date of Preparation: September 7, 2023

By: ________________________________

________________________________________

My Commission No.________________________

Leslie Jemison, Division President

IN WITNESS WHEREOF, D.R. HORTON - TEXAS, LTD., has executed this instrument this day of _____________________________, 2023, by Bobby D. Long.

Date of Preparation: September 7, 2023

By: ________________________________

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My Commission No.________________________

Leslie Jemison, Division President

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By: ________________________________

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My Commission No.________________________

Leslie Jemison, Division President

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Northwest Passage I

A subdivision in the City of Tulsa, being a part of the SW/4
Section 22, Township 20 North, Range 12 East of the Indian Base and Meridian,
Osage County, State of Oklahoma

Floodplain Note
The subject property is located within an area designated as Zone A (Base Floodplain) by the Federal
Emergency Management Agency (FEMA). Building and land use regulations which govern the plat
were in effect and as required to be met by the issuance of a Certificate of Authorization from the
City of Tulsa. The Certificate of Authorization No. 531 was issued on June 30, 2025.

Owner/Developer
D.R. Horton - Texas, LTD.,
A Texas Limited Partnership
2200 South 103rd East Avenue
Tulsa, Oklahoma 74146
918.233.6201
Russell K. Fletcher, P.E.
fletcher@dronorton.com

Engineer/Surveyor
Tulsa Engineering & Planning Associates, Inc.
8810 East 44th Street, Suite 100
Tulsa, Oklahoma 74146
918.233.6201
Russell K. Fletcher, P.E.
fletcher@tulsaengineering.com

Certificate of Authorization No. 531
Issued Date: July 15, 2021

Backflow Preventer Valve
The backflow preventer valve shall be located near the building and shall be of the type and size as shown
on the plat. The lessee is responsible to ensure that the backflow preventer valve is maintained in good
working order at all times.

Lot Addresses
Addresses shown on the plat are subject to change by the City of Tulsa and shall be used for
taxing purposes only as provided by law.

Final Plat

Date: September 7, 2023
Page 1 of 3

City of Tulsa
Planned Commission
918.595.6526
09/08/2023 10:07:14 AM  09/08/2023 10:07:14 AM

Engineer/Surveyor
Tulsa Engineering & Planning Associates, Inc.
8810 East 44th Street, Suite 100
Tulsa, Oklahoma 74146
918.233.6201
Russell K. Fletcher, P.E.
fletcher@tulsaengineering.com

Certificate of Authorization No. 531
Issued Date: July 15, 2021

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Addresses shown on the plat are subject to change by the City of Tulsa and shall be used for
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September 7, 2023

Re: 21-125 NWP Phase 1 Closure Report

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Closure Error Distance > 0.0000
Closure Ration > 1:∞
Total Distance > 6791.66
Area: 1,198,131 sq ft, 27.5053 acres

CERTIFICATE:

I, David W. Murdoch, of Tulsa Engineering & Planning Associates, Inc. and a Professional Land Surveyor registered in the State of Oklahoma, hereby certify that the foregoing "Closure Report" meets or exceeds the "Minimum Standards" as adopted by the Oklahoma State Board of Licensure for Professional Engineers and Land Surveyors.

David W. Murdoch, P.L.S. No. 1404

E-mail: d.murdoch@tulsaengineering.com
Telephone: (918) 252-9621
### Case: Forrest Warehouse & Distribution Center
#### Hearing Date: October 4, 2023

<table>
<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
</tr>
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<tbody>
<tr>
<td>Nathan Foster</td>
<td>Applicant: Mark Capron, Wallace Design</td>
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<td>Owner: Amber Forrest LLC</td>
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<th>Applicant Proposal:</th>
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<tr>
<td><img src="image" alt="Location Map" /></td>
<td>Preliminary Plat</td>
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<tr>
<td></td>
<td>3 lots, 2 blocks, on 32.4 ± acres</td>
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<tr>
<td></td>
<td>Location: East of the southeast corner of East Pine Street and North Mingo Road</td>
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<tr>
<th>Zoning: IL</th>
<th>Staff Recommendation:</th>
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<tbody>
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<tr>
<td>Councilor Name: Crista Patrick</td>
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<th>County Commission District: 2</th>
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<tr>
<td>Commissioner Name: Karen Keith</td>
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PRELIMINARY SUBDIVISION PLAT

Forrest Warehouse & Distribution Center - (CD 3)
East of the southeast corner of East Pine Street and North Mingo Road

This plat consists of 3 lots, 2 blocks on 32.4 ± acres.

The Technical Advisory Committee (TAC) met on September 21, 2023 and provided the following conditions:

1. **Zoning:** The property is zoned IL (Industrial – Light). The proposed lots conform to the requirements of the IL 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.

3. **Transportation & Traffic:** Sidewalks and appropriate ADA compliant ramps are required along all street frontages. 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 included in the plat or adjacent to the plat with either recording information or “dedicated by plat”. Right-of-way dedications are required to comply with major street and highway plan. Street names must be added to face of plat.

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. IDP approval is required for all sewer and water extensions prior to approval of the final plat.

5. **Engineering Graphics:** Submit subdivision control data sheet with final plat. Remove contours from final plat. Update location map to include only platted property boundaries and label all other areas as unplatted. Under the basis of bearing heading, provide a bearing angle shown on the face of the plat. Graphically label the point of beginning on the face of the plat. Provide the date of the last site visit by the surveyor.

6. **Stormwater, Drainage, & Floodplain:** Floodplain areas are present on the proposed lots. Development within floodplain areas will be required to follow all floodplain development ordinances. Add floodplain line types to legend. IDP approval for storm sewer improvements 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.

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.
Forrest Warehouse and Distribution Center
Forrest Warehouse and Distribution Center

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2021
FORREST WAREHOUSE & DISTRIBUTION CENTER

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

SECTION 1: ENFORCEMENT, CULVERT, AMENDMENT, AND GENERAL

A. Petition

The covenants hereinafter set forth and covenants to run with the land shall be binding upon the owner, its successors and assigns. Within the provisions of Sections 2, 4, 5, and 6 hereof, easements and covenants are set forth certain covenants and conditions which require future owners to dedicate portions of their land for public utility purposes. The owner administering the public utility purposes contained herein shall have the right to enforce the provisions of this Deed of Dedication by suit for specific performance or, in the absence of an agreement to the contrary, by suit for an injunction to restrain any violation of the terms of this Deed of Dedication. The court shall have the power to order the payment of reasonable attorney’s fees and costs to the person, corporation or association that is successful in any action or suit brought to enforce the covenants established within this Deed of Dedication, the defense that the party enforcing the covenants is not a holder in due course of this Deed of Dedication is not a defense. The court shall have jurisdiction over the parties to the suit and shall have jurisdiction over all actions or suits to enforce the covenants established herein.

B. Jurisdiction

This instrument was acknowledged before me this ___ day of __________, 2023, by Amber Forrest as member of Amber Forrest, LLC, and this instrument was acknowledged by the undersigned producer or his principal and the undersigned operator or his principal before me this ___ day of __________, 2023, by Amber Forrest as member of Amber Forrest, LLC.

C. Enforcement

The covenants and restrictions shall remain in full force and effect until terminated or amended as hereinafter provided:

1. Covenants and Restrictions Provided for in This Deed of Dedication shall remain in full force and effect as provided in this Deed of Dedication.

2. The covenants and restrictions 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. Such amendments or terminations shall become effective when recorded in the records of the Tulsa County Clerk.

SECTION 2: STREETS, SERVICES, AND UTILITIES

A. Public Streets and General Utility Agreements

The owner owes a duty to the public to the public to improve or pay for the improvement of all public streets, sewers, and other public utility lines in the vicinity of the property. The owner agrees to improve, maintain, and promote the streets, sewers, and other public utility lines in accordance with applicable laws, codes, and regulations. The owner shall also agree to pay for the cost of any streets, sewers, or other public utility lines that may be required to be installed or maintained by the City of Tulsa or any other governmental authority.

B. Utility Easements

1. Utility Easements for Public Use

The utility easements for public use include storm sewer, water, electric, telephone, cable television, and sewer lines. The owner shall maintain and repair any utility easements on the property that are necessary for the public use of the easements.

2. Street Rights-Of-Way

The owner shall dedicate to the public the right to construct, maintain, and operate streets through the property. The owner shall also agree to pay for the cost of any streets that may be required to be installed or maintained by the City of Tulsa or any other governmental authority.

3. Easements for Public Use

The owner shall dedicate to the public all easements necessary for the public use of the property, including easements for storm sewer, water, electric, telephone, and cable television lines. The owner shall also agree to pay for the cost of any easements that may be required to be installed or maintained by the City of Tulsa or any other governmental authority.

4. Easements for Private Use

The owner shall also dedicate to the owner of the property all easements necessary for the private use of the property, including easements for storm sewer, water, electric, telephone, and cable television lines. The owner shall also agree to pay for the cost of any easements that may be required to be installed or maintained by the owner or any other governmental authority.

5. Easements for Utility Companies

The owner shall also dedicate to the owner of the property all easements necessary for the utility companies to install, maintain, and operate their facilities on the property, including easements for storm sewer, water, electric, telephone, and cable television lines. The owner shall also agree to pay for the cost of any easements that may be required to be installed or maintained by the utility companies or any other governmental authority.

C. Easements for Public Use

1. Easements for Public Use

The owner shall also dedicate to the public the right to construct, maintain, and operate the public easements through the property. The owner shall also agree to pay for the cost of any public easements that may be required to be installed or maintained by the City of Tulsa or any other governmental authority.

2. Easements for Private Use

The owner shall also dedicate to the owner of the property all easements necessary for the private use of the property, including easements for storm sewer, water, electric, telephone, and cable television lines. The owner shall also agree to pay for the cost of any easements that may be required to be installed or maintained by the owner or any other governmental authority.

D. Easements for Utility Companies

The owner shall also dedicate to the owner of the property all easements necessary for the utility companies to install, maintain, and operate their facilities on the property, including easements for storm sewer, water, electric, telephone, and cable television lines. The owner shall also agree to pay for the cost of any easements that may be required to be installed or maintained by the utility companies or any other governmental authority.

E. Easements for Public Use

1. Easements for Public Use

The owner shall also dedicate to the public the right to construct, maintain, and operate the public easements through the property. The owner shall also agree to pay for the cost of any public easements that may be required to be installed or maintained by the City of Tulsa or any other governmental authority.

2. Easements for Private Use

The owner shall also dedicate to the owner of the property all easements necessary for the private use of the property, including easements for storm sewer, water, electric, telephone, and cable television lines. The owner shall also agree to pay for the cost of any easements that may be required to be installed or maintained by the owner or any other governmental authority.

3. Easements for Utility Companies

The owner shall also dedicate to the owner of the property all easements necessary for the utility companies to install, maintain, and operate their facilities on the property, including easements for storm sewer, water, electric, telephone, and cable television lines. The owner shall also agree to pay for the cost of any easements that may be required to be installed or maintained by the utility companies or any other governmental authority.

SECTION 3: STORM SEWER EASEMENTS

A. Storm Sewer Easements

1. Storm Sewer Easements

The owner shall dedicate to the public the right to construct, maintain, and operate the storm sewer easements through the property. The owner shall also agree to pay for the cost of any storm sewer easements that may be required to be installed or maintained by the City of Tulsa or any other governmental authority.

2. Storm Sewer Easements for Private Use

The owner shall also dedicate to the owner of the property all storm sewer easements necessary for the private use of the property. The owner shall also agree to pay for the cost of any storm sewer easements that may be required to be installed or maintained by the owner or any other governmental authority.

3. Storm Sewer Easements for Utility Companies

The owner shall also dedicate to the owner of the property all storm sewer easements necessary for the utility companies to install, maintain, and operate their facilities on the property. The owner shall also agree to pay for the cost of any storm sewer easements that may be required to be installed or maintained by the utility companies or any other governmental authority.

SECTION 4: TENURE

A. Undivided Interest

The owner holds the undivided interest in the property.

B. Tenancy in Common

The owner holds the tenancy in common interest in the property.

C. Lease

The owner holds the lease interest in the property.

D. Estate

The owner holds the estate interest in the property.

SECTION 5: TRANSFERS

A. Transfer Restriction

The owner agrees to restrict the transfer of the property.

B. Transfer Requirements

The owner agrees to comply with the transfer requirements.

C. Transfer Procedures

The owner agrees to follow the transfer procedures.

SECTION 6: REMEDIES

A. Remedies

The owner agrees to provide the remedies.

B. Enforcement

The owner agrees to enforce the covenants.

C. Damages

The owner agrees to pay the damages.

SECTION 7: AMENDMENTS

A. Amendment Process

The owner agrees to follow the amendment process.

B. Amendment Approval

The owner agrees to obtain the amendment approval.

C. Amendment Effectiveness

The owner agrees to the amendment effectiveness.

SECTION 8: DEFAULTS

A. Default Notice

The owner agrees to provide the default notice.

B. Default Remedies

The owner agrees to the default remedies.

C. Default Actions

The owner agrees to take the default actions.

SECTION 9: MISCELLANEOUS

A. Miscellaneous

The owner agrees to the miscellaneous.

B. Additional Provisions

The owner agrees to the additional provisions.

C. Further Provisions

The owner agrees to the further provisions.

SECTION 10: NOTICES

A. Notice to Owner

The owner agrees to provide the notice to owner.

B. Notice to Tenant

The owner agrees to provide the notice to tenant.

C. Notice to City

The owner agrees to provide the notice to city.

SECTION 11: CONCLUSION

The owner agrees to the conclusion.

ACKNOWLEDGMENT

This instrument was acknowledged before me this ____ day of __________, 2023, by Amber Forrest as member of Amber Forrest, LLC, and this instrument was acknowledged by the undersigned producer or his principal and the undersigned operator or his principal before me this ___ day of __________, 2023, by Amber Forrest as member of Amber Forrest, LLC.
Case: Phoenix at 36N (Related to Phoenix at 36N Authorization for Accelerated Release of Building Permits)

Hearing Date: October 4, 2023

<table>
<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
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<tbody>
<tr>
<td>Nathan Foster</td>
<td>Applicant: Mark Capron, Wallace Design</td>
</tr>
<tr>
<td></td>
<td>Owner: Housing Authority of the City of Tulsa</td>
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<th>Applicant Proposal:</th>
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<tbody>
<tr>
<td><img src="image" alt="Location Map" /></td>
<td>Preliminary Plat and Modification of the Subdivision &amp; Development Regulations to remove requirement for performance guarantees</td>
</tr>
<tr>
<td></td>
<td>1 lot, 1 block, on 3.62 ± acres</td>
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<tr>
<td></td>
<td>Location: Southeast corner of East 36th Street North and North Peoria Avenue</td>
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</table>

Zoning: MX1-U-U

<table>
<thead>
<tr>
<th>Staff Recommendation:</th>
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<tbody>
<tr>
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<tbody>
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<tbody>
<tr>
<td>Commissioner Name: Stan Sallee</td>
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</table>
PRELIMINARY SUBDIVISION PLAT

Phoenix at 36N - (CD 1)
Southeast corner of East 36th Street North and North Peoria Avenue

1 lot, 1 block, on 3.62 ± acres

The Technical Advisory Committee (TAC) met on September 21, 2021 and provided the following conditions:

1. **Zoning:** The property is zoned MX1-U-U. Proposed lot conforms to the requirements of the zoning district.

2. **Addressing:** City of Tulsa will assign addresses to the lot. The assigned address is required to be affixed to the face of the final plat prior to approval.

3. **Transportation & Traffic:** Sidewalks and appropriate ADA compliant ramps are required along all street frontages. Right-of-way permits will be required for driveways connecting to public streets. Label and dimension all street right-of-way included in the plat or adjacent to the plat with either recording information or “dedicated by plat”. Right-of-way dedications are required to comply with major street and highway plan.

4. **Sewer/Water:** Sewer extension is being constructed through a capital project with public funds. Publicly funded infrastructure must have final plans for infrastructure prepared prior to final plat approval and filing to ensure accuracy of all easements/ROW. Any offsite easements required for this project will be required to be recorded and shown on the face of the plat.

5. **Engineering Graphics:** Submit a subdivision control data sheet with final plat. Show all platted properties in the location map and label all other property as unplatted. Provide the date of the last site visit by the surveyor on the face of the plat. Add contact information for the engineer. Under the basis of bearing heading include the coordinate system used. Provide a bearing angle preferably shown on the face of the plat.

6. **Stormwater, Drainage, & Floodplain:** Publicly funded infrastructure must have final plans for infrastructure prepared prior to final plat approval and filing to ensure accuracy of all easements/ROW. Any offsite easements required for this project will be required to be recorded and shown on the face of the plat.

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.
Modification to the Subdivision & Development Regulations:

The applicant has requested a modification to Section 10-110.6-C of the Subdivision and Development Regulations which would require the developer to submit a financial guarantee to the City of Tulsa for outstanding infrastructure improvements required for the project. The public infrastructure supporting this project is being done through a publicly funded capital improvement project. Because the infrastructure is already being funded by the City, the performance guarantee would not be necessary. Staff supports the request for modification.

Staff recommends APPROVAL of the preliminary subdivision plat and the modification to the Subdivision & Development Regulations subject to the conditions provided by TAC and all other requirements of the Subdivisions Regulations. City of Tulsa release letter is required prior to final plat approval.
Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2021

Phoenix at 36N

Subject Tract

7.5
Phoenix at 36N
PHOENIX AT 36N-PHASE I

DEED OF DEDICATION AND RESTRICTIVE COVENANTS

IN WITNESS WHEREOF, the HOLDER OF THE CITY OF TULSA HAS EXECUTED THIS INSTRUMENT THIS ____ DAY OF 2023.

[Signature]

HAUREN WILSON, MAYOR OF THE CITY OF TULSA

[Signature]

JOSEPH J. THOMAS, DIRECTOR OF PUBLIC WORKS

[Signature]

ANDREW M. W. KING, DIRECTOR OF ENGINEERING

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**Case:** Phoenix at 36N - Request for Authorization of Accelerated Release of Building Permits (Related to Phoenix at 36N Preliminary Plat)

**Hearing Date:** October 4, 2023

<table>
<thead>
<tr>
<th>Case Report Prepared by:</th>
<th>Owner and Applicant Information:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Nathan Foster</td>
<td>Applicant: Mark Capron, Wallace Design</td>
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<tr>
<td></td>
<td>Owner: Housing Authority of the City of Tulsa</td>
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<table>
<thead>
<tr>
<th>Location Map: (shown with City Council districts)</th>
<th>Applicant Proposal:</th>
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<tbody>
<tr>
<td><img src="image" alt="Location Map" /></td>
<td>Request for Authorization of Accelerated Release of Building Permits</td>
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<tr>
<td></td>
<td>1 lot, 1 block, on 3.62 ± acres</td>
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<tr>
<td></td>
<td>Location: Southeast corner of East 36th Street North and North Peoria Avenue</td>
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<tr>
<th>Zoning: MX1-U-U</th>
<th>Staff Recommendation:</th>
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<tr>
<td></td>
<td>Staff recommends <strong>approval</strong> of the request to authorize accelerated release of building permits</td>
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<tr>
<th>City Council District: 1</th>
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<tbody>
<tr>
<td>Councilor Name: Vanessa Hall-Harper</td>
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<th>County Commission District: 1</th>
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<td>Commissioner Name: Stan Sallee</td>
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ACCELERATED RELEASE OF BUILDING PERMIT

**Phoenix at 36N** - (CD 1)
Southeast corner of East 36th Street North and North Peoria Avenue

The applicant has requested that the Planning Commission authorize the City of Tulsa to issue building permits prior to the filing of a final plat. The *Subdivision & Development Regulations* require the approval of a preliminary plat prior to authorization for an accelerated release of building permits.

This project is being managed by the Tulsa Housing Authority in partnership with the City of Tulsa and the U.S. Department of Housing and Urban Development along with other private partners. The site was awarded a federal CHOICE neighborhood grant through HUD that seeks to revitalize areas through the creation of affordable, walkable, and safe neighborhoods. The project is also receiving low-income housing tax credits. The required infrastructure projects will be coordinated and installed by the City of Tulsa.

The associated grant and awarded tax credits with this project require construction to begin on a specific timeline where delays could create issues. The applicant has requested to defer the requirement for the plat to be filed to the certificate of occupancy to prevent delays on building permits.

The attached email from Jeff Hall, Vice President of The Housing Authority of the City of Tulsa, provides further details on the financing and timelines.

The Technical Advisory Committee met on Thursday, September 21, 2023, and no objections were raised to the authorization of an accelerated release of building permits.

If approved, this authorization only removes the requirement that the final plat be filed prior to building permits being issued. All other codes and requirements of the City of Tulsa remain in place.

Staff recommend **approval** of the accelerated release of a building permit. Approval of the Phoenix at 36N preliminary plat is required.
Nathan,

Thank you for providing me the opportunity to provide supplemental information with our application for preliminary plat. As stated in that application, we seek approval to waive bonding requirements and for the accelerated release of permits.

Phoenix at 36N is the first of seven phases of the redevelopment of the former Comanche Park public housing property, to be called 36N. In 2022, in partnership with the City of Tulsa as co-applicant, Tulsa Housing Authority applied for and was awarded a $50M HUD Choice Neighborhoods grant to replace the 271 severely distressed units at Comanche Park with 545 mixed-income apartments in a variety of building types. Within the 545 new units, 271 units will be subsidized and held for first right to return for the former Comanche Park residents. Due to the need to completely redevelop the associated public infrastructure necessary to make this development a reality, the City of Tulsa, as a component of the Choice Neighborhoods applications, committed funding for infrastructure improvements, to be completed as CIP contracts associated with each phase. The Choice Grant does stipulate that all 545 units must be built by September 2028.

For Phoenix at 36N, and ultimately for all phases, our request for accelerated release of permits is driven by our two primary financing tools for the development, both of which are heavily utilized for all seven phases — Choice Neighborhoods Grant Funding and Federal Low Income Housing Tax Credits (issued by the Oklahoma Housing and Finance Agency). The Choice Grant, in order to remain in compliance with the $50M funding, requires we initiate construction on the initial phase of development within 15 months of grant award, or no later than March 2024. Furthermore, the Low-Income Housing Tax Credits set aside for Phoenix at 36N require the entire phase to be placed in service by the end of 2025. For subsequent phases, the Low-Income Housing Tax Credits mandate that we are applying for those credits every January and June and initiating construction within 9 months of that application. To meet that no later than construction start date, and comply with the placed in-service date requirements, we must submit for building permits no later than November 2023 for Phoenix at 36N. With the related infrastructure work being carried out via CIP and a separate City-procured contract, while we are working in close coordination with Engineering Services, it does present considerable timing constraints to ensure all design is in place and the final plat is recorded in advance of our necessary timeline for building permits.

The THA team is incredibly appreciative of the Commission for granting a similar request at River West, where even in 2023 the ability to receive permits and initiate construction prior to final plat was paramount in meeting our federal timing requirements. It cannot be understated that the success of that development, and similarly the need for this development, is tied to our ability to initiate construction, with permits, while the final plat process finalizes.

Please don’t hesitate to let me know of any questions. If recommended for the October 4th meeting
agenda, I will be in attendance to assist with any further comments or rationale for our request.

Jeff

Jeffery D. Hall  
Vice President, Development Services  
The Housing Authority of the City of Tulsa  
415 E Independence  
Tulsa, OK 74106  
Email: Jeff.Hall@tulsahousing.org  
Office: 918-581-5911  
Mobile: 918-361-3831

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2024 PROPOSED SCHEDULE

Tulsa Metropolitan Area Planning Commission (TMAPC)

Regular meetings of the TMAPC are held on the first and third Wednesday of each month at 1:00 p.m. in the One Technology Center, 175 E. 2nd Street, City Council Chambers, 2nd Level, Tulsa, Oklahoma.

Work sessions of the TMAPC are held, as necessary, typically prior to regular TMAPC business in the One Technology Center, 175 E. 2nd Street, in a room location to be announced at the time an agenda is posted.

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<th>JULY</th>
<th>AUGUST</th>
<th>SEPTEMBER</th>
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<tr>
<td>July 3-No Meeting</td>
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*Moved to 4th Wednesday due to Juneteenth holiday