**TMAPC**

**Tulsa Metropolitan Area Planning Commission**

<table>
<thead>
<tr>
<th><strong>Case Number:</strong> PUD-772-A (Related to Z-7729)</th>
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</thead>
<tbody>
<tr>
<td><strong>Hearing Date:</strong> July 19, 2023</td>
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<table>
<thead>
<tr>
<th><strong>Case Report Prepared by:</strong> Nathan Foster</th>
</tr>
</thead>
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<table>
<thead>
<tr>
<th><strong>Owner and Applicant Information:</strong></th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Applicant:</strong> Lou Reynolds</td>
</tr>
<tr>
<td><strong>Property Owner:</strong> Mandalay Bay Investments LLC</td>
</tr>
</tbody>
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<table>
<thead>
<tr>
<th><strong>Location Map:</strong> (shown with City Council Districts)</th>
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<table>
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<tr>
<th><strong>Applicant Proposal:</strong></th>
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<tbody>
<tr>
<td><strong>Present Use:</strong> Vacant</td>
</tr>
<tr>
<td><strong>Proposed Use:</strong>    Commercial</td>
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**Concept summary:** Major amendment to establish two development areas. Development Area A will consist of commercial development along South Utica Avenue. Development Area B consists of residential uses.

<table>
<thead>
<tr>
<th><strong>Tract Size:</strong> 3.5 ± acres</th>
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| **Location:** Northwest corner of South Utica Avenue and East 13th Place South |

<table>
<thead>
<tr>
<th><strong>Zoning:</strong></th>
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<tbody>
<tr>
<td><strong>Existing Zoning:</strong> RM-2/NPUD-772/NIO</td>
</tr>
<tr>
<td><strong>Proposed Zoning:</strong> CS/PUD-772-A/NIO</td>
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<thead>
<tr>
<th><strong>Comprehensive Plan:</strong></th>
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</thead>
<tbody>
<tr>
<td><strong>Land Use Map:</strong> Regional Center and Neighborhood</td>
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<tr>
<th><strong>Staff Data:</strong></th>
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<tbody>
<tr>
<td><strong>TRS:</strong> 9307</td>
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<tr>
<td><strong>CZM:</strong> 37</td>
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<thead>
<tr>
<th><strong>Staff Recommendation:</strong></th>
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<tr>
<td>Staff recommends approval with the development standards outlined in Section II.</td>
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<tr>
<th><strong>City Council District:</strong> 4</th>
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</thead>
<tbody>
<tr>
<td><strong>Councilor Name:</strong> Laura Bellis</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th><strong>County Commission District:</strong> 2</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Commissioner Name:</strong> Karen Keith</td>
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</tbody>
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REVISED 7/13/2023
SECTION I: PUD-772-A

DEVELOPMENT CONCEPT: Major amendment to PUD-772 to establish development standards for two development areas. Development Area A will consist of commercial uses customarily found in the CS district. Development Area B will consist of residential and group living uses that would be consistent with the "Neighborhood" land use designation of the City's comprehensive plan.

EXHIBITS:
- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Applicant Exhibits:
  - Exhibit 1 – Development Plan
  - Exhibit A – Development Area A Conceptual Site Plan
  - Exhibit B – Development Area Map
  - Exhibit C – Development Area A Landscape and Screening Concept
  - Exhibit D – Development Area A Existing Utilities
  - Exhibit E – Development Area A Grading and Drainage Plan
  - Exhibit F – Legal Description

DETAILED STAFF RECOMMENDATION:

PUD-772-A is a major amendment to an existing planned unit development to divide the existing development area into two development areas and establish standards for development. Development Area A, which is adjacent to South Utica Avenue, will permit a range of commercial and residential uses which are consistent with the "Regional Center" designation of the City's comprehensive plan. Development Area B will permit residential and group living uses that are consistent with the "Neighborhood" designation of the City's comprehensive plan.

The major amendment application is related to a rezoning request to change the underlying zoning on the subject property from RM-2 to CS. The CS zoning district will permit the commercial uses desired for Development Area A while adjusting lot and building regulations to align with the desired use of Development Area B.

Staff recommends approval of PUD-772-A with the development standards outlined in Section II below.

SECTION II: PUD-772-A DEVELOPMENT STANDARDS:

GROSS LAND AREA OF PROJECT: 5.892 AC

NET LAND AREA OF PROJECT: 3.582 AC

Development Area “A” (Tract 1)

PERMITTED USE CATEGORIES:
- Residential (if in allowed building type listed below)
- Household Living
  - Single household
  - Two households on a single lot

//.2

REVISION 7/13/2003
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
- Governmental Service or Similar Functions
- Hospital
- Library or Cultural Exhibit
- Parks and Recreation
- Religious Assembly
- Safety Service
- Religious Assembly
- School
- Utilities and Public Service Facility
  - Minor
- Wireless Communication Facility
  - Freestanding tower
  - Building or tower-mounted antenna

Commercial
- Animal service
  - Grooming
  - Veterinary
- Broadcast or Recording Studio
- Commercial Service
  - Building service
  - Business support service
  - Consumer maintenance/repair service
  - Personal improvement service
  - Research service
- Financial Services (except personal credit establishment is prohibited)
- Funeral or Mortuary Service
- Lodging
  - Bed & Breakfast
  - Short-term rental
  - Hotel/motel
- Office
  - Business or professional office
  - Medical, dental or health practitioner office
- Parking, Non-accessory
- Restaurants and Bars
  - Restaurant
  - Bar
- Retail Sales

REVISED 7/13/2023
Building supplies and equipment
Consumer shopping goods
Convenience goods
Grocery Store
Studio, Artist or Instructional Service
Trade School
Vehicle Sales and Service
Fueling station

AGRICULTURAL
Community Garden

OTHER
Drive-in or Drive-through Facility (as a component of an allowed principal use)
Off-Premise Outdoor Advertising Sign

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

MAXIMUM BUILDING FLOOR AREA: 35,190 SF

MINIMUM BUILDING SETBACKS:

From South Utica Avenue 0 FT
From East 13th Place 5 FT
From South Troost Avenue 10 FT
From East 13th Street 10 FT

MINIMUM PARKING SETBACKS:

From North boundary 5 FT
From South boundary 5 FT
From West boundary 10 FT
From East boundary 5 FT

OFF-STREET PARKING:

Minimum parking ratios shall be as provided in Chapter 55 of the Tulsa Zoning Code for the applicable Use Category.
DRIVE-THROUGH:

Drive-through facilities, including drive-through signs, stacking lanes, trash receptacles, loudspeakers and service windows may be located on the street-facing side(s) of Development Area A.

SIGNS:

Signage shall conform to the provisions of the Tulsa Zoning Code in the CS District, except as provided below:

DRIVE-THROUGH SIGNS:

Drive-through signs and menu boards shall be set back a minimum of 7.5 feet from the southern boundary of Development Area A.

LIGHTING:

All pole mounted lights shall be limited to a maximum height of twenty (20) feet. Drive-through canopy lights and building mounted light fixtures shall be mounted no higher than fifteen (15) feet high and shall be shielded from adjacent residential properties and directed downward.

TRASH AND MECHANICAL EQUIPMENT AREAS:

All trash and mechanical equipment areas (excluding utility service transformers, pedestals or equipment provided by franchise utility providers) including building mounted, shall be screened from public view in such a manner that the same cannot be seen by a person standing on any part of the property line at ground level.

Dumpsters shall be screened from view from all street rights-of-way and R-zoned property. Dumpster screening shall be of masonry construction with steel frame doors. The doors shall be covered with appropriate covering containing a minimum of ninety-five percent (95%) opacity.

NO OUTSIDE STORAGE:

There shall be no outside storage or recycling material, trash or similar materials outside of a screened receptacle, nor shall trucks or trailer trucks be parked unless they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage.

ACCESS AND CIRCULATION:

No vehicular access shall be permitted from Utica Avenue.

LANDSCAPED AREA:

A minimum of ten percent (10%) of the Net Land Area of Development Area A shall be improved as internal landscaped open space.

LANDSCAPING AND SCREENING DETAILS:

The Project landscaping and screening details will comply with the requirements of the Tulsa Zoning Code for street frontage and parking area landscape.
The landscape boundaries of Development Area A will be landscaped as shown on the Landscape and Screening Concept attached hereto as Exhibit "C".

Development Area “B”
(Tract 2)

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
   Governmental Service or Similar Functions
   Hospital
   Library or Cultural Exhibit
   Parks and Recreation
   Religious Assembly
   Safety Service
   School
   Utilities and Public Service Facility
      Minor
   Wireless Communication Facility
      Building or tower-mounted antenna

COMMERCIAL
   Lodging
      Bed & Breakfast
      Short-term rental
      Hotel/motel
   Office
      Business or professional office
      Medical, dental or health practitioner office

AGRICULTURAL
   Community Garden

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

MAXIMUM BUILDING FLOOR AREA: 31,366 SF

MINIMUM BUILDING SETBACKS:

From East 13th Place 5 FT
From South Troost Avenue 10 FT
From South Trenton Avenue 10 FT
From East 13th Street 10 FT
From internal Development Area boundaries 0 FT
From Lot 1, Block 8, Forrest Park Addition 10 FT

MINIMUM PARKING SETBACKS:

From North boundary 5 FT
From South boundary 5 FT
From West boundary 10 FT
From East boundary 5 FT
From internal Development Area boundaries 5 FT
From Lot 1, Block 8, Forrest Park Addition 5 FT

OFF-STREET PARKING:

Minimum parking ratios shall be as provided in Chapter 55 of the Tulsa Zoning Code for the applicable Use Category.

SIGNS:

Signage shall conform to the provisions of the Tulsa Zoning Code in the CS District.

LIGHTING:

All pole mounted lights shall be limited to a maximum height of twenty (20) feet. Building mounted light fixtures shall be mounted no higher than fifteen (15) feet high and shall be shielded from adjacent residential properties and directed downward.
TRASH AND MECHANICAL EQUIPMENT AREAS:

All trash and mechanical equipment areas (excluding utility service transformers, pedestals or equipment provided by franchise utility providers) including building mounted, shall be screened from public view in such a manner that the same cannot be seen by a person standing on any part of the property line at ground level.

Dumpsters shall be screened from view from all street rights-of-way and R-zoned property. Dumpster screening shall be of masonry construction with steel frame doors. The doors shall be covered with appropriate covering containing a minimum of ninety-five percent (95%) opacity.

NO OUTSIDE STORAGE:

There shall be no outside storage or recycling material, trash or similar materials outside of a screened receptacle, nor shall trucks or trailer trucks be parked unless they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage.

LANDSCAPING AND SCREENING DETAILS:

The Project landscaping and screening details will comply with the requirements of the Tulsa Zoning Code for street frontage and parking area landscape.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: CS zoning is consistent with the “Regional Center” designation and, with the proposed development standards of PUD-772-A, consistent with the “Neighborhood” designation. Commercial uses will be limited to the eastern development area.

Land Use Vision:

Land Use Plan map designation: Regional Center and Neighborhood

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.

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.
Transportation Vision:

Major Street and Highway Plan: South Utica Avenue is considered an Urban Arterial by the Major Street and Highway Plan. East 13th Place is considered a freeway access road. Both classifications are adequate to support the proposed uses of PUD-772-A. East 13th Street South is not classified by the Major Street and Highway Plan.

Trail System Master Plan Considerations: East 13th Street South is designated for on-street bicycle lanes by the GO Plan. East 13th Place South is designated as a “Signed Route” by the GO Plan. Site development should consider bicycle access and parking to support the planned bicycle network adjacent to the site.

Small Area Plan: Utica Midtown Corridor Small Area Plan

The subject property is located within the Utica Midtown Corridor Small Area Plan. The proposed development areas included in PUD-772-A align with the recommendations of the small area plan for commercial development adjacent to South Utica Avenue with a transition to neighborhood development west of South Troost Avenue.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The subject property is currently vacant. There is an existing religious assembly and a medical facility north of the subject property. The site is adjacent to the Broken Arrow Expressway to the south. There are existing single-family residences to the west of the subject property.

Environmental Considerations: None

Streets:

<table>
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<tr>
<th>Existing Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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<tbody>
<tr>
<td>South Utica Avenue</td>
<td>Urban Arterial</td>
<td>70'</td>
<td>4</td>
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<tr>
<td>East 13th Place South</td>
<td>Freeway</td>
<td>Variable</td>
<td>2</td>
</tr>
<tr>
<td>East 13th Street South</td>
<td>None</td>
<td>50'</td>
<td>2</td>
</tr>
<tr>
<td>South Trenton Avenue</td>
<td>None</td>
<td>50'</td>
<td>2</td>
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</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>
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<tbody>
<tr>
<td>North</td>
<td>RM-2</td>
<td>Regional Center</td>
<td>Religious Assembly</td>
</tr>
<tr>
<td>East</td>
<td>RM-2</td>
<td>Regional Center</td>
<td>Vacant</td>
</tr>
</tbody>
</table>
SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11815 dated June 26, 1970, established zoning for the subject property.

PUD-772 – Ordinance number 22131 dated October 14, 2009 established PUD-772 on the subject property.
EXHIBIT "1"

PUD 772-A

The purpose of PUD Major Amendment No. PUD 772-A ("PUD 772-A") is to establish commercial development standards for a long-dormant area originally planned as a multi-family elderly/retirement project. The subject property is located at the northwest corner of South Utica Avenue and East 13th Place (the "Property"), just north of the Broken Arrow Expressway.

PUD-772 was established in 2009 for the development of a three-story, retirement housing assisted living and memory care facility. The site was never developed as such and the owner/developer Trinity Ministries (affiliated with the Lutheran Church located just north of the Property) ultimately sold the property in 2014. The current property owner demolished the previously existing and dilapidated single-family houses shortly thereafter and the site has remained vacant ever since.

The Property is bounded by streets on all sides: South Utica Avenue (Urban Arterial) to the east; East 13th Place (Freeway – Broken Arrow Expressway access road) to the south; South Trenton Avenue to the west; and East 13th Street to the north. The Property is comprised of two tracts of land separated by South Troost Avenue, which runs north/south and divides the Property in half. The tract to the east of Troost is referred to herein as “Tract 1” and the tract to the west of Troost is referred to herein as “Tract 2”. The Property will be divided into two (2) PUD Development Areas: Development Area “A” corresponding with the boundaries of Tract 1 and Development Area “B” corresponding with the boundaries of Tract 2. Development Area A (Tract 1) is intended to be developed as a restaurant with drive-through facilities and Development Area B (Tract 2) is intended to be developed as a healthcare hospitality house, which provides home-like lodging for families and caregivers of inpatients at area hospitals.

A Conceptual Site Plan for Development Area A is attached hereto Exhibit “A”. An Aerial Photograph of the Property and surrounding area is attached hereto as Exhibit “B”. As shown on the Conceptual Site Plan, in the event Development Area A is developed as a restaurant with a drive-through, the site will be oriented to circulate traffic using Troost and 13th Street for ingress and egress to mitigate any potential traffic impacts on Utica and 13th Place.

The Landscape and Screening Concept for Development Area A is attached hereto as Exhibit “C”.

All public utilities necessary for the development of the Property are available. The existing utilities for Development Area A are shown on Exhibit “D” attached hereto.

While Tract 2 of the Property gently slopes downward from its north boundary to its south boundary, Tract 1 of the Property has more significant topography, with approximately eighteen (18) feet of grade change from its eastern boundary along Utica Avenue heading westerly toward Troost. The grade change will be a factor in the ultimate location of a building within Development Area A and restricts the ability of any development to occur at the street level of Utica Avenue. The Grading and Drainage Plan for Development Area A is attached hereto as Exhibit “E”.

The Legal Description of the Property is attached hereto as Exhibit “F”.

11/15
EXHIBIT “I”

PUD 772-A

The Property will be rezoned from RM-2 to CS and PUD-772-A, amended as set forth herein in order to permit commercial development within Development Area A. Except as provided in the Development Standards below, the standards of the CS District shall apply.
EXHIBIT “I”

PUD 772-A

I. DEVELOPMENT STANDARDS

GROSS LAND AREA OF PROJECT: 5.892 AC
NET LAND AREA OF PROJECT: 3.582 AC

DEVELOPMENT AREA “A” (TRACT 1)

PERMITTED USE CATEGORIES:

RESIDENTIAL
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
  Governmental Service or Similar Functions
  Hospital
  Library or Cultural Exhibit
  Parks and Recreation
  Religious Assembly
  Safety Service
  Religious Assembly
  School
  Utilities and Public Service Facility
    Minor
  Wireless Communication Facility
    Freestanding tower
    Building or tower-mounted antenna

COMMERCIAL
  Animal service
EXHIBIT “1”

PUD 772-A

Grooming
Veterinary
Broadcast or Recording Studio
Commercial Service
  Building service
  Business support service
  Consumer maintenance/repair service
  Personal improvement service
  Research service
Financial Services (except personal credit establishment is prohibited)
Funeral or Mortuary Service
Lodging
  Bed & Breakfast
  Short-term rental
  Hotel/motel
Office
  Business or professional office
  Medical, dental or health practitioner office
Parking, Non-accessory
Restaurants and Bars
  Restaurant
  Bar
Retail Sales
  Building supplies and equipment
  Consumer shopping goods
  Convenience goods
  Grocery Store
Studio, Artist or Instructional Service
Trade School
Vehicle Sales and Service
  Fueling station
AGRICULTURAL
  Community Garden
OTHER
  Drive-in or Drive-through Facility (as a component of an allowed principal use)
  Off-Premise Outdoor Advertising Sign

PERMITTED RESIDENTIAL BUILDING TYPES
Household living
  Single household
    Detached House
    Townhouse
    Patio House
  Mixed-Use building
  Vertical mixed-use building
EXHIBIT “1”

PUD 772-A

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

MAXIMUM BUILDING FLOOR AREA: 35,190 SF

MINIMUM BUILDING SETBACKS:

- From South Utica Avenue: 0 FT
- From East 13th Place: 5 FT
- From South Troost Avenue: 10 FT
- From East 13th Street: 10 FT
- From internal Development Area boundaries: 0 FT

MINIMUM PARKING SETBACKS:

- From North boundary: 5 FT
- From South boundary: 5 FT
- From West boundary: 10 FT
- From East boundary: 5 FT
- From internal Development Area boundaries: 5 FT

OFF-STREET PARKING:

Minimum parking ratios shall be as provided in Chapter 55 of the Tulsa Zoning Code for the applicable Use Category.

DRIVE-THROUGH:

Drive-through facilities, including drive-through signs, stacking lanes, trash receptacles, loudspeakers and service windows may be located on the street-facing side(s) of Development Area A.

SIGNS:

Signage shall conform to the provisions of the Tulsa Zoning Code in the CS District, except as provided below:

DRIVE-THROUGH SIGNS:

Drive-through signs and menu boards shall be set back a minimum of 7.5 feet from the southern boundary of Development Area A.
EXHIBIT “1”

PUD 772-A

LIGHTING:

All pole mounted lights shall be limited to a maximum height of twenty (20) feet. Drive-through canopy lights and building mounted light fixtures shall be mounted no higher than fifteen (15) feet high and shall be shielded from adjacent residential properties and directed downward.

TRASH AND MECHANICAL EQUIPMENT AREAS:

All trash and mechanical equipment areas (excluding utility service transformers, pedestals or equipment provided by franchise utility providers) including building mounted, shall be screened from public view in such a manner that the same cannot be seen by a person standing on any part of the property line at ground level.

Dumpsters shall be screened from view from all street rights-of-way and R-zoned property. Dumpster screening shall be of masonry construction with steel frame doors. The doors shall be covered with appropriate covering containing a minimum of ninety-five percent (95%) opacity.

NO OUTSIDE STORAGE:

There shall be no outside storage or recycling material, trash or similar materials outside of a screened receptacle, nor shall trucks or trailer trucks be parked unless they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage.

ACCESS AND CIRCULATION:

No vehicular access shall be permitted from Utica Avenue.

LANDSCAPED AREA:

A minimum of ten percent (10%) of the Net Land Area of Development Area A shall be improved as internal landscaped open space.

LANDSCAPING AND SCREENING DETAILS:

The Project landscaping and screening details will comply with the requirements of the Tulsa Zoning Code for street frontage and parking area landscape.

The landscape boundaries of Development Area A will be landscaped as shown on the Landscape and Screening Concept attached hereto as Exhibit “C”.

11.20
EXHIBIT "1"

PUD 772-A

DEVELOPMENT AREA "B"
(TRACT 2)

PERMITTED USE CATEGORIES:

RESIDENTIAL
   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
   Governmental Service or Similar Functions
   Hospital
   Library or Cultural Exhibit
   Parks and Recreation
   Religious Assembly
   Safety Service
   School
   Utilities and Public Service Facility
      Minor
   Wireless Communication Facility
      Building or tower-mounted antenna

COMMERCIAL
   Lodging
      Bed & Breakfast
      Short-term rental
      Hotel/motel
   Office
      Business or professional office
      Medical, dental or health practitioner office

AGRICULTURAL
   Community Garden
EXHIBIT “1”

PUD 772-A

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

MAXIMUM BUILDING FLOOR AREA: 31,366 SF

MINIMUM BUILDING SETBACKS:

  From East 13th Place  5 FT
  From South Troost Avenue  10 FT
  From South Trenton Avenue  10 FT
  From East 13th Street  10 FT
  From internal Development Area boundaries  0 FT
  From Lot 1, Block 8, Forrest Park Addition  10 FT

MINIMUM PARKING SETBACKS:

  From North boundary  5 FT
  From South boundary  5 FT
  From West boundary  10 FT
  From East boundary  5 FT
  From internal Development Area boundaries  5 FT
  From Lot 1, Block 8, Forrest Park Addition  5 FT

OFF-STREET PARKING:

  Minimum parking ratios shall be as provided in Chapter 55 of the Tulsa Zoning Code for the applicable Use Category.

SIGNS:

  Signage shall conform to the provisions of the Tulsa Zoning Code in the CS District.
EXHIBIT “1”

PUD 772-A

LIGHTING:

All pole mounted lights shall be limited to a maximum height of twenty (20) feet. Building mounted light fixtures shall be mounted no higher than fifteen (15) feet high and shall be shielded from adjacent residential properties and directed downward.

TRASH AND MECHANICAL EQUIPMENT AREAS:

All trash and mechanical equipment areas (excluding utility service transformers, pedestals or equipment provided by franchise utility providers) including building mounted, shall be screened from public view in such a manner that the same cannot be seen by a person standing on any part of the property line at ground level.

Dumpsters shall be screened from view from all street rights-of-way and R-zoned property. Dumpster screening shall be of masonry construction with steel frame doors. The doors shall be covered with appropriate covering containing a minimum of ninety-five percent (95%) opacity.

NO OUTSIDE STORAGE:

There shall be no outside storage or recycling material, trash or similar materials outside of a screened receptacle, nor shall trucks or trailer trucks be parked unless they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage.

LANDSCAPING AND SCREENING DETAILS:

The Project landscaping and screening details will comply with the requirements of the Tulsa Zoning Code for street frontage and parking area landscape.
TRACT 1

LOT ONE (1), BLOCK ONE (1), AND THE EAST 10 FEET OF VACATED ALLEY ADJOINING ON THE WEST, LAKE VIEW ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 82, LESS AND EXCEPT A STRIP, PIECE OR PARCEL OF LAND LYING IN LOT ONE (1), BLOCK ONE (1), LAKE VIEW ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, SAID PARCEL OF LAND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 1; THENCE WEST 40 FEET ALONG THE NORTH BOUNDARY OF LOT 1; THENCE SOUTH 42°24'38" EAST A DISTANCE OF 32.40 FEET; THENCE SOUTH 0°04'13" EAST A DISTANCE OF 24.88 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 1; THENCE EAST ALONG THE SOUTH LINE A DISTANCE OF 20.04 FEET TO THE SOUTHEAST CORNER OF SAID LOT 1; THENCE NORTH ALONG THE EAST LINE OF SAID LOT 1 A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

AND

LOT TWO (2), BLOCK ONE (1), AND THE EAST 10 FEET OF VACATED ALLEY ADJOINING ON WEST, LAKE VIEW ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT NO. 82, LESS AND EXCEPT A STRIP, PIECE OR PARCEL OF LAND LYING IN LOT 2, BLOCK 1, LAKE VIEW ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, SAID PARCEL OF LAND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 2; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 2 A DISTANCE OF 20.04 FEET; THENCE S 0°04'13" EAST A DISTANCE OF 50.01 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 2; THENCE EAST ALONG SAID SOUTH LINE A DISTANCE OF 21.05 FEET TO THE SOUTHEAST CORNER OF SAID LOT 2; THENCE NORTH ALONG THE EAST LINE OF SAID LOT 2 A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

AND

/1.29/
LOT THREE (3), BLOCK ONE (1), AND THE EAST 10 FEET OF VACATED ALLEY ADJOINING ON WEST, LAKE VIEW ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE RECORDED PLAT NO. 82, LESS AND EXCEPT A STRIP, PIECE OR PARCEL OF LAND LYING IN LOT THREE (3), BLOCK ONE (1), LAKE VIEW ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, SAID PARCEL OF LAND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 3; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 3 A DISTANCE OF 21.05 FEET; THENCE SOUTH 0°04'13" EAST A DISTANCE OF 50.01 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 3; THENCE EAST ALONG SAID SOUTH LINE A DISTANCE OF 22.07 FEET TO THE SOUTHEAST CORNER OF SAID LOT 3; THENCE NORTH ALONG THE EAST LINE OF SAID LOT 3 A DISTANCE OF 50.00 FEET TO A POINT OF BEGINNING AND ALSO COVERING THE EAST 10 FEET OF THE VACATED ALLEY ADJACENT ON THE WEST.

AND

LOTS FOUR (4) AND FIVE (5), BLOCK ONE (1), AND THE EAST 10 FEET OF VACATED ALLEY ADJOINING ON WEST, LAKE VIEW ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA ACCORDING TO THE RECORDED PLAT NO. 82, LESS AND EXCEPT A STRIP, PIECE OR PARCEL OF LAND LYING IN LOTS FOUR (4) AND FIVE (5), BLOCK ONE (1), LAKE VIEW ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, SAID PARCEL OF LAND BEING DESCRIBED BY METES AND BOUNDS AS FOLLOWS, TO-WIT:

BEGINNING AT THE NORTHEAST CORNER OF SAID LOT 4; THENCE WEST ALONG THE NORTH LINE OF SAID LOT 4 A DISTANCE OF 22.07 FEET; THENCE SOUTH 0°04'13" EAST A DISTANCE OF 45.72 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 4; THENCE WEST ALONG THE SOUTH LINE A DISTANCE OF 11.50 FEET; THENCE SOUTH 01°37'37" WEST A DISTANCE OF 50.06 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 5; THENCE EAST ALONG SAID SOUTH LINE A DISTANCE OF 37.00 FEET TO THE SOUTHEAST CORNER OF SAID LOT 5, THENCE NORTH ALONG THE EAST LINE OF SAID LOT 5 AND LOT 4 A DISTANCE OF 95.71 FEET TO THE POINT OF BEGINNING.

AND

LOTS TWENTY (20), TWENTY-ONE (21), TWENTY-TWO (22), TWENTY-THREE (23) AND TWENTY-FOUR (24), BLOCK ONE (1), AND THE WEST TEN (10) FEET OF THE CLOSED ALLEY LYING EAST AND ADJACENT TO THE AFOREMENTIONED LOTS IN BLOCK ONE (1), LAKE VIEW ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.
TRACT 2

Lots Four (4), Thirteen (13), Fourteen (14), Fifteen (15), Sixteen (16) and Seventeen (17), Block Eight (8), FOREST PARK ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Re-Amended Recorded Plat No. 49, AND the West Ten (10) feet of the Closed Alley lying East and adjoining said Lots AND the East ten (10) feet of the Closed Trenton Avenue lying West and adjoining said Lots.

AND

Lots One (1), Two (2), Three (3), Four (4) and Five (5), Block Two (2), and the East Ten (10) feet of the Closed Alley lying West and adjacent to said Lots in Block Two (2), and the Closed South Troost Avenue lying adjacent to Lots Twenty (20) through Twenty-four (24), Block One (1), and Lots One (1) through Five (5), Block Two (2), all in LAKE VIEW ADDITION to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.
<table>
<thead>
<tr>
<th>Name</th>
<th>Address</th>
<th>E-mail</th>
</tr>
</thead>
<tbody>
<tr>
<td>Lou Reynolds</td>
<td>2727 E 21st St</td>
<td><a href="mailto:regnolds@detmetro.com">regnolds@detmetro.com</a></td>
</tr>
<tr>
<td>Lauren Liebmann</td>
<td>1120 S Utica</td>
<td><a href="mailto:lauren.liebmann@hillcrest.com">lauren.liebmann@hillcrest.com</a></td>
</tr>
<tr>
<td>Cathy Otey</td>
<td>4008 E 45th St</td>
<td><a href="mailto:Office@felctulsa.org">Office@felctulsa.org</a></td>
</tr>
<tr>
<td>Kathy Seymour</td>
<td>12014 E 46th St</td>
<td><a href="mailto:kseymour3@cox.net">kseymour3@cox.net</a></td>
</tr>
<tr>
<td>George Otey</td>
<td>4008 E 45th St</td>
<td><a href="mailto:guotey@sbeglobal.net">guotey@sbeglobal.net</a></td>
</tr>
<tr>
<td>Bob Moody</td>
<td>1126 S Evansville Ave</td>
<td><a href="mailto:bmood@smithmoody.com">bmood@smithmoody.com</a></td>
</tr>
<tr>
<td>Tim C. Clark Sr</td>
<td>4125 S Pease Cir 74105</td>
<td></td>
</tr>
<tr>
<td>Gertra Sanders</td>
<td>5200 Buffalo Rd.</td>
<td>Chick-fil-A, Inc.</td>
</tr>
<tr>
<td>Todd Rogers</td>
<td></td>
<td>Chick-fil-A, Inc.</td>
</tr>
<tr>
<td>Shannon Makin</td>
<td></td>
<td>Chick-fil-A, Inc.</td>
</tr>
<tr>
<td>Stephen Mamula</td>
<td>16041 E 13th St</td>
<td><a href="mailto:S_mamula@yahoo.com">S_mamula@yahoo.com</a></td>
</tr>
</tbody>
</table>

11:32
Travis E. Dust & Sara L. Short  
1720 East 13th Street  
Tulsa, Oklahoma 74104  

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting  

Dear Mr. Dust and Ms. Short:  

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.  

We intend to file applications to rezone the property from RM-2 (Residential Multi-family 2) to CS (Commercial Shopping) and amend the existing Planned Unit Development PUD-772 in order to redevelop the eastern portion of the property as a Chick-fil-A restaurant.  

I am writing to you to invite you to a meeting with the Chick-fil-A team on Tuesday, May 30, 2022, at the First Lutheran Church, located at 1244 S. Utica Ave., Tulsa, Oklahoma 74104, at 6:00 p.m.
May 23, 2023
Page 2

On behalf of Chick-fil-A, we hope to see you at the meeting and will make every effort to answer any questions you may have about the project. Again, we look forward to seeing you at the May 30th meeting.

Sincerely,

ELLER AND DETRICH
A Professional Corporation

[Signature]
R. Louis Reynolds
Philip J. Eller  
Kevin H. Wylie  
R. Louis Reynolds  
Daniel C. Cupps  
Andrew A. Shank  
Shanann Pinkham Passley  
Mac D. Finlayson  
Steven P. Flowers  
Kenneth E. Crump, Jr.  
Sloane Ryan Lile  
Nathalie M. Cornett  
Natalie J. Marra  
Jacob W. Purdum  

Of Counsel  
Donald L. Detrich, Retired  
Jerry M. Snider  
Katherine Saunders, PLC  
Heidi L. Shadd  
Joshua M. Tietsort  

Telephone  
(918) 747-8900  

Toll Free  
(866) 547-8900  

Facsimile  
(918) 747-2665  

Writer’s Direct Line  
(918) 392-9400  

Writer’s Direct Fax  
(918) 392-9406  

Writer’s E-Mail  
rlreynolds@ellerdetrich.com  

May 23, 2023  

First Evangelical Lutheran Church  
1244 S. Utica  
Tulsa, Oklahoma 74104-4213  

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting  

Dear Sir or Madam:  

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.  

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Sincerely,

ELLER AND DETRICH
A Professional Corporation

R. Louis Reynolds
Gary & Sharon Gould & Allison Gould  
2506 S. Evanston Avenue  
Tulsa, Oklahoma 74114

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Mr. and Mses. Gould:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

We intend to file applications to rezone the property from RM-2 (Residential Multi-family 2) to CS (Commercial Shopping) and amend the existing Planned Unit Development PUD-772 in order to redevelop the eastern portion of the property as a Chick-fil-A restaurant.

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May 23, 2023
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Sincerely,

ELLER AND DETRICH
A Professional Corporation

[Signature]

R. Louis Reynolds
JSM Management LLC
6440 South 221st East Avenue
Broken Arrow, OK  74014-2021

Re:  Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Sir or Madam:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

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May 23, 2023
May 23, 2023
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Sincerely,

ELLER AND DETRICH
A Professional Corporation

[Signature]

R. Louis Reynolds
Glenda Rae and Gary Wayne Rust  
1715 East 13th Place  
Tulsa, Oklahoma 74104

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Mr. and Ms. Rust:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

We intend to file applications to rezone the property from RM-2 (Residential Multi-family 2) to CS (Commercial Shopping) and amend the existing Planned Unit Development PUD-772 in order to redevelop the eastern portion of the property as a Chick-fil-A restaurant.

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May 23, 2023
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Sincerely,

ELLER AND DETRICH
A Professional Corporation

R. Louis Reynolds
The Short Revocable Trust  
c/o Donald L. & Deeanne Short, Trustees  
254 Paradise Drive  
Chouteau, Oklahoma 74337-2844

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Mr. and Ms. Short:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

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Sincerely,

ELLER AND DETRICH
A Professional Corporation

R. Louis Reynolds
Harry E. & Theresa Irene Stutzman
& Thomas Michael Stutzman
1711 East 13th Place
Tulsa, Oklahoma 74104-4423

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Messrs. and Ms. Stutzman:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

We intend to file applications to rezone the property from RM-2 (Residential Multi-family 2) to CS (Commercial Shopping) and amend the existing Planned Unit Development PUD-772 in order to redevelop the eastern portion of the property as a Chick-fil-A restaurant.

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Sincerely,

ELLER AND DETRICH
A Professional Corporation

[Signature]

R. Louis Reynolds
May 23, 2023

Tulsa Psychiatric Center
1620 East 12th Street
Tulsa, Oklahoma 74120

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Sir or Madam:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

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Sincerely,

ELLER AND DETRICH
A Professional Corporation

R. Louis Reynolds
May 23, 2023

Tulsa Psychiatric Center
1225 S. Saint Louis Avenue
Tulsa, Oklahoma 74120-5414

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Sir or Madam:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

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Sincerely,

ELLER AND DETRICH
A Professional Corporation

[Signature]

R. Louis Reynolds
Philip J. Eller  
Kevin H. Wylie  
R. Louis Reynolds  
Daniel C. Cupps  
Andrew A. Shank  
Shanann Pinkham Passley  
Mac D. Finlayson  
Steven P. Flowers  
Kenneth E. Crump, Jr.  
Sloane Ryan Lilje  
Nathalie M. Cornett  
Natalie J. Marra  
Jacob W. Purdum

Of Counsel  
Donald L. Detrich, Retired  
Jerry M. Snider  
Katherine Saunders, PLC  
Heidi L. Shadid  
Joshua M. Tietort

Telephone  
(918) 747-8900
Toll Free  
(866) 547-8900
Facsimile  
(918) 747-2665

Writer’s Direct Line  
(918) 392-9400
Writer’s Direct Fax  
(918) 392-9406
Writer’s E-Mail  
rlreynolds@ellerdetrich.com

May 23, 2023

Tulsa Psychiatric Foundation  
1620 East 12th Street  
Tulsa, Oklahoma 74120-5407

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Sir or Madam:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

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www.EllerDetrich.com  
2727 East 21st Street, Suite 200, Tulsa, Oklahoma 74114-3533
May 23, 2023
Page 2

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Sincerely,

ELLER AND DETRICH
A Professional Corporation

[Signature]

R. Louis Reynolds
VTR Hillcrest MC Tulsa LLC
C/o AHS Mgmt Services of OK LLC
110 West 7th Street, Suite 2530
Tulsa, Oklahoma 74119-1104

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Sir or Madam:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

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Sincerely,

ELLER AND DETRICH
A Professional Corporation

[Signature]

R. Louis Reynolds
May 23, 2023

VTR Hillcrest MC Tulsa LLC
P. O. Box 71970
Phoenix, AZ 85050-1017

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

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This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

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Sincerely,

ELLER AND DETRICH
A Professional Corporation

[Signature]

R. Louis Reynolds
May 23, 2023

Yelle Properties LLC
2021 S. Lewis Avenue
Suite 150
Tulsa, OK 74104-5758

Re: Northwest Corner of E. 13th Street and S. Utica Avenue Neighborhood Meeting

Dear Sir or Madam:

This law firm represents Chick-fil-A in connection with the property at 1312 S. Utica Avenue, located at the northwest corner of East 13th Place South and South Utica Avenue, just north of the Broken Arrow Expressway.

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Sincerely,

ELLER AND DETRICH
A Professional Corporation

[Signature]

R. Louis Reynolds
Yelle Properties LLC
2021 S. Lewis Ave. Ste 150
Tulsa, Oklahoma 74104-5758