

TULSA METROPOLITAN AREA PLANNING COMMISSION

For Meeting No. 2473

March 7, 2007
1:30 PM
Francis Campbell City Council Room
Plaza Level, Tulsa Civic Center

CONSIDER, DISCUSS AND/OR TAKE ACTION ON

1. Call to Order:

REPORTS

2. **Chairman's Report:**
3. **Worksession Report:**
4. **Comprehensive Plan Report:**
   Report on the update of the Comprehensive Plan
5. **Director's Report:**
6. Minutes of February 21, 2007, Meeting No. 2471
7. **CONSENT AGENDA**

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

   a. **Ridgewood Hollow –** (8328)/**Final Plat** (PD-26) (CD-8)

      10305 South Louisville Avenue

   b. **PUD-575-3/Z-6611-SP-1a – Sack & Associates, Inc./Minor Amendment – Corridor Site Plan** (PD-18c) (CD-7)

      Northeast corner East 79th Street South and South Mingo Road (Minor Amendment for the purpose of splitting an unplatted tract in Development Area A.)

   c. **CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA**

8. **PUBLIC HEARINGS**

   a. **Z-7045 – Tulsa Engineering & Planning** **AG to RS-3/CS**

      Southeast corner of East 11th Street and South 161st East Avenue (Continued from January 17, 2007) (Related to 8.b.) (PD-17) (CD-6)

   b. **PUD-737 – Tulsa Engineering & Planning** (PD-17) (CD-6)

      Southeast corner of intersection of East 11th Street South and South 161st East Avenue (PUD proposes residential development with five-acre commercial node.) (Related to 8.a.)

8. **PUBLIC HEARINGS (Cont.)**

c. **PUD-533-B-1 – Sack & Associates, Inc.** (PD-5) (CD-5)

North of the northwest corner of East 27th Street South and South 85th East Avenue (Minor Amendment to allocate floor area in conjunction with a lot-split of Lot 6.)

d. **PUD-306-K – Charles E. Norman** (PD-26) (CD-2)

East of the northeast corner of Riverside Parkway and East 101st Street South (Major Amendment to add a multi-bay auto wash.)

e. **CZ-385 – Tuttle & Associates** **AG to RS/OL/CS**

Southeast corner of 86th Street North and North Harvard Avenue County

f. **Z-7051/PUD-696-A – Lou Reynolds** **OL to CS**

South of the southeast corner of East 91st Street and South Delaware **(Applicant withdrew this application)** (PD-18) (CD-2)

9. **OTHER BUSINESS**

a. **Commissioners' Comments**

ADJOURN

PD = Planning District/CD = Council District

NOTICE: **If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526**

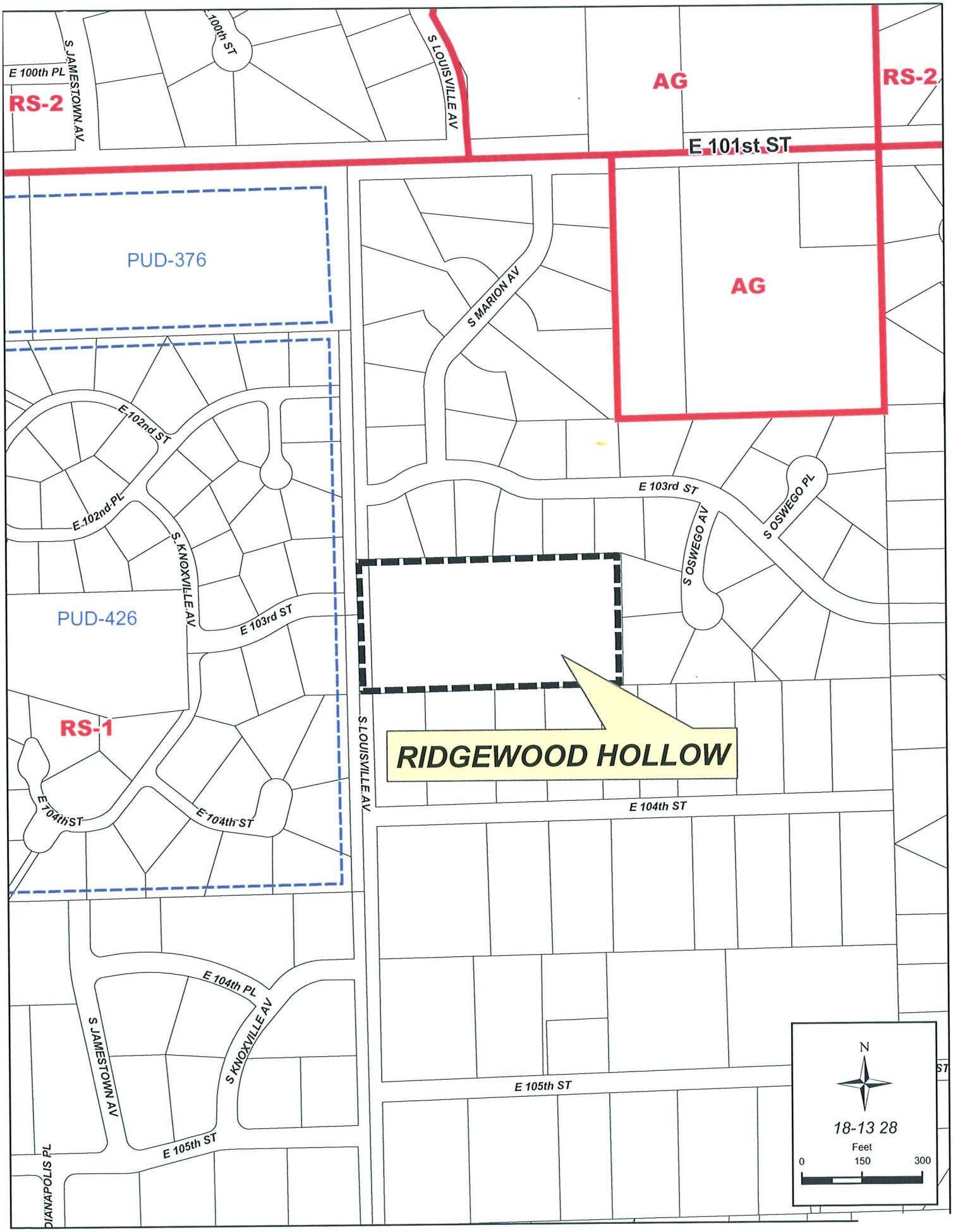
Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Land Development Services, INCOG.

Ringing/sound on all cell phones and pagers must be turned off during the Planning Commission.

Visit our website @ www.tmapc.org

The mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide comprehensive planning, zoning and land division services for the City of Tulsa and Tulsa County through a joint city-county cooperative planning commission resulting in the orderly development of the Tulsa Metropolitan Area and enhancing and preserving the quality of life for the region's current and future residents.

TMAPC Mission Statement


E 100th PL
S JAMESTOWN AV
RS-2
E 100th ST
S LOUISVILLE AV
AG
RS-2
E 101st ST
PUD-376
AG
S MARION AV
E 102nd ST
E 102nd PL
S KNOXVILLE AV
E 103rd ST
E 103rd ST
S OSWEGO AV
S OSWEGO PL
PUD-426
RS-1
RIDGEWOOD HOLLOW
S LOUISVILLE AV
E 104th ST
E 104th ST
E 104th ST
E 104th PL
S JAMESTOWN AV
S KNOXVILLE AV
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RIDGEWOOD HOLLOW
18-13 28
Feet
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Final Subdivision Plat

Ridgewood Hollow - (8328) (PD 26) (CD 8)
10305 South Louisville Avenue

This plat consists of 12 Lots in 1 Block on 5 acres.

Staff recommends **APPROVAL** of the Final Plat. All release letters have been received.

Preliminary Plat

Ridgewood Hollow

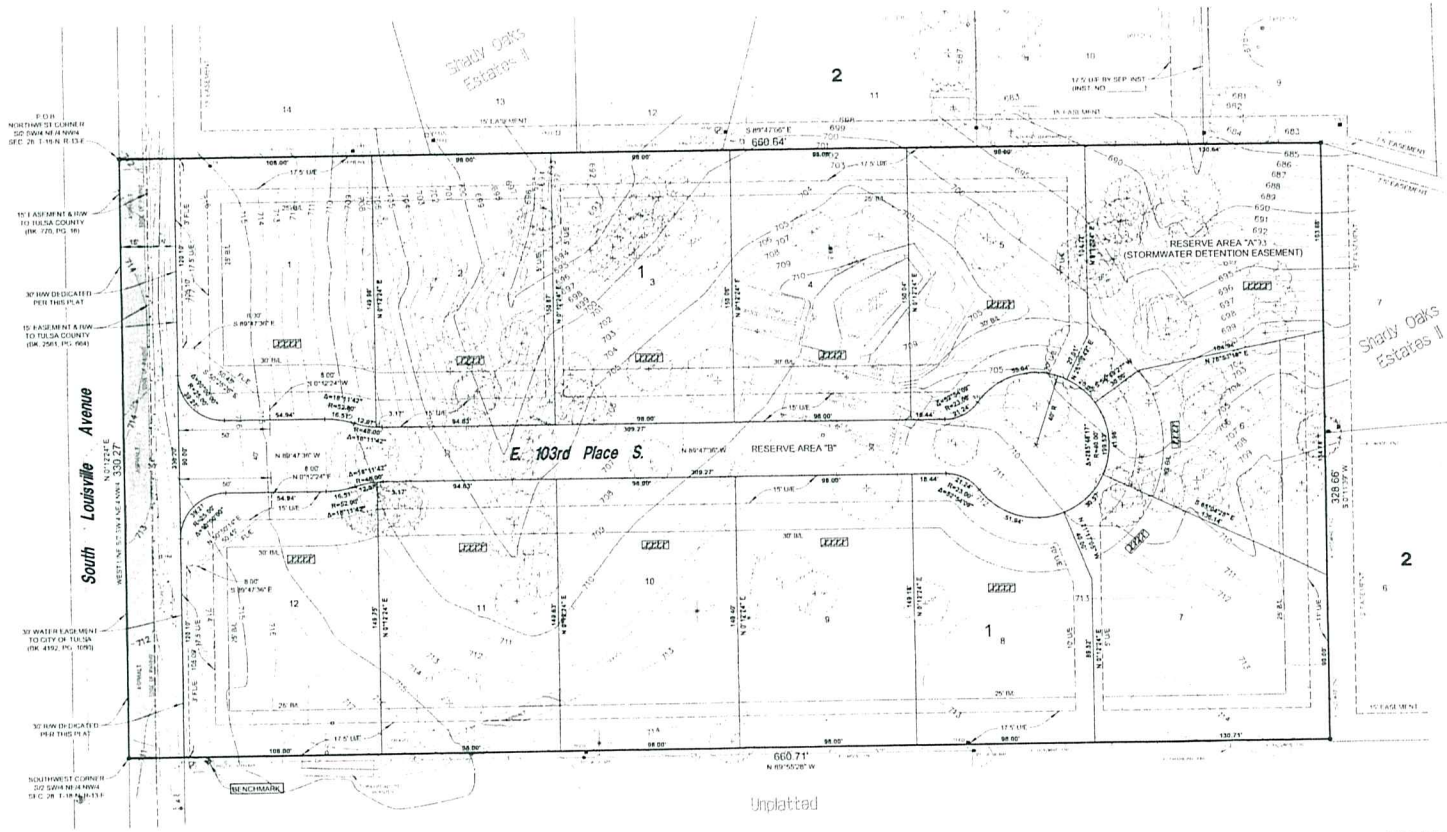
A SUBDIVISION OF THE SOUTH HALF (S/2) OF THE SOUTHWEST QUARTER (SW/4) OF THE NORTHEAST QUARTER (NE/4) OF THE NORTHWEST QUARTER (NW/4) OF SECTION TWENTY-EIGHT (28), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

P.U.D. NO. 734

PLAT No.

Owner:
Louisville 103, LLC
An Oklahoma Limited Liability Company
6104 E. 108th Street
Tulsa, Oklahoma 74137
Phone: (918) 298-4143
Contact: Mr. Ron Spencer

Engineer/Surveyor:
Sisemore Weisz & Associates, Inc.
Certificate of Authorization No. 2421 Exp. June 30, 2007
6111 E. 32nd Place
Tulsa, Oklahoma 74135
Phone: (918) 665-3600
E-mail: gweisz@sw-assoc.com



FINAL PLAT
CERTIFICATE OF APPROVAL

I hereby certify that this plat was approved by the Tulsa Metropolitan Area Planning Commission on

_____

TMAPC/INCOG

This approval is void if this plat is not filed in the Office of the County Clerk on or before

_____

CITY ENGINEER

APPROVED _____ by the Council of the City of Tulsa, Oklahoma

_____
Chairman

_____
Mayor

_____
Attest: City Clerk

_____
Approved: City Attorney

STATE OF OKLAHOMA)
COUNTY OF TULSA) SS

I, Earlene Wilson, Tulsa County Clerk, in and for the County and State above named, do hereby certify that the foregoing is a true and correct copy of a tax instrument now on file in my office.

Dated the ____ day of _____ 20____
Earlene Wilson, Tulsa County Clerk

_____
Deputy





Location Map
SCALE: 1"=2000'

Subdivision Statistics:

SUBDIVISION CONTAINS TWELVE (12) LOTS IN ONE (1) BLOCK AND TWO (2) RESERVE AREAS

RESERVE AREA "A" CONTAINS 9.359 ACRES (407,655.27 SF)

RESERVE AREA "B" CONTAINS 0.442 ACRES (19,260.80 SF)

SUBDIVISION CONTAINS 4.997 TOTAL ACRES (217,670.74 SF)

R/W BEING DEDICATED BY PLAT CONTAINS 0.227 ACRES (9,902.58 SF)

Legend:

UE = UTILITY EASEMENT
BSL = BUILDING SETBACK LINE
R/W = RIGHT OF WAY
P.O.B. = POINT OF BEGINNING
[illegible] = STREET ADDRESS

Notes:

1. ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION.
2. EASEMENTS SHOWN WITHIN ABUTTING LOTS 6, 7, 9, 10, 11, 12, 13, AND 14, BLOCK 2, SHADY OAKS ESTATES II, ARE PER THE RECORDED PLAT OF SHADY OAKS ESTATES II, PLAT NO. 3512

Monumentation:

3/8" IRON PINS TO BE SET AT ALL PROPERTY CORNERS

Basis of Bearing:

THE BEARING BASE FOR THIS PLAT IS BASED ON THE RECORDED PLAT OF SHADY OAKS ESTATES II, PLAT NO. 3512

Benchmark:

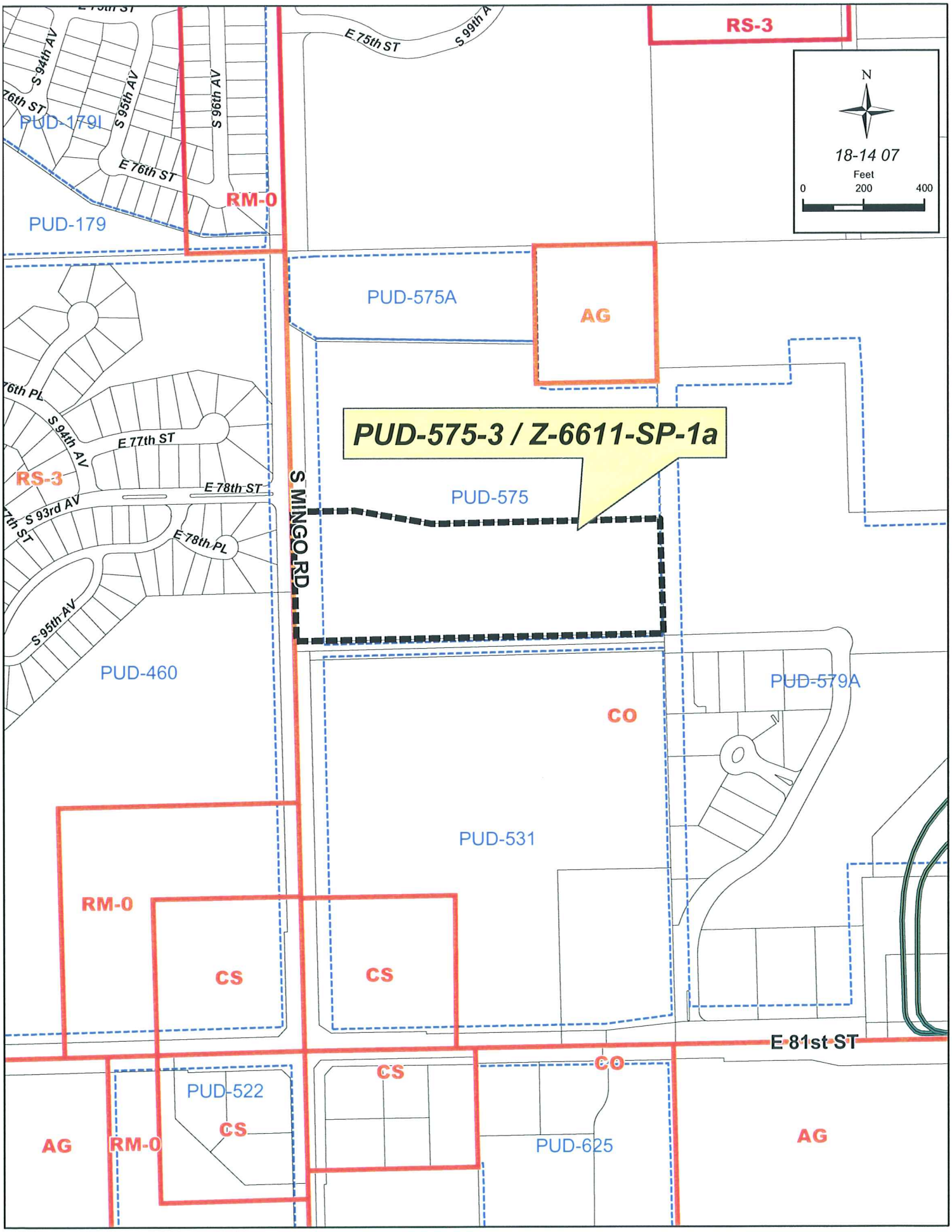
RR SPIKE IN POWER POLE LOCATED APPROXIMATELY 15 EAST OF SOUTHWEST PROPERTY CORNER OF LOT 12, BLOCK 1, RIDGEWOOD HOLLOW
1929 NGVD DATUM
ELEVATION=715.14

Lot Area Table

LOT	BLOCK	LOT SIZE (SQUARE FEET)
1	1	15,567.08
2	1	14,707.43
3	1	14,706.15
4	1	14,704.75
5	1	13,202.36
6	1	11,439.86
7	1	15,995.55
8	1	12,961.81
9	1	14,630.54
10	1	14,652.54
11	1	14,674.43
12	1	15,584.57

RECEIVED

Preliminary Plat
Ridgewood Hollow
Sheet 1 of 3
Date Prepared: October 11, 2006


PUD-575-3 / Z-6611-SP-1a
N
18-14 07
Feet
0
200
400
RS-3
PUD-179I
PUD-179
RM-0
PUD-575A
AG
PUD-575
S MINGO RD
PUD-460
PUD-579A
CO
PUD-531
RM-0
CS
CS
E 81st ST
PUD-522
CS
CS
CO
AG
RM-0
PUD-625
AG
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S 99th A
S 94th AV
S 95th AV
S 96th AV
E 76th ST
E 77th ST
E 78th ST
E 78th PL
S 93rd AV
S 95th AV


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PUD-575-3 / Z-6611-SP-1a
18-14 07
Feet
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S 94th AV
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S 96th AV
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E 76th ST
76th PL
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E 77th ST
E 78th ST
S 93rd AV
E 78th PL
S 95th AV
S MINGO RD
E 81st ST

March 7, 2007

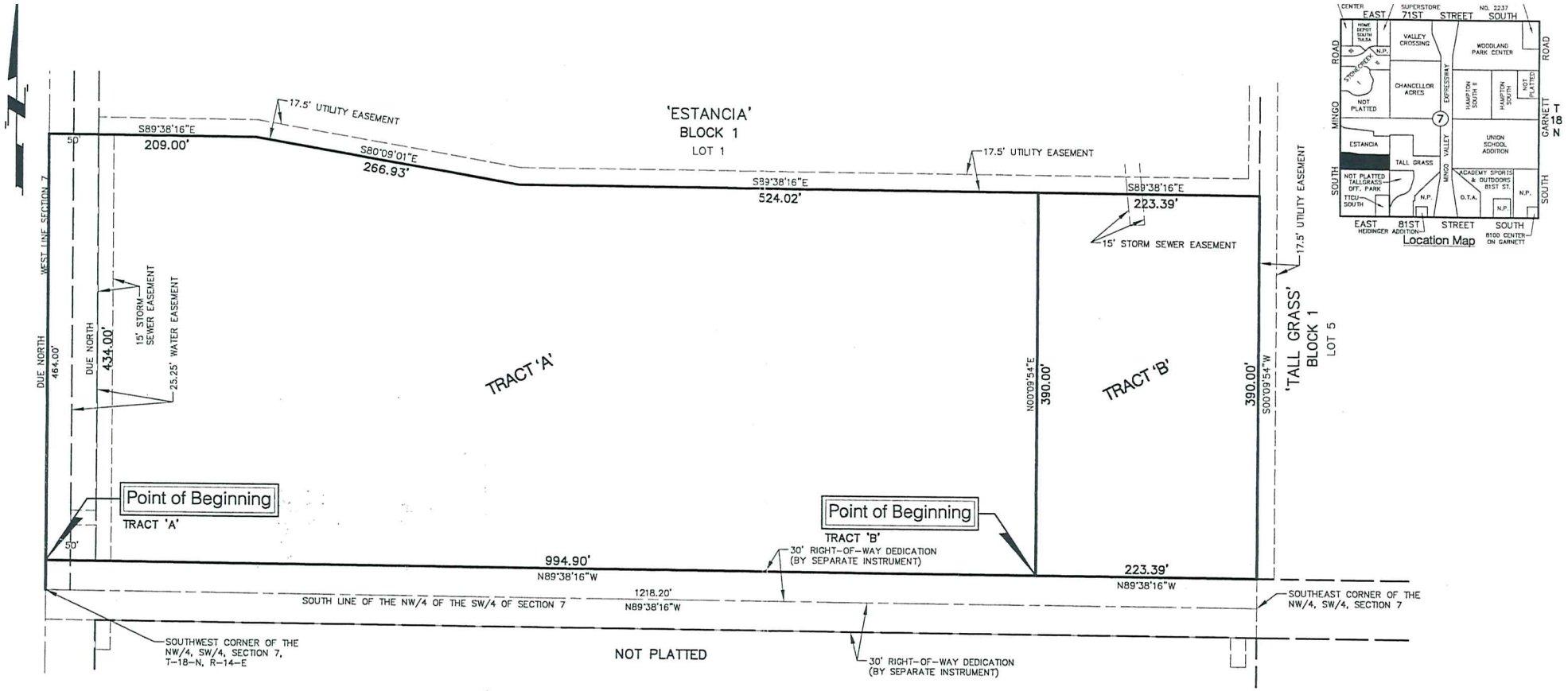
STAFF RECOMMENDATION

PUD- 575-3/Z-6611-SP-1a Minor Amendment –Northeast corner of East 79th Street South and South Mingo Road; Unplatted; Development Area 'A'; PD-18c; CD-7; *related to L-20063*

The applicant is requesting a minor amendment to PUD 575-3/ Z-6611-SP-1a for the purpose of splitting an unplatted tract in Development Area 'A'. The applicant proposes to create two tracts from the existing unplatted 11.2564 acres. Tract 'A', with frontage on Mingo and East 79th Street South, is to be 9.92564 acres; Tract 'B', with 223.39 feet of frontage on East 79th Street, is to be 2.0000 acres.

PUD/ Corridor Site Plan standards currently permit a maximum of 30 multi-family dwelling units per acre of lot area. Accordingly, this amendment proposes to allocate 276 multi-family dwelling units to Tract 'A' and 60 multi-family dwelling units to Tract 'B'.

It is unusual for property within a PUD/Corridor to be subdivided by lot-split as the zoning code requires property to be platted upon approval of the PUD/ Corridor Site Plan. In this case, right-of-way for East 79th Street South has been dedicated by separate instrument and improvements have recently been completed, so the resulting lots have frontage on improved right-of-way. However, this aberration from standard procedure should not be construed as policy. No further lot-splits should be granted within this PUD/ Corridor Site Plan as platting is the appropriate vehicle for subdivision of tracts within such developments. Therefore, staff recommends **APPROVAL** of PUD 575-3/Z-6611-SP-1a as proposed *subject to there being no further lot-splits of unplatted land permitted within PUD 575-3/Z-6611-SP-1*.



Undivided Tract 11.2564 AC / 490,329 S.F.
Tract 'A' 9.2564 AC / 403,209 S.F.
Tract 'B' 2.0000 AC / 87,120 S.F.

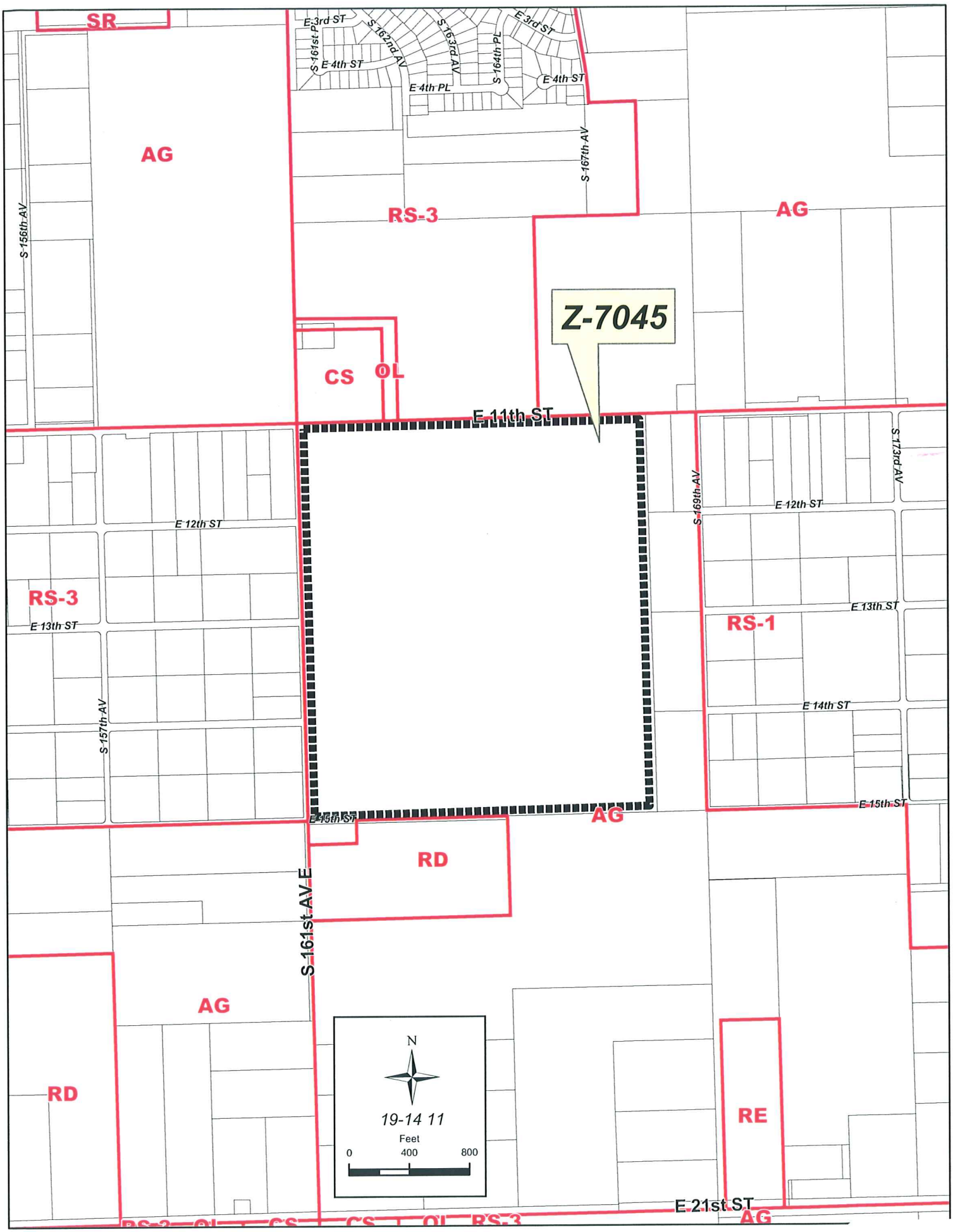
LOT SPLIT EXHIBIT
OF PART OF THE
NW/4 OF THE SW/4
(U.S. GOVERNMENT LOT 3)
OF
SECTION 7, T-18-N, R-14-E
CITY OF TULSA, TULSA COUNTY, OKLAHOMA

0 100' 200'
SCALE IN FEET

SACK AND ASSOCIATES, INC.
Santa Fe Depot, 111 South Elgin Avenue, Tulsa, Oklahoma 74120-1816
Ph:918.592.4111 Fax:918.592.4229 E-mail:sa@sackandassociates.com
CA Number 1783 (PE/LS) and 1462 (LA), Exp. June 30, 2007

Project: 79TH AND MINGO-A Drawing: EXHBT01A XREFs: COPYRITE 5-1117X T-SAI2
Drawn: ABS Order: F1538 File: 1814-07 Drawer: C Plotted: 18 JAN 2007

EXHIBIT 'A'
PAGE 4 OF 4


SR
E 3rd ST
S 161st PL
S 162nd AV
S 163rd AV
S 164th PL
E 3rd ST
E 4th ST
E 4th PL
E 4th ST
S 167th AV
AG
S 156th AV
RS-3
AG
Z-7045
CS
OL
E 11th ST
S 173rd AV
S 169th AV
E 12th ST
E 12th ST
RS-3
E 13th ST
E 13th ST
RS-1
S 157th AV
E 14th ST
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TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT

APPLICATION: Z-7045

TRS 9411 **Atlas** 0

CZM 40 **PD-17 CD-6**

TMAPC Hearing Date: March 7, 2007 (continued from December 6, 2006 and January 17, 2007)

Applicant: Jerry Ledford Jr./TEP **Tract Size:** 140± acres

ADDRESS/GENERAL LOCATION: Southeast corner East 11th Street and South 161st East Avenue

EXISTING ZONING: AG **EXISTING USE:** Vacant

ZONING ORDINANCE: Ordinance number 11818 dated June 26, 1970, established zoning for the subject property.

PROPOSED ZONING: RS-3/CS (135 A. of RS-3 and 5 A. of CS) **PROPOSED USE:** Residential/Commercial

RELEVANT ZONING HISTORY:

Z-6671 February 1999: All concurred in approval of a rezoning of a tract of land lying one-half mile northeast of the subject site from RS-3 to AG.

BOA-14627 October 22, 1987: The Board of Adjustment approved a Use Variance to allow for a 1500 square foot accessory building for storage of personal items and electrical materials; per plan submitted; and subject to the Home Occupation Guidelines a set forth in the Code.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 140 acres in size and is located at the southeast corner of East 11th Street and South 161st East Avenue. The property appears to be vacant, partially wooded, gently rolling and zoned AG. According to a sign on the east boundary of the property, it is the site of a former horseback riding stable. A house, pole-barn shelter and several accessory buildings remain on the site. A ravine or drainage way crosses the property from approximately east to west, and there appears to be a pond in the interior of the property.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 11th Street	Secondary arterial	100'	Two
South 161st Avenue	Secondary arterial	100'	Two

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

SURROUNDING AREA: The subject tract is abutted on all sides by agricultural land, open space and large-lot single-family development. A pasture with horses lies across East 11th Street to the north, zoned CS, OL and RS-3. Staff notes that this property in this configuration was apparently zoned prior to the adoption of the current zoning map in 1970.

The properties to the west are vacant or large-lot single-family residential and zoned RS-3. Properties to the east and southeast are zoned AG and are in agricultural, vacant or in single-family residential, large-lot uses. On the southwestern boundary of the site is a parcel zoned RD, but is apparently not in that use. It appeared to be large-lot residential/agricultural.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:
The District 17 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being Medium Intensity-No Specific land use for the five-acre node at the intersection and the remainder as Low Intensity-No Specific land use. According to the Zoning Matrix, the requested RS-3/CS zoning **is** in accord with the Plan, so long as the CS is contained within the five-acre node.

STAFF RECOMMENDATION:
Based on existing physical facts and surrounding land uses, staff can support the requested RS-3/CS zoning. The five acres of CS are supported, if located at the intersection of East 11th Street and South 161st East Avenue, where it would be across 11th Street and facing into the existing CS zoning to the north. Staff recommends the inclusion of a 100' wide buffer of OL zoning to wrap around the CS zoning on the south and east, separating the CS and adjacent residential zoning, which staff is recommending to be RS-3. Therefore, staff recommends **APPROVAL** of RS-3/OL/CS zoning for Z-7045, with five acres of CS at the corner and the remainder RS-3, per attached case exhibit, provided that the TMAPC deems the accompanying PUD-737 or some variation of it to be acceptable.

1-17-2007

Bass, Mindi

From: Tim Terral [T.Terral@tulsaengineering.com]
Sent: Tuesday, February 27, 2007 4:24 PM
To: Bass, Mindi
Cc: Jerry Ledford Jr.; Jack Taber; Tamra Schmidt
Subject: Stratford Ridge Re-zoning (Z-7045)



Mindi –

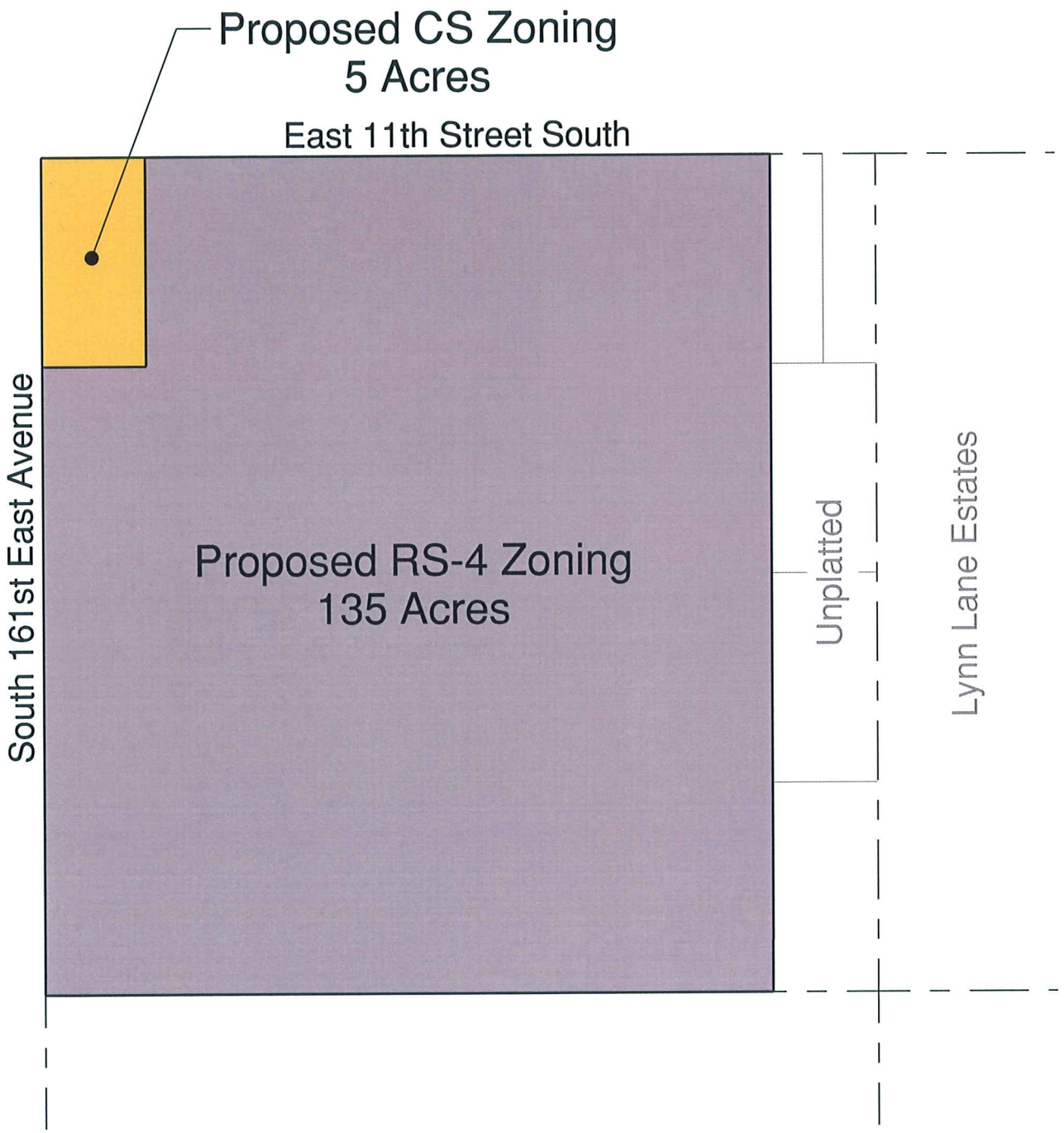
We would like to revise our original zoning application request from RS-4 to RS-3, for the above referenced zoning case number.

If you have any questions or comments, please let me know.

Tim Terral
Director of Land Planning

Tulsa Engineering and Planning Associates, Inc.
6737 South 85th East Avenue
Tulsa, Oklahoma 74133.2057
Telephone: 918.252.9621
Fax: 918.250.4566
t.terral@tulsaengineering.com

Exhibit "A"



RS-4 & CS TRACTS

A PART OF THE NW/4 OF SECTION 11, T-19-N, R-14-E

tep
Tulsa Engineering & Planning Associates, Inc.
6737 South 85th East Avenue Tulsa, Oklahoma 74133
Phone: 918-252-9621 Fax: 918-250-4566
Civil Engineering • Land Surveying • Land Planning
Certificate of Authorization No. 531 Renewal Date June, 2007

Job No: 06-089
Scale: 1" = 500'
Date: 10/03/2006

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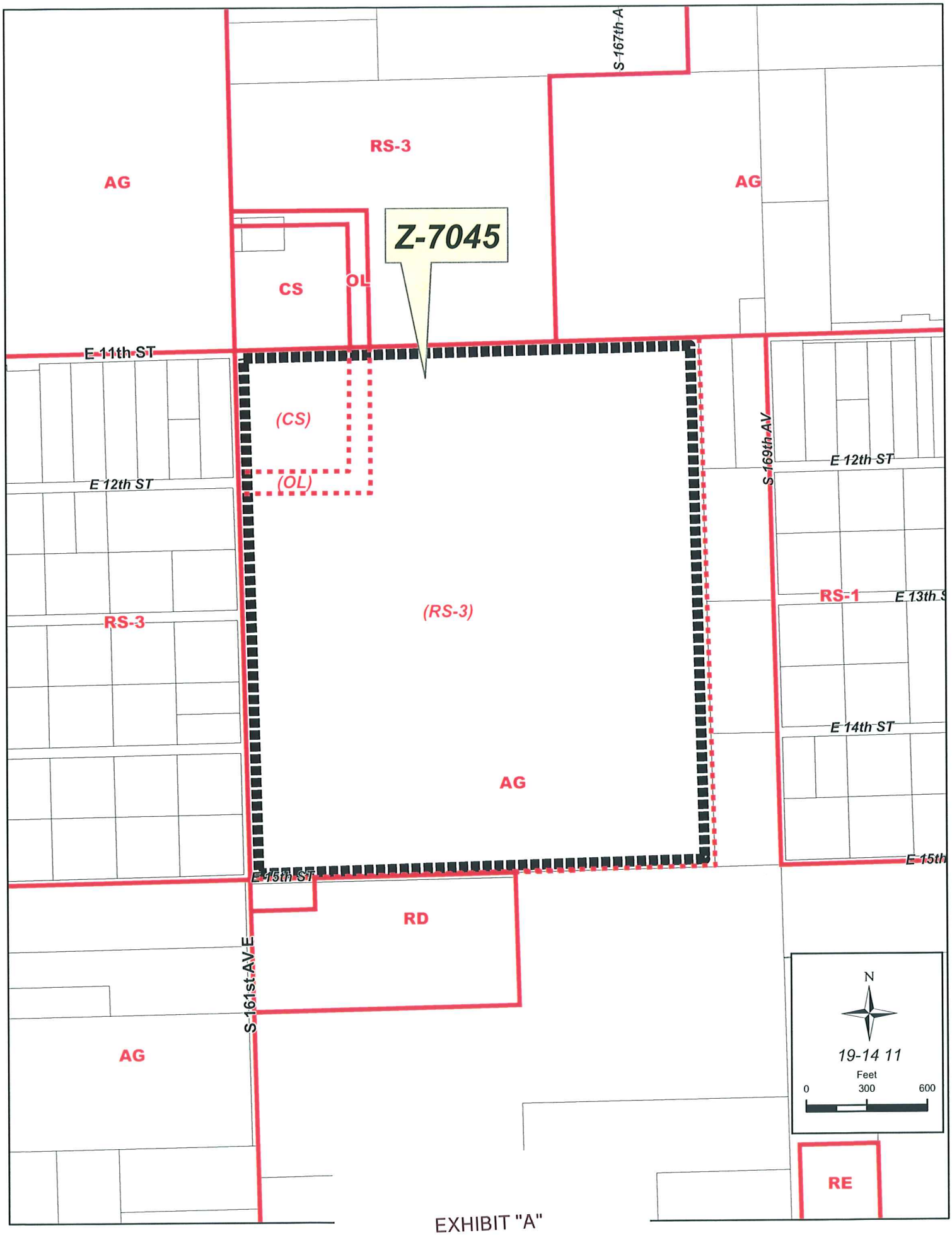

Z-7045
AG
RS-3
AG
CS
OL
E 11th ST
(CS)
(OL)
E 12th ST
S 169th AV
E 12th ST
RS-1
E 13th S
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EXHIBIT "A"

TMAPC Action; 9 members present:
On **MOTION** of **CARNES**, TMAPC voted **9-0-0** (Ard, Bayles, Cantrell, Carnes, Collins, Harmon, Midget, Shivel, Wofford "aye"; no "nays"; none "abstaining"; Cantees "absent") to **CONTINUE** Z-7041 to December 20, 2006.

* * * * * * * * * * * *

Application No.: Z-7045 **AG to RS-4/CS**

Applicant: Jerry W. Ledford, Jr., Tulsa Engineering & Planning (PD-17) (CD-6)

Location: Southeast corner East 11th Street and South 161st East Avenue

STAFF RECOMMENDATION:

Ms. Matthews stated that the applicant is not in agreement with staff's recommendation and would like more time to possibly refine their proposal. The applicant would like a continuance to December 20, 2006.

TMAPC COMMENTS:

Mr. Ard stated that there are several people signed up to speak on this application. He asked if anyone has a problem with this being continued to December 20, 2006 in order to allow the applicant time to work out some of the issues.

Applicant was not present.

Mr. Ard stated that obviously this application is still in progress and possibly some changes made. He realizes that many people took time out of their day to be here and hear this issue. He is willing to hear their opinions relating to the continuance.

Mr. Ard asked staff if there is any way to hear this case today, considering where it is in the process. In response, Ms. Matthews stated that the staff recommendation before the Planning Commission is based on what the applicant has presented and the applicant is not here and doesn't agree with staff's recommendation. The applicant would be at a disadvantage.

Mr. Ard asked if the application is still under construction. In response, Ms. Matthews stated that it is still under construction and it is her understanding that the applicant is trying to see if a mutual agreement can be made.

INTERESTED PARTIES:

Christy Boggs, 11275 South 157th East Avenue, 74108, representing the interested parties, stated that she didn't receive notice (out of 300' radius), but did see the posted signs on the subject property. She indicated that the neighborhood is strongly opposed to the highest density zoning that is being proposed. The neighbors moved into the subject area because of the rural setting. Ms. Boggs indicated that there would have been more people present had she had better notification.

TMAPC COMMENTS:

Mr. Harmon stated that it would appear that a continuance would work in the favor of the neighborhood. In response, Ms. Boggs stated that she could generate a lot more people to oppose this application if she had more time. Mr. Harmon stated that a continuance would give the neighborhood time to talk with the applicant and meet with the neighbors.

Mr. Alberty informed the interested parties that if they did not receive notice for this application, but would like notice of any other changes ahead of time, they should please give their information on the sign-in sheet. He explained that there are three methods of notification: 1.) Newspaper (Tulsa Commerce and Daily Legal News); 2.) The posting of the signs on the subject property, and 3.) Mailing written notices to property owners within a 300-foot radius of the boundaries of the subject property (everyone who lives within 300 feet of the subject property would have received notice).

In response to Mr. Midget, Ms. Boggs stated that there is not a registered homeowners association in the subject area.

After a lengthy discussion it was determined to continue the case to a date certain chosen by the interested parties.

TMAPC Action; 9 members present:

On **MOTION** of **BAYLES**, TMAPC voted **9-0-0** (Ard, Bayles, Cantrell, Carnes, Collins, Harmon, Midget, Shivel, Wofford "aye"; no "nays"; none "abstaining"; Cantees "absent") to **CONTINUE** Z-7045 to January 17, 2007.

* * * * * * * * * * * *

Mr. Midget out at 1:57 p.m.

Z-7045

RECEIVED
JAN 11 2007
BH

To whom it may concern,

We would like to officially protest the proposed zoning change and development of the 140 acres at 11th Street and 161st East Avenue. (formerly known as Brashears Riding Stables) into RS4 from AG.

Due to the fact that the Cherokee Casino was allowed to be built without any improvements to the roads and highways, traffic in this area has increased ten fold. It has become a real problem during peak traffic times and is getting worse every day. The addition of hundreds of houses (not to mention the construction period) would cause unimaginable jam ups and accidents on the tiny un-maintained two lane roads around this area. 161st Street and 11th Street are dangerously narrow and uneven with large cracks and upheavals every where, not to mention deep ditches on both sides.

We feel that further development without improvements of the infrastructure would be irresponsible and decrease our property value significantly, in addition to lowering the quality of life in this area. We have lived here for 15 years along with our parents and we own two houses and large lots directly down 11th St. from this proposed development and have spent a lot of money improving our property's. We maintain our houses at a very high level and do not want to see our investment destroyed by irresponsible development.

The school system is this area is at its capacity, with only a very small elementary school. Sandburg Elementary nor the Middle or High School would be able to hold the additional students that would come into the area if this plan is approved. The quality that the schools do offer in this area is already substandard and would be drastically reduced by the larger classroom sizes.

Please consider all of these things before granting high density housing to be built . This area is on a septic system without any sewers. The electric service is substandard, with many outages. This area has country charm that would be lost with a large housing addition and there has been no mention of saving the contour of the land or the large trees. Maintaining the beauty of this area (lower density housing?) would be in the best interest of the city as well as the residents.

Thank You,

Chris Turner

Pamela Turner

Our Property Addresses are:

17102 East 11th Street
Tulsa, OK 74108

16927 East 12th Street
Tulsa, OK 74108

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BY:

Concerning Case No.: Z-7045

My family and I moved to 14677 E. 11th Pl 2 1/2 years ago. We moved from the area of Pine and Harvard. We specifically chose this area for several reasons. The first one is obvious. It is a beautiful area, well kept houses far apart from one another on large lots. The second is the area itself is surrounded by undeveloped land that gives our house a country feel while still living in the city. I did some research before we bought the house in regards to possible future development in these areas. There were no red flags, and at that time there was nothing in the works as far as I could tell. Although we knew that was not a guarantee that this area would remain undeveloped, we had hoped that if and when that time came that it would be something that would compliment the existing neighborhoods around it and maybe even be something great. With the prospects of what lies ahead in this proposal to rezone 161st and 11th, we are dreading it and strongly oppose what they want to build. I attended the neighborhood meeting on Dec 19 and I didn't hear anything to convince me that this would in any way benefit the people that already live in the immediate area, or anybody else other than the developer and the seller of the property. I realize that change is certain and nothing stays the same forever. I admit that I was so disappointed to find out that Brashears was selling the property, but I never dreamed that something like this was going in its place. How can this possibly be a feasible option when there are no plans to widen any of the streets surrounding the property? Even if only 200 houses were built there, in all probability, that would add approximately 400 people, with approximately 300-400 cars. 161st is one way in both directions, so is 11th street and so is 21st street. If there is a shopping center that is put in, I'm guessing that the developer is hoping for alot of business, so how do you do that with one way streets getting in and out of it? Common sense tells me that it is going to be a traffic nightmare! The other subject is the type of housing going to be built. 1200-1400 square foot houses do not sell for $135,000 and $185,000. At least not in Tulsa they don't. Especially on a little postage stamp size lot. The idea of running sewer lines to this area ONLY is not only unfair but is absurd! I have also spoken with a friend who is an engineer and he told me that "retaining ponds" for water run off is not a good way of controlling water run off in a neighborhood setting because of safety issues as well as expensive upkeep. There are also problems with pollutants in the retaining ponds from pesticides, fertilizers, etc that homeowners use. Is the city responsible for the upkeep and protection of these ponds? So, what we are going to end up with are the

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type of houses that are behind Target and in the area preceding Rolling Hills. For the developers, I would ask them, Would you want this in your neighborhood? Does any of this make sense for anyone besides the ones making money? Please reconsider how you want to rezone this area and please think about us, the people that worked hard to get what they have and now are faced with the possibility of an urban sprawl within 300 feet of their property and not a thing we can do about it.

Robert A. Pierson
Debbi E. Waid
14677 E. 11th Pl
Tulsa, Oklahoma 74108
918-437-0207

Debbi E. Waid
Robert A. Pierson

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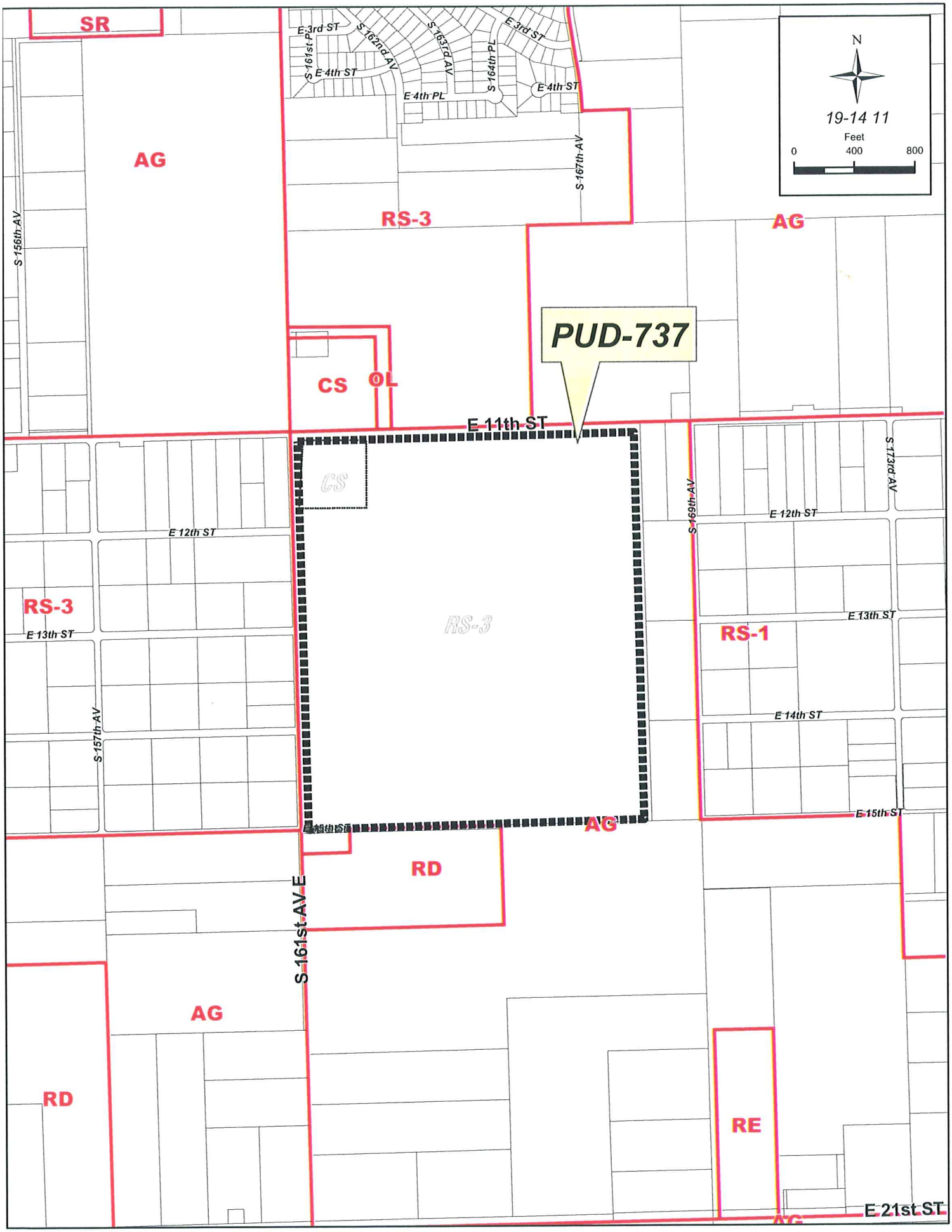
Continued Case No.:Z-7045

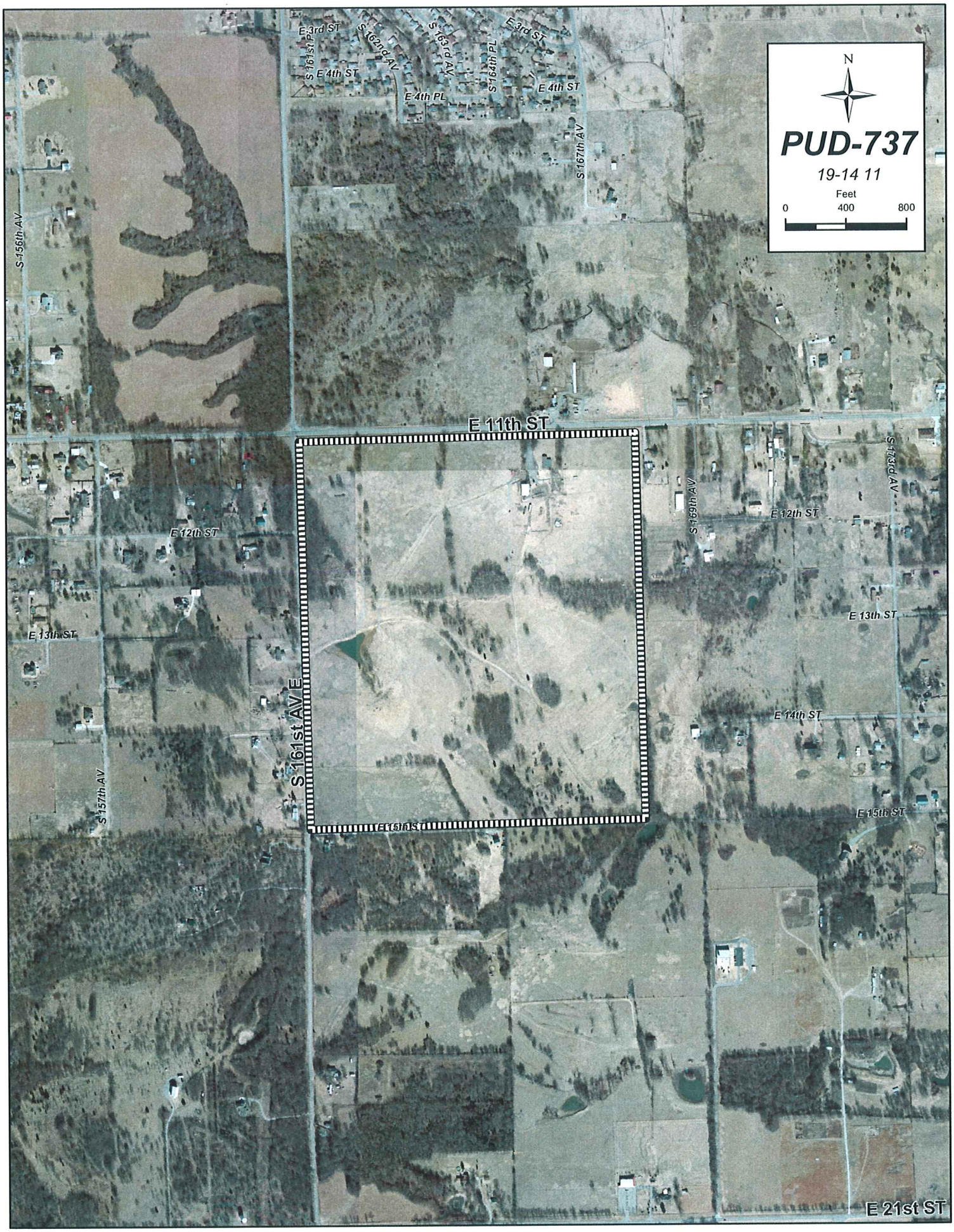
If the purpose of zoning and the definition of the zoning code, as defined by INCOG is to promote the health, safety and public welfare; conserve the value of buildings and encourange the most appropriate use of land and promote the development of the community in accordance with a comprehensive plan, then the rezoning of the land at 161st E. Ave and 11th St. is a direct contradiction to this definition. There is not a comprehensive plan that is visible to me if there is no plan for widening of the major thoroughfares surrounding the property and also no plan to offer the City's sewer lines to anyone else in the neighborhood EXCEPT this housing addition. This hasn't been planned thoughtfully or sensibly and certainly not fair. We believe that this we devalue our property as well, no enhance it. Please reconsider the rezoning of this property.

Sincerely,

Debbi Waid Debbi Waid

Robert Pierson Robert Pierson


SR
AG
RS-3
AG
CS
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PUD-737
E 11th ST
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RS-3
RS-1
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TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT

APPLICATION: PUD-737

TRS 9411 **Atlas** 0

CZM 40 **PD-17 CD-6**

TMAPC Hearing Date: March 7. 2007

Applicant: Jerry Ledford Jr./TEP **Tract Size**: 140± acres

ADDRESS/GENERAL LOCATION: Southeast corner East 11th Street and South 161st East Avenue

EXISTING ZONING: AG **EXISTING USE:** Vacant

ZONING ORDINANCE: Ordinance number 11818 dated June 26, 1970, established zoning for the subject property.

PROPOSED ZONING: RS-3/CS/PUD (135 A. of RS-3 and 5 A. of CS) **PROPOSED USE:** Residential/Commercial

RELEVANT ZONING HISTORY:

Z-7045 December 6, 2006: A request to rezone a 140± acre tract from AG to 135 acres to RS-4 and five acres to CS was heard by the TMAPC on December 6, 2006. The TMAPC and staff agreed to continue the case per the applicant to a further date. Applicant indicated he is considering reducing request from RS-4 to RS-3. Multiple requests for continuance were approved to be finally heard on March 7, 2007, with a related Planned Unit Development submitted on subject property.

Z-6671 February 1999: All concurred in approval of a rezoning of a tract of land lying one-half mile northeast of the subject site from RS-3 to AG.

BOA-14627 October 22, 1987: The Board of Adjustment approved a Use Variance to allow for a 1500 square foot accessory building for storage of personal items and electrical materials; per plan submitted; and subject to the Home Occupation Guidelines a set forth in the Code.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 140 acres in size and is located at the southeast corner of East 11th Street and South 161st East Avenue. The property appears to be vacant, partially wooded, gently rolling and zoned AG. According to a sign on the east boundary of the property, it is the site of a former horseback riding stable. A house, pole-barn shelter and several accessory buildings remain on the site. A ravine or drainage way crosses the property from approximately east to west, and there appears to be a pond in the interior of the property.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 11th Street	Secondary arterial	100'	Two
South 161st Avenue	Secondary arterial	100'	Two

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

SURROUNDING AREA: The subject tract is abutted on all sides by agricultural land, open space and large-lot single-family development. A pasture with horses, lies across East 11th Street to the north, zoned CS, OL and RS-3. Staff notes that this property in this configuration was apparently zoned prior to the adoption of the current zoning map in 1970.

The properties to the west are vacant or large-lot single-family residential and zoned RS-3. Properties to the east and southeast are zoned AG and are in agricultural, vacant or in single-family residential, large-lot uses. On the southwestern boundary of the site is a parcel zoned RD, but is apparently not in that use. It appeared to be large-lot residential/agricultural.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:
The District 17 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being Medium Intensity-No Specific land use for the five-acre node at the intersection and the remainder as Low Intensity-No Specific land use. According to the Zoning Matrix, the requested CS, Commercial Shopping, and RS-3, Residential Single-Family, zoning is found to be **in accordance** with the Comprehensive Plan.

STAFF RECOMMENDATION:

PUD 737 is proposed primarily as a residential development, with a five acre commercial node on the southeast corner of East 11th Street South and South 161st East Avenue. The tract has 2,310 feet of frontage along East 11th Street South and 2,640 feet of frontage on South 161st East Avenue. Corresponding RS-3 and CS zoning are requested in support of the proposed development.

The 140-acre site is characterized by rolling terrain with a ridgeline that runs north/south along the western half of the subject property. A smaller ridgeline, or knob, is situated in the north central portion of the site along East 11th Street South. There are three drainage ways located on-site which are proposed for three wet stormwater detention facilities.

PUD 737 proposes a total of 540 single-family residential dwellings and 108,900 square feet of commercial floor area. Three access points onto East 11th Street South and two access points onto South 161st East Avenue are proposed from the residential portion of the development. All streets are to be public. Given the size and density of the proposed PUD and per the Comprehensive Plan, a collector street is recommended through the development; as is an additional stub street to the east. Sidewalks must be provided on East 11th Street South, South 161st East Avenue and on all residential streets. Careful consideration of topography and natural features is strongly recommended, with pedestrian access assured to common recreation areas.

Staff finds the uses and intensities of development proposed and as modified by staff to be in harmony with the spirit and intent of the Code. Based on the following conditions, staff finds PUD-737 as modified by staff, to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of PUD- 737 subject to the following conditions:

1. The applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.

2. Development Standards:

Development Area A:

LAND AREA: 5.0 AC (gross) 3.99 AC (net)

MINIMUM LOT WIDTH: 150 FT

PERMITTED USES:

Those uses as permitted by right in the CS district, excluding Use Unit 12a; and excluding outdoor advertising signs, only, within Use Unit 21, Business and Outdoor Advertising Signs.

MAXIMUM PERMITTED FLOOR AREA: 108,900 S.F.

MAXIMUM PERMITTED FLOOR AREA RATIO PER LOT: .50

MAXIMUM PERMITTED HEIGHT:

One-story not to exceed 28 feet.

MINIMUM BUILDING SETBACKS:

From centerline of East 11th Street South	100 feet
From centerline of South 161st East Ave.	100 feet
From abutting RS District	50 feet

MINIMUM SETBACK FOR BULK TRASH CONTAINERS (dumpsters):

100 feet from the east boundary.

OFF-STREET PARKING:

As required by the Tulsa Zoning Code per the applicable use unit.

MINIMUM LANDSCAPED AREA:

A minimum of 10% of the net lot area shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

SCREENING AND BUFFERING:

A minimum six-foot tall masonry screening wall shall be provided along the east and south boundaries of Development Area A. A minimum 20-foot wide landscape buffer with trees shall be provided along the east boundary, design of which shall be subject to TMAPC approval at detail site plan review.

VEHICULAR ACCESS:

A maximum of two access points each onto East 11th Street South and South 161st East Avenue is permitted.

PEDESTRIAN CIRCULATION:

Sidewalks shall be provided along East 11th Street South and along South 161st East Avenue. In addition, a minimum of one designated pedestrian access (i.e. paving or striping) from each arterial street sidewalk shall be provided through the parking to the interior use(s).

LIGHTING:

No light standard or building-mounted light shall exceed 20 feet in height. All lights standards shall be hooded and directed downward. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in nearby residential areas. Compliance with these standards shall be verified by application of the Kennebunkport Formula. Consideration of topography must be included in the calculations.

SIGNAGE:

Signage must comply with Section 1103.B.2.b of the zoning code and with the following conditions:

(a) One ground sign per lot not to exceed a maximum of two ground signs per arterial street frontage shall be permitted. Each ground sign shall be permitted a maximum display surface area of 160 square feet and shall not exceed 25 feet in height.

(b) Wall signs shall be permitted not to exceed two square feet of display surface area per each lineal foot of building wall to which the sign or signs are attached. No east or south-facing wall signs permitted on buildings within 150 feet of the south and east boundaries of Development Area A.

(c) No outdoor advertising signs permitted.

Development Area B:

LAND AREA: 135.0 AC (gross) 130.38 AC (net)

PERMITTED USES:

Use Unit #6 and those uses customary and accessory thereto.

MINIMUM LAND AREA PER DWELLING UNIT: 8,400 S.F.

MAXIMUM PERMITTED DWELLING UNITS: 600

MINIMUM LOT AREA: 5,500 S.F.

MINIMUM LIVABILITY SPACE PER LOT: 2,000 S.F.

MINIMUM LOT FRONTAGE: 50 FT*

**Measured as the lot width at the building line. Lot shall have at least 30 feet of street frontage.*

MINIMUM SETBACKS:

Front Yard	20 FT
Side Yard Abutting a Public Street	15 FT**
Side Yard	5 FT
Yard Adjacent to an Arterial	35 FT***

***Garages shall be setback a minimum of 20 feet.*
****No front yards permitted on an arterial.*

MAXIMUM PERMITTED HEIGHT: 35 FT

VEHICULAR ACCESS:

Access to lots shall be provided by public streets with a maximum of three access points onto East 11th Street South and two access points onto South 161st East Avenue. A collector street with a minimum 60-foot right-of-way shall be provided through the development. An additional stub street to the east and north of the planned lift station shall be provided No residential lot shall be permitted direct access onto an arterial.

PEDESTRIAN ACCESS:

Sidewalks shall be provided along all residential streets and along East 11th Street South and South 161st East Avenue. Pedestrian access shall be provided to all common areas unless the common area is dedicated solely for detention purposes.

3. No zoning clearance permit shall be issued for a lot within the PUD until a detail site plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.

4. A detail landscape plan for each non-residential lot shall be approved by the TMAPC 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 or will be installed within a specified period of time in accordance with the approved landscape plan for the lot, prior to issuance of an occupancy permit. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.

5. No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.

6. 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.

7. 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 stormwater 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.

8. A homeowners association shall be created and vested with sufficient authority and financial resources to properly maintain all common areas, including any stormwater detention areas or other commonly owned structures within the PUD.

9. No building permit shall be issued until the requirements of Section 1107F 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 PUD conditions of

approval and making the City beneficiary to said covenants that relate to PUD conditions.

10. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

11. Entry gates or guardhouses, if proposed, must receive detail site plan approval from TMAPC, Traffic Engineering and Tulsa Fire Department, prior to issuance of a building permit for the gates or guard houses.

12. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.

13. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the PUD.

TAC comments from 2/16/07:

General: No comments.

Water: A water main extension will be required to serve the development.

Fire: Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions:
1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).
2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).

Stormwater: The Stormwater Detention Facilities, as shown in Exhibit 'A', may conflict with public utility projects in this area. See Wastewater.

Wastewater: The City has completed final design of a lift station and force main that will be in the area shown as Stormwater Detention Facility on the east side, and running north from that site along the east property boundary. The Stratford Ridge project will be served by the City's project and must incorporate the City's design and easement requirements into their design.

Transportation: Sidewalk requirement on all street frontages is supported. Right-of-way dedications for the secondary arterials along section lines will include additional 8 ft on S. 161st E. Ave. for right turn bay onto E. 11th. Design stage will include evaluating sight distance for arterial access locations. *(Additional comments presented at the meeting: Additional right-of-way in excess of 50' may be necessary for 11th Street so that its ultimate construction as a five lane secondary arterial can be accomplished without additional expense to be no steeper than 4:1 (H.V.) side slopes from pavement to sidewalk. Designer shall coordinate with Engineering Services to consider ultimate design profile and cross section. Additional stub to the east and north of the planned lift station is recommended to avoid landlocking future lots in the unplatted 330 foot-wide strip.*

Traffic: Recommend either a N-S or an E-W Collector St be incorporated into the Preliminary Plat for this large 140 acre development. The roadway along the northeast side of the Linear Park is long and continuous. Recommend a physical break. A 58 ft R/W for a NB Rt. Turn Bay on 161 E AV and a 30ft Intersection Radius are required by the Sub. Regs. Provide adequate separation from the existing residential intersections along 161 E AV. The portion of the PUD Text regarding Access does not match the site plan. No objection to 3 Public Streets accessing 11 ST.

GIS: No comments.

Street Addressing: No comments.

County Engineer: No comments.

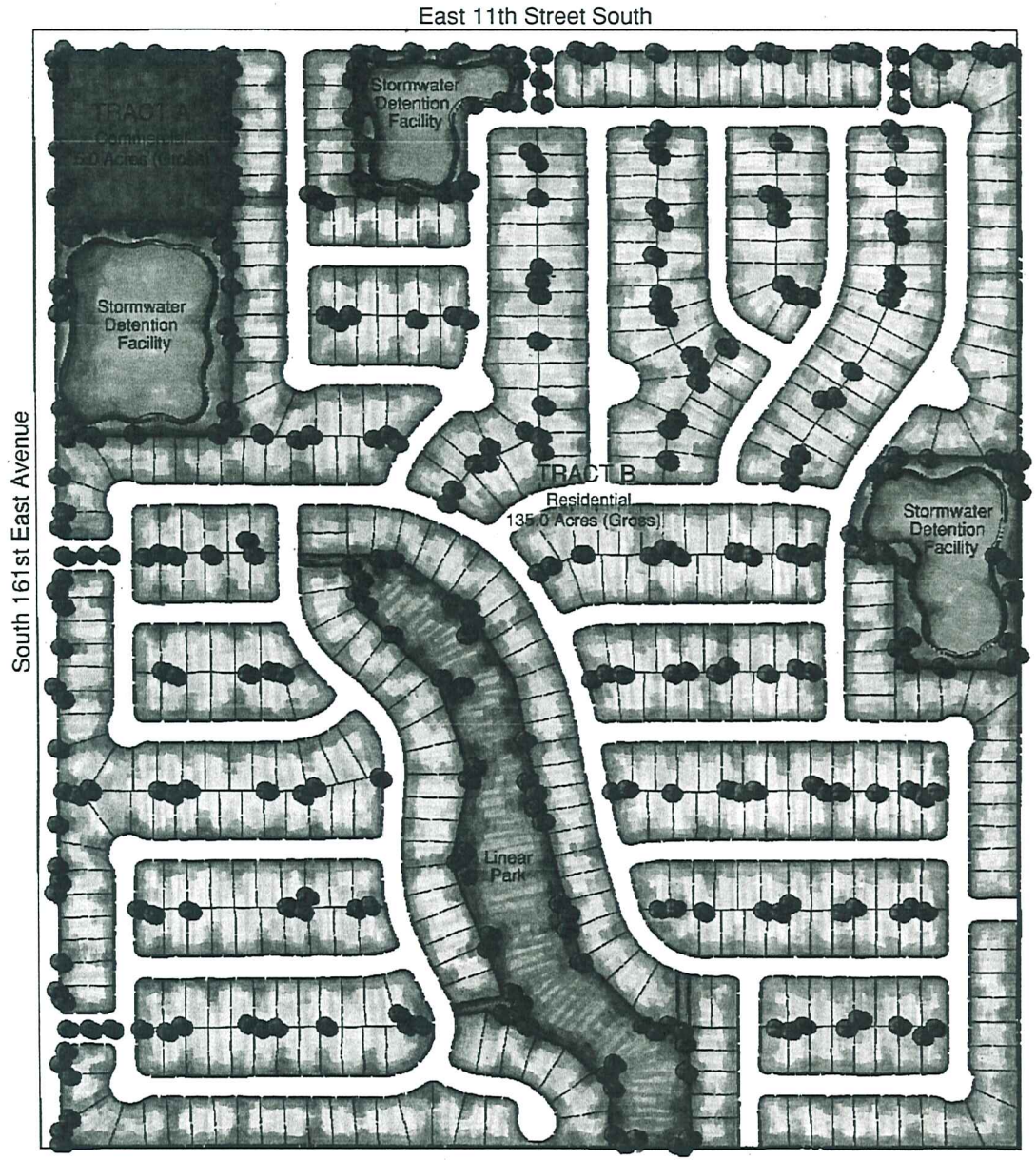
MSHP: East 11th Street South and South 161st East Avenue have an existing two lanes. A minimum 100 foot right-of-way should be maintained, and sidewalks should be included along East 11th Street South and South 161st East Avenue and on all internal streets per Subdivision Regulations.

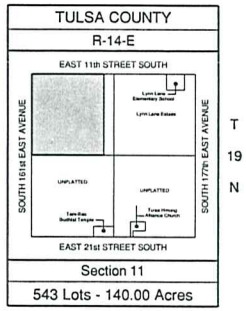
LRTP: East 11th Street South between South 161st East Avenue and South 177th East Avenue is an existing two lane street. South 161st East Avenue between East 11th Street South and East 21st Street South is an existing two lane street. Sidewalks should be constructed if non-existing or maintained if existing.

TMP: No Comment.

Transit: No current or future plans for this location.

03/07/07





Date Summary:	
Total Project Area	140.00 Acres (Gross) 134.38 Acres (Net)
Comercial Area	5.00 Acres (Gross)
Residential Area	135.00 Acres (Gross)
Total Number of Lots	543*
Average Lot Size	52'-57' x 115'
Project Density	4.02 DU/Acre (Gross)* 4.16 DU/Acre (Net)*
Open Space	18.06 Acres (12.9%)*

*Numbers are based on Conceptual Illustration.



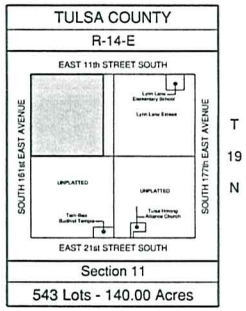
Stratford Ridge

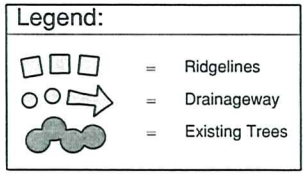
Conceptual Illustration
EXHIBIT 'A'

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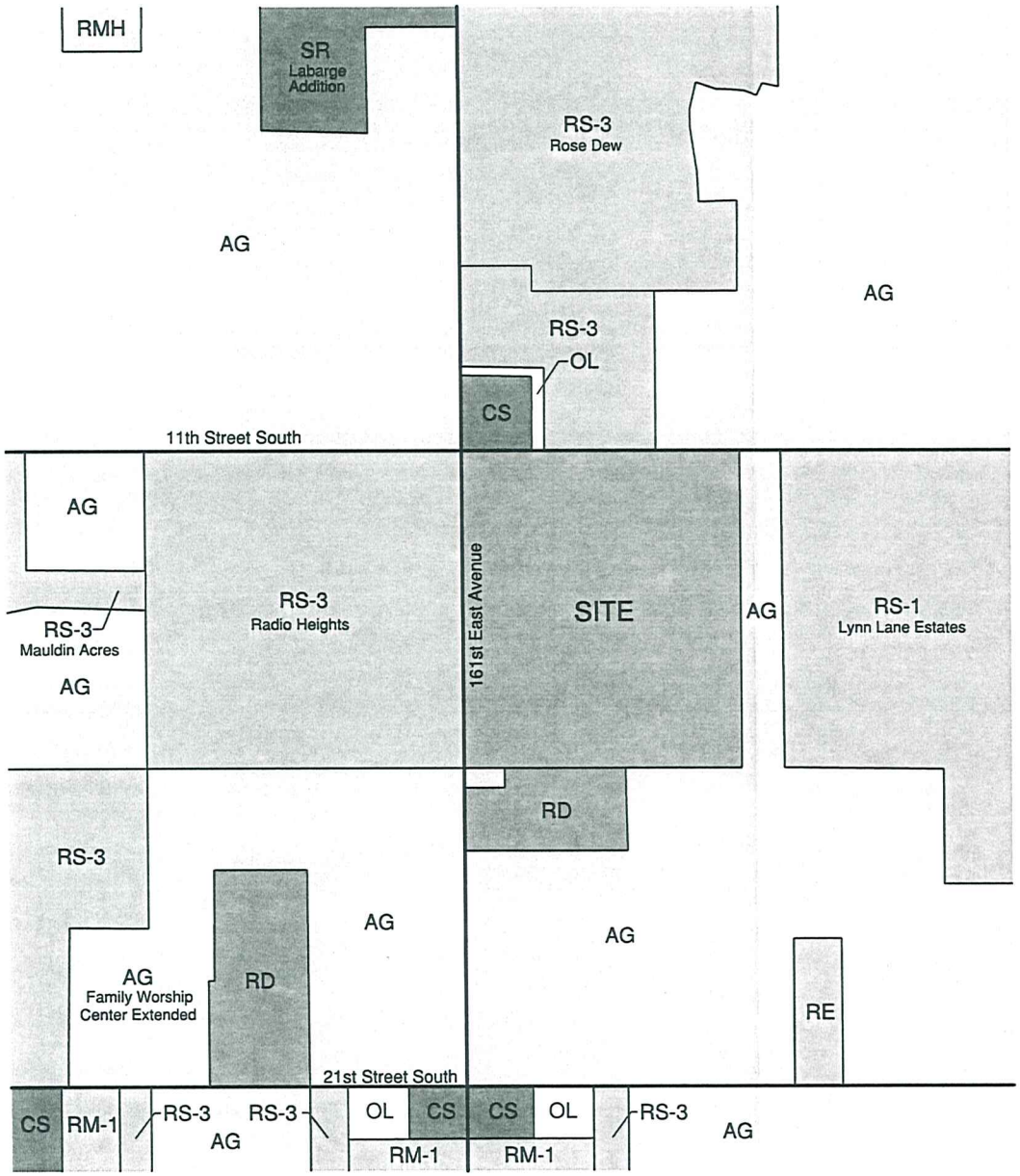


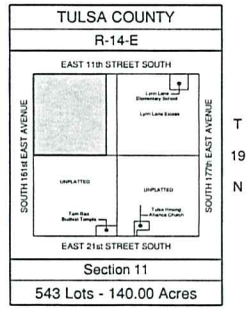


Stratford Ridge

Existing Conditions Plan
EXHIBIT 'B'

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Stratford Ridge

Surrounding Zoning and Land Use Plan
EXHIBIT 'C'

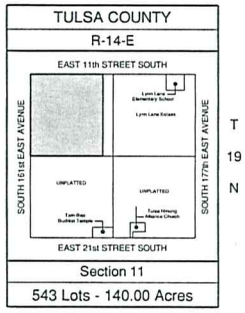
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East 11th Street South

CS
Commercial
5.0 Acres

RS-3
Residential
135.0 Acres

South 161st East Avenue



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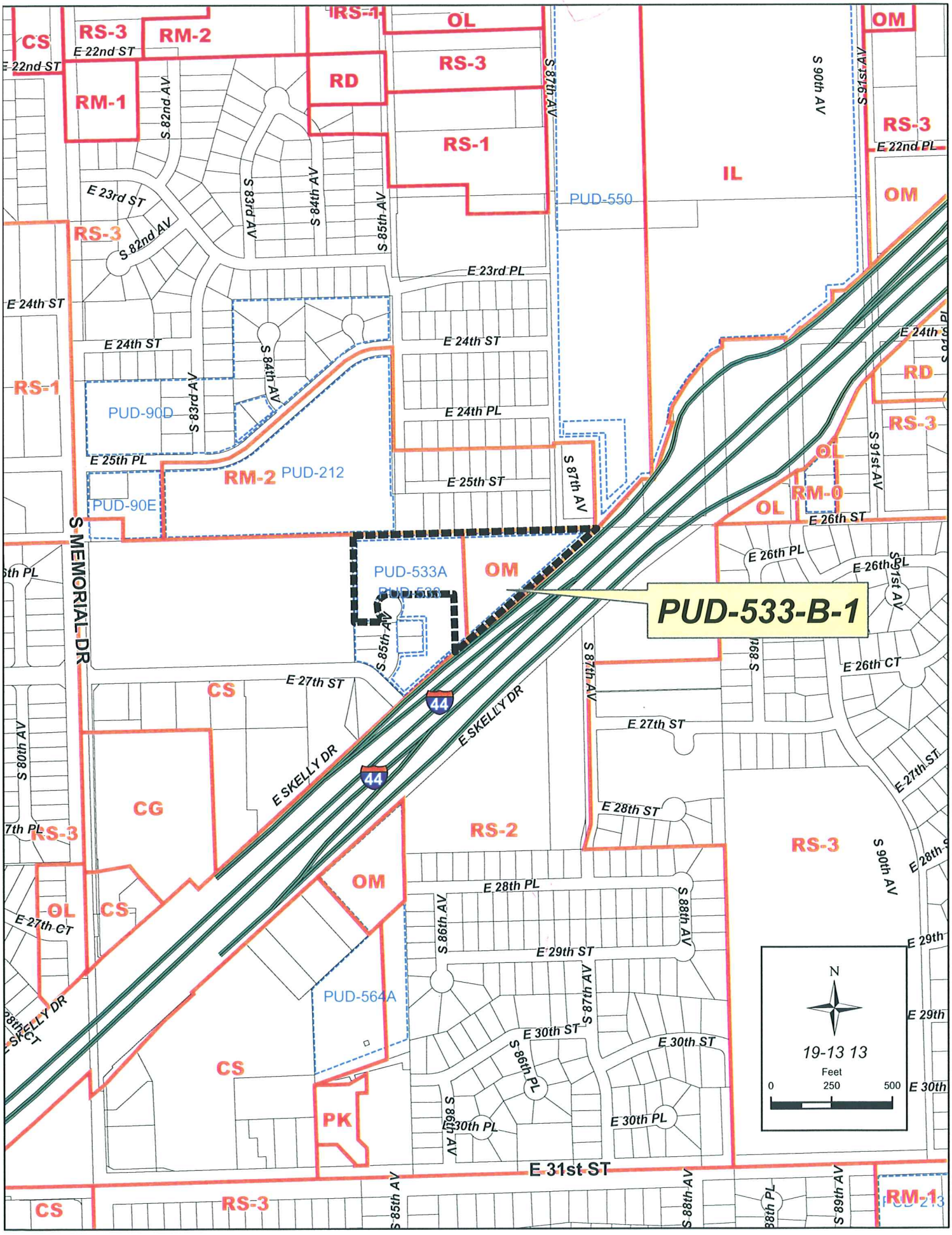
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Stratford Ridge

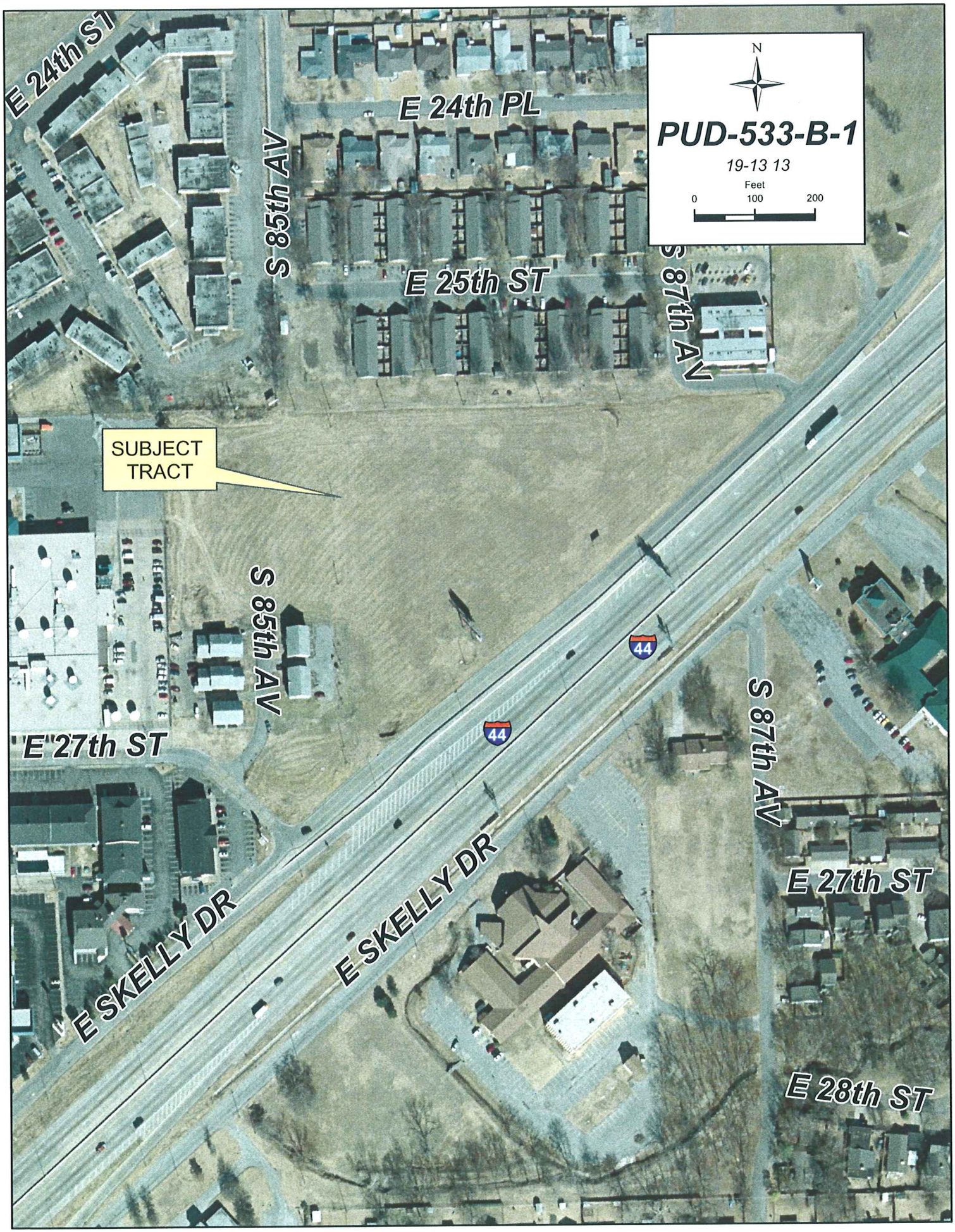
Proposed Zoning Plan
EXHIBIT 'D'

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March 7, 2007

STAFF RECOMMENDATION

PUD- 533-B-1 Minor Amendment – North of the Northwest Corner of East 27th Street South and South 85th East Avenue; Lot 6, Tri-Center Village, less and except "Grizzly Mountain Mercantile" Addition; Development Area B-2; CS/PUD; PD-5; CD-5; *related to L-20058*

The applicant is requesting a minor amendment to PUD 533-B to allocate floor area in conjunction with a lot-split of Lot 6, Tri-Center Village (L-20058). The proposed Tracts 'B' and 'C' are located in Development Area B-2.

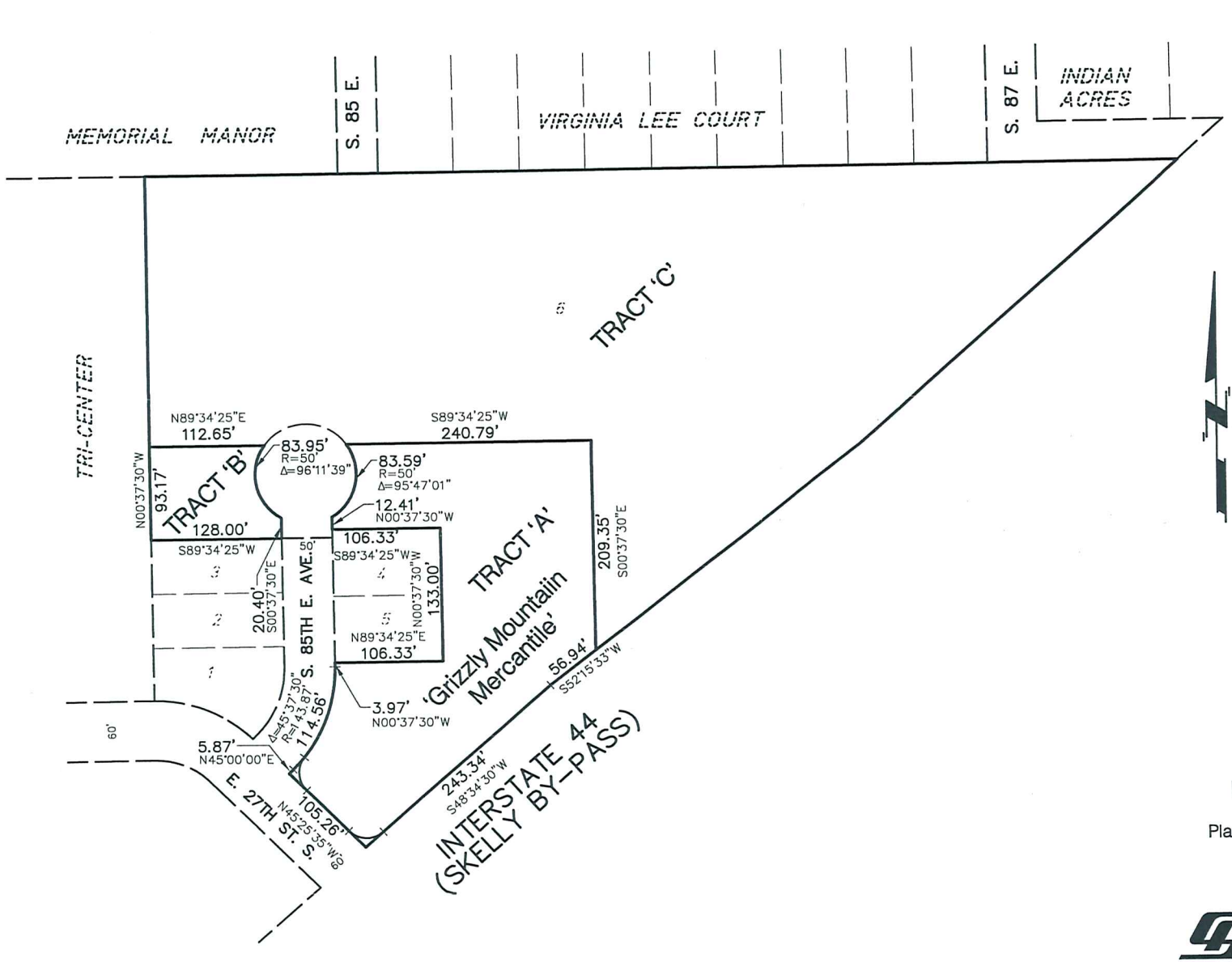
Existing Allocation of Floor Area:

Maximum Building Floor Area for Development Area by Original PUD 533:	130,000 S.F.
Building Floor Area Allocated to **Tract A** (Grizzly Mountain Mercantile) by PUD 533-B, Development Area B-2:	12,000 S.F.
Floor Area Remaining in PUD 533-B, Development Area B-2:	118,000 S.F.

Proposed Allocation of Floor Area:

Maximum Building Floor Area for PUD 533-B, Development Area B-2:	118,000 S.F.
Tract B (as depicted on attached Exhibit)	**3,000 S.F.**
Tract C (as depicted on attached Exhibit)	**115,000 S.F.**

The cul-de-sac of South 85th East Avenue on which 'Tract B' has frontage is unimproved. Therefore, 'Tract B' does not have access to an improved public street and cannot practically be developed unless the South 85th East Avenue right-of-way is improved or mutual access through 'Tract C' is provided. Staff recommends **DENIAL** as proposed.





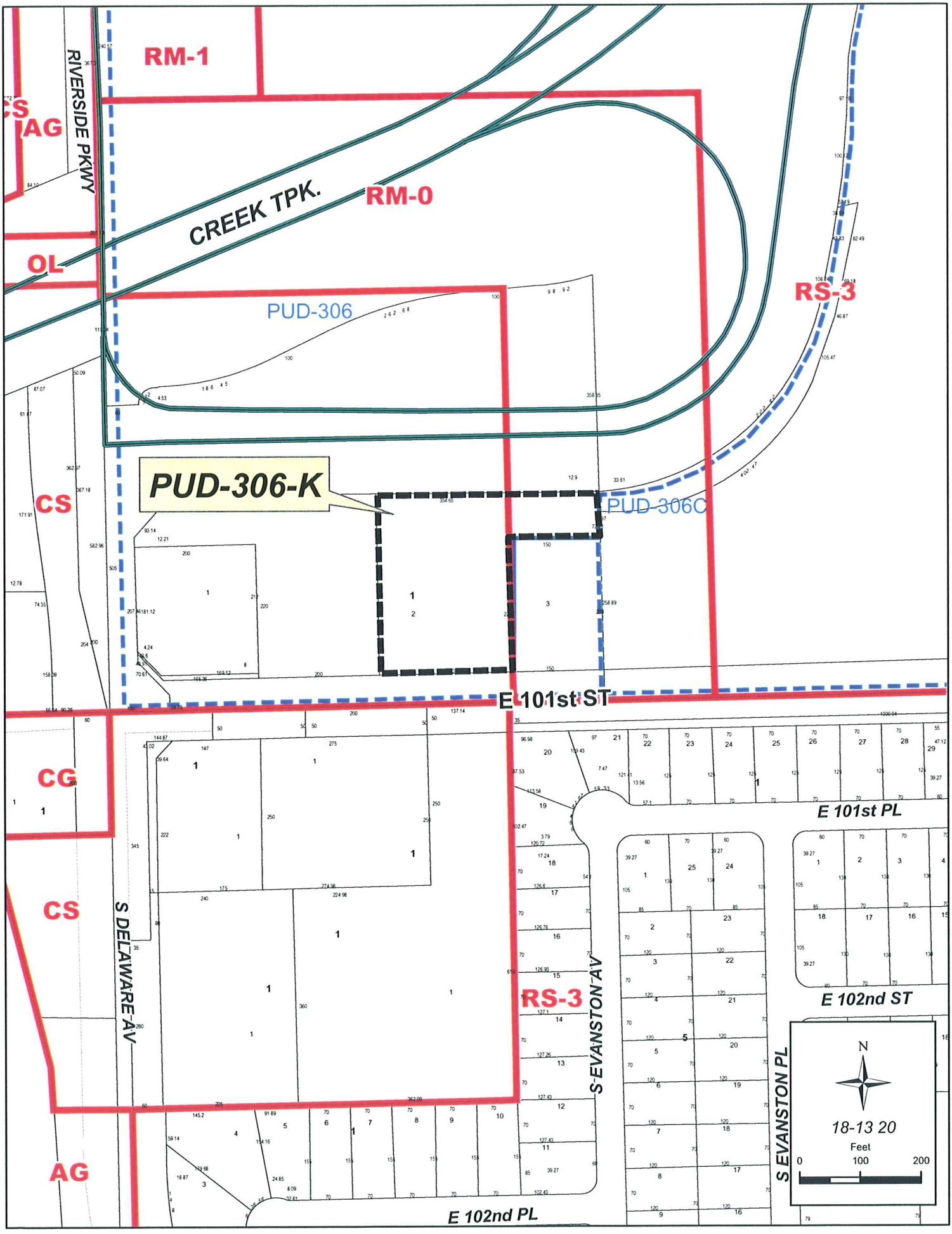
Location Map

Minor Amendment Exhibit
for
Planned Unit Development Number 533-B

0 100 200
SCALE IN FEET

SACK AND ASSOCIATES, INC.
Santa Fe Depot, 111 South Elgin Avenue, Tulsa, Oklahoma 74120-1816
Ph: 918.592.4111 Fax: 918.592.4229 E-mail: sal@sackandassociates.com
CA Number 1783 (PE/LS) and 1462 (LA), Exp. June 30, 2007

Project: TRI-CENTER VILLAGE-B Drawing: EXHIBT03A XREFs: COPYRITE S-1117X T-SAI2
Drawn: CHJ Order: F2828 File: 1913.13 Drawer: C Plotted: 29 JAN 2007


RM-1
AG
RIVERSIDE PKWY
CREEK TPK.
RM-0
OL
PUD-306
RS-3
PUD-306-K
PUD-306C
CS
E 101st ST
CG
CS
S DELAWARE AV
RS-3
S EVANSTON AV
E 101st PL
E 102nd ST
S EVANSTON PL
AG
E 102nd PL
N
18-13 20
Feet
0
100
200


N
PUD-306-K
18-13 20
Feet
0
100
200
RIVERSIDE PKWY
CREEK TPK.
E 101st ST
E 101st PL
S DELAWARE AV
S EVANSTON AV
E 102nd ST
S EVANSTON PL
E 102nd PL

TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT

APPLICATION: PUD-306-K

TRS 8320 **Atlas** 2277

CZM 56 **PD-26 CD-2**

TMAPC Hearing Date: March 7, 2007

Applicant: Charles E Norman **Tract Size**: 2.25± acres

ADDRESS/GENERAL LOCATION: East of northeast corner of Riverside Parkway and East 101st Street South

EXISTING ZONING: RM-1/CS/PUD **EXISTING USE:** Vacant

ZONING ORDINANCE: Ordinance number 15619 dated February 25, 1983, established zoning for the subject property.

PROPOSED ZONING: RM-0/CS/PUD **PROPOSED USE:** Car wash

RELEVANT ZONING HISTORY:

Z-6677/PUD-306-H March 1999: All concurred in approval of a request to rezone an 8.4± tract from RM-1 to CO and a Major Amendment to PUD to permit commercial uses on property located on the southwest corner of Vensel Creek and South Riverside.

PUD-306-F March 1998: All concurred in approval of a request for a Major amendment to the PUD-306-E for a proposed multifamily residential development on 18.3 acres of land located at the northeast corner of S. Delaware Avenue and the Creek Turnpike and on the south side of Vensel Creek.

Z-6522/PUD-306-E January 1996: All concurred in approval of a request for rezoning and for a major amendment to the PUD from RM-1/RS-3/PUD to CO/PUD on 18.3 acres located at the northeast corner of S. Delaware Avenue and the Creek Turnpike and north of the subject tract. The proposal was to develop an ice sports facility.

PUD-306-D November 1995: All concurred in approval of a proposed Major Amendment to PUD on a 150' x 220'± square foot tract of land to add Use Unit 15 for a small storage with outdoor storage display with a condition of screening, on property located and abutting the subject property to the east.

PUD-306-C February 1995: All concurred in approval of a major amendment on approximately 57 acres of PUD-306 to allow a school use.

PUD-306 February 1983: All concurred in approval of rezoning and the proposed PUD on 273 acres which included the subject tract for a mixed use development.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2.25 acres in size and is located east of northeast corner of South Delaware Avenue and East 101st Street South. The property appears to be primarily vacant, but has a cell tower and related ground equipment located at the far northeast corner. The property is zoned RM-0/CS/PUD-306.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 101st Avenue	Secondary Arterial	100'	2

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

SURROUNDING AREA: The subject tract is abutted on the east by a landscape service business zoned RM-0/PUD 306; on the north by the Creek Turnpike zoned CS/RM-0/PUD 306; on the west by Braum's zoned CS/PUD 306; and on the south by South 101st East Avenue and a mini-storage use zoned CS.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 26 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being Medium Intensity. According to the Zoning Matrix, the requested development is in accord with the District Plan.

STAFF RECOMMENDATION:

River Creek Village, in which the subject property is located, was platted in 1995 and is part of Development Area "J" of PUD 306 as approved in 1983. Lot 1 at the northeast corner of South Delaware Avenue and East 101st Street South was developed as a convenience store which was recently removed and a new building constructed for use as a bank. Lot 2 was subdivided into two tracts per minor amendment PUD 306-14. A Braum's store was built on the west half of Lot 2. A cell tower is located on the north-east portion of Lot 2, and an outdoor advertising sign has recently been approved near the north boundary of Lot 2. Lot 3 on the east boundary of River Creek Village was initially used as an equipment rental facility and is now a landscape service.

Lot 2 was subdivided into two tracts per minor amendment PUD 306-14 subject to the following conditions:

Tract A (Braum's): *(partial listing of conditions)*

Net Lot Area 74,241 SF

Maximum Building Floor Area 39,000 SF

Internal Mutual Access and Limits of No Access

Two entry drives shall be permitted corresponding to the two 40-foot access approved by TMAPC at their October 28,k 1998 meeting modifying the Plat of Record for River Creek Village. Internal mutual access shall be provided between Tract A and B. A separate instrument, amending the recorded plat, shall be filed providing internal access and circulation between all uses within Lot 2 and all Tracts created by lot-split within Lot 2.

Tract B (subject property):

Net Lot Area	77,500 SF
Maximum Building Floor Area	41,500 SF
Maximum Building Height	2 Stories
Minimum Building Setback From the Southern Tract Boundary	50 feet

Signage

One ground sign along the East 101st Street frontage and one ground sign along the Creek Turnpike frontage. All ground, wall and business signage shall comply with the Planned Unit Development Chapter of the Tulsa Zoning Code.

Internal Mutual Access and Limits of No Access

One entry drive shall be permitted corresponding to the 40-foot access indicated on the Plat of Record for River Creek Village. Internal mutual access shall be provided between Tracts A and B. A separate instrument, amending the recorded plat, shall be filed providing internal access and circulation between all uses within Lot 2 and all Tracts created by lot-split within Lot 2.

Development Area "J" and the restrictive covenants of River Creek village limit permitted uses to those allowed by right within the CS zoning district and customarily accessory uses. PUD 306-K proposes on the east 200 feet of Lot 2 (Tract B) a fuel facility with a small service kiosk, and an auto wash on the rear half of the parcel. The fuel service facility is a use permitted as a matter of right in the CS district; however, under Use Unit 14, a gasoline service station is limited to a one-bay car wash. Therefore, the major amendment is to add a multi-bay auto wash, only, as permitted under Use Unit 17, Automotive and Allied activities. Use Unit 17 is permitted in CS districts by special exception.

Staff finds the uses and intensities of development proposed and as modified by staff to be in harmony with the spirit and intent of the Code. Based on the following conditions, staff finds PUD-306-K as modified by staff, to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends APPROVAL of PUD-306-K subject to the following conditions:

1. The applicant's Outline Development Plan and Text be made a condition of approval, unless modified herein.

2. Development Standards:

PERMITTED USES:

Principal and accessory uses permitted as a matter of right in the CS - commercial shopping district and a multi-bay auto wash only as permitted under Use Unit 17, Automotive and Allied Activities.

MAXIMUM PERMITTED FLOOR AREA 41,500 SF

MAXIMUM BUILDING HEIGHT 2 Stories

MINIMUM BUILDING SETBACK

From the Southern Tract Boundary 50 feet

SIGNAGE

One ground sign shall be permitted along the East 101st Street frontage not to exceed 160 square feet of display surface area and 25 feet in height, and one outdoor advertising sign not to exceed 672 square feet of display surface area and 50 feet in height shall be permitted along the Creek Turnpike frontage.

INTERNAL MUTUAL ACCESS AND LIMITS OF NO ACCESS

One entry drive shall be permitted corresponding to the 40-foot access indicated on the Plat of Record for River Creek Village. Internal mutual access shall be provided between Tracts A and B of Lot 2. A separate instrument amending the recorded plat shall be filed providing internal access and circulation between all uses within Lot 2. (Mutual access currently indicated per Exhibit "B" dated 1/6/99 as part of site plan approval for Braum's, but no book or page provided.)

PEDESTRIAN CIRCULATION

Sidewalks shall be provided along East 101st Street South.

LIGHTING:

No light standard or building-mounted light shall exceed 25 feet in height. All lights standards shall be hooded and directed downward. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in nearby residential areas. Compliance with these standards shall be verified by application of the Kennebunkport Formula. Consideration of topography must be included in the calculations.

3. No zoning clearance permit shall be issued for a lot within the PUD until a detail site plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.

4. A detail landscape plan for each lot shall be approved by the TMAPC 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 landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of

the granting of an occupancy permit.

5. No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.

6. 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.

7. 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 stormwater 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.

8. No building permit shall be issued until the requirements of Section 1107F 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 PUD conditions of approval and making the City beneficiary to said covenants that relate to PUD conditions.

9. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.

10. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.

11. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle, nor shall trucks or truck trailers be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the PUD.

12. Except as above modified, the development standards of PUD 628 as amended, shall remain applicable.

TAC Comments from 2/15/07:

General: No comments.

Water: A 12-inch water main exists along 101st St. S. for water service connections.

Fire: Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet (122 m) from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official.

Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).

2. For buildings equipped throughout with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2, the distance requirement shall be 600 feet (183 m).

Stormwater: No objection to the amendment; however, runoff from the car wash operation cannot flow to the Storm Drainage System. The remainder of the stormwater drainage from the site must be collected and piped to the Public Drainage System along 101st Street South. An approved Stormwater Pollution Prevention Plan is required prior to construction.

Wastewater: An 8-inch sanitary sewer is available along the 101st St. frontage for a service connection

Transportation: Sidewalk is shown on submittal, and the sidewalk requirement is supported.

Traffic: A Change of Access is required. Recommend widening the narrow, two-way aisle between the Car Wash Bay and the east property line. The tight, U-turn radius exiting the Auto Wash will discourage drivers from using the one-way aisle along the west property line thus adding additional traffic to the east aisle.

GIS: No comments.

Street Addressing: No comments.

County Engineer: No comments.

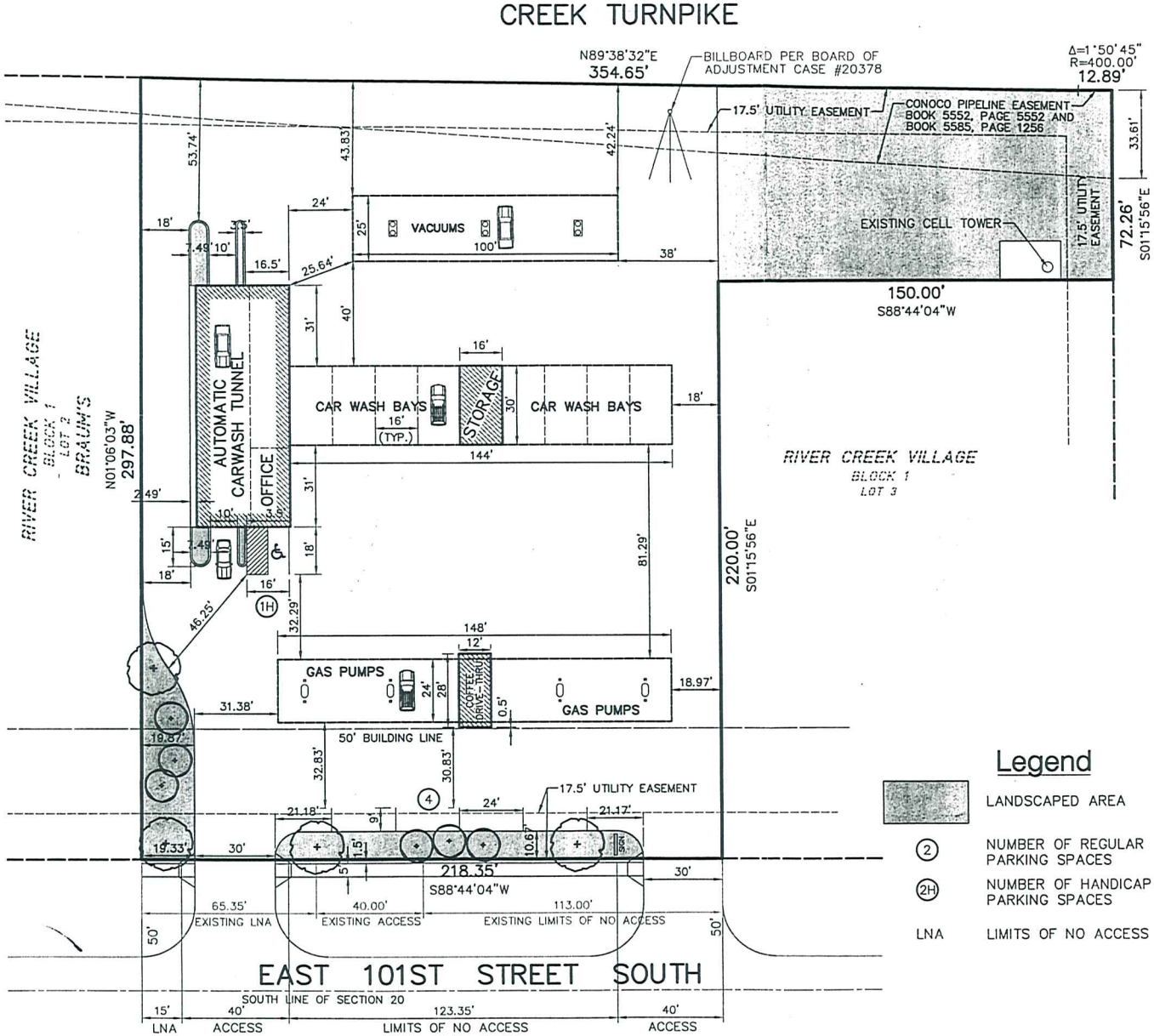
MSHP: East 101st Street South is an existing two-lane street. Recommend sidewalks to be included per subdivision regulations.

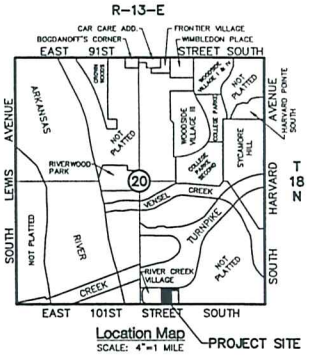
LRTP: East 101st Street South between South Harvard Avenue and South Lewis Avenue is planned for four lanes. Sidewalks should be constructed if non-existing or maintained if existing.

TMP: No Comments.

Transit: No current or future plans for this location.

03/07/07





Owner

THE W.O. SMITH TRUST
WESTER SMITH, TRUSTEE
8316 EAST 73RD STREET
TULSA, OKLAHOMA 74133
PHONE: (918) 252-0508

AMENDED EXHIBIT 'B' SITE PLAN FOR FIESTA MART IN PART OF LOT 2 IN BLOCK 1 OF 'RIVER CREEK VILLAGE'

SECTION 20, T-18-N, R-13-E
CITY OF TULSA, TULSA COUNTY, OKLAHOMA

40 0 40 80
SCALE IN FEET

FEBRUARY 15, 2007

Legend

	LANDSCAPED AREA
(2)	NUMBER OF REGULAR PARKING SPACES
(2H)	NUMBER OF HANDICAP PARKING SPACES
LNA	LIMITS OF NO ACCESS

SACK AND ASSOCIATES, INC
• ENGINEERING • SURVEYING • PLANNING
Santa Fe Depot, 111 South Elgin Avenue, Tulsa, Oklahoma 74120-18
Ph: 918.592.4111 Fax: 918.592.4229 E-mail: sal@sackandassociates.cc
CA Number 1783 (PE/LS) and 1462 (LA), Exp. June 30, 2007

SURVEY		BOOKS		SCALE 1"=20'	DATE 1/2007
DRAWN GHJ, LWR	CHECKED TAS	ORDER F325A	FILE 1813.20		
PROJECT NAME RIVER CREEK VILLAGE-A				DRAWING NAME SITE01B	
PLOTTED FEBRUARY 15, 2007 AT 8:56 AM				DRAWER 150	
XREFS COPYRITE S-1117X S-2436C T-SAI1				SHEET 1 OF 1	

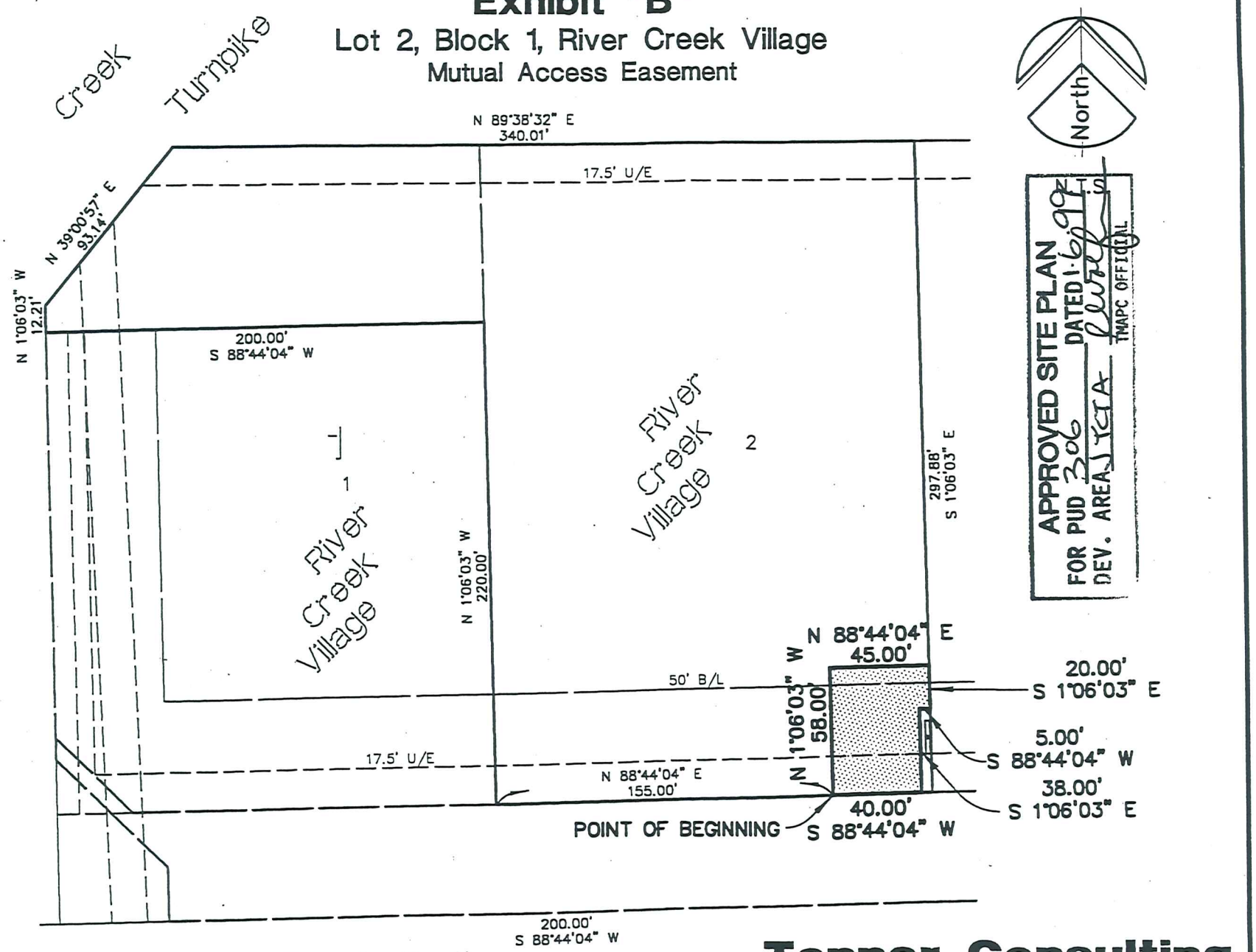
BEFORE YOU DIG
CALL OKIE
(800) 522-6543


RIVERSIDE PKWY
E CREEK TPKE
E CREEK TPKE
E 101st ST
S DELAWARE AV
EVANSTON AV
101st PL

Exhibit "B"

Lot 2, Block 1, River Creek Village

Mutual Access Easement



12/28/98

Tanner Consulting

2202 E. 49TH ST. S., SUITE 400 • TULSA, OKLAHOMA 74105 • (918)745-9929

RIVER CREEK VILLAGE

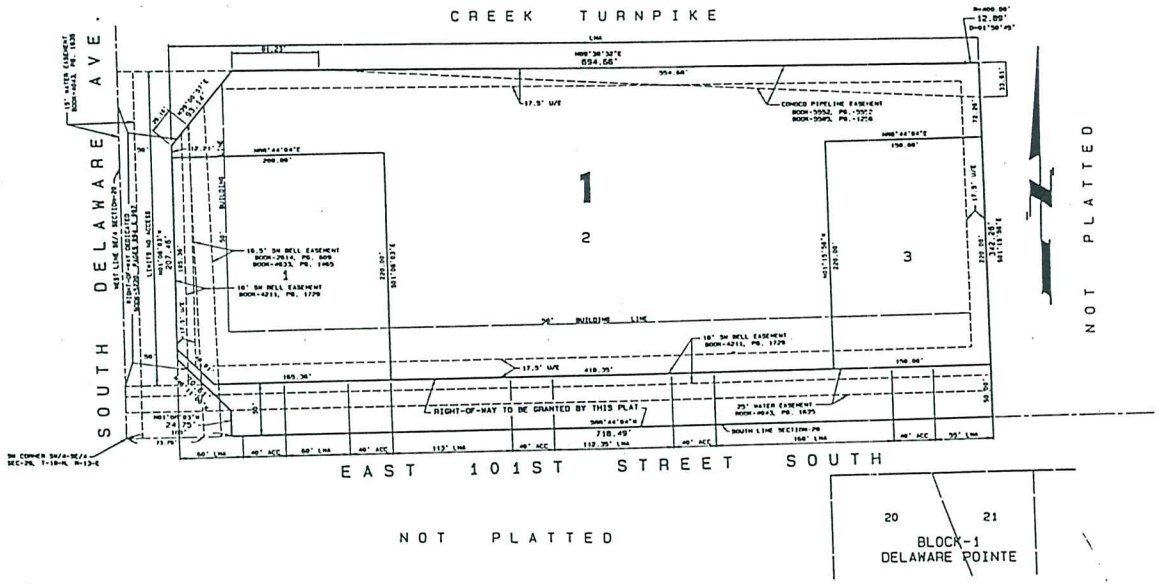
A SUBDIVISION OF PART OF THE

SW/4 OF THE SE/4 OF SECTION-20, T-18-N, R-13-E

CITY OF TULSA, TULSA COUNTY, OKLAHOMA

SCALE IN FEET

P.U.D. NO. 306



RECEIVED
JUNE 20, 1995
TULSA METRO. AREA PLANNING COMM

PLAT No.
5081

Final Plat
CERTIFICATE OF APPROVAL

I hereby certify that this plat was approved by the Tulsa Metropolitan Area Planning Commission on JUNE 15, 1995

By [signature] Chairman/Secretary

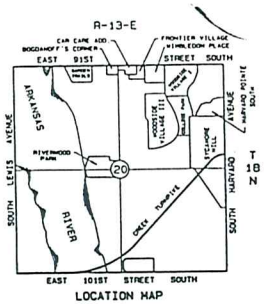
This approval is not to be construed as acceptance of any of the offers of dedication shown on the plat.

JUNE 14, 1995

[signature] CITY ENGINEER

APPROVED [illegible] as to the Contents of the Deed of Dedication.

[signature] Assistant City Attorney



LOCATION MAP

OWNER
THE W.O. SMITH TRUST
MEISTER SMITH, TRUSTEE
8316 EAST 73RD STREET
TULSA, OKLAHOMA 74133
PHONE: (918) 252-0508

ENGINEER
SACK AND ASSOCIATES, INC.
SANTE FE DEPOT
111 SOUTH ELGIN AVENUE
TULSA, OKLAHOMA 74120
PHONE: (918) 592-411

SUBDIVISION CONTAINS 3-LOTS, 1-BLOCK
BLOCK-1 CONTAINS 5.1924 ACRES
LOT-1 CONTAINS 0.9963 ACRES
LOT-2 CONTAINS 3.4835 ACRES
LOT-3 CONTAINS 0.7576 ACRES

LEGEND
U/E = UTILITY EASEMENT
LNA = LIMITS NO ACCESS
ACC = ACCESS PERMITTED

CERTIFICATE

I hereby certify that all real estate taxes involved in this plat have been paid as reflected by the current tax rolls. Security as required has been provided in the amount of $ [illegible] per trust receipt no. [illegible] to be applied to 19[illegible] taxes.

This certificate is NOT to be construed as payment of 19[illegible] taxes in full but is given in order that this plat may be filed on record.

19[illegible] taxes could exceed the amount of the security deposited.

Dated June 20, 19[illegible]

Dennis Semler
Tulsa County Treasurer
by [signature]
Deputy

PLAT NO.	PAGE
5081	1 of 2

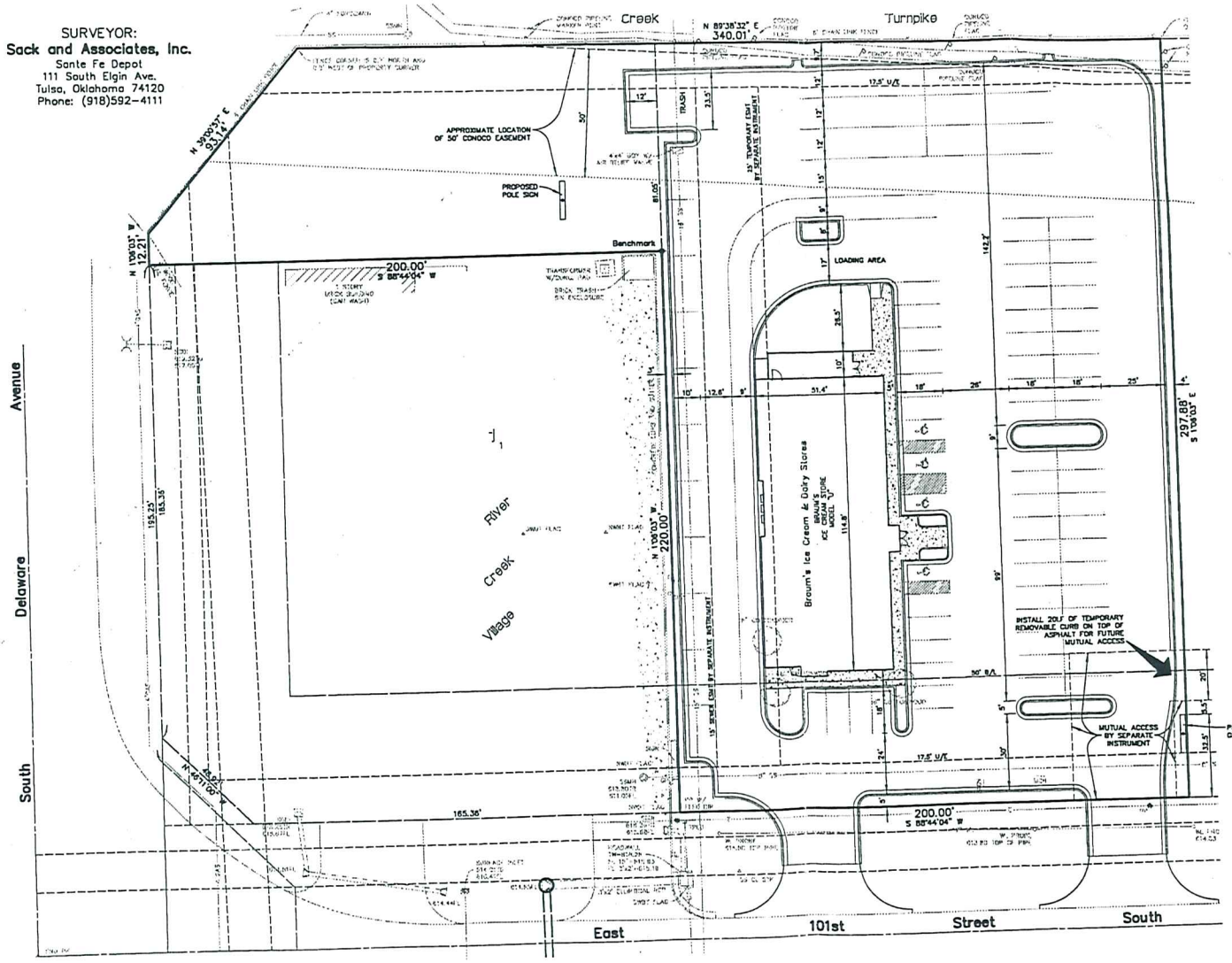
ENGINEER:
Dan E. Tanner, P.E.
2202 East 49th Street
Suite 400
Tulsa, Oklahoma 74105
Phone: (918)745-9929

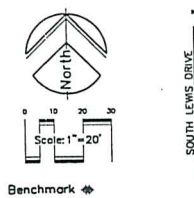
SURVEYOR:
Sack and Associates, Inc.
Sante Fe Depot
111 South Elgin Ave.
Tulsa, Oklahoma 74120
Phone: (918)592-4111

Part of Lot Two (2), Block One (1) "River Creek Village"

Detailed Site Plan

for PUD 306

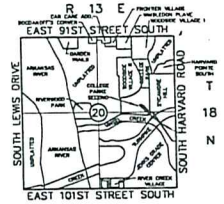




Benchmark

TOP OF 3/8" IRON PIN WITH YELLOW CAP STAMPED SACK L5139.

ELEVATION= 619.75(NGVD)



Location Map
SCALE: 1"=2000'

Legal Description

TAKEN FROM SACK AND ASSOCIATES, INC. SURVEY DATED 11/2/98.

A TRACT OF LAND THAT IS PART OF LOT 2 IN BLOCK 1 OF "RIVER CREEK VILLAGE," A SUBDIVISION OF PART OF THE SW/4 OF THE SW/4 OF SECTION 20, T-18-N, R-13-E, CITY OF TULSA, TULSA COUNTY, OKLAHOMA, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

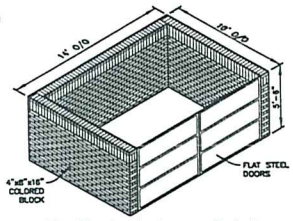
"BEGINNING AT A POINT" THAT IS THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID LOT 2, SAID POINT ALSO BEING THE SOUTHEAST CORNER OF LOT 1 IN BLOCK 1 OF "RIVER CREEK VILLAGE"; THENCE N 01°09'03" W ALONG THE WESTERLY LINE OF LOT 2 FOR 220.00' TO A POINT THAT IS THE NORTHEAST CORNER OF LOT 1; THENCE S 88°44'04" W ALONG A SOUTHERLY LINE OF LOT 2 AND THE NORTHERLY LINE OF LOT 1 FOR 200.00' TO THE MOST WESTERLY SOUTHWEST CORNER OF LOT 2 SAID CORNER BEING THE NORTHWEST CORNER OF SAID LOT 1; THENCE N 01°09'03" W ALONG THE MOST WESTERLY LINE OF LOT 2 FOR 12.21'; THENCE N 39°09'57" E ALONG THE NORTHWESTERLY LINE OF LOT 2 FOR 83.14' TO THE MOST NORTHERLY NORTHWEST CORNER OF LOT 2; THENCE N 89°38'22" E ALONG THE MOST NOTHERLY LINE OF LOT 2 FOR 340.01'; THENCE S 01°09'03" E FOR 297.88' TO A POINT ON THE SOUTHERLY LINE OF SAID LOT 2; THENCE S 8°44'04" W ALONG SAID SOUTHERLY LINE FOR 200.00' TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND.

APPROVED SITE PLAN
FOR PUD 306 DATED 1-6-99
DEV. AREA A/B/C
TMAPC OFFICIAL

Site Area Quantities

TOTAL LOT AREA	74,257 SF
TOTAL BUILDING AREA	8,186 SF
TOTAL OPEN SPACE	21,842 SF
TOTAL STREET YARD AREA	10,000 SF
REQUIRED OPEN SPACE WITHIN STREET YARD (15%)	1,500 SF
PROVIDED OPEN SPACE WITHIN STREET YARD (19%)	1,882 SF
REQUIRED PARKING SPACES (1/100 SF OF BLDG)	82 SPACES
PROVIDED PARKING SPACES	78 SPACES
REQUIRED LOADING SPACES	1 SPACES
PROVIDED LOADING SPACES	1 SPACES
REQUIRED HANDICAP SPACES	5 SPACES
PROVIDED HANDICAP SPACES	5 SPACES
REQUIRED NUMBER OF TREES WITHIN STREET YARD	7 TREES
REQUIRED NUMBER OF TREES OUTSIDE OF STREET YARD	7 TREES

THE PLANNED USE OF THIS DEVELOPMENT IS AN EATING ESTABLISHMENT, USE UNIT 13 OF THE CS ZONING OF THE TULSA ZONING CODE.



A Trash Enclosure Detail
SCALE: NONE

Tanner Consulting
2202 E 49th St
Suite 400
Tulsa, OK 74105
(918) 745-9929
Fax 745-9969

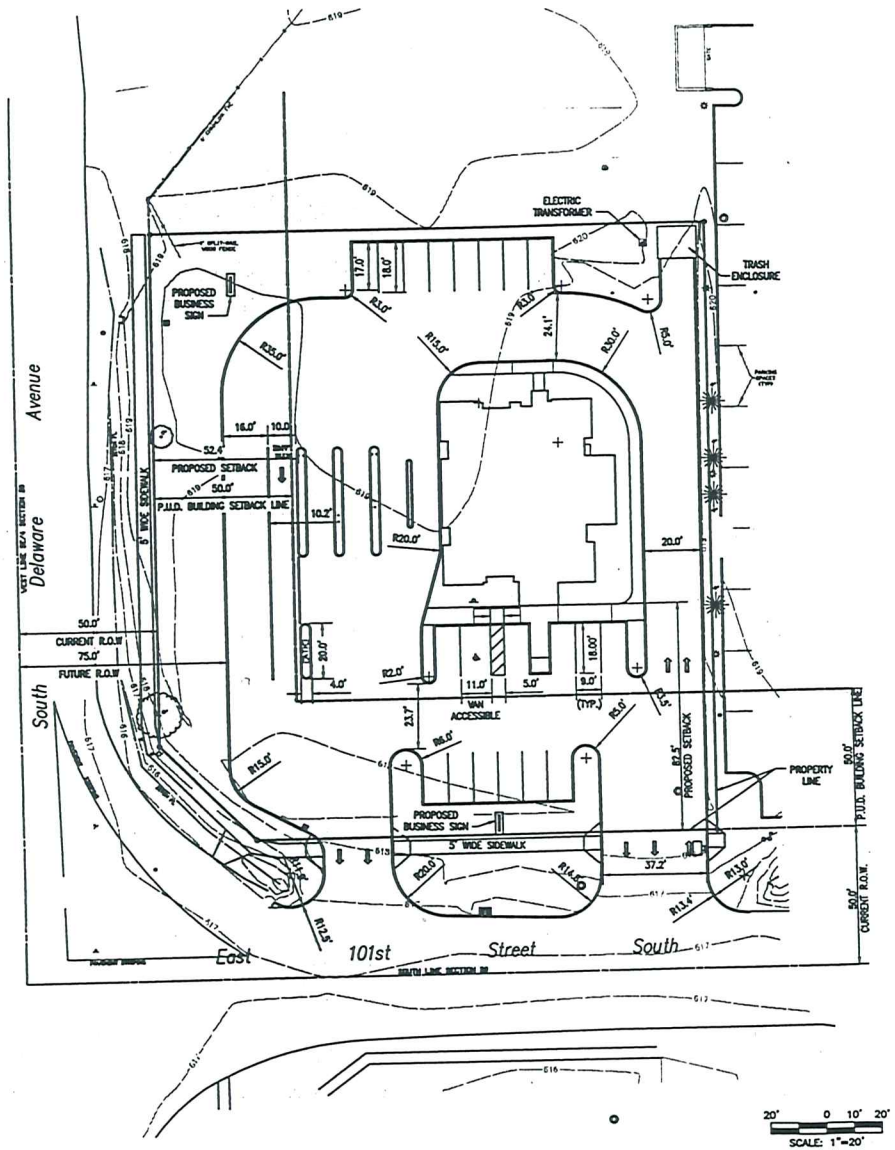
Detailed Site Plan
E. 101st St. & S. Delaware Ave.
Tulsa, Oklahoma

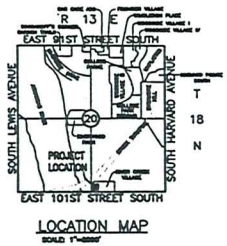
BRAUM'S ICE CREAM AND DAIRY STORES

REVISION DATE

ISSUE DATE
1/29/99

SHEET No.
1 OF 1



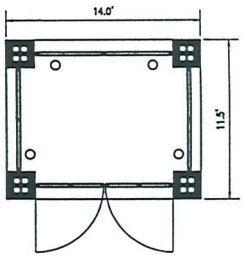


LOCATION MAP

LOT ONE (1), BLOCK (1) OF
RIVER CREEK VILLAGE
CITY OF TULSA, TULSA COUNTY, OKLAHOMA
LOCATED IN P.U.D. #306

NOTES:

1. EXISTING TOPOGRAPHY SHOWN



TRASH ENCLOSURE DETAIL

SITE DATA TABULATION:

P.U.D.: 306
DEVELOPMENT AREA: J

PERMITTED USES: (CS) USE UNIT 21 BUSINESS SIGNS AND OUTDOOR ADVERTISING; USE UNIT 11 OFFICES, STUDIOS & SUPPORT SERVICES.

PROPOSED USES: BANK AND SIGNS: USE UNITS 21 & 11.

MAXIMUM BLDG. FLOOR AREA PERMITTED: 5,000 SF
BLDG. FLOOR AREA PROPOSED: 3,328 SF

MAXIMUM BLDG. HEIGHT PERMITTED: 2 STORIES
MAXIMUM BLDG. HEIGHT PROPOSED: 1 STORY; 31'-7" FT
MINIMUM BLDG. SETBACKS REQUIRED:
50FT. FROM PROPERTY LINE
100FT. FROM CENTERLINE OF ADJACENT STREET

OFF STREET PARKING:
NUMBER OF SPACES REQUIRED PER USE: 1/300 SF OF FLOOR AREA
NUMBER OF SPACES PROPOSED PER USE: 1/167 SF OF FLOOR AREA
TOTAL NUMBER OF SPACES REQUIRED: 12
TOTAL NUMBER OF SPACES PROPOSED: 20

MINIMUM PERCENTAGE AND CORRESPONDING LANDSCAPED AREA REQUIRED: 10% 4,340 SF
MINIMUM PERCENTAGE AND CORRESPONDING LANDSCAPED AREA PROVIDED: 27% 11,792 SF
LANDSCAPED STREET YARD PER STREET FRONTAGE

REQUIRED:	PROVIDED:
1,418 SF	5,752 SF
1,267 SF	1,370 SF

ADDITIONAL LANDSCAPE AREA(S) REQUIRED (IF ANY):

LIGHTING HEIGHT FOR PARKING AREAS
MAXIMUM HEIGHT PERMITTED: N/A
HEIGHT PROPOSED: 33 FT.

NO.	DATE	DESCRIPTION OF REVISION OR ISSUE	BY	APP'D

BENHAM
THE BENHAM COMPANIES, INC.
www.benham.com

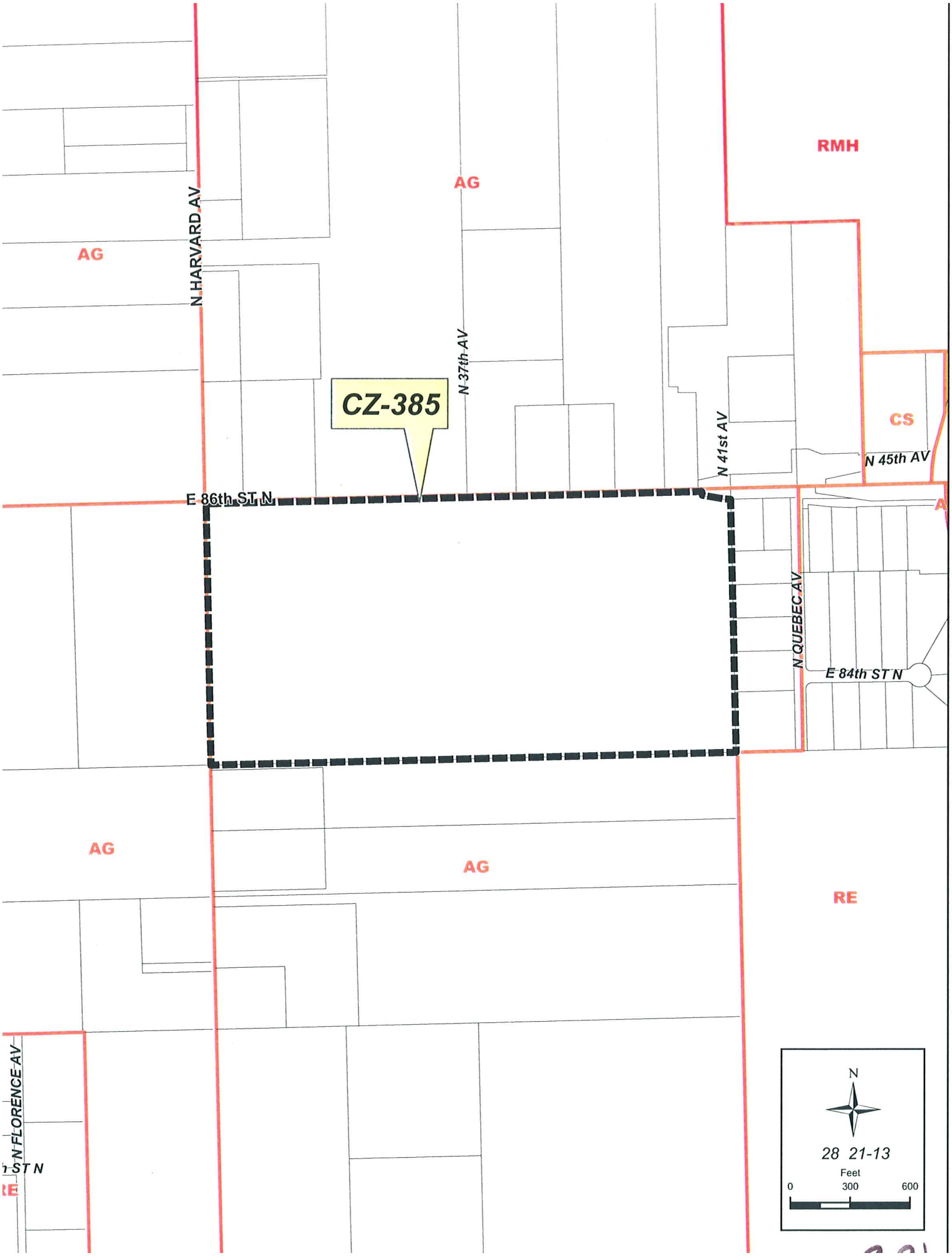
BANCFIRST
101ST AND DELAWARE
2809 E. 101ST ST.
TULSA, OKLAHOMA 74137

PUD DETAIL SITE PLAN

DESIGNED BY	TTL
DRAWN BY	TJA
CHECKED BY	TLH
APPROVED BY	TTL
DATE	1-27-06
SCALE	1"=20'
PROJECT NUMBER	2050511600
SHEET	C-101
REV	—

APPROVED SITE PLAN
FOR PUD 306 DATED 3/15/06
DEV. AREA J
TMAPC OFFICIAL

Filename: P:\TUL\ABCO\2050511600\20_Cad\NCOG SHEETS\NCOG5116C-101.dwg Saved: 1/27/2006 1:03:40 PM By: abbu3367
Xrefs: 5116G-BS04.dwg 5116C-FPO1.DWG 5116A-FPDP.DWG 5116V-SP01.dwg 5116C-SP01.DWG


CZ-385
AG
AG
AG
AG
RMH
CS
RE
N HARVARD AV
N 37th AV
N 41st AV
N 45th AV
E 86th ST N
N QUEBEC AV
E 84th ST N
N FLORENCE AV
28 21-13
Feet
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N FLORENCE AV
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28 21-13
CZ-385
Feet
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TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT

APPLICATION: CZ-385

TRS 1328

Atlas 0

CZM 16

PD-county

TMAPC Hearing Date: March 7, 2007

Applicant: Tuttle & Associates, Inc./Vanessa Conn

Tract Size: 80± acres

ADDRESS/GENERAL LOCATION: Southeast corner of East 86th Street North and North Harvard Avenue

EXISTING ZONING: AG

EXISTING USE: Vacant

ZONING RESOLUTION: Resolution number 98254 dated September 15, 1980, established zoning for the subject property.

PROPOSED ZONING: RS/OL/CS

PROPOSED USE: Residential & commercial development

RELEVANT ZONING HISTORY:

CZ-306 May 2002: All concurred in rezoning a property east of the subject property and east of the Cherokee Expressway from AG to CS.

CZ-296 February 2002: All concurred in approval of a request to rezone a 15± acre tract located east of the subject property and east of the Cherokee Expressway from AG to CS.

CZ-214 July 1994: A request to rezone a 3.8-acre tract located on the northwest corner of East 86th Street North and North Yale Avenue east of the subject property and east of the Cherokee Expressway from AG to CG. The TMAPC and Board of County Commissioners approved rezoning to CS in the alternative.

CZ-174 January 1989: An application to rezone 253.7 acres with tracts located on both the east and west side of U. S. Highway 75 and south of East 76th Street North. The request was to rezone all of this property from AG to RS. Based on earlier development patterns and the lack of public utilities in the area, staff recommended denial of RS density and recommended approval of RE zoning on all the property except the west 450′ of the north 660′ of the westernmost tract.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 80 acres in size and is located on the southeast corner of East 86th Street North and North Harvard Avenue. The property appears to be vacant and is zoned AG. It has heavy vegetation and a varied topography. Although adjacent to floodplain areas, this property is not within any floodplain.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
North Harvard Avenue	Secondary arterial	100'	2
East 86th Street North	Primary arterial	120'	2

UTILITIES: The subject tract has no municipal water or sewer available.

SURROUNDING AREA: The subject tract is abutted on the east by large-lot single-family residential and rural uses, zoned AG and RE; on the north by large-lot single-family residential uses, mobile homes and heavy farm equipment storage, zoned AG; on the south by large-lot residential/agricultural uses and two large water features, zoned AG; and on the west by vacant land and large-lot single-family residential uses, zoned AG.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The North Tulsa Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being Commercial-Office Medium Intensity at the ten-acre node at the intersection of North Harvard and East 86th Street North, Medium Intensity-Residential as a wrap-around surrounding the node and Residential land use adjacent to that. According to the Zoning Matrix, the requested CS/OL/RS zoning **are** in accord with the Zoning Matrix under the following conditions. The CS **is** in accord with the Zoning Matrix for the ten acres at the corner. The OL **may be found** in accord with the Medium Intensity designation surrounding the node, and the RS **is** in accord with the Residential designation on the remainder of the site. The proposed zoning pattern, as conceptually configured, meets the criteria for a Type II Node (10 acres, 660' by 660' at a corner) according to the Metropolitan Development Guidelines.

STAFF RECOMMENDATION:

Based on the Comprehensive Plan and the Metropolitan Development Guidelines, staff can support the requested rezoning and recommends **APPROVAL** of the requested RS/OL/CS for CZ-385.

03/07/07

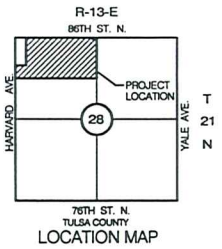
OWNER/DEVELOPER:
D.G. & S. Properties
an Oklahoma limited liability company
P.O. BOX 454
Collinsville, Oklahoma 74021
Phone: (918) 371-6622

ENGINEER:
Tuttle & Associates, Inc.
9718 East 55th Place South
Tulsa, Oklahoma - 74146
Phone: (918) 663-5567
CERTIFICATE OF AUTHORITY CA 465
EXPIRATION 6-30-07

SHADOW RIDGE FARM

A tract of land being a subdivision of the
N/2 of the NW/4 of Section 28, T-21-N, R-13-E,
Tulsa County, Oklahoma





LOCATION MAP

P.O.B. TRACT 1
NW CORNER, SECTION 28, T-21-N,
R-13-E, I.M., TULSA COUNTY, OKLAHOMA

N 88°37'34" E
660.00'

P.O.B. TRACT 3

N 88°37'34" E
150.00'

P.O.B. TRACT 2

86TH STREET NORTH

N 88°37'34" E
1678.85'

S 80°05'57" E
112.17'

S 01°23'15" E
33.07'

N 88°37'34" E
36.00'

EXISTING ZONING AG
PROPOSED ZONING CS
TRACT 1
10 AC.

EXISTING ZONING AG
PROPOSED ZONING OL
TRACT 3

EXISTING ZONING AG
PROPOSED ZONING RS
TRACT 2

660.00'
N 01°23'23" W

660.00'
S 01°23'23" E

810.00'
S 01°23'23" E

S 01°23'15" E
1265.62'

N. HARVARD

660.00'
S 88°37'34" W

N 01°22'26" W
150.00'

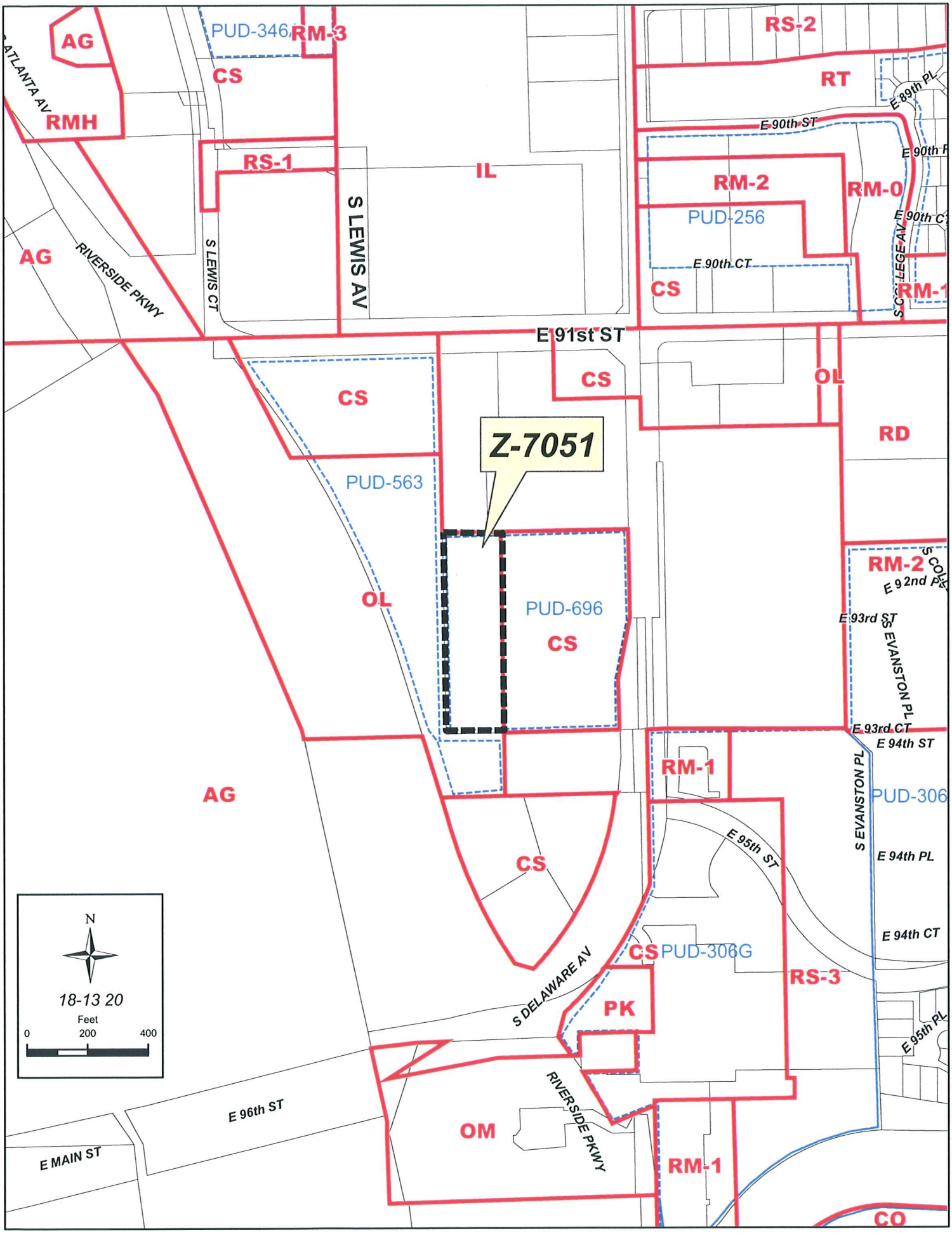
75'
75'

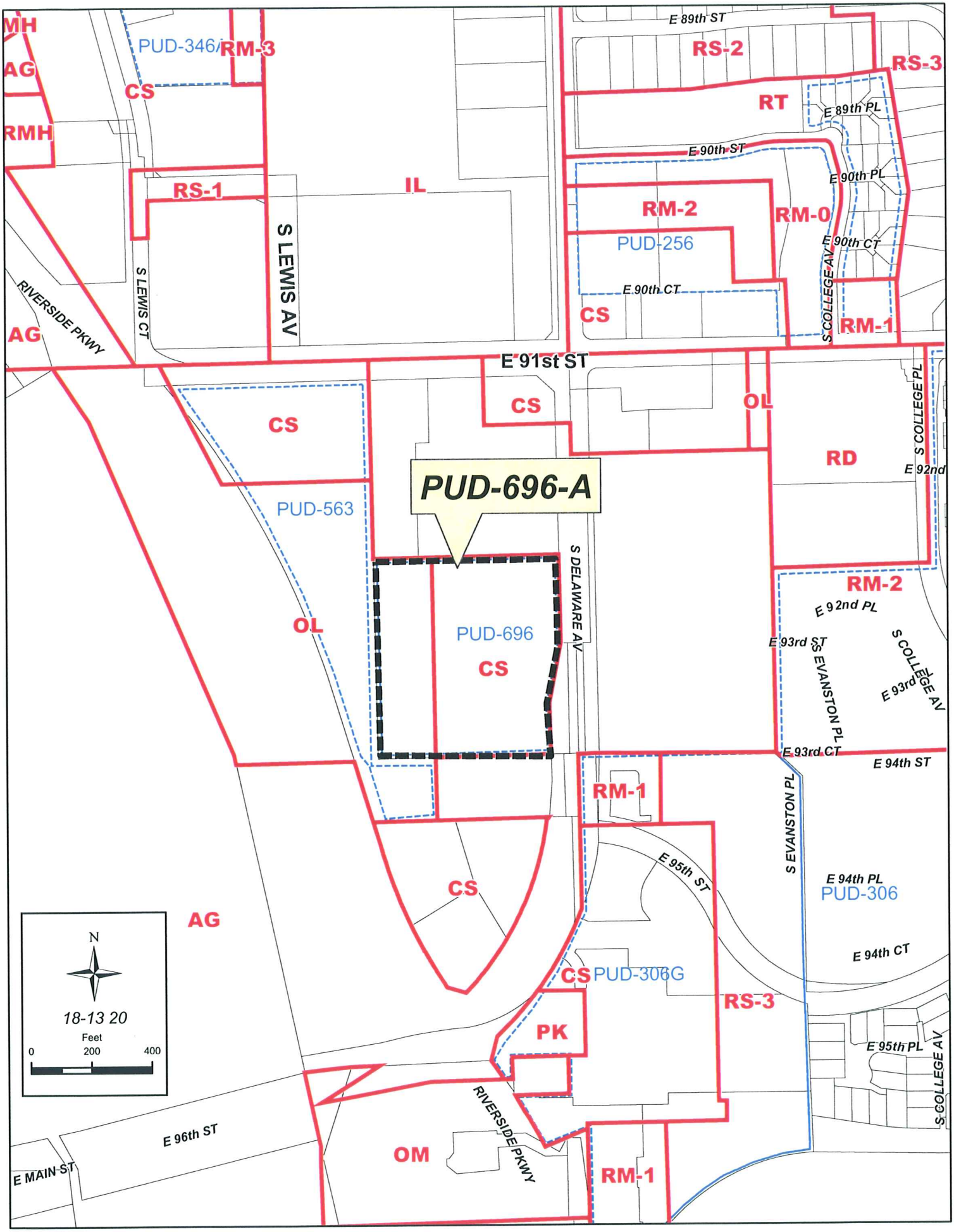
GRDA EASEMENT
BOOK PAGE

810.04'
S 88°37'34" W

509.62'
N 01°23'23" W

S 88°38'52" W
2634.80'


Z-7051
AG
RMH
PUD-346
RM-3
CS
RS-1
IL
S LEWIS AV
S LEWIS CT
RIVERSIDE PKWY
ATLANTA AV
RS-2
RT
E 89th PL
E 90th ST
RM-2
RM-0
PUD-256
E 90th CT
S COLLEGE AV
RM-1
E 91st ST
OL
RD
PUD-563
PUD-696
RM-2
E 92nd PL
E 93rd ST
S EVANSTON PL
E 93rd CT
E 94th ST
PUD-306
E 95th ST
E 94th PL
E 94th CT
CS
PUD-306G
RS-3
PK
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E 96th ST
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PUD-696-A
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ATTORNEYS AT LAW
ELLER AND DETRICH
A PROFESSIONAL CORPORATION
MIDWAY BUILDING, SUITE 200
2727 EAST 21ST STREET
TULSA, OKLAHOMA 74114-3533

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FEB 21 2007
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TOLL FREE
(866) 547-8900

WRITER'S E-MAIL:
RLREYNOLDS@ELLERDETRICH.COM

February 21, 2007

VIA HAND DELIVERY

Ms. Delise Tomlinson
INCOG
201 West Fifth Street, Suite 600
Tulsa, Oklahoma 74103

Re: TMAPC Case No. Z-7051
TMAPC Case No. 696-A
South of Southwest Corner of East 91st Street and South Delaware

Dear Delise:

I am writing to you on behalf of the Applicant to withdraw the above referenced Zoning Case and PUD Major Amendment. Please take no further action on either of these matters and remove the same from the TMAPC's March 7, 2007 docket.

Should you have any questions, please do not hesitate to call.

Yours very truly,

ELLER and DETRICH
A Professional Corporation

R. Louis Reynolds

RLR:kfm
cc: Mr. Danny Mitchell

I:\D & M Acquisitions, LLC\Burke-RET\N & C\Tomlinson ltr-1 (02.21.07).doc