

TULSA METROPOLITAN AREA PLANNING COMMISSION

For Meeting No. 2520

July 16, 2008

1:30 PM

Francis Campbell City Council Room
Plaza Level, Tulsa Civic Center

CONSIDER, DISCUSS AND/OR TAKE ACTION ON

Call to Order:

REPORTS

Chairman's Report:

Worksession Report:

Comprehensive Plan Report:

Report on the update of the Comprehensive Plan

Director's Report:

Review TMAPC Receipts for the Month of June 2008

1. Minutes of June 4, 2008, Meeting No. 2516
Minutes of June 18, 2008, Meeting No. 2517

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.

2. **L-20225** – Charles Coleman (9217)/Lot-Split (County)
Northeast corner of West 26th Street and South 61st Avenue, 2545
S 61st West Avenue
3. **L-20231** – Tim Terral (1833)/Lot-Split (PD 26) (CD 8)
Northeast corner of East 116th Street and South Oswego Avenue,
11539 South Oswego Avenue (Related to Items 6 and 17.)
4. **L-20232** – Tim Terral (8418)/Lot-Split (PD 18 C) (CD 8)
8321 South 112th East Avenue
5. **LC-105** – Thomas Affeldt (9227)/Lot-Combination (PD 9) (CD 2)
West of South 30th Avenue and North of West 51st Street, 5028
South 30th West Avenue
6. **LC-106** – Tim Terral (1833)/Lot-Combination (PD 26) (CD 8)
Northeast corner of East 116th Street and South Oswego Avenue,
11539 South Oswego Avenue (Related to Items 3 and 17.)
7. **LC-107** – Charles Keithline (9306)/Lot-Combination (PD 4) (CD 4)
Southwest corner of East 6th Street and South Utica Avenue, 1650
East 6th Street

8. **LC-108** – Andrew Shannon (8326)/Lot-Combination (PD 26) (CD 8)
West of South Memorial and South of East 106th Street (Related to Items 18 and 20.)
9. **LC-109** – Tim Terral (8418)/Lot-Combination (PD 18C) (CD 8)
8327 South 112th East Avenue
10. **LC-110** – Mike Marrara (9304)/Lot-Combination (PD 3) (CD 4)
Northwest corner of East Admiral Place and North Yale Avenue, 10 South Yale Avenue
11. **All Commerce Business Park**/Change of Access (PD 17) (CD 6)
Lot 2, Block 2, (14780 East Admiral Place)
12. **PUD-713-7 – Jim Thomason/Minor Amendment** (PD-26) (CD-8)
Northwest of the northwest corner of 121st Street South and Sheridan Road (Minor Amendment to reduce the required side yard setback along 116th Street from 25 feet to 17.8 feet and to increase the permitted height of a detached accessory structure from 18 feet to 24 feet.)
13. **PUD-747 – Tanner Consulting, LLC/Detail Site Plan** (PD-18) (CD-8)
North of the northeast corner of South Yale Avenue and 91st Street South (Detail Site Plan for construction of a 19,500 square foot office building.)
14. **PUD-435-F – Wallace Engineering/Detail Site Plan** (PD-18) (CD-7)
Southeast corner of 66th Street South and Yale Avenue (Detail Site Plan for a three story addition to the existing Laureate Psychiatric Clinic.)
15. **PUD-527-B-5 – Robert D. Sanders, P.E./Minor Amendment** (PD-18) (CD-8)
Northeast of the northeast corner of Yale Avenue and 121st Street South (Minor amendment to allow access to Lot 4, Block 1, The Villas at Tuscany through the immediately adjacent Reserve D.)
16. **PUD-636-3 – Charles Norman/Minor Amendment** (PD-8) (CD-2)
Unplatted and vacant land at the northwest corner of West 81st Street and U.S. Highway 75 (Minor amendment to clearly establish the number of multifamily dwelling units permitted by the existing development standards for Development Areas B, D and E of PUD-636.)
17. **PUD-709-3 – Tulsa Engineering & Planning Associates, Inc./Minor Amendment** (PD-26) (CD-8)
Approximately 1,300 feet east of the intersection of South Delaware and 116th Street South (Minor amendment to allow a lot-split L-20231 and lot-combination LC-106 to facilitate construction of an access drive on the south side of Lot 3, Block 2, Sequoyah Hill II.) (Related to Items 3 and 6.)

18. **PUD-370-B-2 – Duvall Architects/Minor Amendment** (PD-26) (CD-8)
 ½ mile south of the southwest corner of 101st and Memorial Drive, Lots 15 and 16, Block 1 (Minor amendment to combine Lots 15 and 16, Block 1, Avalon Park on Memorial, LC-108, creating Tract C to allow for construction of a 9,184 SF office building.) (Related to Items 8 and 20.)

19. **PUD-370-B – Duvall Architects/Detail Site Plan Lot 20** (PD-26) (CD-8)
 ½ mile south of the southwest corner of East 101st Street and Memorial Drive, Lot 20, Block 1 (Detail site plan for a 5,752 SF two-story office building.)

20. **PUD-370-B – Duvall Architects/Detail Site Plan Lots 15 and 16** (PD-26) (CD-8)
 ½ mile south of the southwest corner of East 101st Street and Memorial Drive, Lots 15 and 16, Block 1 (Detail site plan for a 9,184 SF two-story office building.) (Related to Items 8 and 18.)

21. **CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA**
 PUBLIC HEARINGS

22. **Saint Francis South –** (8418) Preliminary Plat (PD 18) (CD 5)
 Northeast corner of 91st Street and South Highway 169

23. **Hunter Center –** (8321) Preliminary Plat (PD 18) (CD 8)
 Southwest corner of East 91st Street and South Yale Avenue

24. **BOA 20716 –** (9214) Plat Waiver (PD 9) (CD 7)
 North of West 23rd and West of South Nogales Avenue

25. **Z-7102 – Roy Johnsen** OL/RM-2 to OH
 Southwest corner of Broken Arrow Expressway and Utica (PD-6) (CD-4)

26. **Z-5636-SP-2a – Whistler Sign Company, LLC** (PD-18) (CD-5)
 Located along the northbound exit ramp of U.S. 51 to U.S. 169 (Corridor Minor Amendment for relocating the previously approved outdoor advertising sign 237 feet to the west.) **(This application should be continued to 7/23/08 for renoticing.)**

27. **PUD-760 – Roy Johnsen** CH/OL/RM-2 to CH/OL/RM-2/PUD
 Northwest corner of East 15th Street South and South Troost Avenue (PUD-760 is an infill development of new construction. In keeping with the established predominant arrangement of commercial uses along East 15th Street, the development concept proposes commercial uses along the 15th Street frontage with pedestrian-oriented store fronts at or near the right-of-way with parking located in the rear.) (PD-6) (CD-4)

28. **PUD-646-2 – Jim Thomason**

(PD-26) (CD-8)

Northeast of the northeast corner of 111th Street South and Sheridan Road (Minor amendment to reduce the rear setback on Lot 2, Block 1 from 25 feet to 11.3 feet to construct a 748 SF detached three-car garage and a 290 SF pool cabana.)

29. **PUD-559-B/Z-5888-SP-5 – John W. Moody**

(PD-18) (CD-8)

North and east of the northeast corner of East 91st Street and South 101st East Avenue (Major Amendment to allow a second outdoor advertising sign within the southern half of Development Area A.) (Continued from 6/18/08 and 6/25/08.)

OTHER BUSINESS

30. **Appeal of TMAPC Approval of Corridor District Site Plan Z-6503-SP-2 Pursuant to Section 1007.D.4 of Title 42, Revised Ordinances of the City of Tulsa Zoning Code.**

31. **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.

Ringtone/sound on all cell phones and paggers 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

TMAPC RECEIPTS
Month of June 2008

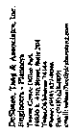
		----- Current Period -----				----- Year To Date -----		
	ITEM	CITY	COUNTY	TOTAL RECEIVED	ITEM	CITY	COUNTY	TOTAL RECEIVED
ZONING								
Zoning Letters	16	\$80.00	\$80.00	\$160.00	150	\$767.50	\$767.50	\$1,535.00
Zoning	4	1,410.00	1,410.00	2,820.00	93	26,920.00	26,920.00	53,840.00
PUDs & Plan Reviews	40	3,112.50	3,112.50	6,225.00	344	36,727.50	36,727.50	73,455.00
Refunds	0	0.00	0.00	0.00	3	(940.00)	(940.00)	(1,880.00)
Fees Waived	0	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>3</u>	<u>1,450.00</u>	<u>1,450.00</u>	<u>2,900.00</u>
		<u>\$4,602.50</u>	<u>\$4,602.50</u>	<u>\$9,205.00</u>		<u>\$63,475.00</u>	<u>\$63,475.00</u>	<u>\$126,950.00</u>
LAND DIVISION								
Minor Subdivisions	0	\$0.00	\$0.00	\$0.00	14	\$5,600.00	\$5,600.00	\$11,200.00
Preliminary Plats	1	630.00	630.00	1,260.00	36	17,376.88	17,376.87	34,753.75
Final Plats	1	429.00	429.00	858.00	29	12,669.86	12,669.85	25,339.70
Plat Waivers	1	125.00	125.00	250.00	21	2,675.00	2,675.00	5,350.00
Lot Splits	4	137.00	136.99	273.99	109	5,565.00	5,564.99	11,129.99
Lot Combinations	7	350.00	350.00	700.00	52	2,600.00	2,600.00	5,200.00
Access Changes	0	0.00	0.00	0.00	6	150.00	150.00	300.00
Other	0	0.00	0.00	0.00	1	325.00	325.00	650.00
Refunds	0	0.00	0.00	0.00	6	(125.00)	(125.00)	(250.00)
Fees Waived	1	<u>50.00</u>	<u>50.00</u>	<u>100.00</u>	<u>1</u>	<u>50.00</u>	<u>50.00</u>	<u>100.00</u>
		<u>\$1,671.00</u>	<u>\$1,670.99</u>	<u>\$3,341.99</u>		<u>\$46,836.74</u>	<u>\$46,836.71</u>	<u>\$93,673.44</u>
BOARDS OF ADJUSTMENT								
Fees	29	\$7,600.00	\$1,150.00	\$8,750.00	204	\$68,650.00	\$10,315.00	\$78,965.00
Refunds	1	(200.00)	0.00	(200.00)	15	(3,240.00)	(200.00)	(3,440.00)
Fees Waived	0	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>1</u>	<u>2,100.00</u>	<u>0.00</u>	<u>2,100.00</u>
		<u>\$7,400.00</u>	<u>\$1,150.00</u>	<u>\$8,550.00</u>		<u>\$65,410.00</u>	<u>\$10,115.00</u>	<u>\$75,525.00</u>
TOTAL		\$13,673.50	\$7,423.49	\$21,096.99		\$175,721.74	\$120,426.71	\$296,148.44

Change of Access on Recorded Plat TMAPC July 16, 2008

All Commerce Business Park – (PD 17) (CD 6)
Lot 2, Block 2 All Commerce Business Park

This application is made to allow a change of access along East Admiral Place. The property is zoned IL.

Staff recommends approval of the change of access. The Traffic Engineer has reviewed and approved the request. Staff recommends **APPROVAL** of the change of access as submitted.

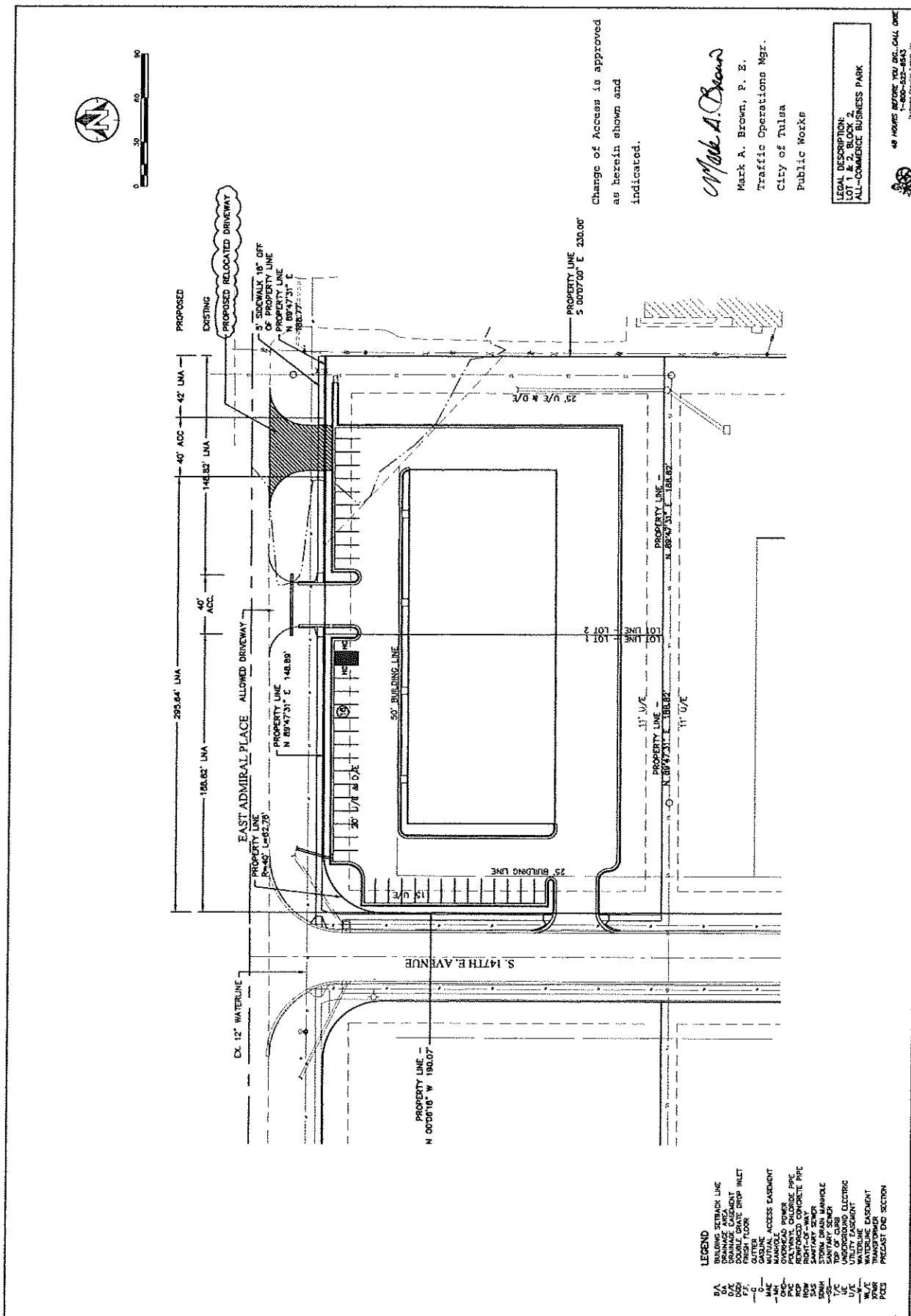


© 2004 Blackwell Publishing Ltd
Journal of Internal Medicine 255: 121–128

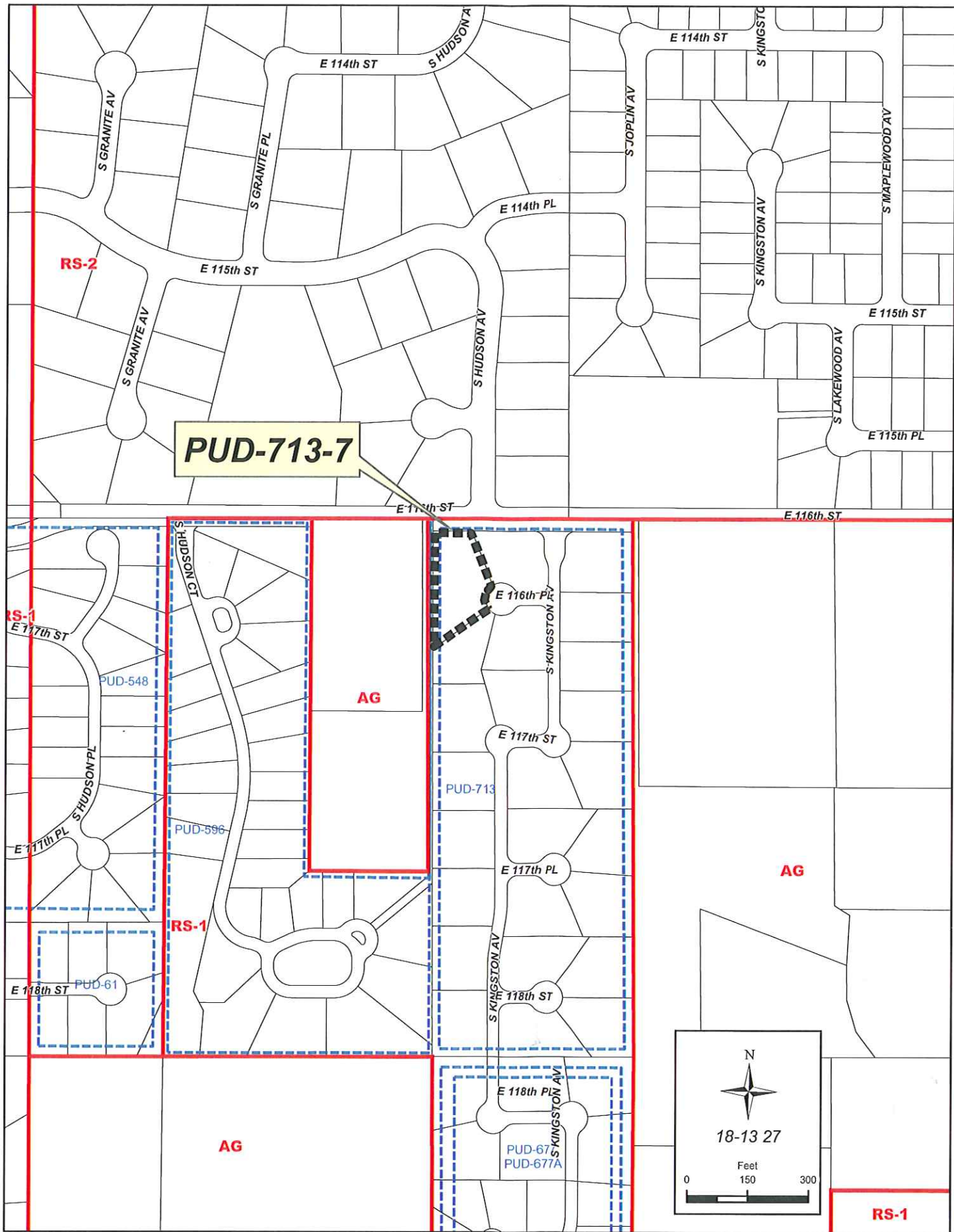
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**THE 14808
BUILDING**

Location:	Tulsa, OK
Date Rec'd:	JUNE 9, 2008
Drawn By:	N. Polster
Drawlog Title:	ACCESS EXHIBIT
Drawlog Number:	1



11.2







N

PUD-713-7

18-13 27

Feet

0 75 150

STAFF RECOMMENDATION

PUD-713-7: Minor Amendment – Northwest, of the northwest corner of 121st Street South and Sheridan Road – approx. ¼ mile east of Sheridan on 116th Street; Lot 2, Block 1 – the Estates of River Oaks; 5905 E. 166th Place; TRS 8334; CZM 57; Atlas 3338; PD-26 CD-8; RS-1/PUD.

The applicant is requesting two minor amendments: one to reduce the required side yard setback along 116th Street from 25' to 17'8", and another to increase the permitted height of a detached accessory structure located in the required rear yard from 18' to 24' (see Exhibits A and B).

The 748 SF proposed garage is located partially in the required rear yard, and partially in the side yard per the definition of each in Section 1800 of the Code which reads:

Yard: An open unoccupied space on a lot between a building and a lot line.

Yard, Required: The minimum permitted distance of open unoccupied space between a building and a lot line.

Yard, Rear: A yard extending along the full length of the rear lot line between the side lot lines.

Yard, Side: A yard extending along a side lot line between the front yard and the rear yard.

There is currently an eight-foot solid screening wall along the lot line in common with the 116th Street ROW (see Exhibit C). Additionally, section 403-5 of the Code States:

When a single-family or duplex lot abuts a non-arterial street right-of-way on two sides, the owner may select the front yard and the other yard abutting the non-arterial public street shall not be less than 15 feet; provided that garages which access this street shall be setback a minimum of 20 feet.

Since this lot is abutted by a non-arterial street on two sides (116th Street and 116th Place), straight zoning and Section 403-5 would allow this structure to be 15' from the property line along 116th Street. Given the aforementioned and the peculiar shape of the lot, staff can support this request.

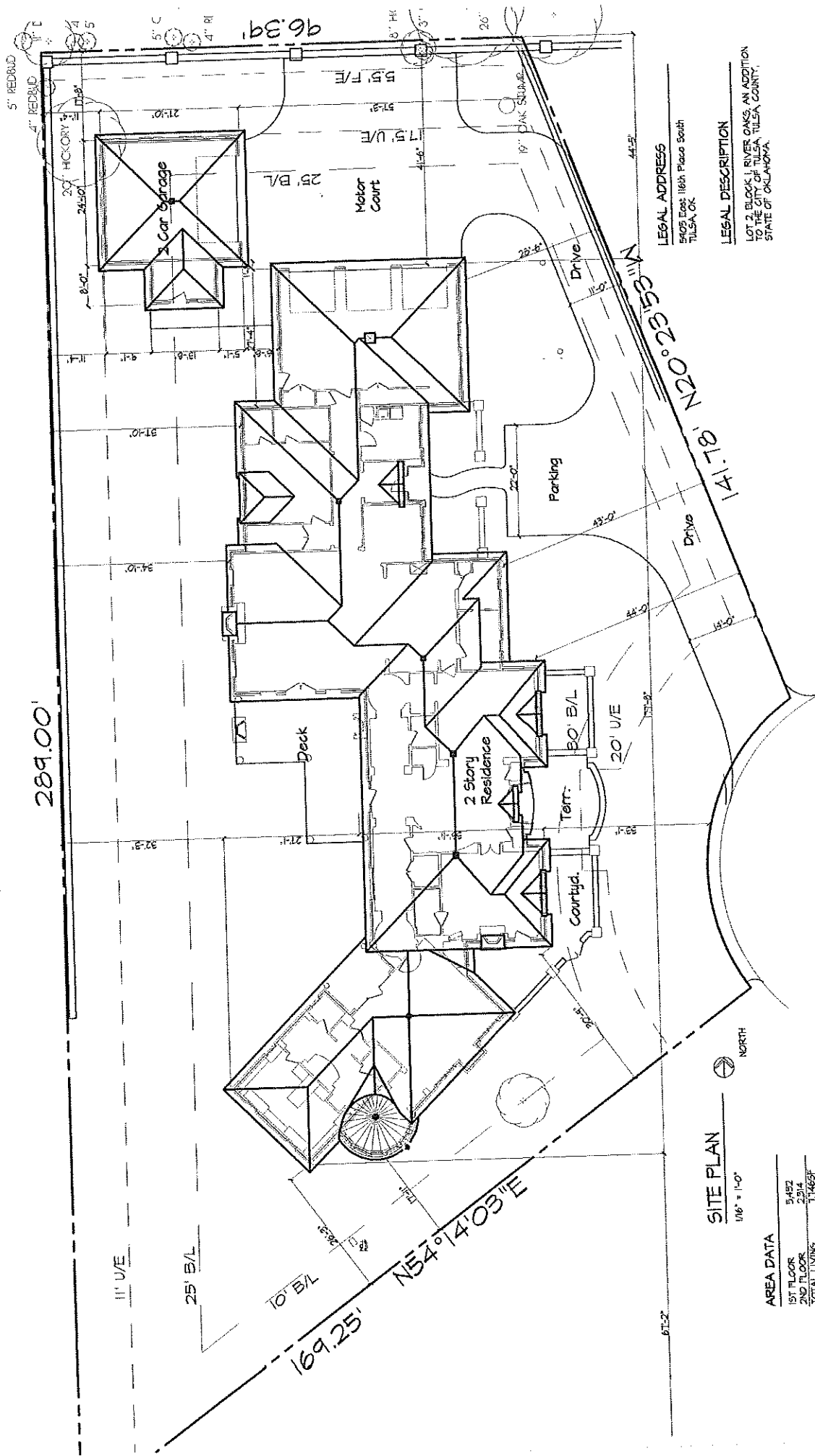
The five-foot increase in building height from 18' to 23' appears minor in nature. The abutting three acres (+/-) tract to the west is zoned AG, and has one large single-family dwelling, approximately 80 feet from the subject tract. This is the garage side of the abutting dwelling's property and is separated by an eight-foot masonry wall (See Exhibit C). While the overall height of the structure may be increased to 24', there

12.4

should be no habitable second floor allowed per Section 210-B, 5a providing no second-story windows overlooking the abutting tract to the west.

Given the aforementioned, staff recommends **APPROVAL** of minor amendment PUD-713-7 allowing the structure to be 24' in total height limited to one-story, and a side setback reduction along 116th Street from 25-feet to 17'8".

Note: Approval of a minor amendment does not constitute building permit approval.



SITE PLAN

1/8" = 1'-0"

AREA DATA

1ST FLOOR	3452
2ND FLOOR	2314
TOTAL LIVING	5766 SF
LOT AREA	80940 SF
LIVABILITY	10605 SF
DET. GARAGE	740 SF
(AREA IN REAR YARD)	340 SF (0.5% OF RT)

LEGAL ADDRESS

5905 East 116th Place South
TULSA, OK

LEGAL DESCRIPTION

LOT 2 BLOCK 1 RIVER OAKS AN ADDITION
TO THE CITY OF TULSA TULSA COUNTY,
STATE OF OKLAHOMA

client:

Meimerstorf Residence

project:

5905 East 116th Place South

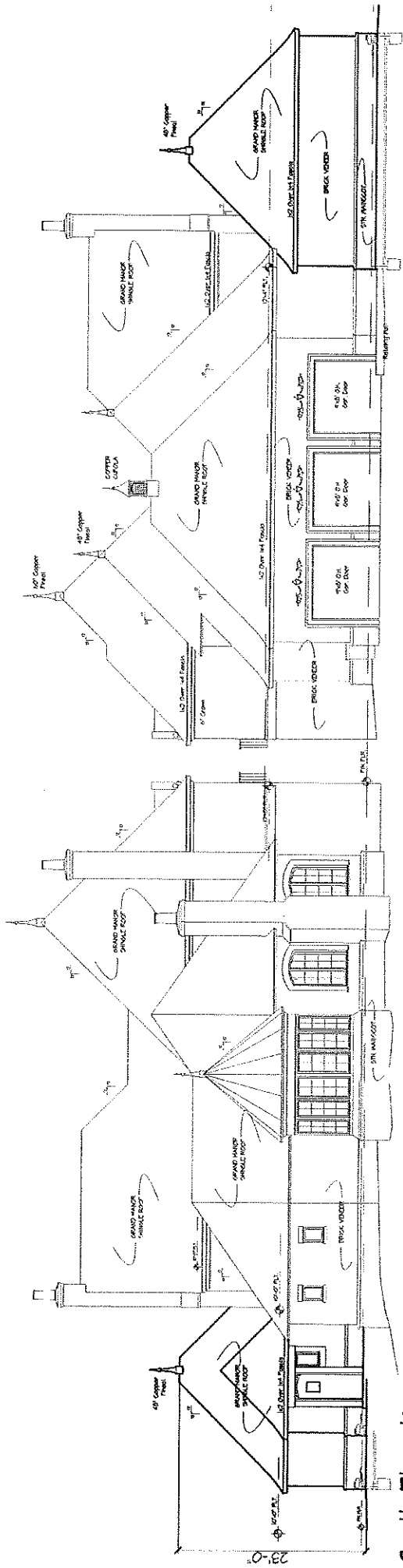


Thomason Design

1000 E. 10th Ave.
Tulsa, Oklahoma
74103-0000

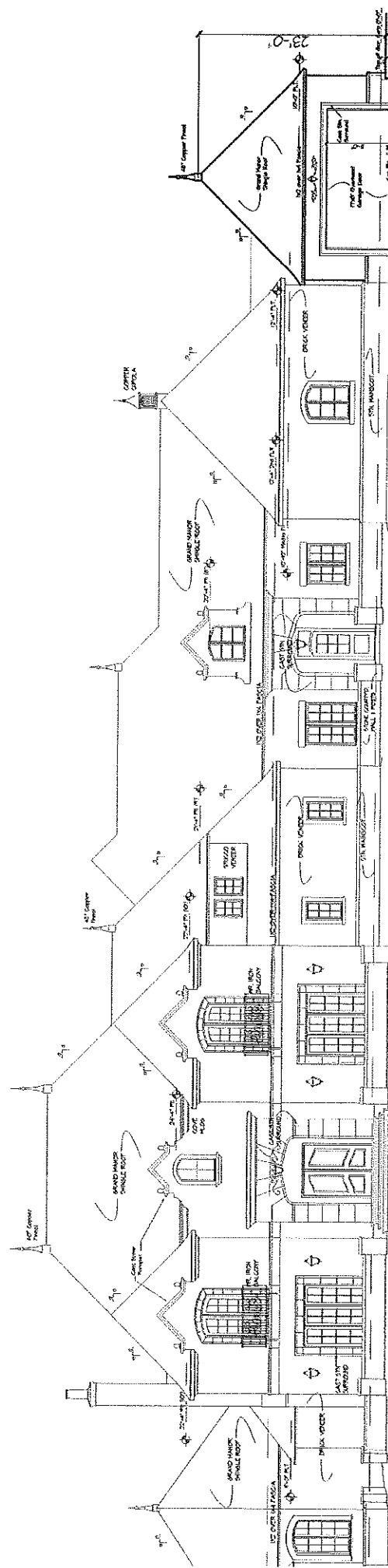
EXHIBIT A

12.6



South Elevation

North Elevation



East Elevation

client: Meimerstorf Residence
 project: 5905 East 116th Place South

date: 2/18/2008
 date: 4/18/2008
 date: 6/14/2008
 note: 5905 E. 116th Pl. S.
 legal: Lot 2, Block 1
 note: Blk. & River Oaks



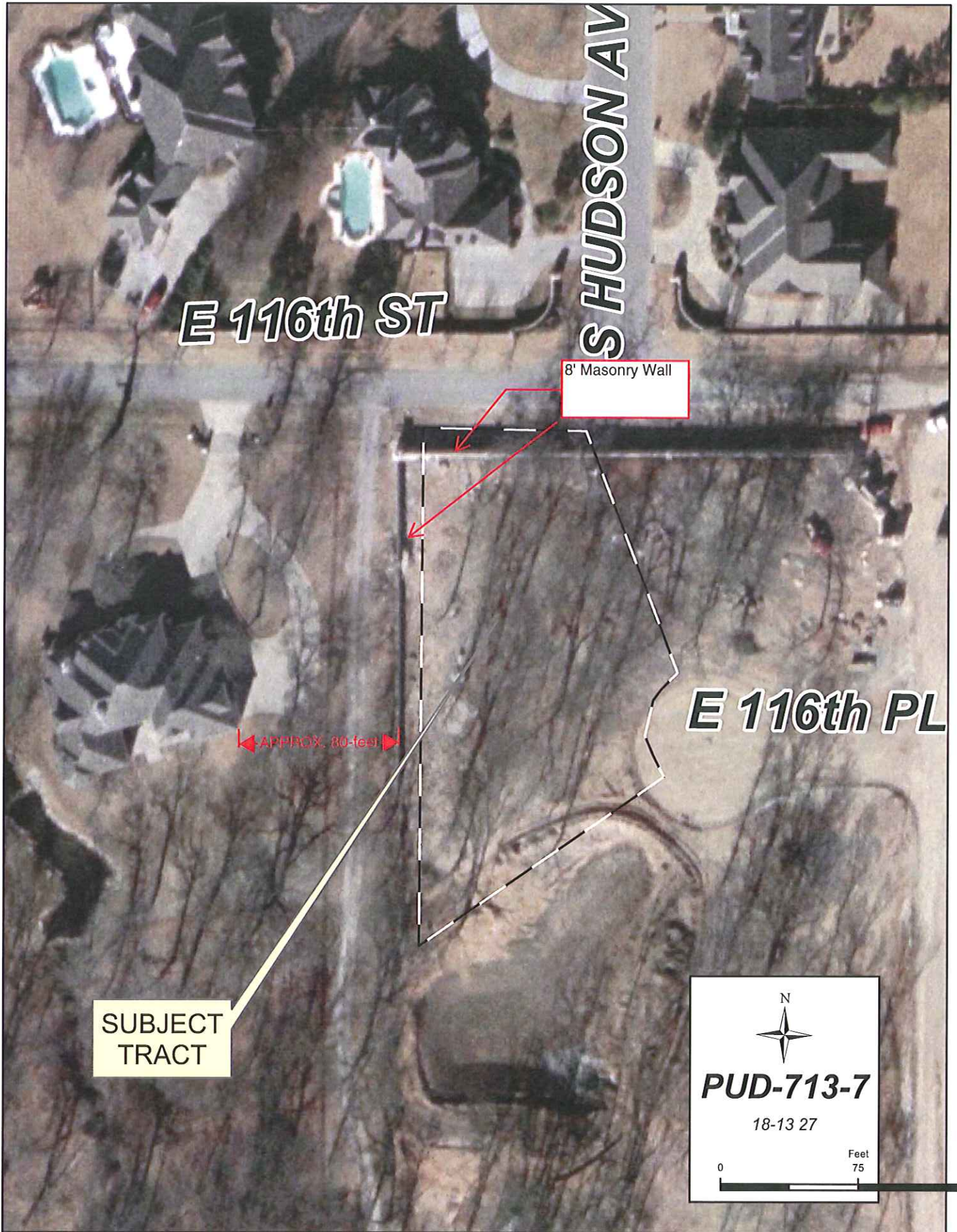
Thomason Design

916.555.5701
 jthomason@comcast.net
 P.O. Box 4303
 Jans, Oklahoma
 74037-0303

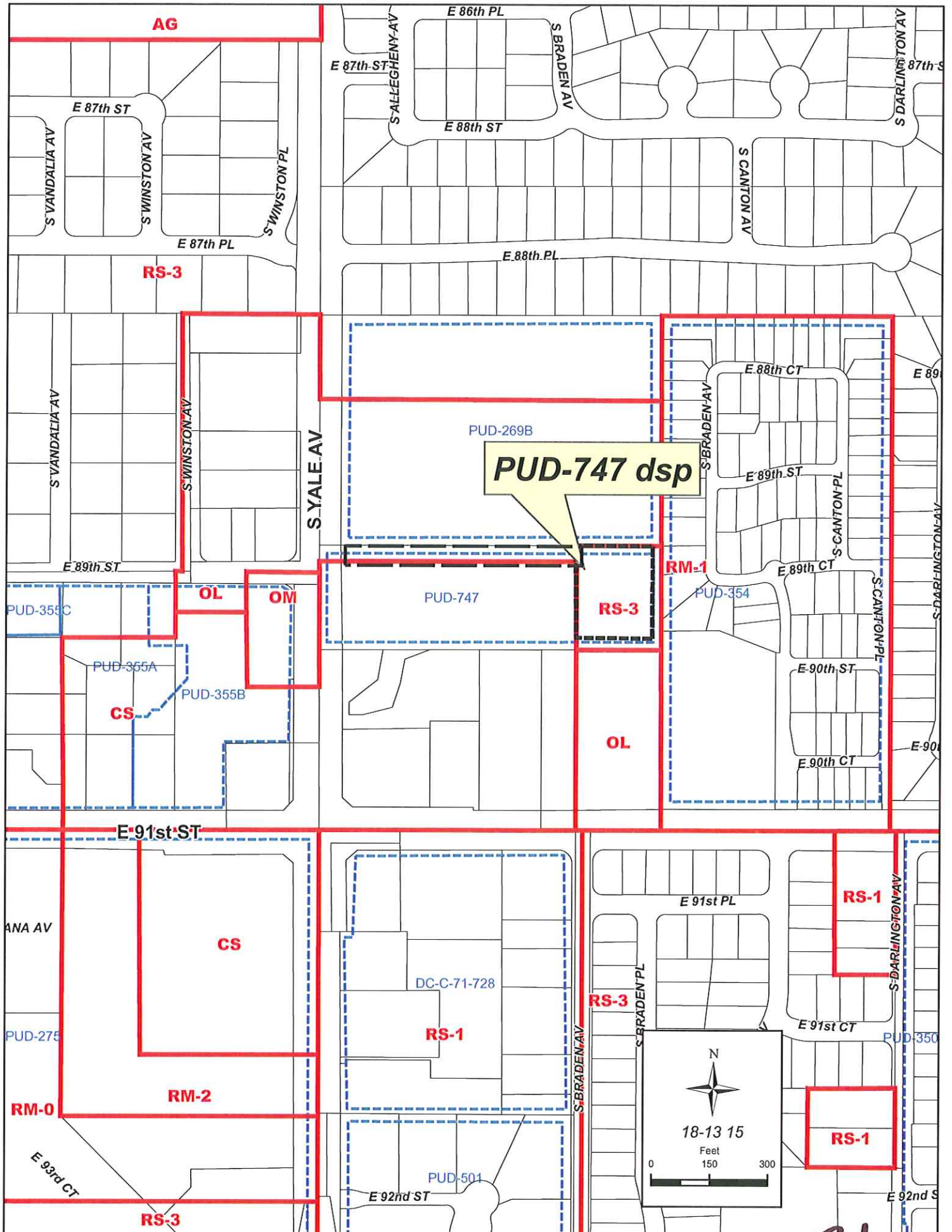
EXHIBIT B

SHEET

12.7



12.8 Exhibit C



13.1



N

PUD-747

18-13 15

Feet

0 150 300



S YALE AV

E 89th ST

SUBJECT TRACT

N

PUD-747

18-13 15

Feet

0 75 150

E 91st ST

S BRADEN AV

E 91st PL
DEN PL

13.3

July 16, 2008

STAFF RECOMMENDATION

PUD-747: Detail Site Plan – North of the northeast corner of South Yale Avenue and 91st Street South; Penn Office Park; TRS 8315; CZM 32; Atlas 1737/1908; PD-18 CD-8; RS-3/OL/PUD.

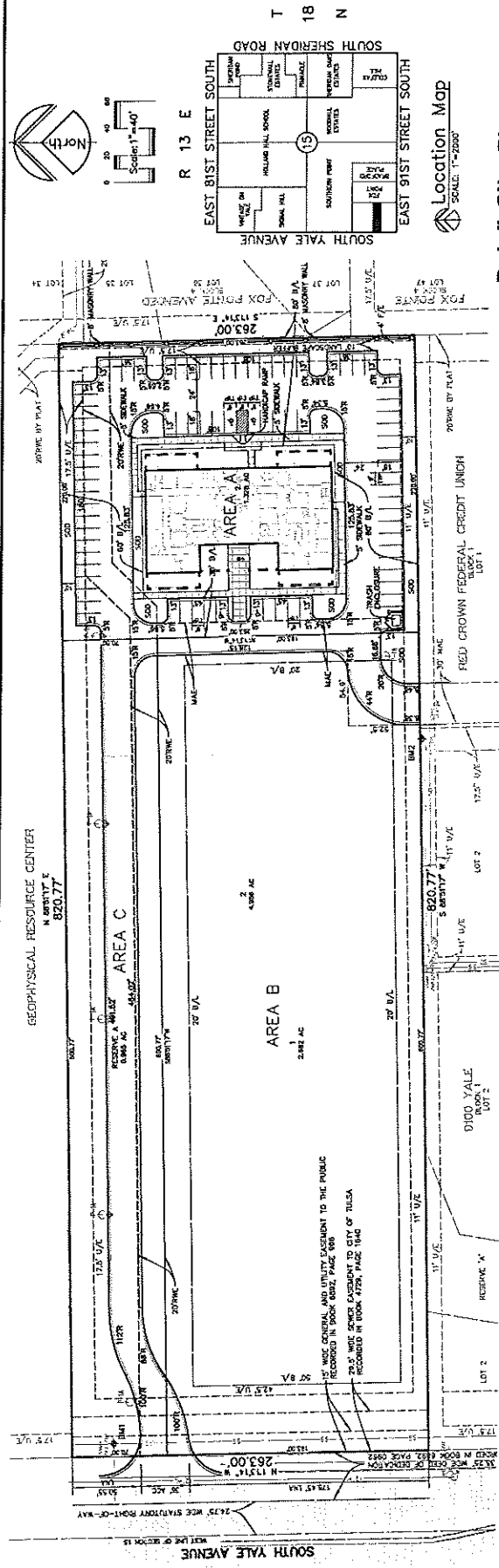
The applicant is requesting approval of a detail site plan for construction of a 19,500 square foot (SF) office building. The proposed Use, Use Unit 11 – Office, Studios and Support Services is a permitted use within Development Area A of the PUD.

The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Parking has been provided per the Zoning Code, and an eight-foot masonry wall will be constructed along the east boundary line per PUD development standards. Landscaping is provided per the Landscape Chapter of the Zoning Code and adopted PUD development standards. Sight lighting is permitted to be 20 feet in height, but will be limited to 13.5 feet in height. All lighting will be directed down and away from adjoining properties per application of the Kennebunkport Formula. A trash enclosure is provided per PUD development standards.

Therefore, staff recommends **APPROVAL** of the detail site plan for Penn Office Park, PUD-747, Development Area A.

(Note: Detail site plan approval does not constitute landscape and sign plan approval.)

13.4



Detailed Site Plan
SCALE: 1" = 40'

Detail Site Plan
Penn Office Park
City of Tulsa, Tulsa County, Oklahoma
PUD No. 747

PLUD No. 747

PUD 747 Development Area "C" Site Data

SCHEMATIC AREA C: _____

NET _____

GROSS _____

0.66 ACRES / 40,964.31 SF

0.66 ACRES / 37,844.31 SF

PERMITTED AND PROPOSED USES

PRIVATE HIGHWAY ACCESS

OFF-STREET PARKING

AS REQUIRED BY THE USE UNIT OF THE TULSA ZONING CODE TO SUPPLEMENT PARKING FOR DEVELOPMENT AREA A.

LANDSCAPED AREA: _____

75% PERCENT (ONE) OF THE LAND AREA SHALL BE LANDSCAPED OPEN SPACE.

LOADINGS

LOADWAYS AND PARKING AREA SHALL STANDARDS IN AREA C SHALL NOT EXCEED 14 FEET IN HEIGHT AND SHALL BE EQUIPPED WITH DETECTORS DIRECTING THE LIGHT DOWNWARD.

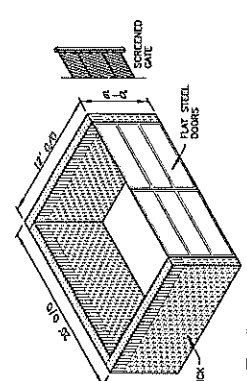
SIGNS

ONE LIGHTED MOVEMENT SIGN SHALL BE IDENTIFIED ALONG THE SOUTH WALK FRONTAGE OF THE DEVELOPMENT AREA C. THE SIGN SHALL BE IDENTIFIED AS "PUD 747 DEVELOPMENT AREA C" AND SHALL NOT EXCEED 16 SQUARE FEET OF DISPLAY SURFACE AREA AND SIX FEET IN HEIGHT.

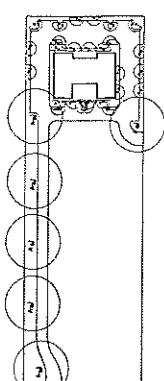
Note:

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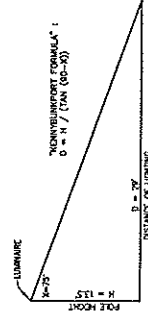
Trash Enclosure Detail
SCALE: NONE



B Site Lighting Plan
SCALE: NONE



Fixture-A-1: Pole



LEGEND—FIXTURE A: POLE

AREA OF L
25.0' RADII

LEGEND—FIXTURE B: COLLAR

13.5

Planting Notes


AT THE COMPLETION OF PLANTING OPERATIONS ALL PLANTS SHALL BE INSPECTED BY THE OWNER. CONTRACTOR SHALL REPLACE IMMEDIATELY ANY PLANTS NOT IN COMPLIANCE WITH THE SPECIFICATIONS. PLANTS THAT ARE NOT CONFORM TO THE OWNER'S SPECIFICATIONS SHALL BE REPLACED AT THE CONTRACTOR'S EXPENSE. PLANTS THAT ARE NOT CONFORM TO THE OWNER'S SPECIFICATIONS SHALL BE REPLACED AS PER THE ORIGINAL SPECIFICATIONS, FREE OF CHARGE TO THE OWNER.




Landscape Requirements		PUD-747	
	REQUIRED	REQUIRED	PROPOSED
-LANDSCAPE WEST OF S MASONRY WALL ON EAST BOUNDARY	10' TREES	10' TREES	PROPOSED
-LANDSCAPE BUFFER WITH LOBBLY TREES	REQUIRED	REQUIRED	PROPOSED
SITE OPEN SPACE (NOT LESS THAN 100')	10% - 4,706 SF	23% - 12,330 SF	
PLAZA (AREA C)	10% - 5,784 SF	40% - 17,879 SF	
PLAZA (AREA D)	REQUIRED	REQUIRED	
15% OPEN SPACE (15% PLANNING SPACES)	5 TREES	5 TREES	15 TREES
15% OPEN SPACE (15% PLANNING SPACES)	3 TREES	3 TREES	3 TREES
STREET WALK 3,530 SF (1 TREE PER 1,400 SF)			



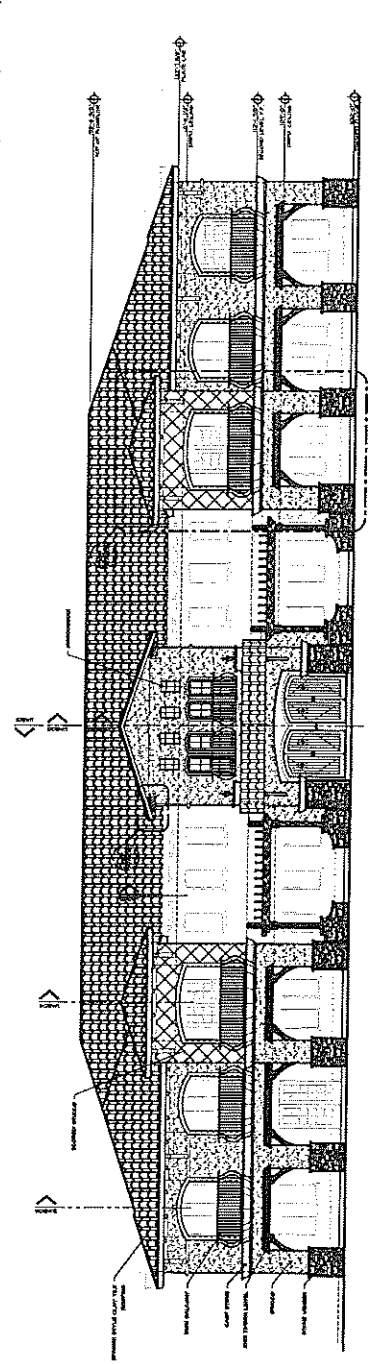
25 | 24 | 23 | 22 | 21 | 20 | 19 | 18 | 17 | 16 | 15 | 14 | 13 | 12 | 11 | 10 | 09 | 08 | 07 | 06 | 05 | 04 | 03 | 02 | 01



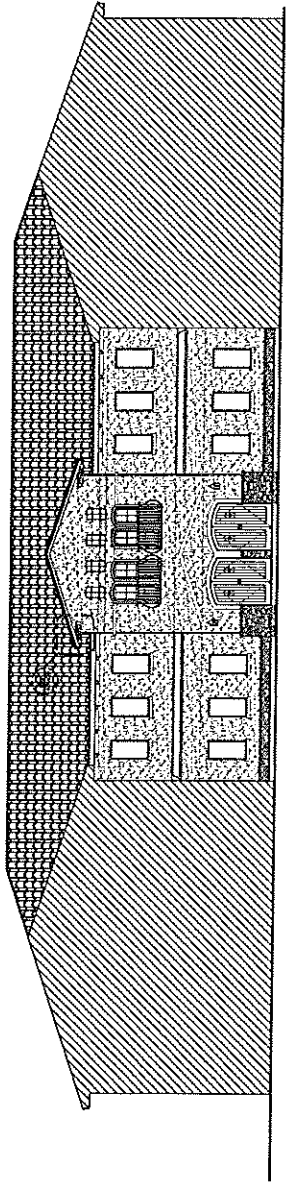
Tanner Consulting, LLC
Land Development Consultants
Tulsa - Edmond - Bartlesville
5002 SOUTH LEWIS AVENUE
TULSA, OK 74105
918.745.9200 (P) 918.745.9889 (F)
www.tannerconsulting-llc.com



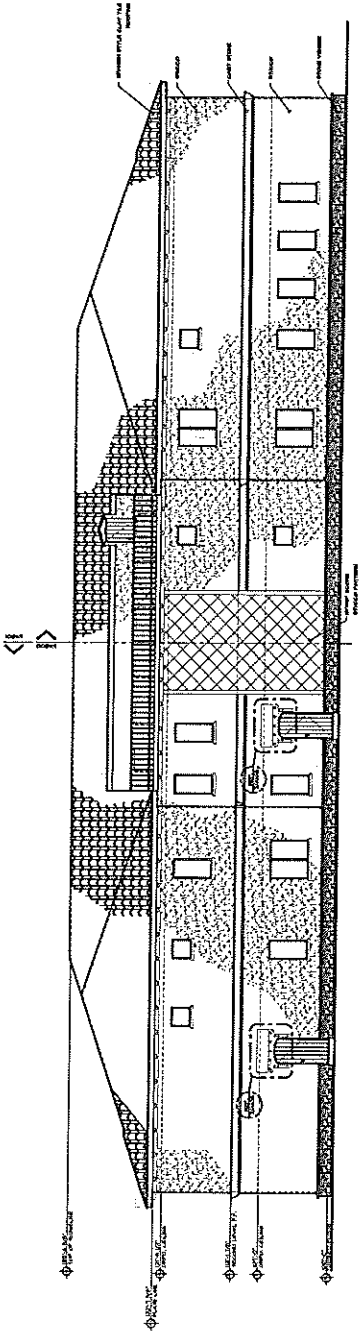
Professional Engineer
Tanner Consulting, LLC
Tulsa, Oklahoma
No. 12345
Exp. 12/31/2010



① WEST ELEVATION
SCALE: 1/8"=1'-0"



② WEST ELEVATION
SCALE: 1/8"=1'-0"



③ EAST ELEVATION
SCALE: 1/8"=1'-0"

Penn/Hendershot
89th and Yale
Tulsa, Oklahoma

OWNER'S NAME: Duke Penn and Bayan Hendershot			
PROJECT NAME: Penn/Hendershot			
DATE: 7/1/2008			
REVISIONS: 1-7/1/08			
NO.	DATE	BY	CHK
1	7/1/08	RAY	
2			
3			
4			
5			
6			
7			
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24			
25			

27089-02-89th and Yale Office

A200

[illegible]

PROJECT NUMBER: A201



13.10

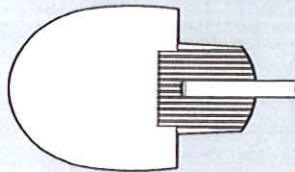
Dimensions - Magnetic Ballast

WP9LM

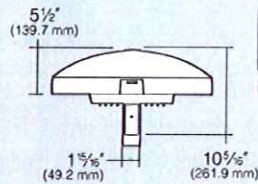
Large Magnetic Ballast
150 to 400 watt
PMH, HPS and MH
Medium or
Mogul Base Lamps

EPA: .95

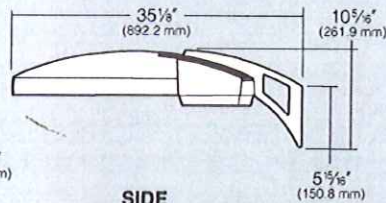
Maximum weight:
41 lb. magnetic



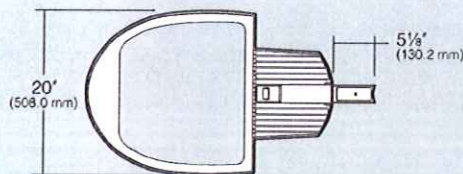
TOP



FRONT



SIDE



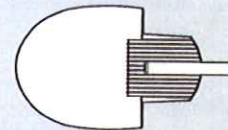
BOTTOM

WP9SM

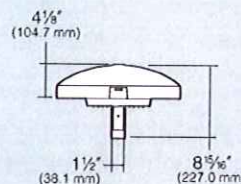
Small Magnetic Ballast
70 to 175 watt
PMH, HPS and MH
Medium Base Lamps

EPA: .52

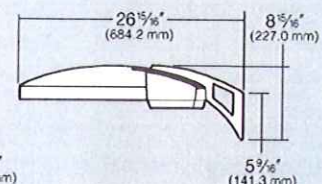
Maximum weight:
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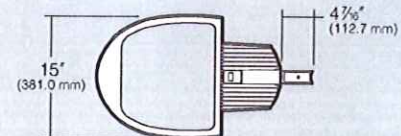
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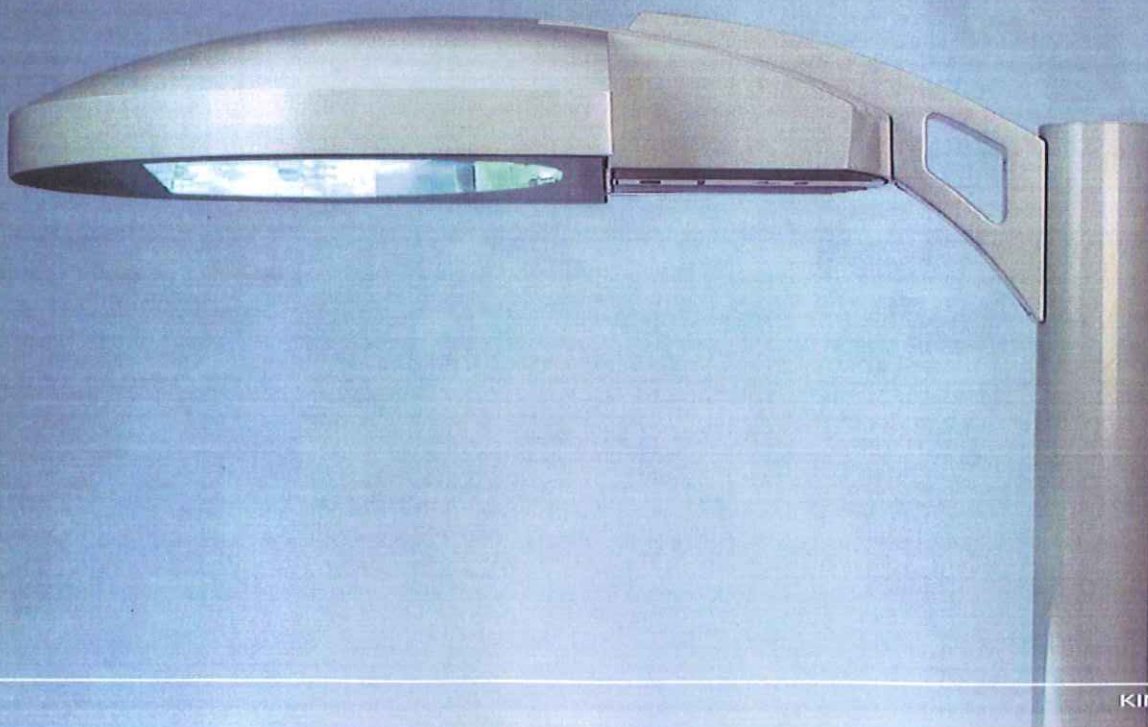
FRONT



SIDE

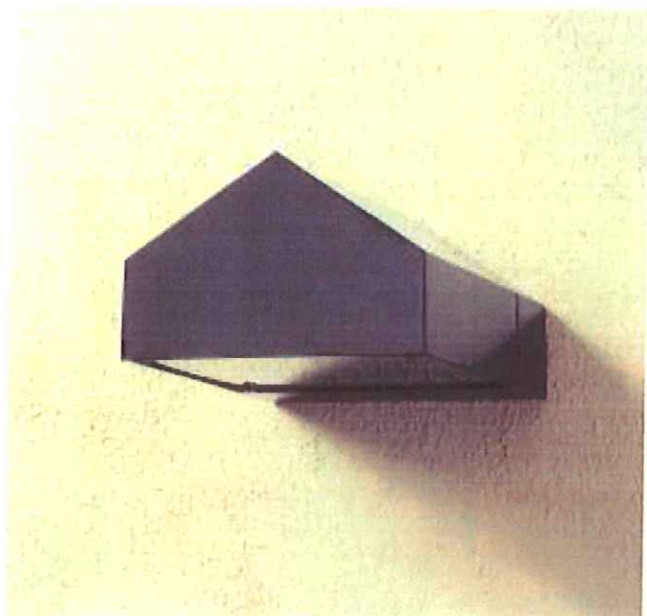
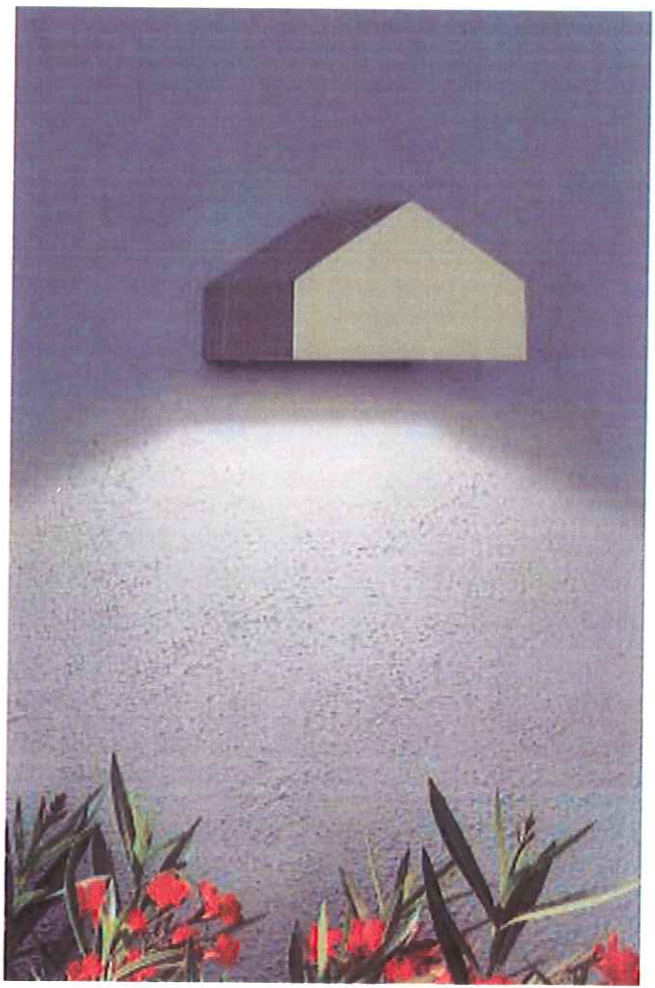
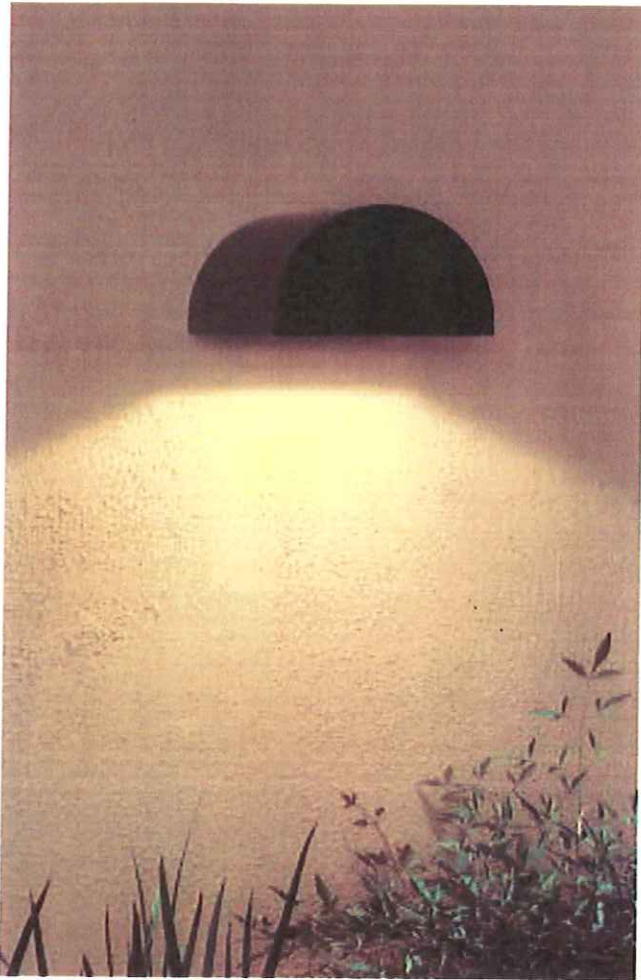


BOTTOM



Site Wallforms

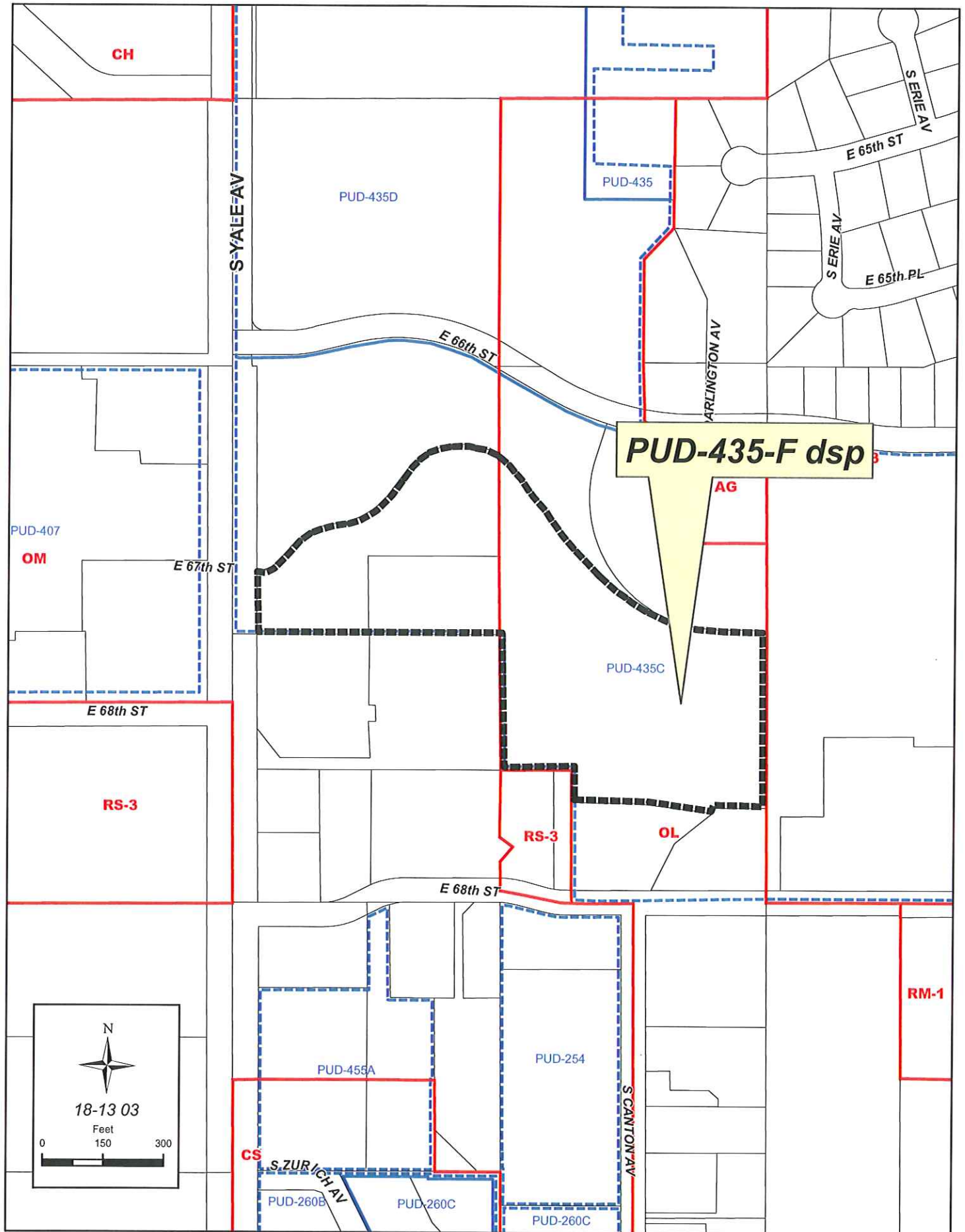
SW1 / SW3



SL

Site Lightforms





14.1



14.2



PUD-435-F dsp

18-13 03

Feet

0 100 200

July 16, 2008

STAFF RECOMMENDATION

PUD-435-F: Detail Site Plan – Southeast corner of 66th Street South and Yale Avenue; Lot 2, Block 1 – Laureate Extended; 6161 South Yale Avenue; TRS 8303; CZM 97; Atlas 1133; PD-18 CD-7; OM/PUD.

The applicant is requesting approval of a detail site plan for a three-story addition to the existing Laureate Psychiatric Clinic as approved by major amendment PUD-435-F approved by the TMAPC on 6/18/08. A subsequent plat waiver and accelerated release of building permit was also approved by the TMAPC on 6/18/08.

The submitted site plan meets all applicable building floor area, open space, average building height and setback limitations (see attached exhibits). Parking has been provided per the Zoning Code. Landscaping is provided per the Landscape Chapter of the Zoning Code and adopted PUD development standards. All sight lighting, including building-mounted will be limited to 30-feet in height and is directed down and away from adjoining properties per application of the Kennebunkport Formula. Trash enclosures and equipment areas, including building-mounted are screened from the view of a person standing at ground level.

Therefore, staff recommends **APPROVAL** of the detail site plan for the (3) three-story addition and associated amenities for the Laureate Psychiatric Clinic, PUD-435-F.

(Note: Detail site plan approval does not constitute landscape and sign plan approval.)

14.4

PROJECT: SAINT FRANCIS HEALTH SYSTEM
PAGE: EAST BUILDING ELEVATION
DATE: 08/14/14
DRAWN BY: J. B. BROWN
CHECKED BY: J. B. BROWN
SCALE: 1/8" = 1'-0"

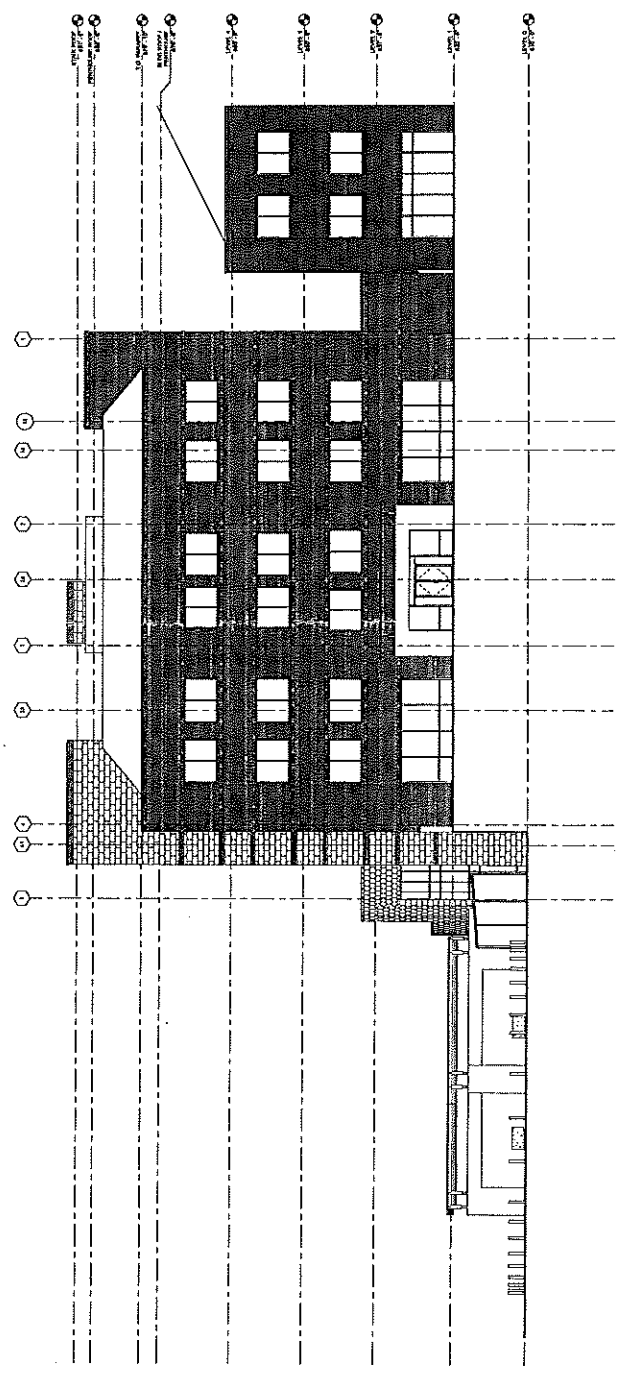
OWNER: SAINT FRANCIS HEALTH SYSTEM
ARCHITECT: J. B. BROWN & ASSOCIATES, INC.
6161 SOUTH YALE AVE.
TULSA, OK 74136-1902
TEL: 918.436.1902
FAX: 918.436.1901
WWW.JBBANDASSOCIATES.COM

SaintFrancis
Health System
LAUREATE FMRI OVERBUILD
6161 SOUTH YALE AVE.
TULSA, OK 74136 - 1902

NOT FOR
CONSTRUCTION

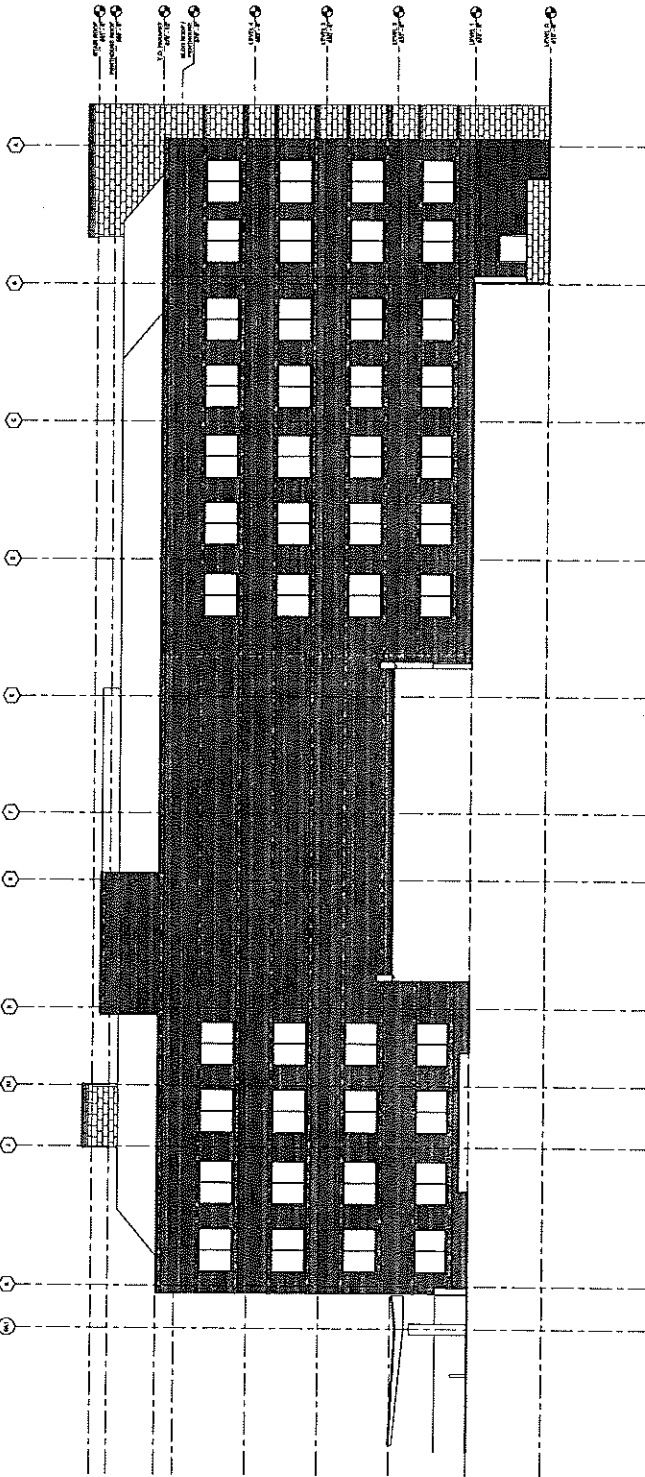
BUILDING ELEVATION

A-201



01 EAST BUILDING ELEVATION
SCALE: 1/8" = 1'-0"

14.6



01 NORTH BUILDING ELEVATION
SCALE: 1/8" = 1'-0"

PineSolidHandPays
 ARCHITECTURAL, ENGINEERING, INTERIOR DESIGN, LANDSCAPE ARCHITECTURE
 PINE SOLID HAND PAYS, LLP
 10000 N. 100th Ave.
 Suite 100
 Greenwood Village, CO 80111
 Tel: 303.751.1000
 Fax: 303.751.1001
 www.pinesolidhandpays.com

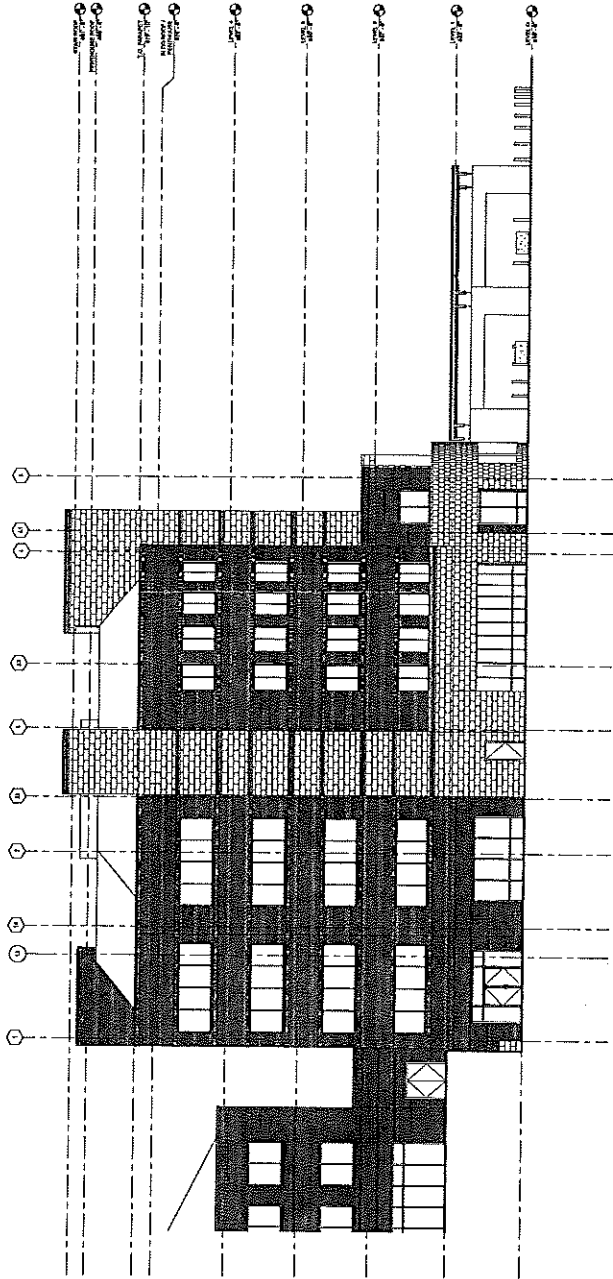
SAINT FRANCIS HEALTH SYSTEM
 6161 SOUTH YALE AVE.
 TULSA, OK 74136
 TEL: 918.466.1000
 FAX: 918.466.1001
 WWW.SFHS.ORG

SaintFrancis
 Health System
 LAUREATE FMRI OVERBUILD
 6161 SOUTH YALE AVE.
 TULSA, OK 74136 - 1902

**NOT FOR
 CONSTRUCTION**

BUILDING ELEVATION

A-203



01 WEST BUILDING ELEVATION
 SCALE 1/8" = 1'-0"

4/2/2018 10:31 AM
 C:\Users\p\OneDrive\Documents\Projects\1902\1902-01\1902-01.dwg

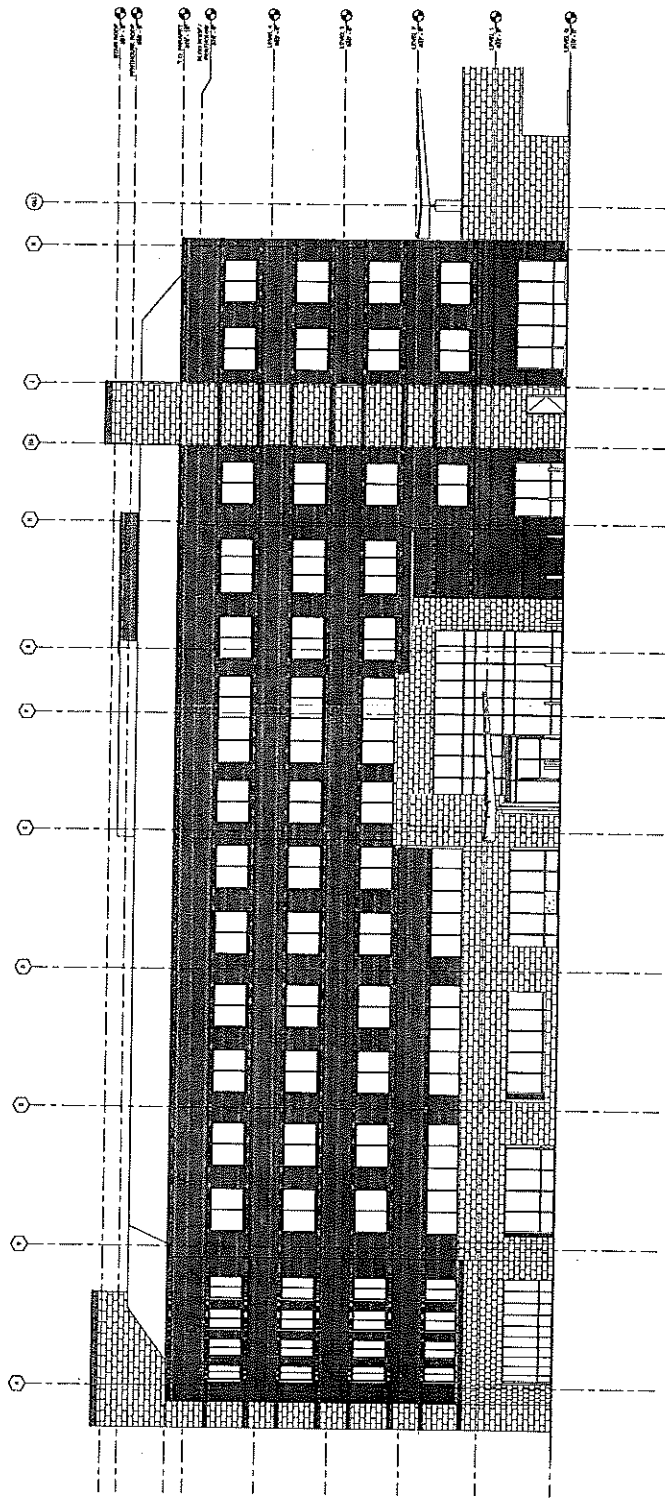
14.8



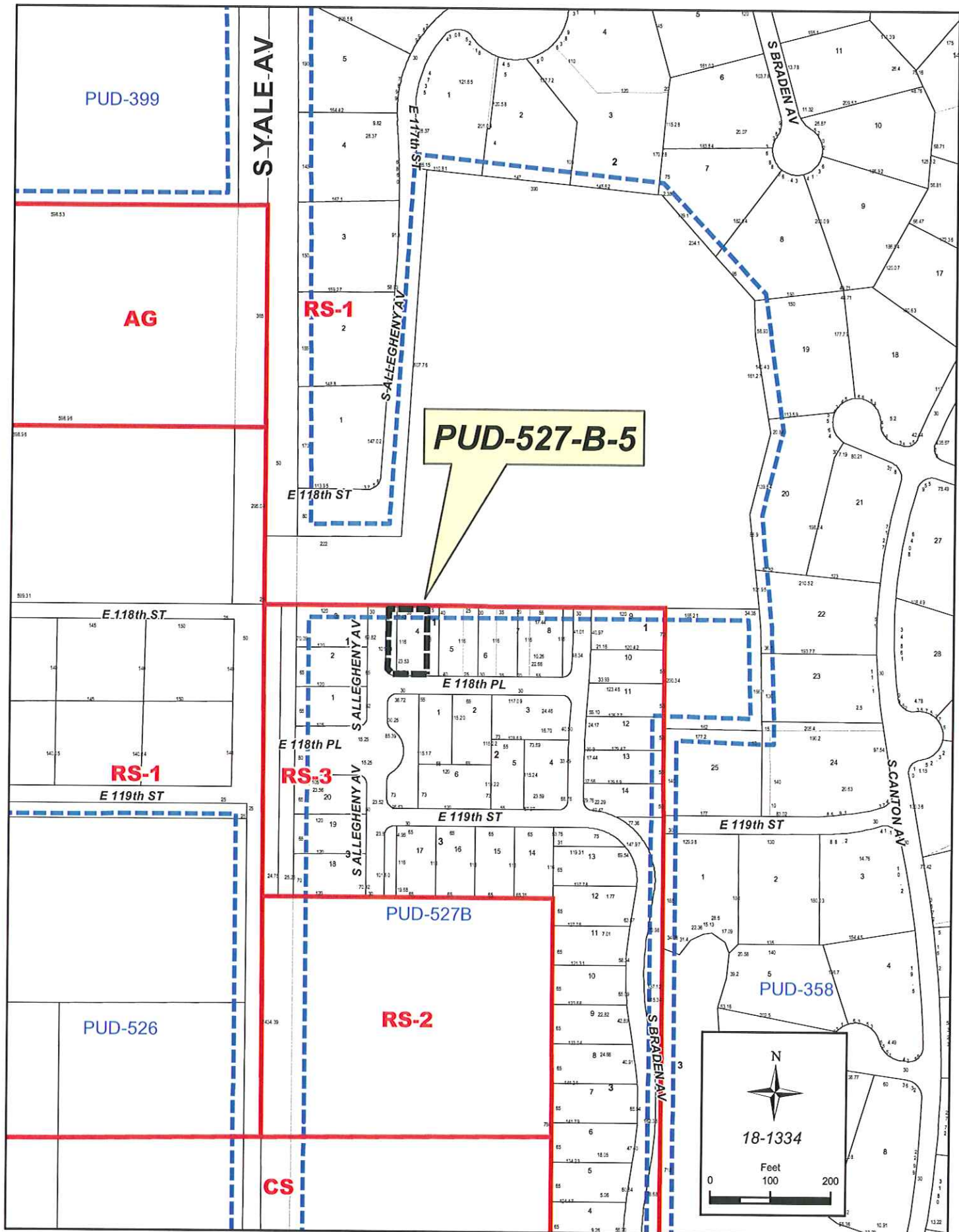
NOT FOR
 CONSTRUCTION

BUILDING ELEVATION

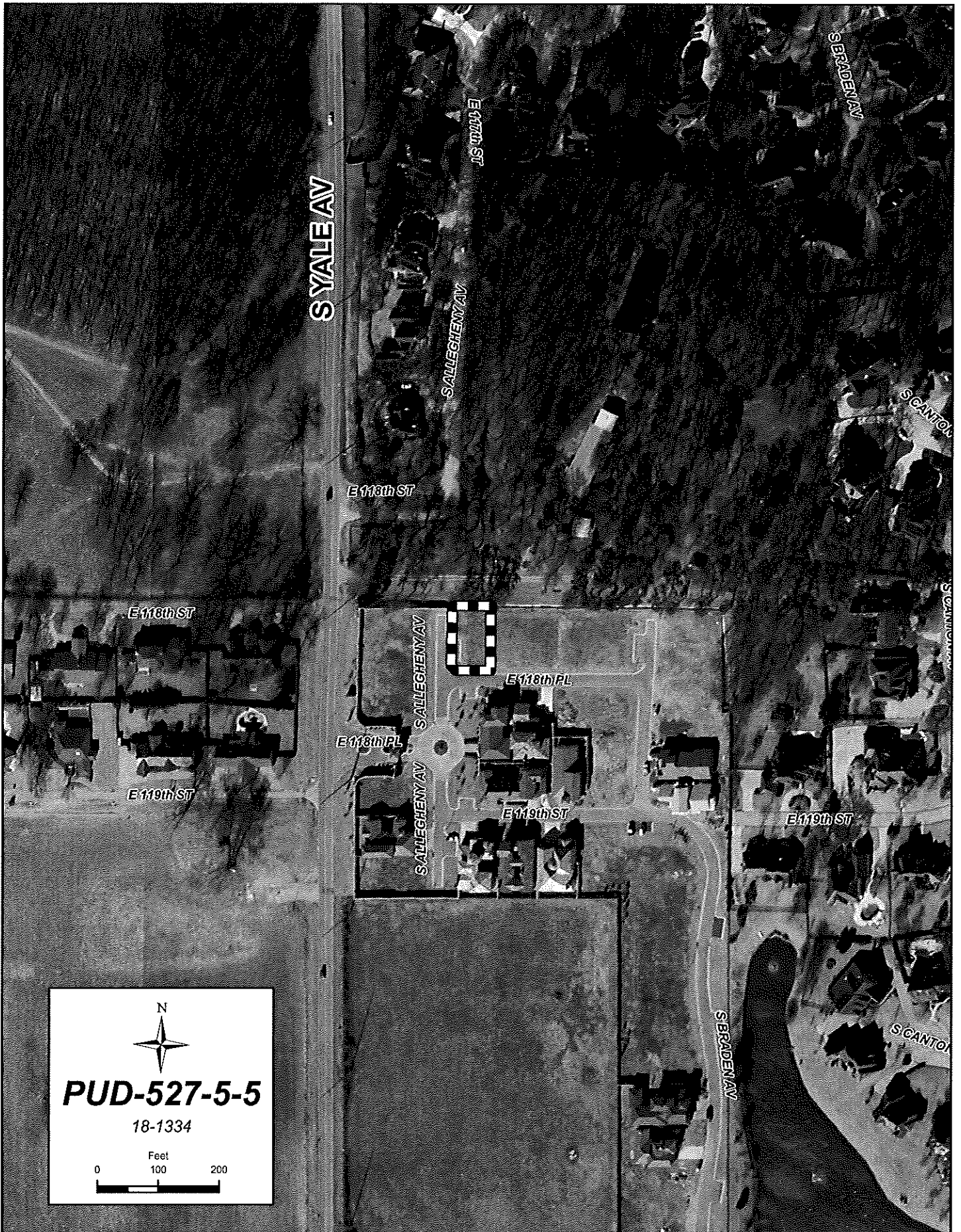
A-204



01 SOUTH BUILDING ELEVATION
 SCALE: 1/8" = 1'-0"



15.1





15.3

July 16, 2008

STAFF RECOMMENDATION

PUD-527-B-5: Minor Amendment – Northeast, of the northeast corner of Yale Avenue and 121st Street South; Reserve D – The Villas of Tuscany; TRS 8334; CZM 57; Atlas 1134; PD-18 CD-8. RS-2/PUD.

The applicant is requesting a minor amendment to allow access to Lot 4, Block 1 – the Villas at Tuscany through the immediately adjacent Reserve D (see Exhibit A).

The approval of PUD-527 and PUD-527-B did not establish permitted uses, or limit permitted uses in the Reserve Areas within the PUD. PUD-527-A was abandoned on 12/20/2000.

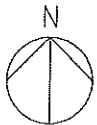
With respect to the open space requirement for the PUD, this request will have a negligible affect. The land area of the PUD, in combination with how much open space is allocated on each lot, requires that the reserve areas have no less than 46,000 square feet (SF) of open space in the aggregate. This request, which would eliminate 560 square feet of open space, would bring the total open space in all reserve areas to 78,800 SF, 58% more than required.

Since there is no use guidelines established for the Reserve Areas in this PUD, it is staff's interpretation that access through the reserve area can be permitted. Per Section 1206 of the Code residential single-family lots are required to provide off-street parking. As a result of the aforementioned, and in combination with the reserve areas being in common ownership of the homeowners association and that there are four existing "guest" parking spaces in this reserve area (see attached case aerial photograph) staff can support this request.

Therefore staff recommends **APPROVAL** of minor amendment PUD-527-B-5 permitting access to Lot 4, Block 1 - The Villas at Tuscany only, through Reserve D (as depicted on the attached Exhibit A).

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.

15.4



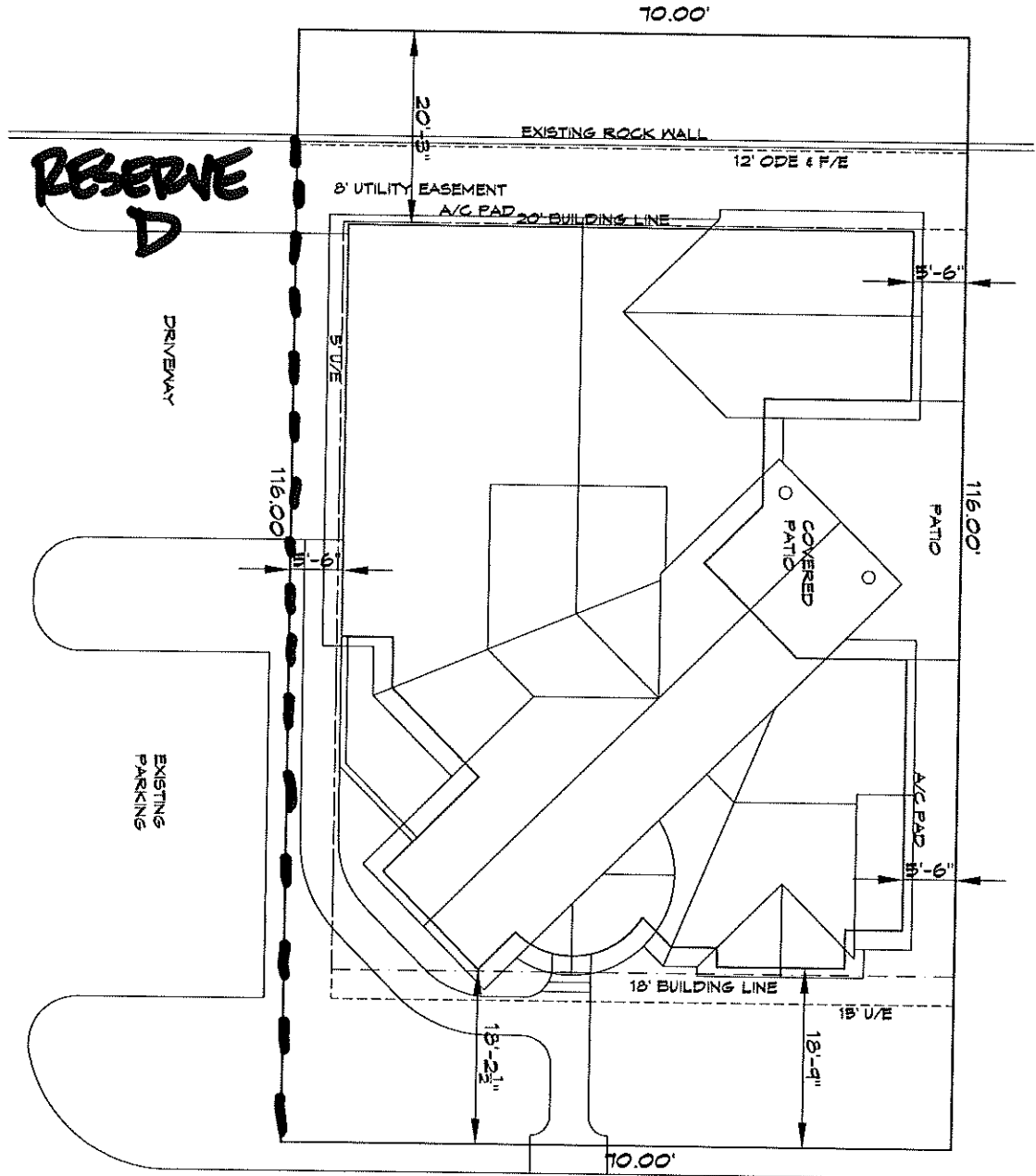
1

SITE PLAN

1/8" = 1'-0"



CENTERLINE SO. ALLEGHENY AVE.



CENTERLINE E. 118TH PL. SO.

15.5
Exhibit A

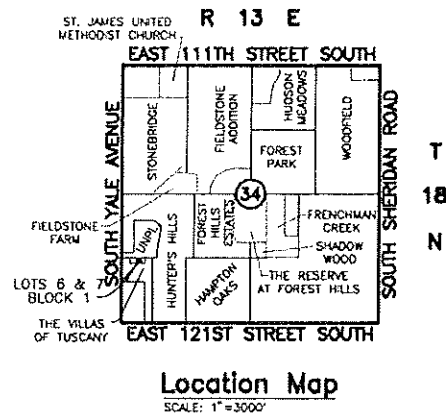
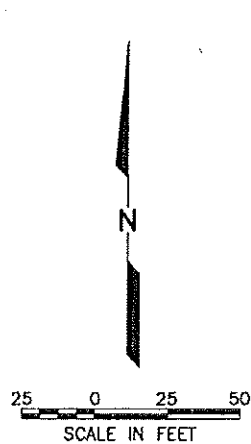
LEGAL DESCRIPTION OF EASEMENTS TO BE CLOSED

Two tracts of land being part of Lots 6 and 7, Block 1 of THE VILLAS OF TUSCANY, Plot Number 5666, an addition in the SW/4 of the SW/4 of Section 34, T-18-N, R-13-E of the Indian Base and Meridian in the City of Tulsa, Tulsa County, State of Oklahoma, described as follows:

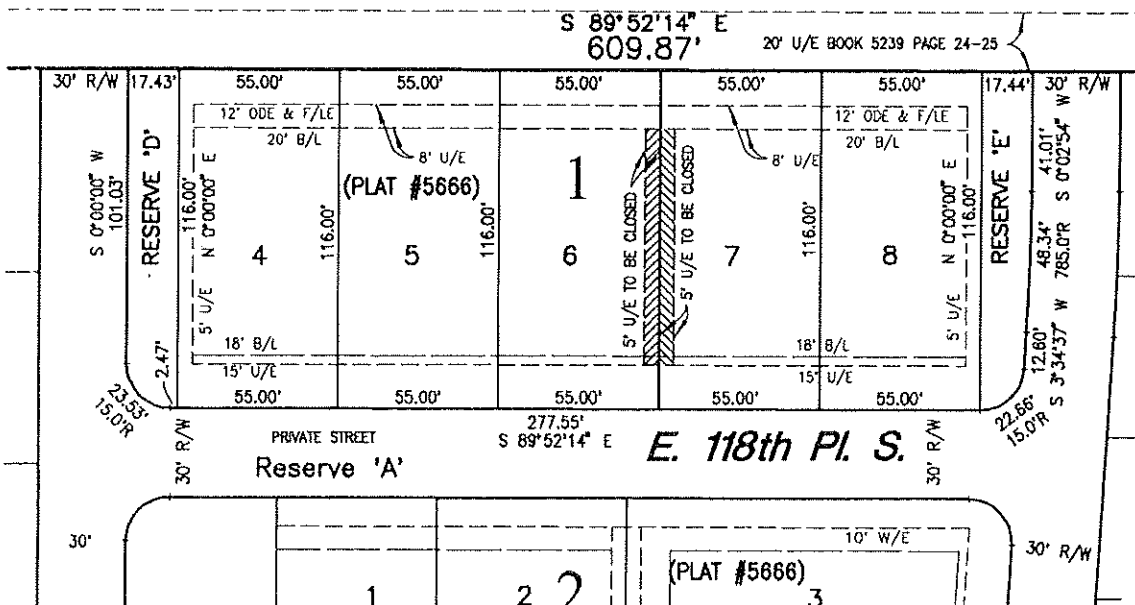
That part of Lot 6, Block 1 commencing at the Northwest corner of Lot 6, Block 1 of THE VILLAS OF TUSCANY; thence S89°52'14"E a distance of 55.00 feet to the Northeast corner of said Lot 6; thence S00°00'00"E a distance of 20.00 feet to the Point of Beginning; thence S89°52'14"E a distance of 5.00 feet; thence S00°00'00"E a distance of 81.00 feet; thence N89°52'14"W a distance of 5.00 feet; thence N00°00'00"E a distance of 81.00 feet to the Point of Beginning, and containing 405.00 square feet, more or less.

And,

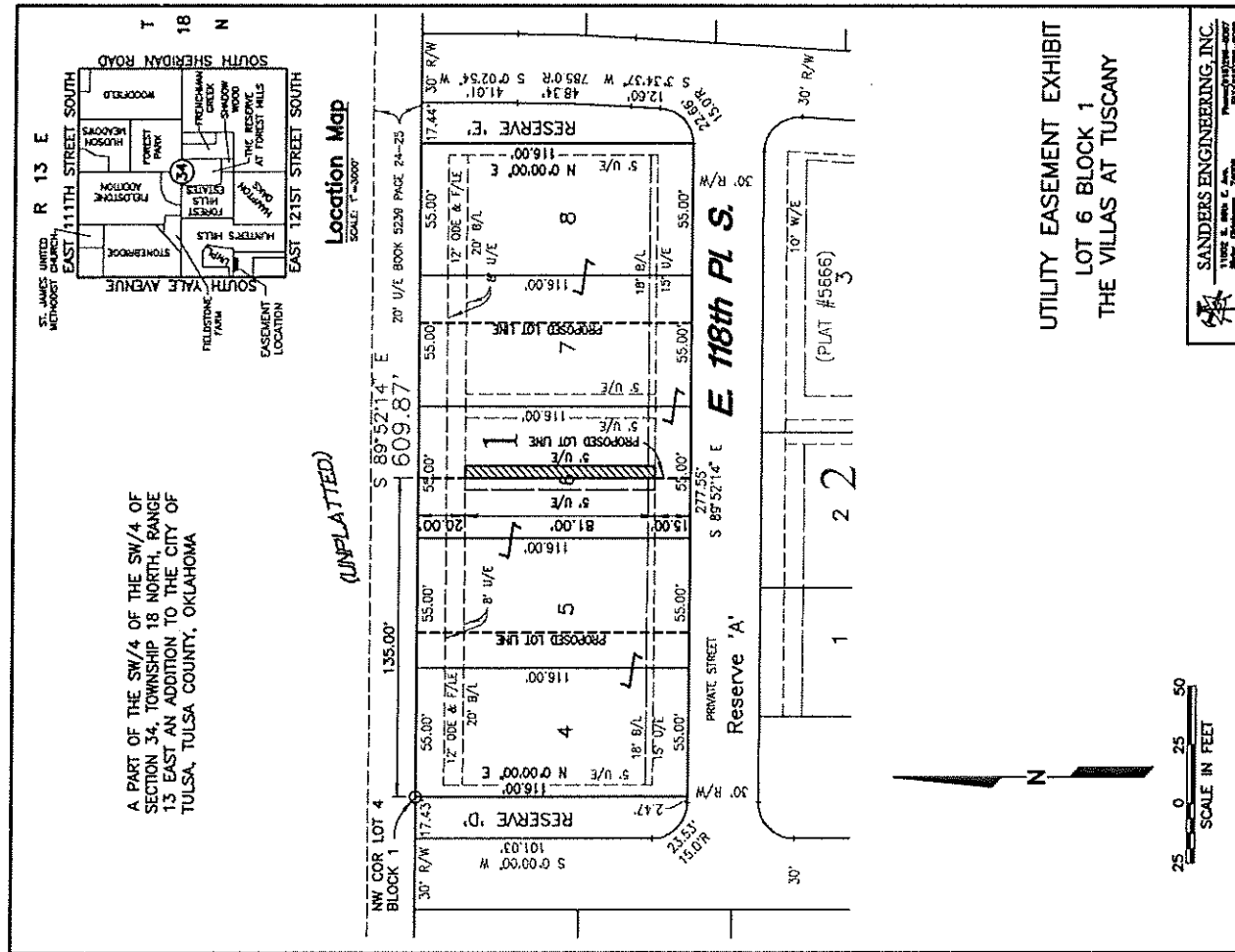
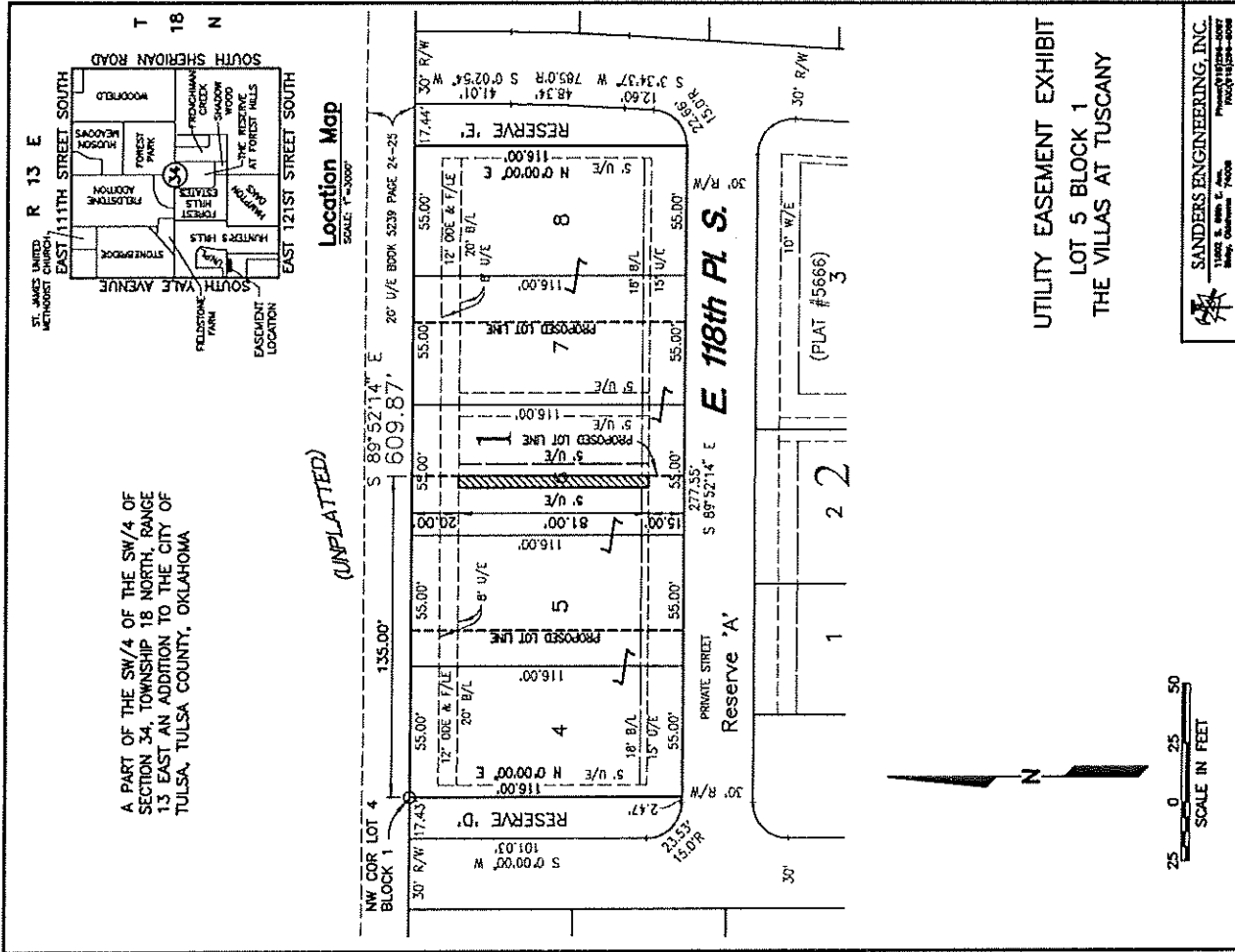
That part of Lot 7, Block 1 commencing at the Northwest corner of Lot 6, Block 1 of THE VILLAS OF TUSCANY; thence S89°52'14"E a distance of 55.00 feet to the Northeast corner of said Lot 6; thence S00°00'00"E a distance of 20.00 feet to the Point of Beginning; thence N89°52'14"W a distance of 5.00 feet; thence S00°00'00"E a distance of 81.00 feet; thence S89°52'14"E a distance of 5.00 feet; thence N00°00'00"E a distance of 81.00 feet to the Point of Beginning, and containing 405.00 square feet, more or less.



(UNPLATTED)

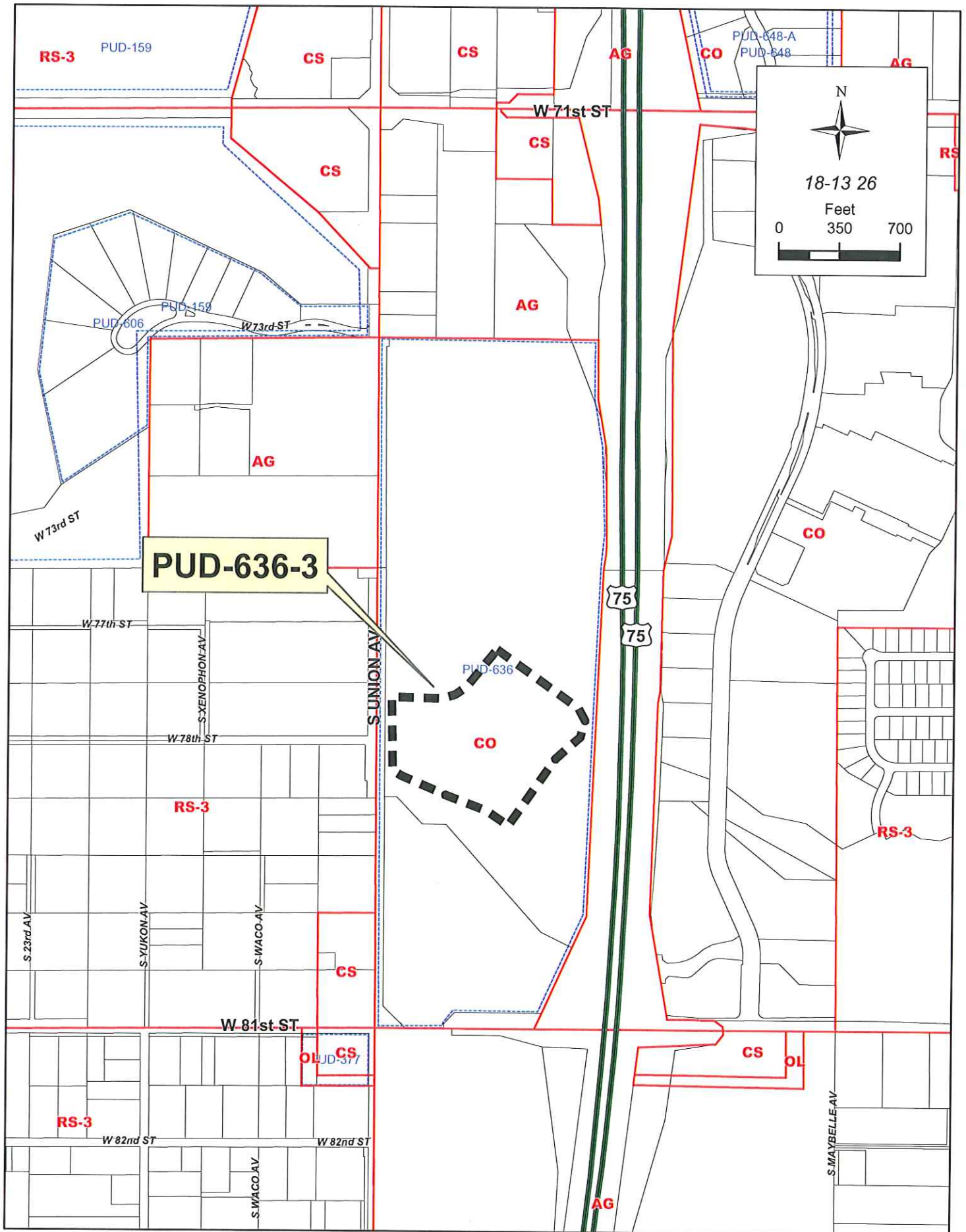


15.6




One Esmt. Doc# 2007-078487

15.7



16.1

N

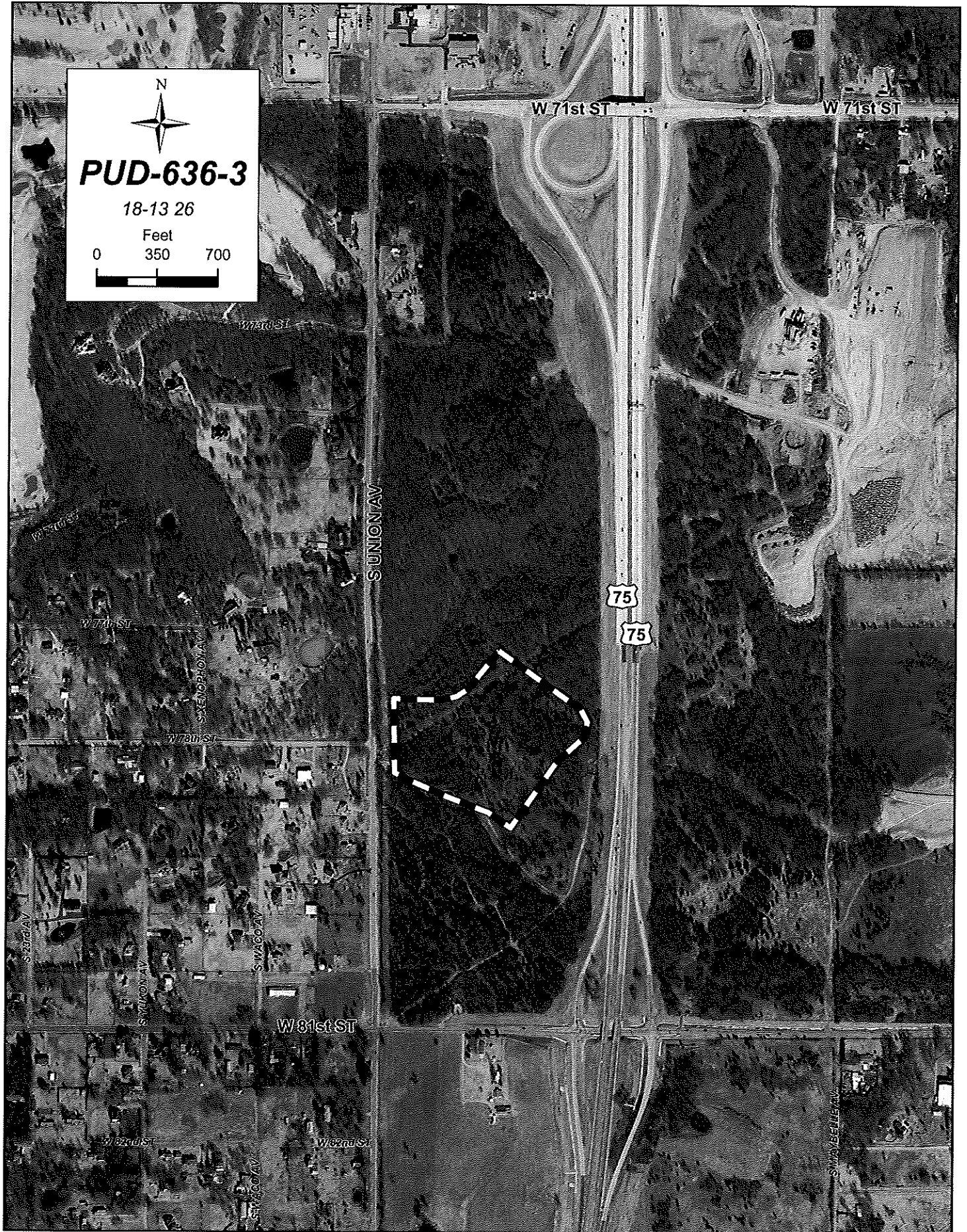



PUD-636-3

18-13 26

Feet

0 350 700



July 16, 2008

STAFF RECOMMENDATION

PUD-636-3: Minor Amendment – Unplatted and vacant land at the northwest corner of W. 81st Street and U.S. Highway 75; TRS 8211; CZM 51; PD 8 CD 2; CO/PUD.

The applicant is requesting a minor amendment to clearly establish the number of multifamily dwelling units permitted by the existing development standards for Development Areas B, D and E of PUD-636 (See Exhibit A).

The PUD-636 was approved as a seven development area PUD as depicted on Exhibit A, allowing multifamily dwellings in Development Areas B, C, D, E, and F. Exhibit B represents the net and gross areas of all of the development areas and the designated uses within those areas.

PUD-636 has been amended twice. Minor amendment PUD-636-1 permitted single-family uses in Areas D and E. Minor amendment PUD-636-2 allowed single-family uses in Areas A, B, and C. The approval of these minor amendments may have had the unintended effect of eliminating the previously approved multifamily uses which was not the intent of either minor amendment. Specifically, the case report for PUD-636-1 reads:

Staff can support the proposed minor amendment to develop single-family residential uses rather than multifamily residential (emphasis added) in Development Areas D and E. Therefore, staff recommends **APPROVAL** of PUD-636-1.

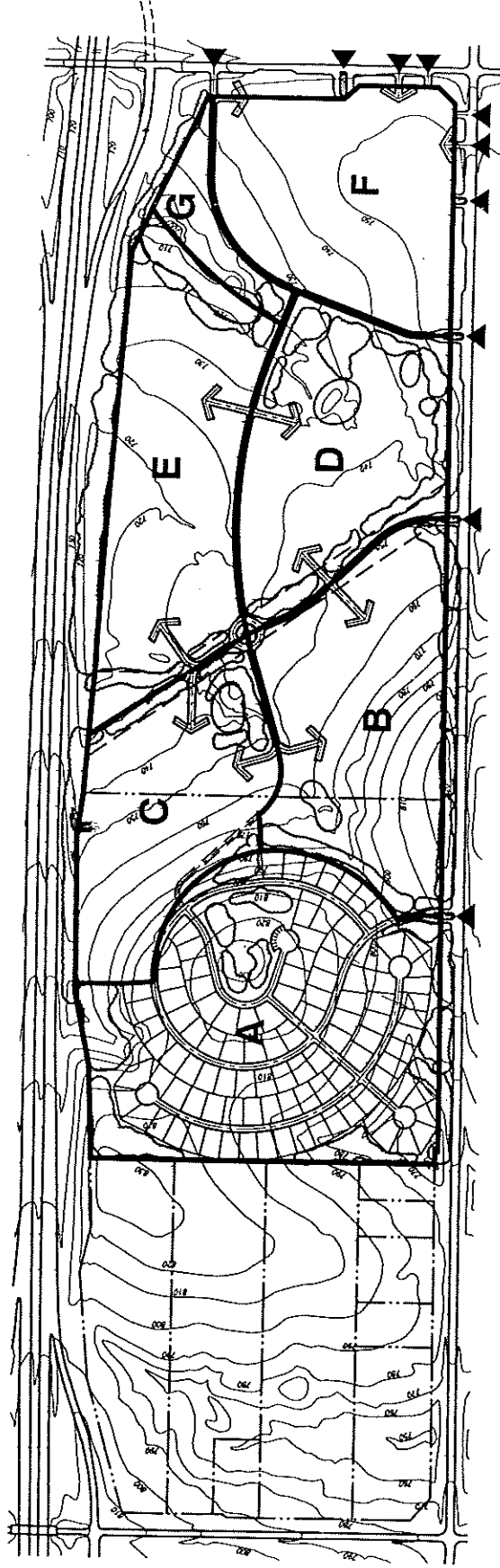
In order to permit the construction of 310 multifamily dwelling units as previously approved, this minor amendment application is made and supported by staff re-establishing the following as permitted densities of multifamily development in Areas B, D, and E, of which the multifamily use is already permitted under PUD-636:

Dev. Area	Acres	Dwelling Unit (du)/acre allowed	DU allowed	DU as Proposed
Area B	1.865	20	37.3	12
Area D	8.601	20	172.02	188
Area E	4.26	30	127.8	110
Total			337.12	310

16.3

Therefore staff recommends **Approval** of Minor Amendment PUD-636-3 establishing permitted multi-family densities for Development Areas B, D, and E of PUD-636. All other development standards for all development areas of PUD-636 shall remain applicable.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.



Scale 1" = 400' 0"

North Arrow

"A master planned in-fill community"

EXHIBIT
DEVELOPMENT /

AREA	ZONING	NET ACRES	GROSS ACRES
area A	Residential Park	25.29 acres	25.39 acres
area B	Multi-family	1.88 acres	1.88 acres
area C	Multi-family	15.65 acres	16.84 acres
area D	Multi-family	12.62 acres	13.23 acres
area E	Multi-family	13.25 acres	15.09 acres
area F	Multi-family	16.53 acres	17.51 acres
area G	Commercial	13.87 acres	14.84 acres
	Commercial	2.14 acres	2.80 acres

▲ Access Point

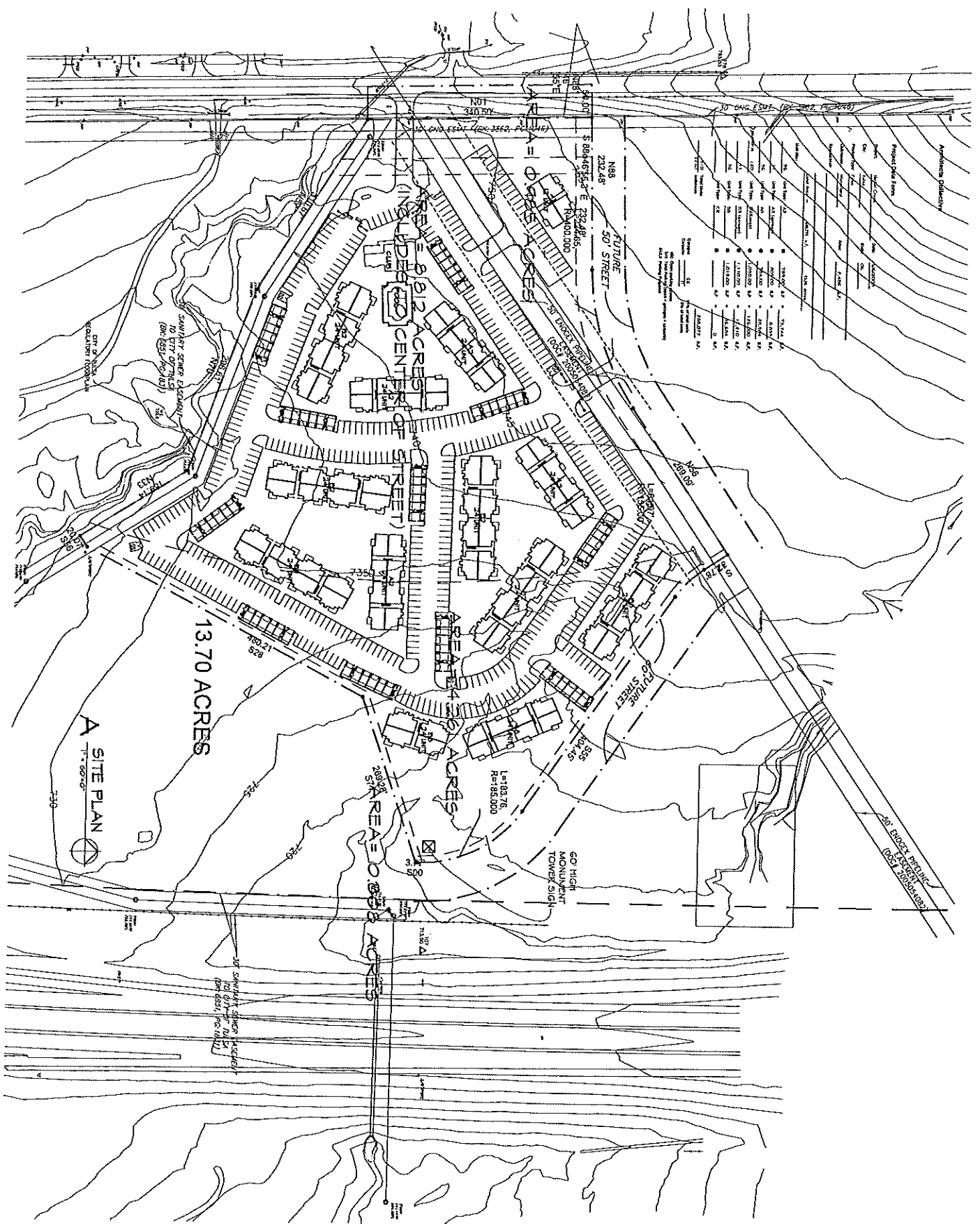
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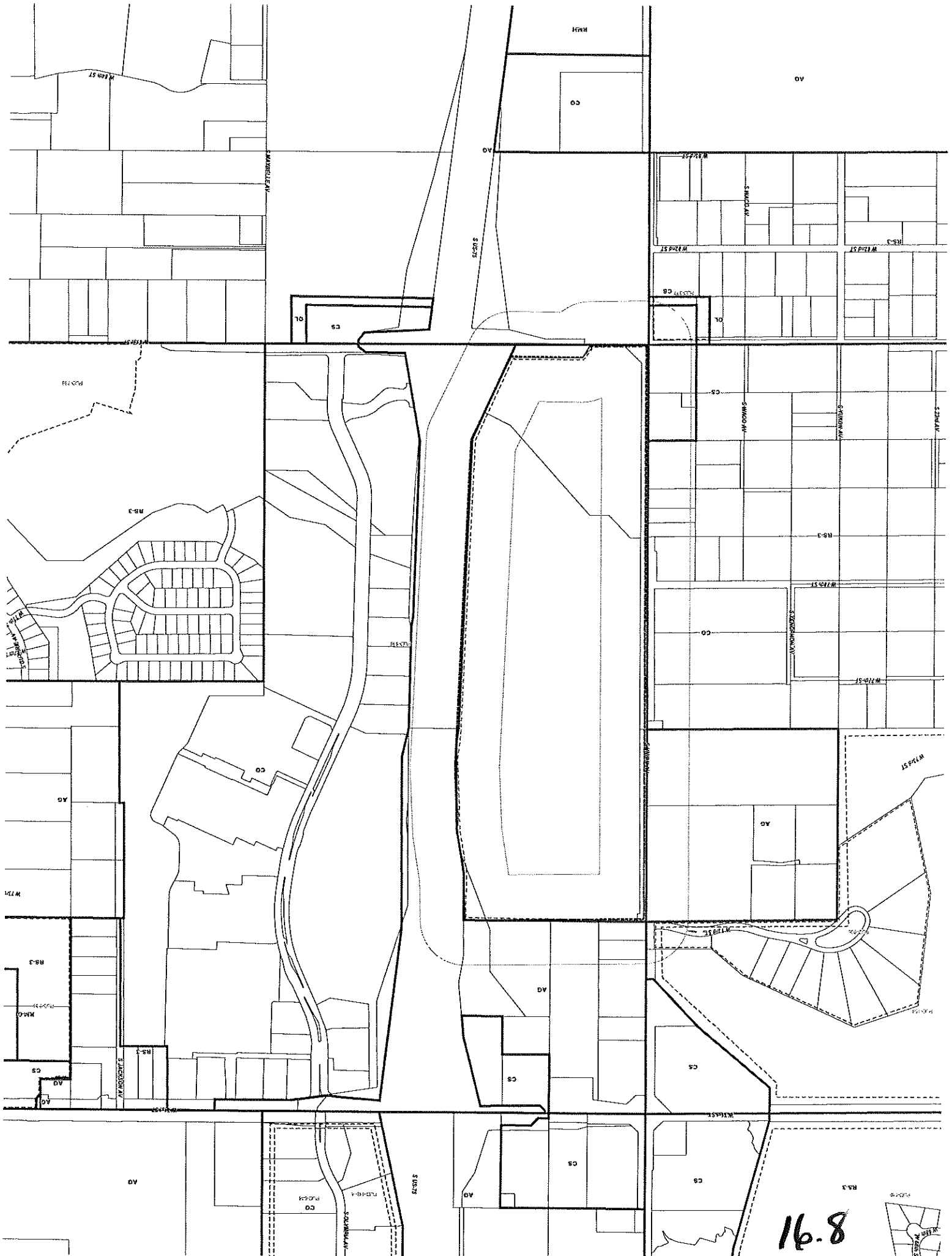
EXHIBIT A

Approval of the requested minor amendment would result, for Tulsa Metropolitan Area Planning Commission record keeping purposes, in the Horizon West Planned Unit Development and the Corridor District Site Plans having undeveloped acres as follows:

**HORIZON WEST
PUD-636/Z-4825-SP-1/Z-5457-SP-2**

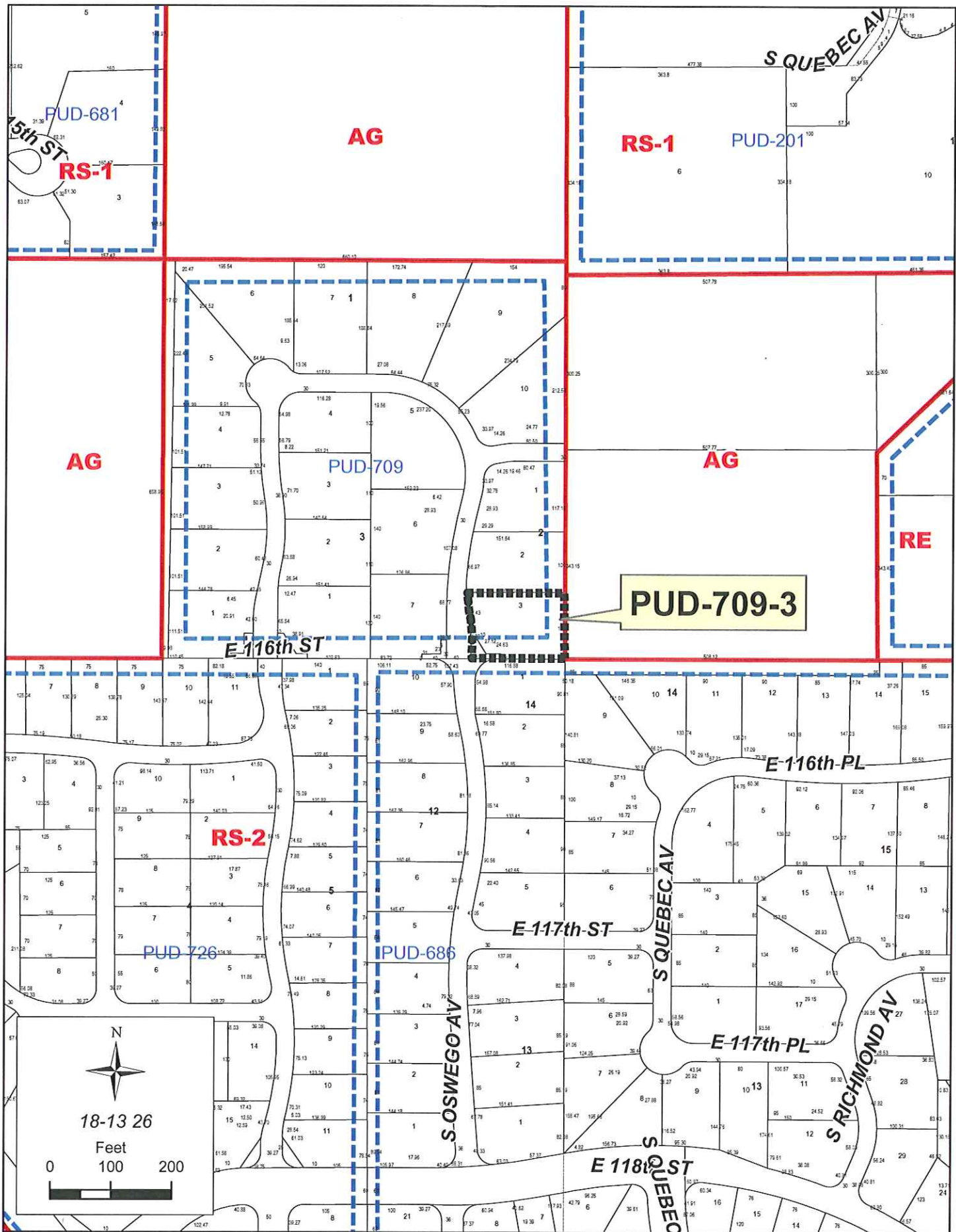
ACRES	USE	NET ACRES	GROSS ACRES	CASE PROPOSED PROJECT ACRES	REMAINING NET ACRES	REMAINING GROSS ACRES
A	Residential Park	25.29 1.88	25.39 1.88	0 0	25.29 1.88	25.39 1.88
B	Multi-family	15.65	16.84	1.865	14.666	14.975
C	Multi-family	12.63	13.23	0	12.63	13.23
D	Multi-family	13.25	15.09	8.601	4.761	6.489
E	Multi-family	16.53	17.51	4.26	12.27	13.25
F	Commercial	13.87	14.84		13.87	14.84
G	Commercial	2.14	2.8		2.14	2.8

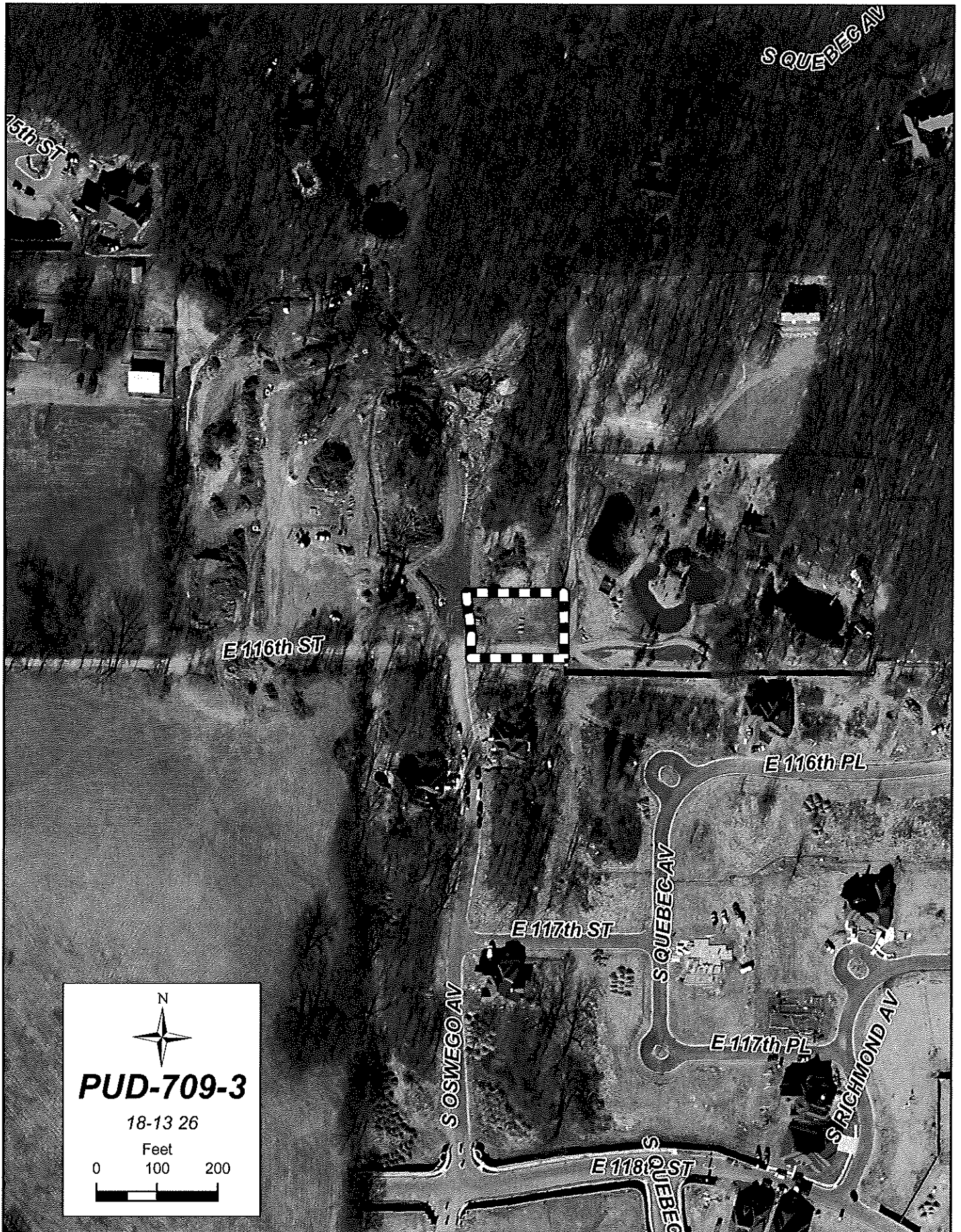




16.8







N

PUD-709-3

18-13 26

Feet

0 100 200



N

PUD-709-3

18-13 26

Feet

0 50 100

S OSWEGO AV

E 116th

S QUEBEC AVE

July 16, 2008

STAFF RECOMMENDATION

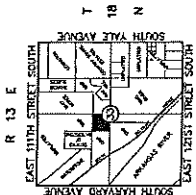
PUD-709-3: Minor Amendment – 1 Approx. 1,300 feet east of the intersection of South Delaware and 116th Street South; Lot 3, Block 2 and Reserve Area F – Sequoyah Hill II; TRS 8333; CZM 56; PD-26 CD-8; RS-2/PUD.

The applicant is requesting a minor amendment to PUD-709 to allow a lot-split and lot-combination to facilitate construction of an access drive on the south side of Lot 3, Block 2 – Sequoyah Hill II (see Exhibit A).

Specifically, the applicant seeks to split 150 square feet (SF) from Reserve Area F, and combine it to Lot 3, Block 2 (see Exhibit B and C). Lot-split application L-20231 and lot-combination application LC-106 have been submitted concurrently and are also on the July 16, 2008 agenda. The removal of 150 square feet of open space from Reserve Area F does not impact the open space requirement for the PUD.

Pending the approval of the aforementioned lot-split and lot-combination applications, staff recommends **APPROVAL** of minor amendment PUD-709-3 subject to the deed of dedication and restrictive covenants for Sequoyah Hill II be amended to reflect the proposed lot-split and lot-combination.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.

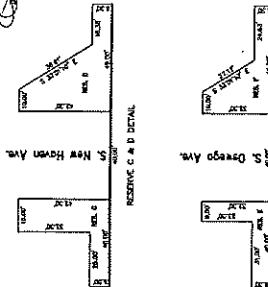


Location Map
 SCALE: 1"=100'
 NORTH
 EAST 11TH STREET SOUTH
 EAST 12TH STREET SOUTH
 SOUTH HARVARD AVENUE
 SOUTH YALE AVENUE

Books of Bearing
 The survey shown on this plat was made from the books of bearing and distances kept in the office of the Surveyor of Tulsa County, Oklahoma, and the same are subject to change and should be referred to for a full and complete description.

ADDRESSES SHOWN ON THIS PLAT
 ARE FOR INFORMATION ONLY AND ARE NOT TO BE USED FOR ANY PURPOSE OTHER THAN THAT FOR WHICH THEY WERE PROVIDED. THE SURVEYOR ASSUMES NO LIABILITY FOR ANY LOSS OR DAMAGE TO ANY PERSON OR PROPERTY ARISING OUT OF THE USE OF THESE ADDRESSES.

CERTIFICATE
 I hereby certify that all real estate shown on this plat was surveyed and platted in accordance with the laws of the State of Oklahoma, and that the same is subject to the provisions of the Oklahoma Land Use Act, Chapter 10, Title 22, Oklahoma Statutes, and that the same is not subject to any other law or regulation.



DATE PREPARED: JUNE 19, 2006

PUD 709

SEQUOYAH HILL II

THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER (SE 1/4 NE 1/4) OF SECTION THIRTY-THREE (33) T13N, R13E, OF THE INDIAN MERIDIAN, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA.

Rinkmyer
 Unplatted

Burdan
 Unplatted

Babb
 Unplatted

Beal
 Unplatted

Windriver
 Unplatted

Unplatted
 Scissortail
 Tulsa One, L.L.C.

OWNER:
 David & Davis Holdings, L.L.C.
 AN OKLAHOMA LIMITED LIABILITY COMPANY
 4745 East 91st Street South
 Tulsa, Oklahoma 74137
 Phone: (918)481-8922
 Contact: Bob David

SURVEYOR:
 Tanner Consulting, L.L.C.
 5323 South Lewis Avenue
 Tulsa, Oklahoma 74105
 Phone: (918)745-8929

NOTES OF SURVEY:
 1. This survey was made from the books of bearing and distances kept in the office of the Surveyor of Tulsa County, Oklahoma, and the same are subject to the provisions of the Oklahoma Land Use Act, Chapter 10, Title 22, Oklahoma Statutes, and that the same is not subject to any other law or regulation.

SUBJECT TRACT AREA
 + RESERVE AREA

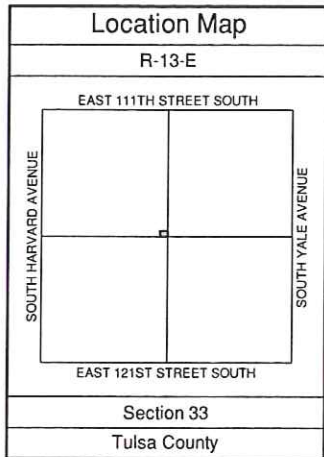
RECEIVED
 JUN 21 2006
 Tulsa County Clerk
 Planning Department

Exhibit A

PLAT NO. 6015
 PAGE 1 of 3

17.5

Exhibit "A"



Lot 2,
Block 2
Sequoyah Hill II

5' Utility Easement (Plat No. 6015)

17.5' U/E
(Plat No. 6015)

5' Utility Easement (Plat No. 6015)

Lot 3,
Block 2

2-Story Residence
Under Construction

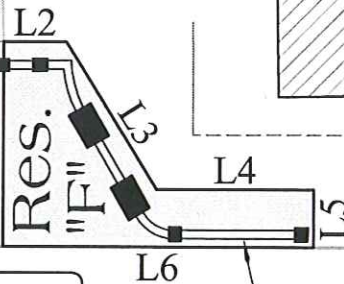
17.5' U/E
(Plat No. 6015)

17.5' Utility Easement (Plat No. 6015)

30' B/L & U/E
(Plat No. 6015)

Lot 7, Block 3

S. Oswego Ave.



Rock Fence & Columns

EXISTING RESERVE F

Line Table

No.	Bearing	Distance
L1	N 00°01'28" W	32.00'
L2	N 89°58'32" E	10.00'
L3	S 32°01'10" E	27.12'
L4	N 89°58'32" E	24.63'
L5	S 00°01'28" E	9.00'
L6	S 89°58'32" W	49.00'

17.5' Utility Easement (Plat No. 5867)

Lot 1, Block 14
Wind River

UNDIVIDED TRACT
RESERVE "F", "SEQUOYAH HILL II"

17.4



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. 551 Renewal Date June 30, 2009



Job No: 08-036
Scale: 1" = 30'
Date: 06/16/2008

EXHIBIT B

Exhibit "B"

Lot 2,
Block 2
Sequoyah Hill II

5' Utility Easement (Plat No. 6015)

17.5' U/E
(Plat No. 6015)

5' Utility Easement (Plat No. 6015)

Lot 3,
Block 2

2-Story Residence
Under Construction

17.5' U/E
(Plat No. 6015)

17.5' Utility Easement (Plat No. 6015)

30' B/L & U/E
(Plat No. 6015)

RES.
"F"
L3
L5
L2

Rock Fence & Columns

"Point of Beginning"

ISO + AREA TO BE
SPLIT + COMBINED
W/ L3, B2.

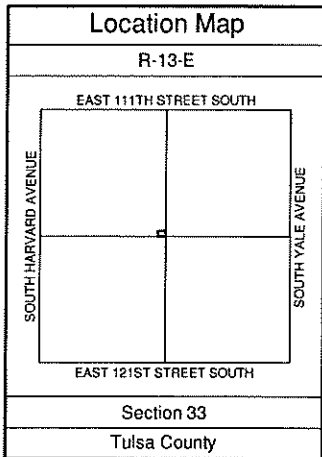
17.5' Utility Easement (Plat No. 5867)

Lot 1, Block 14
Wind River

TRACT 1

A PART OF RESERVE "F", "SEQUOYAH HILL II"

17.7



Lot 7, Block 3

S. Oswego Ave.

Line Table

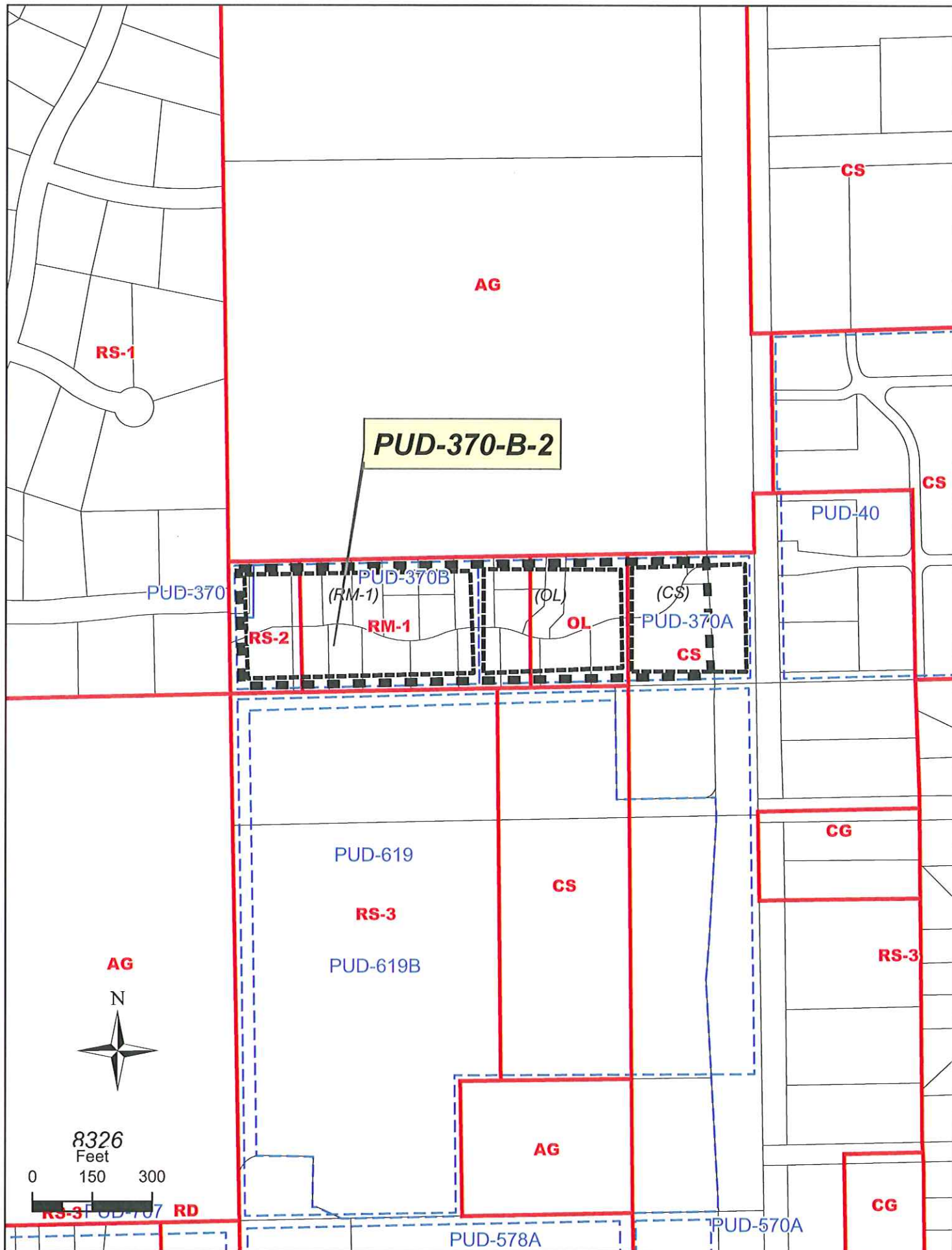
No.	Bearing	Distance
L1	S 00°01'28" E	5.00'
L2	S 89°58'32" W	23.93'
L3	N 28°18'48" W	31.80
L4	S 32°01'10" E	27.12'
L5	N 89°58'32" E	24.63'



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 30, 2009



Job No: 08-036
Scale: 1" = 30'
Date: 06/16/2008





N

PUD-370-B-2

18-13 26

Feet

0 200 400



July 16, 2008

STAFF RECOMMENDATION

PUD-370-B-2: Minor Amendment – ½ mile south of the s/w corner of 101st and Memorial Drive; Lots 15 and 16 – Block 1 – Avalon Park on Memorial; TRS 8326; CZM 57; Atlas 2673; PD 26 CD 8;OL/PUD.

The applicant is requesting a minor amendment to combine Lots 15 and 16; Block 1 – Avalon Park on Memorial, effectively creating Tract C, Lots 15 and 16, Avalon Park on Memorial (see Exhibit A). The Lot combination would allow for the construction of a 9,184 square foot office building (see Exhibit B). Lot combination LC-108, has been filed concurrently and is also on the July 16, 2008 TMAPC agenda.

The applicant's development plan appears to meet all applicable PUD development standards. There are no changes proposed to the existing development standards for PUD-370-B.

Therefore staff recommends **APPROVAL** of minor amendment request PUD-370-B-2 creating Tract C, Lots 15 and 16, Block 1 – Avalon Park on Memorial with all existing development standards of PUD-370-B remaining effective and as listed below for convenience.

1. Development Standards:

Net Land Area: 9.01 Acres

Permitted Uses:

Communication Antenna and supporting structure only as included within Use Unit 4; and those uses included within Use Unit 11, Offices, Studios, and Support Services; Use Unit 12, Eating Establishments, other than Drive-Ins; Use Unit 13, Convenience Goods and Services; and use Unit 14, Shopping Goods and Services. Commercial Uses shall be limited to the East 420 feet of the site as measured from the center line of South Memorial Drive.

Reserve Areas shall be used for storm water detention and open space for the Office Park.

Maximum Height of Communication Tower: 100 FT

18.4

Type of Communication Tower Permitted: Monopole

Minimum Setback for Communication Tower:

From north, south and west boundaries of Lot 1, Block
1, Trinity Addition Amended 110 FT

Maximum Number of Communication Towers: One

Maximum Commercial Building Floor Area: 54,450 SF

Maximum Office Building Floor Area: 107,285 SF

Maximum Land Coverage of Buildings: 35%

Minimum Building Setbacks:

From west property line of South Memorial Drive 50 FT

From west boundary of PUD 80 FT

From south boundary of PUD 20 FT

From north boundary of PUD 20 FT

Maximum Building Height:

Commercial Buildings One story

Office Buildings

Two stories not to exceed 36 FT; there shall be no windows
on the second story of the west-facing walls on the
westernmost lots.

Minimum Landscaped Area:

Commercial Lots 10% of Net Lot Area

Office Lots 15% of Net Lot Area

Signs:

Signs shall comply with Section 1103B.2.a. and b. of the Tulsa Zoning
Code

Landscaping and Screening:

All landscaping shall meet or exceed the requirements of the

18.5

Landscape and PUD chapters of the Tulsa Zoning Code. An eight-foot high screening wall or fence shall be erected and maintained along the west, and a six-foot high or higher screening wall or fence shall be erected and maintained along the south and north boundaries of the PUD that abut a residential district or development. This requirement may be waived by TMAPC if the abutting R district is developed or used for office or commercial use in an adjacent PUD.

Other Bulk and Area Requirements:

Commercial Lots

As established within a CS district.

Office Lots

As established within an OL district.

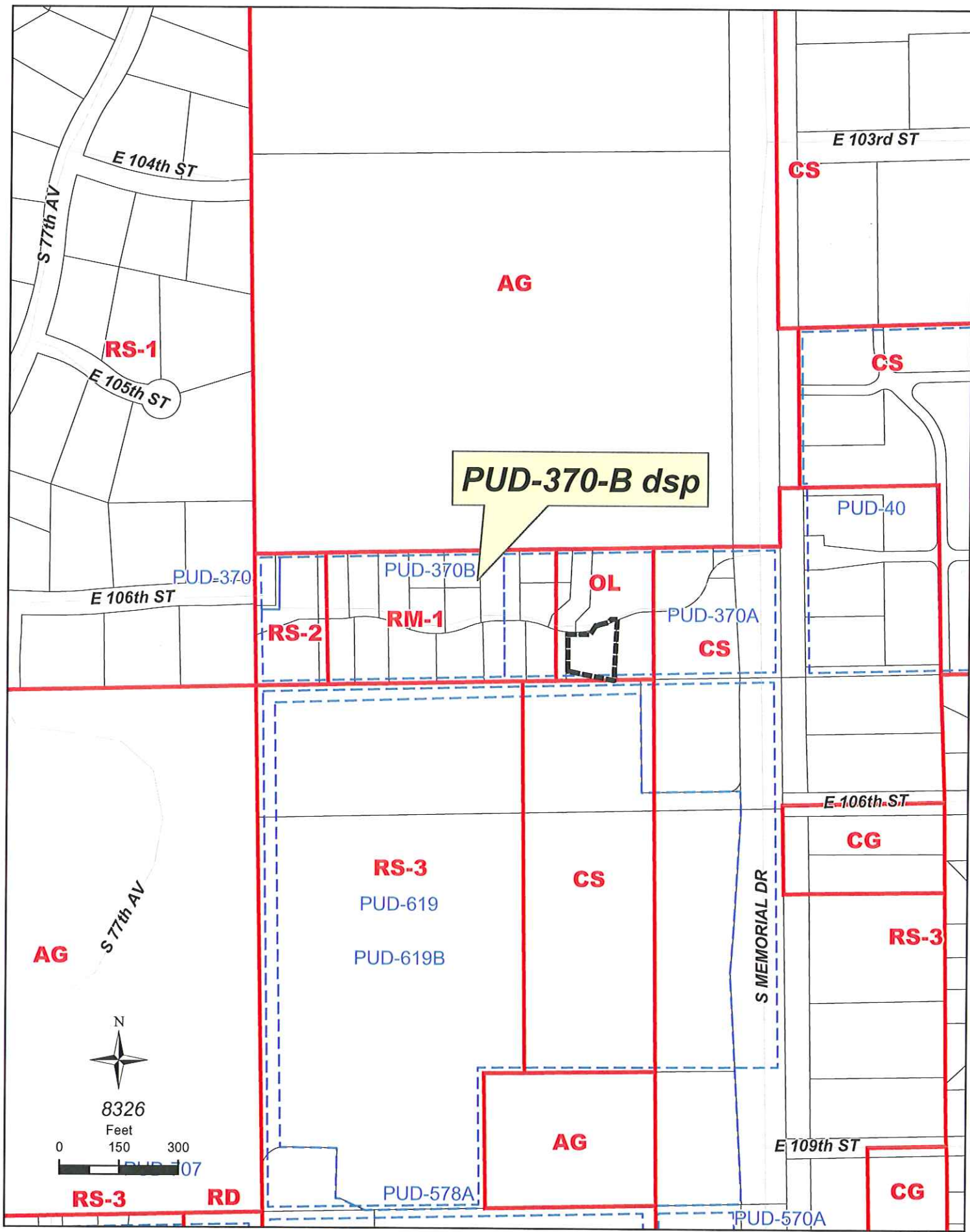
2. No zoning clearance permit shall be issued for a lot within the PUD until a detail site plan for the lot, which includes all buildings, parking, screening fences and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
3. 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.
4. 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.
5. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.
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. Lighting used to illuminate the subject tract shall be so arranged as to shield and direct the light away from adjacent residential areas. Shielding of such light shall be designed so as to prevent the light-producing element or reflector of the light fixture from being visible to a person standing in the adjacent residential areas or street right-of-way. No light standard or

building-mounted light shall exceed 15 feet in height.

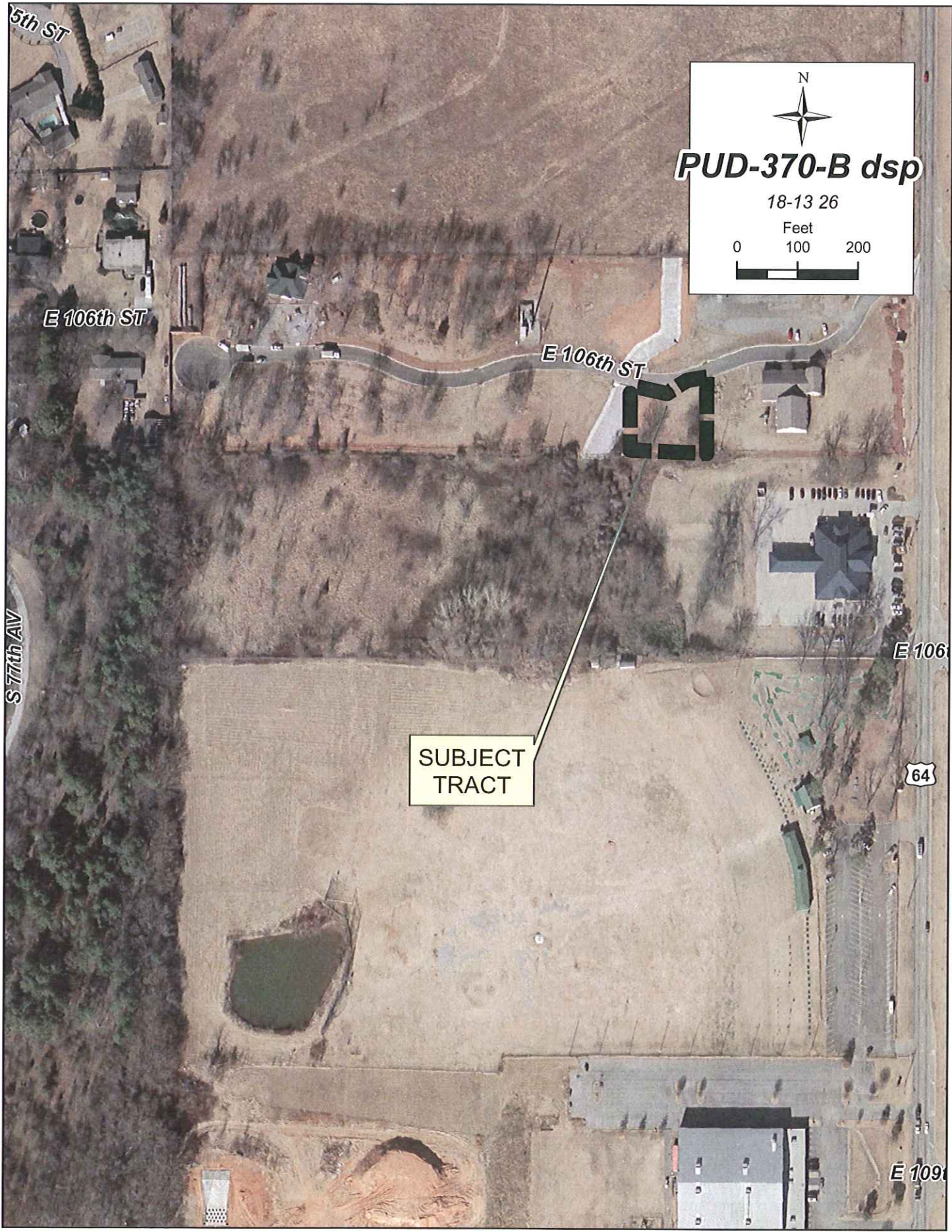
8. The Department of Public Works and Development or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.
9. All private roadways shall have a minimum right-of-way of 30' and be a minimum of 26' in width for two-way roads and 18' for one-way loop roads, measured face-to-face of curb. All curbs, gutters, base and paving materials used shall be of a quality and thickness which meets the City of Tulsa standards for a minor residential public street. The maximum vertical grade of private streets shall be ten percent.
10. The City shall inspect all private streets and certify that they meet City standards prior to any building permits being issued on lots accessed by those streets. The developer shall pay all inspection fees required by the City.
11. 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.
12. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
13. 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.
14. 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.
15. Private and public vehicular and pedestrian circulation shall be reviewed during detail site plan review. All access shall be approved by TMAPC, the Fire Department and Public Works.
16. Office Buildings shall be residential in nature.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.

<p>ZONING SUMMARY</p> <p>LOCAL ASSOCIATION OF OCCUPANTS IN ZONE PERMITS USE AREA, D-BUSINESS CONSTRUCTION, TYPE, VS ALLOWED AREA, LOT ALLOWED PERMIT, 2 STORY</p>	<p>LANDSCAPE SUMMARY</p> <p>SEE AREA, CITY MAPS LANDSCAPED AREA, EAST BY L&N TALL TREES, GOLF CLUB TALL TREES, PARKING SPACES 2 REQUIRED 4 PROVIDED 1 REQUIRED 1 PROVIDED</p>	<p>TRSE SCHEDULE</p> <p>T - OAKLAND, HEIGHT 3' GAUPE AN ARTIFICIAL, UNDERGROUND, IRRIGATION IS PROVIDED IN ALL LANDSCAPE AREAS</p>
<p>LANDSCAPE CERTIFICATION</p> <p>I, JOHN DAVALL HENNEY, CERTIFY THAT THE ABOVE LANDSCAPE PLAN IS IN CONFORMANCE WITH THE CITY OF TALLA ZONING CODE.</p> <p><i>John D. Henney</i></p>	<p>ZONING ASSOCIATION</p> <p>USE AREA, D-BUSINESS CONSTRUCTION, TYPE, VS ALLOWED AREA, LOT ALLOWED PERMIT, 2 STORY</p>	<p>LANDSCAPE SUMMARY</p> <p>SEE AREA, CITY MAPS LANDSCAPED AREA, EAST BY L&N TALL TREES, GOLF CLUB TALL TREES, PARKING SPACES 2 REQUIRED 4 PROVIDED 1 REQUIRED 1 PROVIDED</p>







N

PUD-370-B dsp

18-13 26

Feet

0 100 200

SUBJECT
TRACT

19.3

July 16, 2008

STAFF RECOMMENDATION

PUD-370-B: Detail Site Plan – ½ mile south of the s/w corner E. 101st Street and Memorial Drive; Lot 20, Block 1 – Avalon Park on Memorial; TRS 8326; CZM 57; PD 26 CD 8; OL/PUD.

The applicant is requesting approval of a detail site plan for a 5,752 square foot (SF), two-story office building. The proposed use, Use Unit 11 – Office, Studios and Support Services is a permissible use within PUD-370-B.

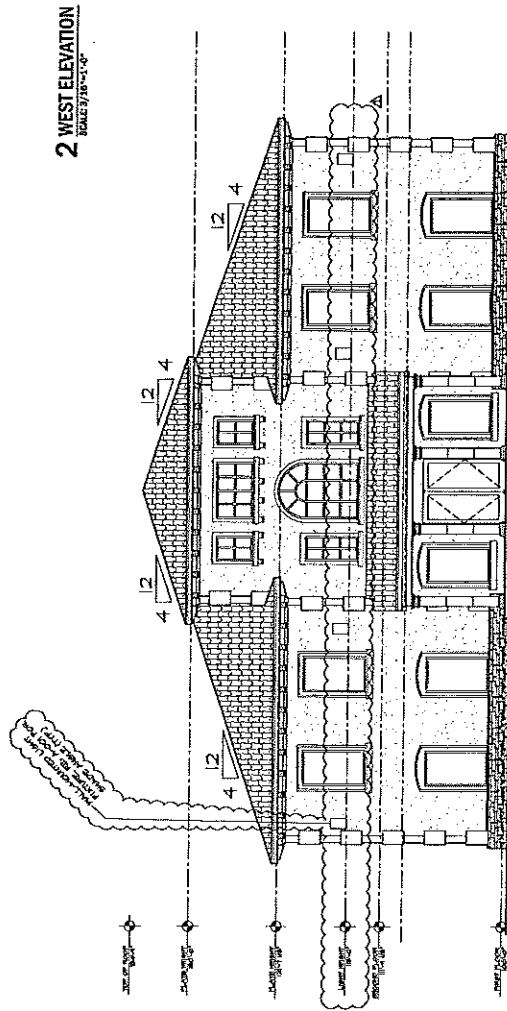
The submitted site plan meets all applicable building floor area, lot coverage, building height and setback limitations. Parking has been provided per the Zoning Code, and an eight-foot screening fence will be constructed along the south boundary line per PUD development standards. Landscaping is provided per the Landscape Chapter of the Zoning Code and adopted PUD development standards, and all sight lighting including building-mounted, will be limited to 15 feet in height and will be directed down and away from adjoining properties per application of the Kennebunkport Formula. Sidewalks are provided along 106th Street per Subdivision Regulations. A trash enclosure has been provided per adopted development standards.

Therefore, staff recommends **APPROVAL** of the detail site plan for Lot 20, Block 1 – Avalon Park on Memorial, PUD-370-B.

(Note: Detail site plan approval does not constitute landscape and sign plan approval.)

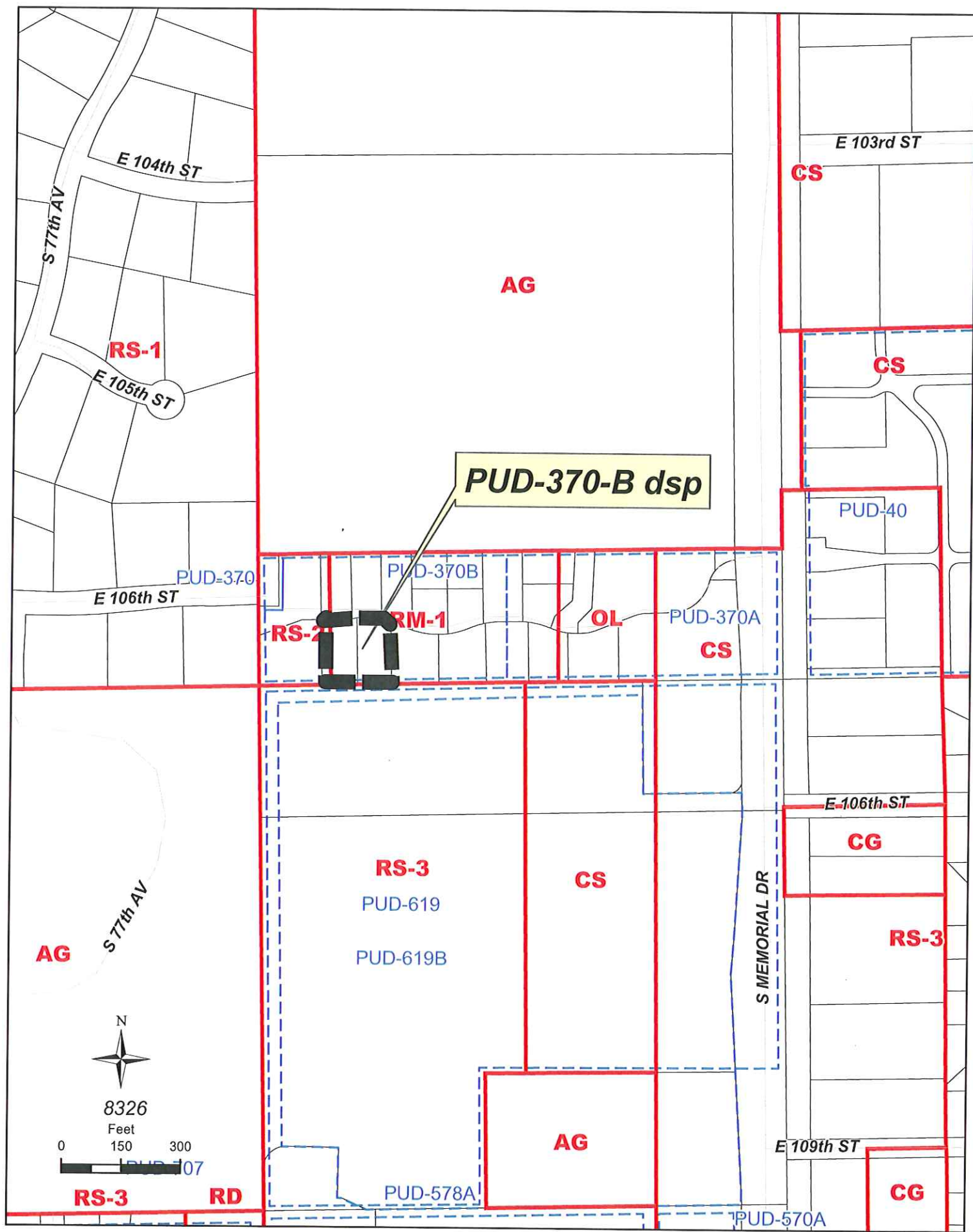
19.4

19.5



1 EAST ELEVATION
SCALE: 3/16"=1'-0"



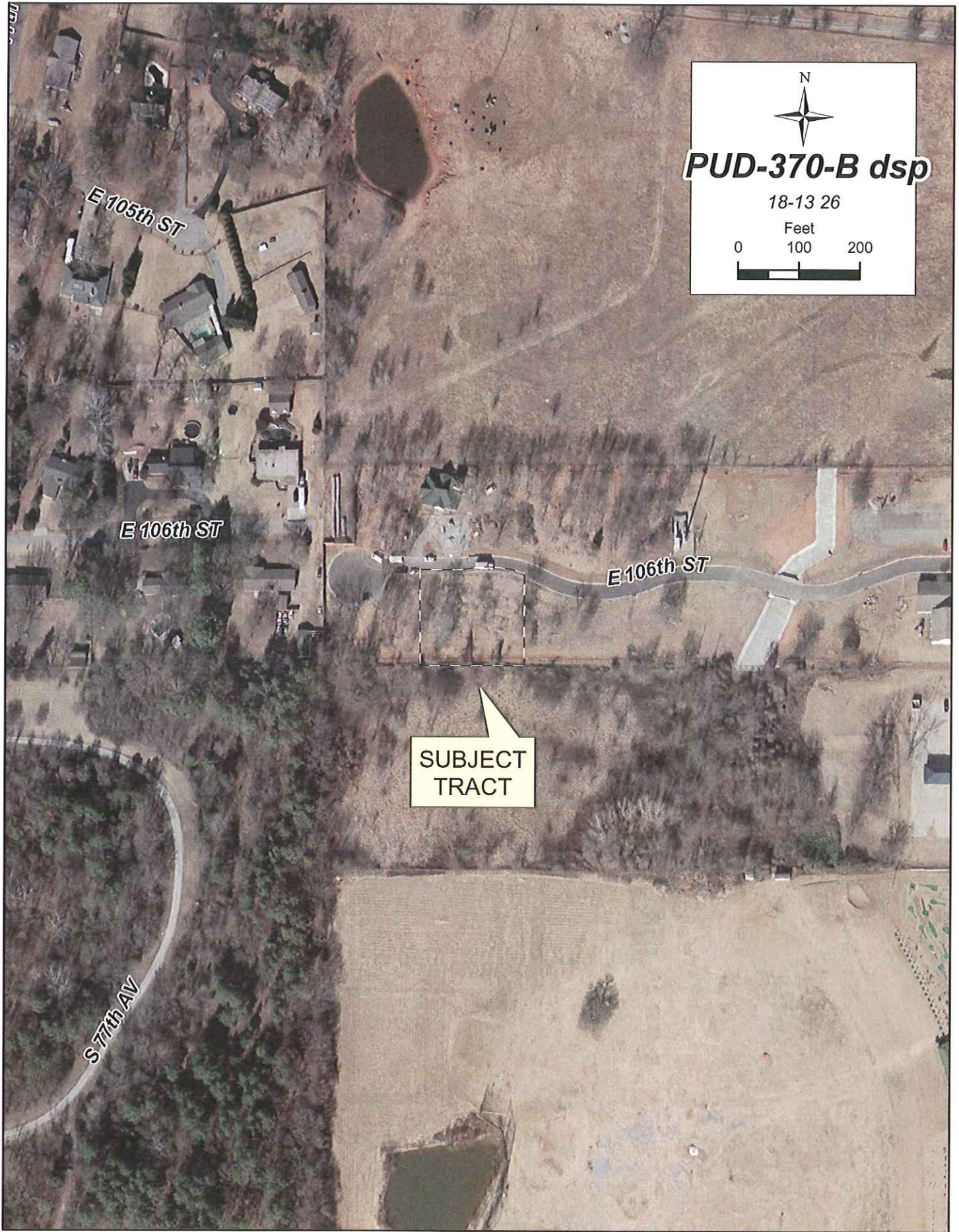


N

PUD-370-B dsp

18-13 26

Feet
0 200 400



July 16, 2008

STAFF RECOMMENDATION

PUD-370-B: Detail Site Plan – ½ mile south of the southwest corner East 101st Street and Memorial Drive; Lots 15 and 16, Block 1 – Avalon Park on Memorial; TRS 8326; CZM 57; PD-26 CD-8; OL/PUD.

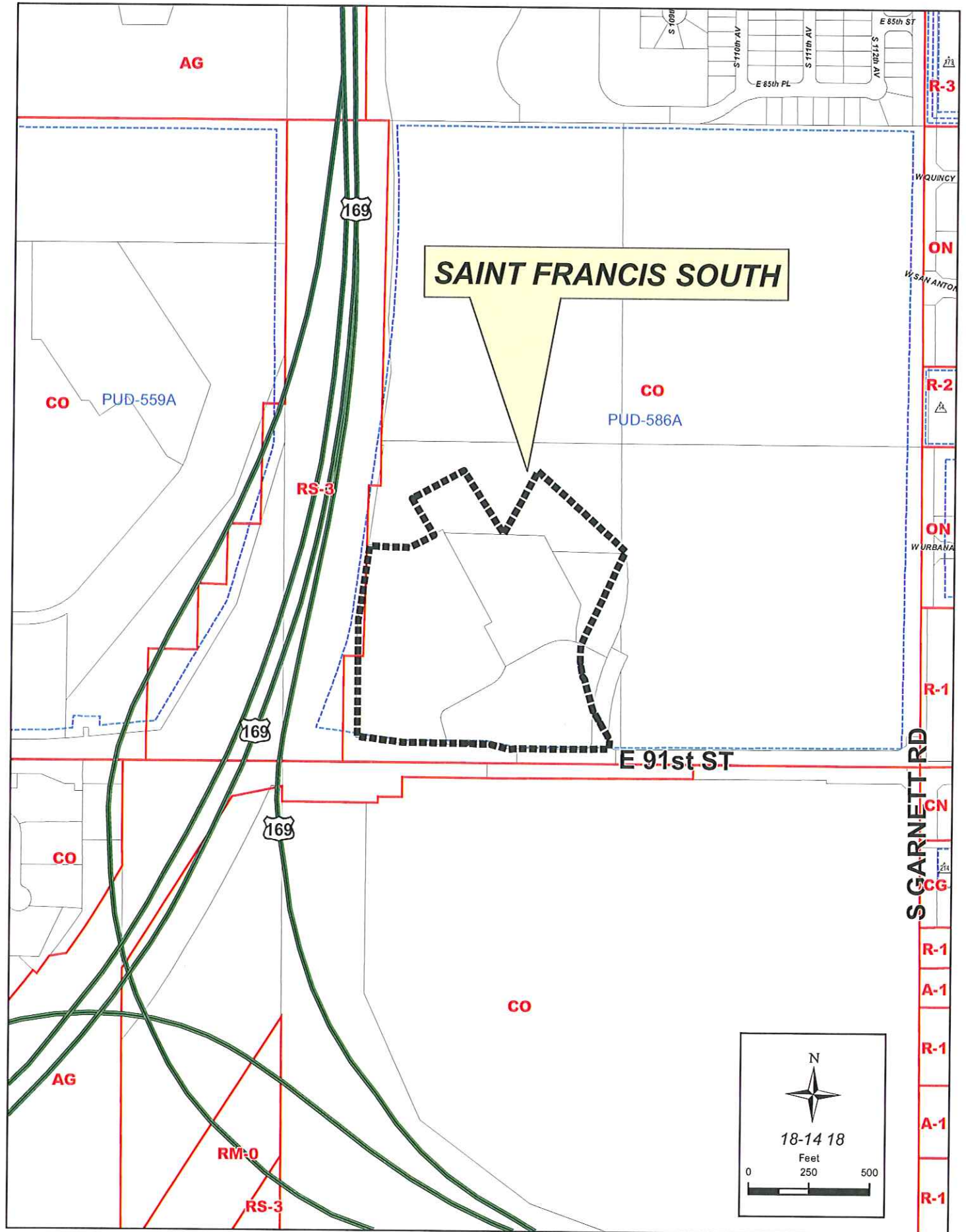
The applicant is requesting approval of a detail site plan for a 9,184 square foot (SF), two-story office building. The proposed use, Use Unit 11 – Office, Studios and Support Services is a permissible use within PUD-370-B. Minor amendment PUD-370-B-2 and lot combination application LC-108 have been filed concurrently and also appear on the July 16, 2008 agenda.

The submitted site plan meets all applicable building floor area, land coverage by buildings, building height and setback limitations. Parking has been provided per the Zoning Code, and an eight-foot screening fence will be constructed along the south boundary line per PUD development standards. Landscaping is provided per the Landscape Chapter of the Zoning Code and adopted PUD development standards, and all sight lighting including building-mounted, will be limited to 15 feet in height and will be directed down and away from adjoining properties per application of the Kennebunkport Formula. Sidewalks are provided along 106th Street per Subdivision Regulations. A trash enclosure has been provided per adopted development standards.

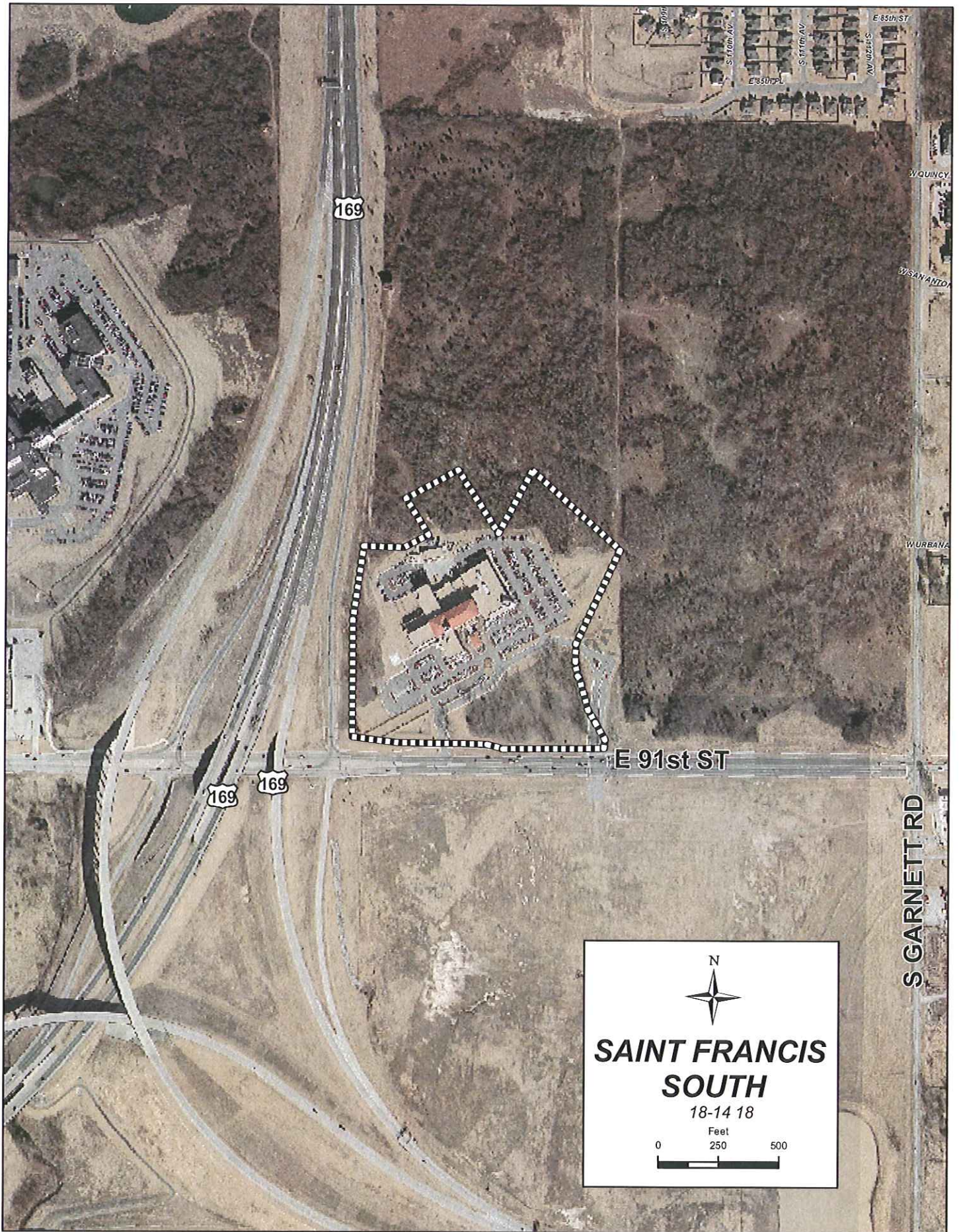
Therefore, staff recommends **APPROVAL** of the detail site plan for Lots 15 and 16, Block 1 – Avalon Park on Memorial, PUD-370-B.

(Note: Detail site plan approval does not constitute landscape and sign plan approval.)

20.4



22.1



PRELIMINARY SUBDIVISION PLAT

Saint Francis South - (8418) (PD 18) (CD 5)

Northeast corner of 91st Street and South Highway 169

This plat consists of 4 Lots, 2 Blocks, on 21.95 acres.

The following issues were discussed June 5, 2008, June 19, 2008 and July 3, 2008 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD 586 A 6. All PUD requirements must be met and reflected in the covenants.
2. **Streets:** On page 1, provide for 30 feet of right-of-way on northwest corner of private collector street at East 91st Street South. On page 4, revise title of Section 1, Easements and Utilities, D. Revise to read, "Water, Sanitary and Storm Sewer Service, and Traffic Control Devices." Add and Traffic Control Devices, 4. Access "Or traffic control devices (including traffic signal, signs and pavement markings)".
3. **Sewer:** A sanitary sewer easement will need to be granted to cover the sanitary sewer that goes across the proposed closed right-of-way of South 109th East Avenue. If the proposed sanitary sewer running between the proposed medical office building and the existing medical office building remains in the same alignment, and the same distance from the storm sewer, then it needs to be within a restricted sanitary sewer easement. If the proposed alignment for the sanitary sewer is going to be in a utility easement and not adjusted, then the utility easement it will need to be separated from the proposed storm sewer easement.
4. **Water:** Do not overlap the storm sewer and water line easements near "L 117 & L82" but separate them both inside their own easements. Use standard covenant language. On the off-site conceptual sheet 6 of 7 a 20 foot restrictive water line easement will be required for the 10 inch water main line existing along South 109th East Avenue from East 91st Street South instead of a 20 foot utility easement. Show sidewalk proposed at correct scale on conceptual drawings (8 foot sidewalk).
5. **Storm Drainage:** Show and label the location of the 2 offsite "stormwater detention facility". Add a note stating that, "Additional stormwater detention for this platted area is being provided offsite, with separate instrument easements, at the locations shown on this page." All storm drainage systems which receive drainage runoff from offsite, and the systems that cross lot lines, will be public drainage systems; and must be placed in easements with

a minimum width of 15 feet. Please label the existing onsite "stormwater detention facility" with lettering that is a minimum of .10 inches in height and add "Reserve A" to that label. The owner must provide the City of Tulsa with a copy of the written agreement with KAMO electric cooperative, Inc. (now AEP) to allow the separate instrument stormwater detention easement to be placed and the facility to be constructed across their transmission line right-of-way easement. Use City of Tulsa standard language for Section D and Section 1 I. Section 1I should include the standard landscaping language, and should say "Saint Francis South" not Arrowhead Ridge. Each Stormwater detention facility and easement shown and labeled on pages 1, 3, 5, and 6 of 7 should be labeled as such. Please remove the words "proposed" and "pond" from the labels and spell stormwater as one word. On page 3 of 7 the larger (42" and 48") and deeper (more than 11' to flowline) storm sewers may require easements that are wider than 15 feet (see figure 301 in Tulsa Stormwater Management Manual for width requirements.)

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Additional easements may be necessary.
7. **Other: Fire:** Remove the word propose in front of "proposed emergency access easement by separate instrument." **GIS:** Thicken-up the boundary line of the plat (the boundary should be the boldest line on the plat). Put the boundary outline on every plat and plan sheet for reference. General: Reference to page 3 for the easement details is still too confusing. Recommend each easement on sheet 3 be numbered and then referenced on sheet. Clarify curve and tabulation lines. Underlying plat needs to be properly vacated.

Staff recommends **APPROVAL** of the Preliminary Subdivision plat subject to the TAC comments and the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the public works department staff must be taken care of to their satisfaction.

Standard Conditions:

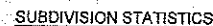
1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.

22.4

2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefore shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefore shall be approved by the City/County Health Department.

17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.

SAINT FRANCIS SOUTH
A REPLAT OF ARROWHEAD RIDGE
A PART OF THE S/2 OF THE
SE/4 OF SECTION 18, T-18-N, R-14-E
CITY OF TULSA, TULSA COUNTY, OKLAHOMA
P.U.D. 586-A-6



...SOLUTION CENTERS FOR THE LOTTERY AND GAMING INDUSTRY

ASSIGNMENT CONTAINS 21,942 TOTAL ACTIONS

Basis of Bearings

THE BASIS OF BEARING IS ASSUMED USING THE
SOUTH LINE OF SECTION 18 AS S 89°52'00" W

Owners:

Engineer

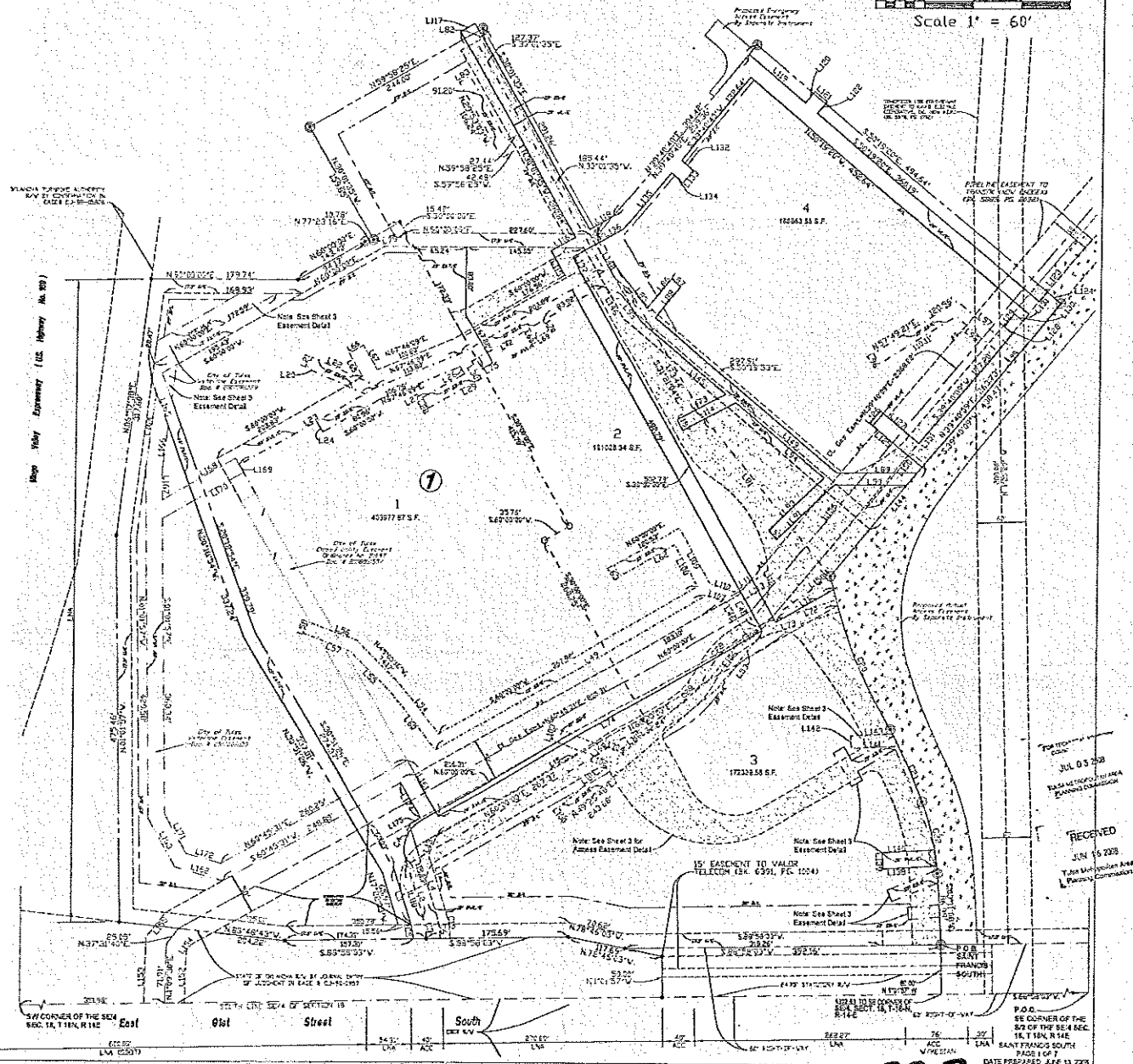
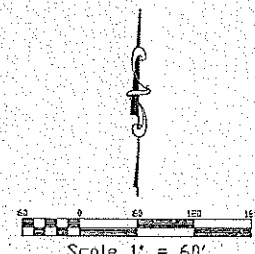
AGC = ACCESS PERMITTED
 LNA = LIMITS OF NO ACCESS
 LUE = UTILITY EASEMENT
 ----- BA = BUILDING LINE
 ----- WLE = WATER LINE EASEMENT
 ----- GSE = STORM SEWER EASEMENT
 ESE = BANKNEY DRAIN EASEMENT
 ----- PLE = PROTECTED WATER LINE EASEMENT
 ----- ETE = ELECTRIC & TELECOMMUNICATIONS EASEMENT
 ----- RW = RIGHT-OF-WAY
 P.O.D. = POINT OF COMMENCEMENT
 P.O.B. = POINT OF BEGINNING
 ----- PROPOSED MUTUAL ACCESS EASEMENT
 ----- PROPOSED MUTUAL ACCESS EASEMENT BY SEPARATE INSTRUMENT
 (P) = SET BY IRON PIN OR YELLOW CAP STAMPED "DES CA 142"
 * = POLYD BY IRON PIN W/ RED CAP STAMPED "PDS 114F"
 ----- PROPOSED BOUNDARY
 ----- LOT LINES
 ----- EXISTING WATERLINE EASEMENT
 ----- CLOSED WATERLINE EASEMENT

Saint Francis Hospital, Inc.

The William K. Warren Medical Research Center, Inc.
and
The Warren Professional Building Corporation
An Oklahoma Corporation
P.O. Box 470572
Tulsa, Oklahoma 74147
Arrowhead Ridge Owners Association, Inc.
10501 East 18th Street South
Tulsa, Oklahoma 74133

Kirley-Horn and Associates, Inc.
Certificate of Authorization No. 2740 Exp. June 30, 2005
12700 Park Central Drive, Suite 1800
Dallas, Texas 75251
Phone: (972) 770-1500
E-mail: brad.moss@kirley-horn.com

SURVEYOR
Guy Engineering Services, Inc.
Certificate of Authorization No. 1427 Exp. June 30, 2010
10754 East Ashland Place
Tulsa, Oklahoma 74133
Phone: (918) 437-6882
Email: Chris@Guyeng.com

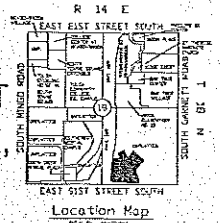


22.7

PROPOSED VACATION OF ARROWHEAD RIDGE, A PART OF THE S/2 OF THE SE/4 OF SECTION 18, T-18-N, R-14-E, AND PROPOSED CLOSING AND VACATION OF EASEMENTS IN ARROWHEAD RIDGE

CITY OF TULSA, TULSA COUNTY, OKLAHOMA

P.U.D. 586-A-6

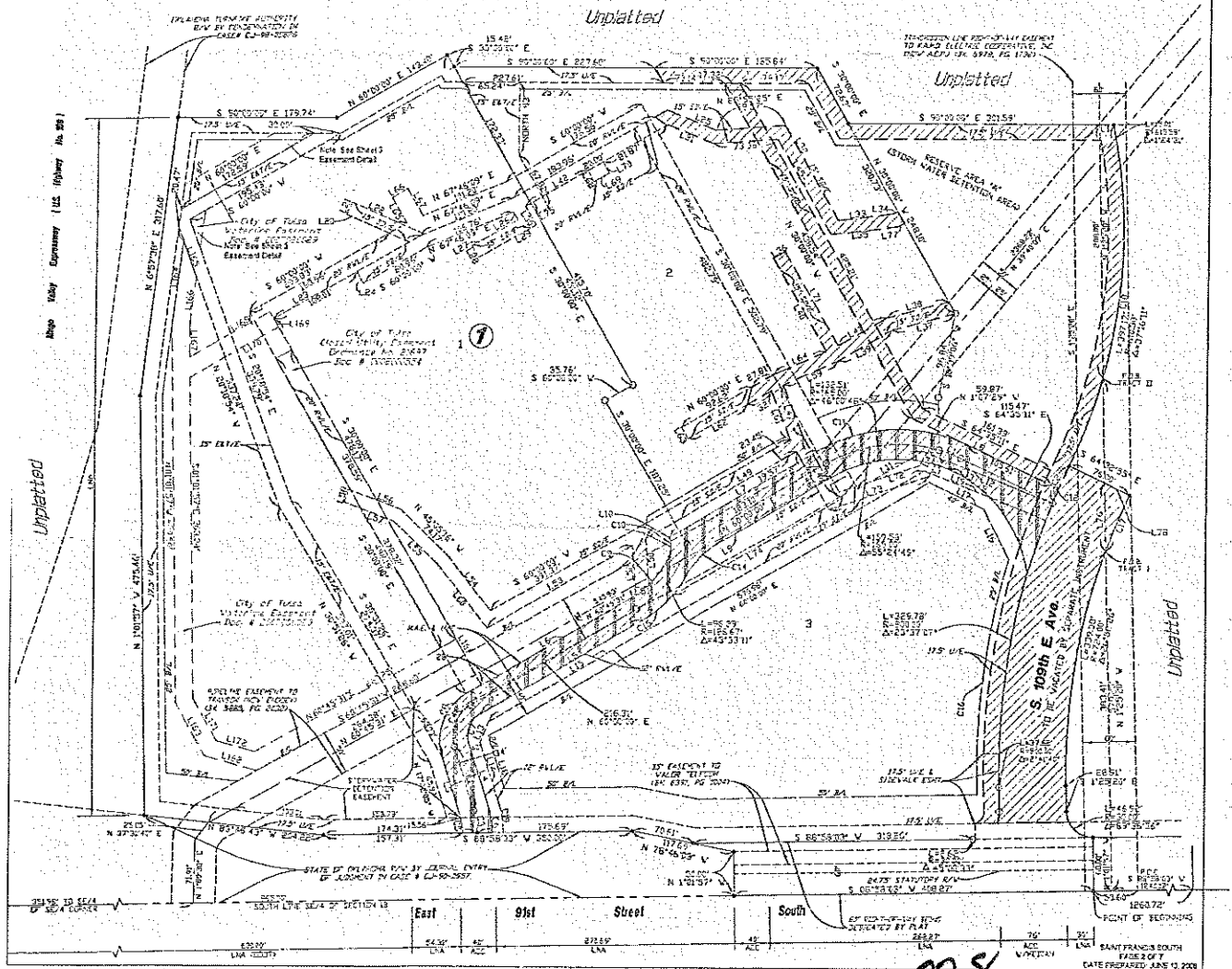
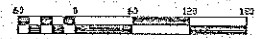


Legend

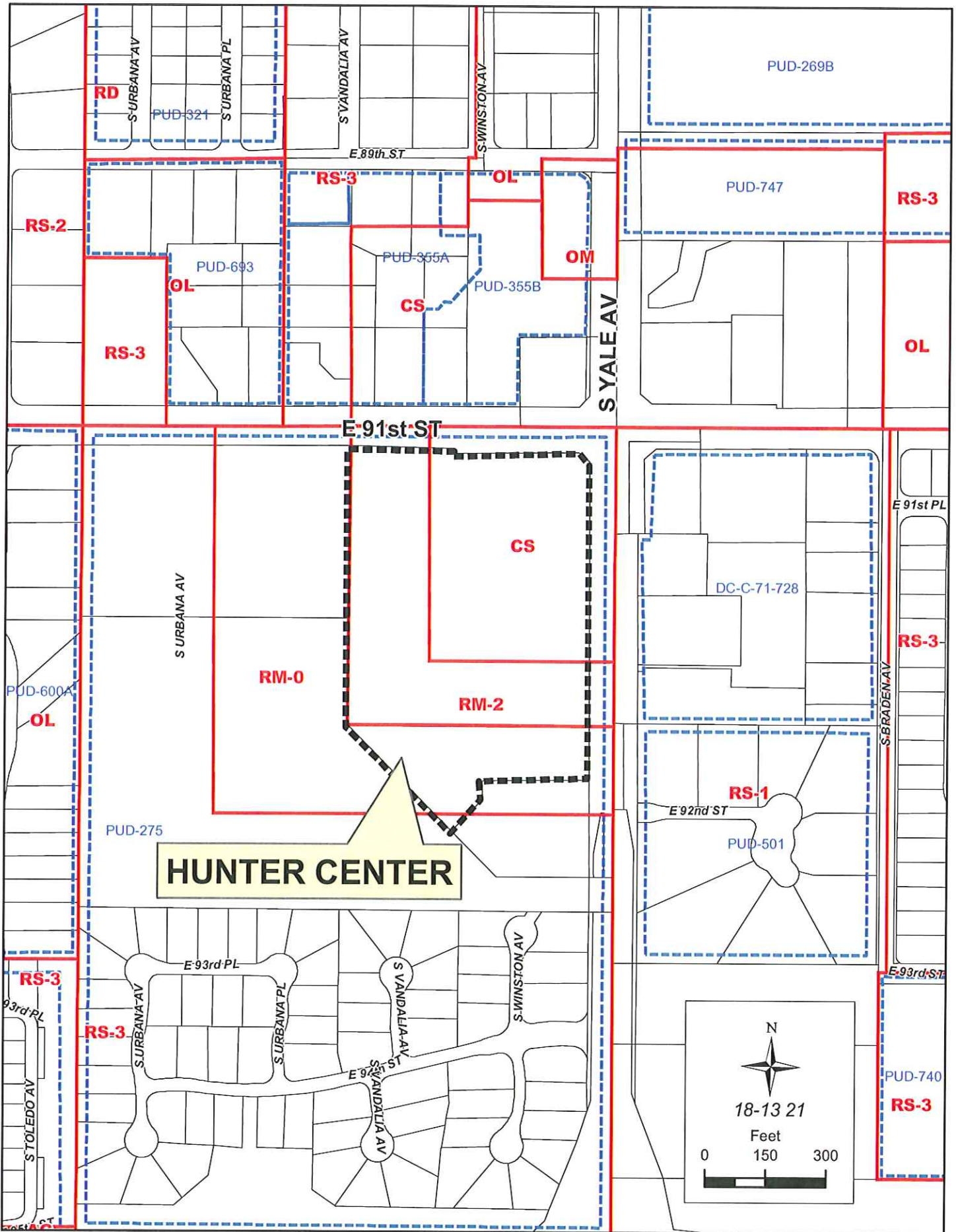
- ACC = ACCESS PERMITTED
- LNA = LINES OF NO ACCESS
- USE = UTILITY EASEMENT
- BL = BUILDING LINE
- WUE = WATER LINE EASEMENT
- SEW = SEWER EASEMENT
- SEW = SANITARY SEWER EASEMENT
- RALE = RESTRICTED WATER LINE EASEMENT
- ETLE = ELECTRIC & TELECOMMUNICATIONS EASEMENT
- R/W = RIGHT OF WAY
- P.O.C. = POINT OF COMMENCEMENT
- P.O.B. = POINT OF BEGINNING
- PE = PROPOSED EASEMENT VACATIONS
- ME = EXISTING MUTUAL ACCESS EASEMENT
- = SET BY IRON PIN W/ RED CAP STAMPED 'TULSA 1147'

Basis of Bearings

THE BASIS OF BEARINGS IS ASSUMED USING THE
SOUTH LINE OF SECTION 18 AS S 89°55'00" W



22.8



23.1



N

HUNTER CENTER

18-13 21

Feet

0 150 300

23.2

PRELIMINARY SUBDIVISION PLAT

Hunter Center - (8321) (PD 18) (CD 8)

Southwest corner of East 91st Street and South Yale Avenue

This plat consists of 3 Lots, 1 Block, on 11.2 acres.

The following issues were discussed July 3, 2008 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD 275. All PUD requirements must be met and reflected in the covenants.
2. **Streets:** Add document number for mutual access easement along south side.
3. **Sewer:** On the preliminary plat, where does the 15 foot sanitary sewer easement end as it goes to the south? It appears that the sanitary sewer easement runs into the eleven foot utility easement without an end. Also, when you compare the preliminary plat to the conceptual plan, there is a segment of the sanitary sewer line that is outside the proposed and existing easement. If the existing line is indeed outside the easement then an easement needs to be dedicated at this time.
4. **Water:** No comment.
5. **Storm Drainage:** The term "drainage easement" should only be used where there is both overland drainage and underground storm sewer are in the same location throughout the easement area. Drainage and utility easement should not be used for any new utilities. Label both the existing and the proposed Vensel creek City of Tulsa Regulatory Floodplain. Only existing utility easements may be placed in the "overland drainage easement" for the floodplain. If the proposed storm sewer system will convey the 100 year runoff, and will remove the floodplain, then the area where that occurs should be storm sewer easement only. The area that contains only the overland drainage channel for the City of Tulsa Regulatory Floodplain should be an "overland drainage easement" only and add Reserve A to the label. Please add storm sewer easement and overland drainage easement to, and remove drainage easement from, the legend. There needs to be a boundary line between the utility easement and the sanitary sewer easement along the north central area of the plat. The storm sewer should not be in the sanitary sewer easement. Detention may be required and, if so, will then need to be added. Remove Section IJ and add Reserve A to the title for

Section II.

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Additional easements may be necessary.
7. **Other: Fire:** Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet 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 requirements shall be 600 feet. 2. For buildings equipped throughout with an approved automatic sprinkler system the distance requirement shall be 600 feet. Provide looped water main extension with hydrants spaced within 400 feet of unsprinkled buildings and 600 feet of sprinkled buildings. **GIS:** Add a written scale to the face of the plat. Give a basis of bearing for the plats survey using degrees, minutes and seconds.

Staff recommends **APPROVAL** of the Preliminary Subdivision plat subject to the TAC comments and the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. The concerns of the public works department staff must be taken care of to their satisfaction.

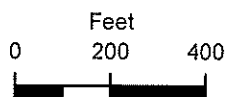
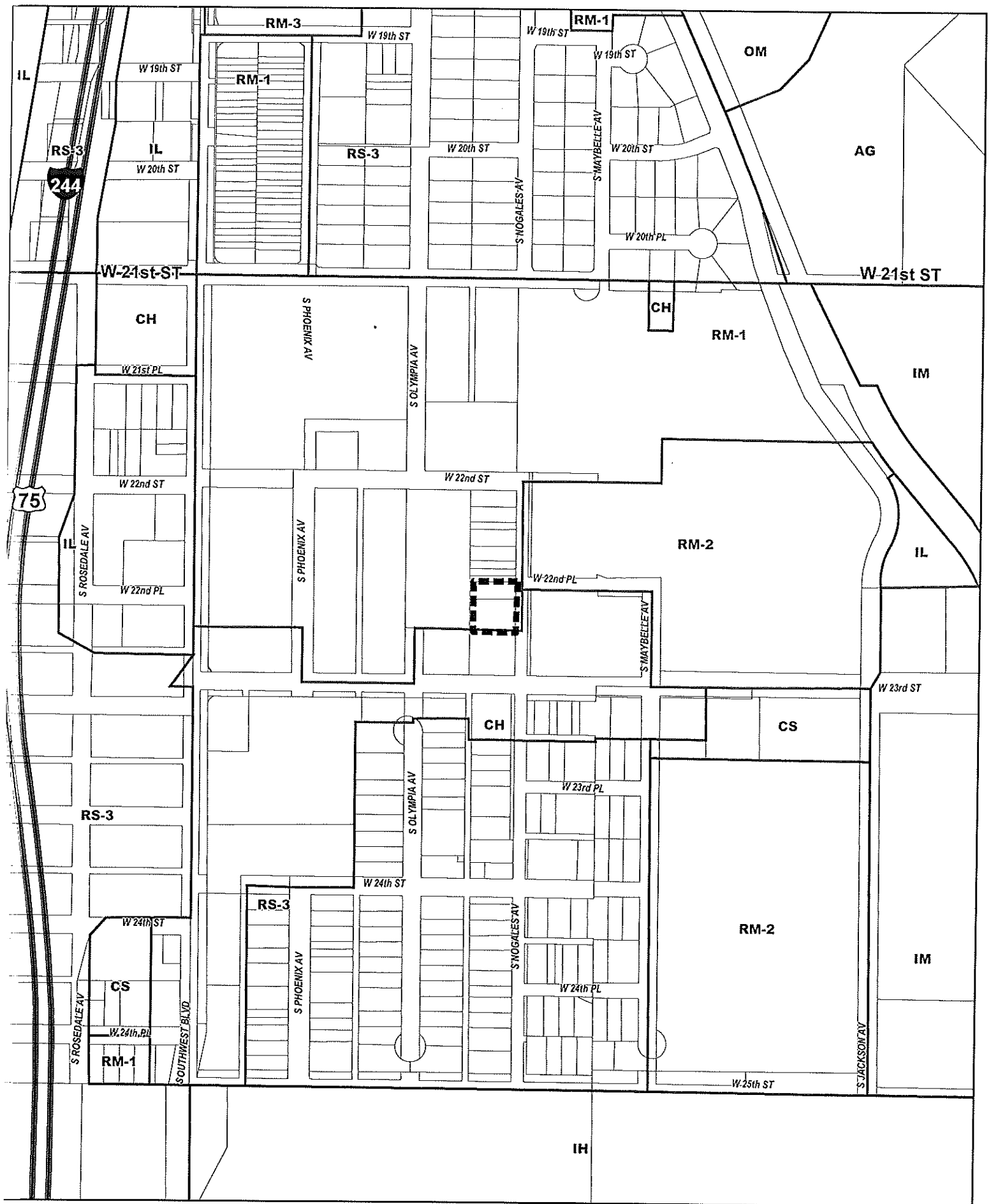
Standard Conditions:

1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
4. Any request for creation of a Sewer Improvement District shall be submitted

to the Public Works Department Engineer prior to release of final plat.

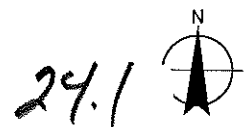
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
14. The method of sewage disposal and plans therefore shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefore shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)

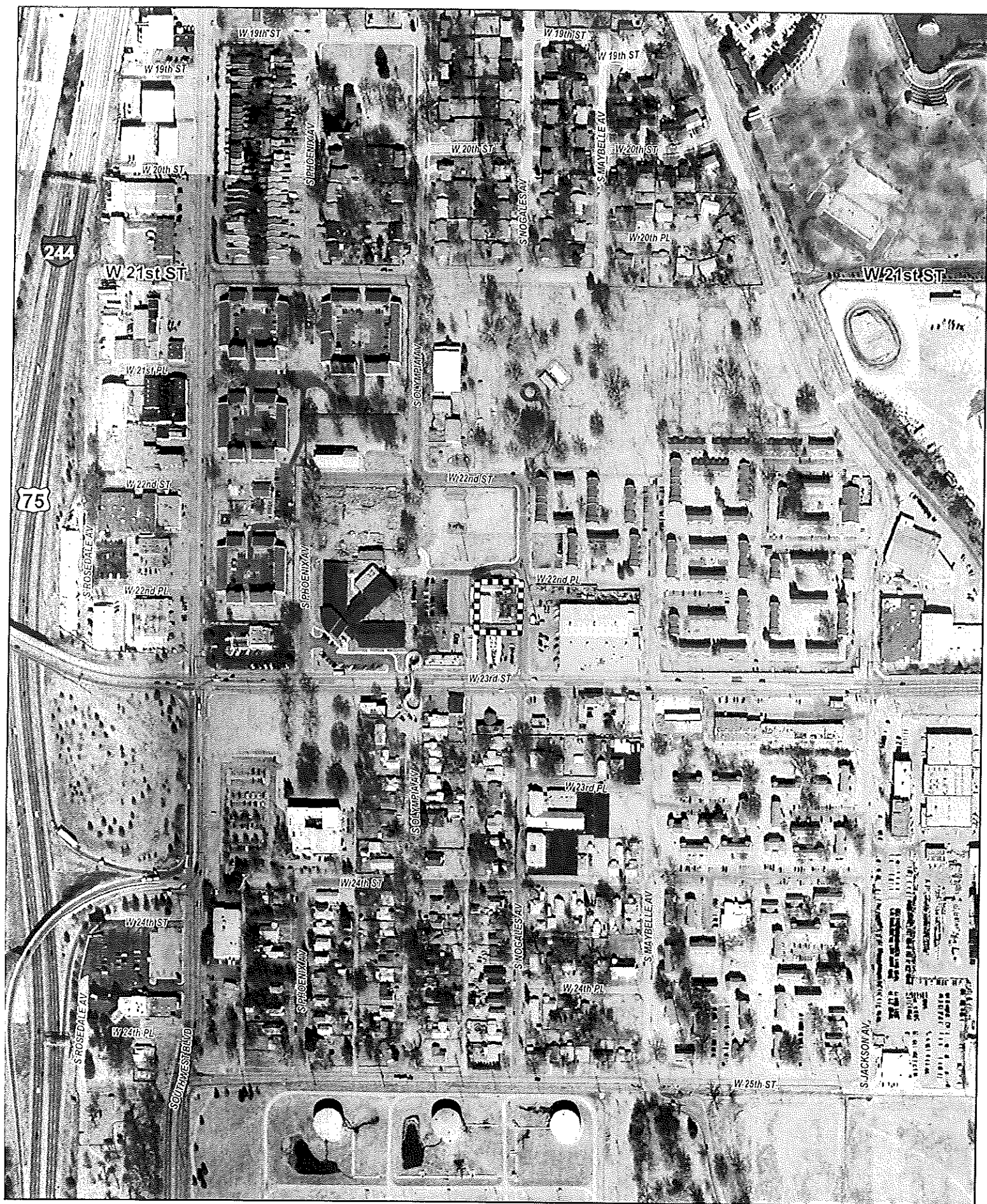
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.



BOA-20716

19-12 14

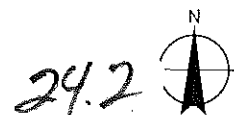




Feet
0 200 400

BOA-20716

19-12 14



PLAT WAIVER

July 16, 2008

BOA 20716 - (9214) (PD 9) (CD 7)
North of West 23rd and West of South Nogales Avenue

The platting requirement is being triggered by Board of Adjustment case 20716 for community counseling and educational uses. Staff provides the following information from TAC at their July 3, 2008 meeting:

ZONING:

- TMAPC Staff: Staff does not object to the plat waiver on the previously platted property.

STREETS:

- Additional 10 feet of right-of-way is needed along Nogales.

SEWER:

- The existing sanitary sewer along the west property line is not shown to be in an easement. A 10 foot sanitary sewer easement will need to be dedicated.

WATER:

- No comment.

STORM DRAIN:

- No comment.

FIRE:

- No comment.

UTILITIES:

- No comment.

Staff recommends **APPROVAL** of the plat waiver.

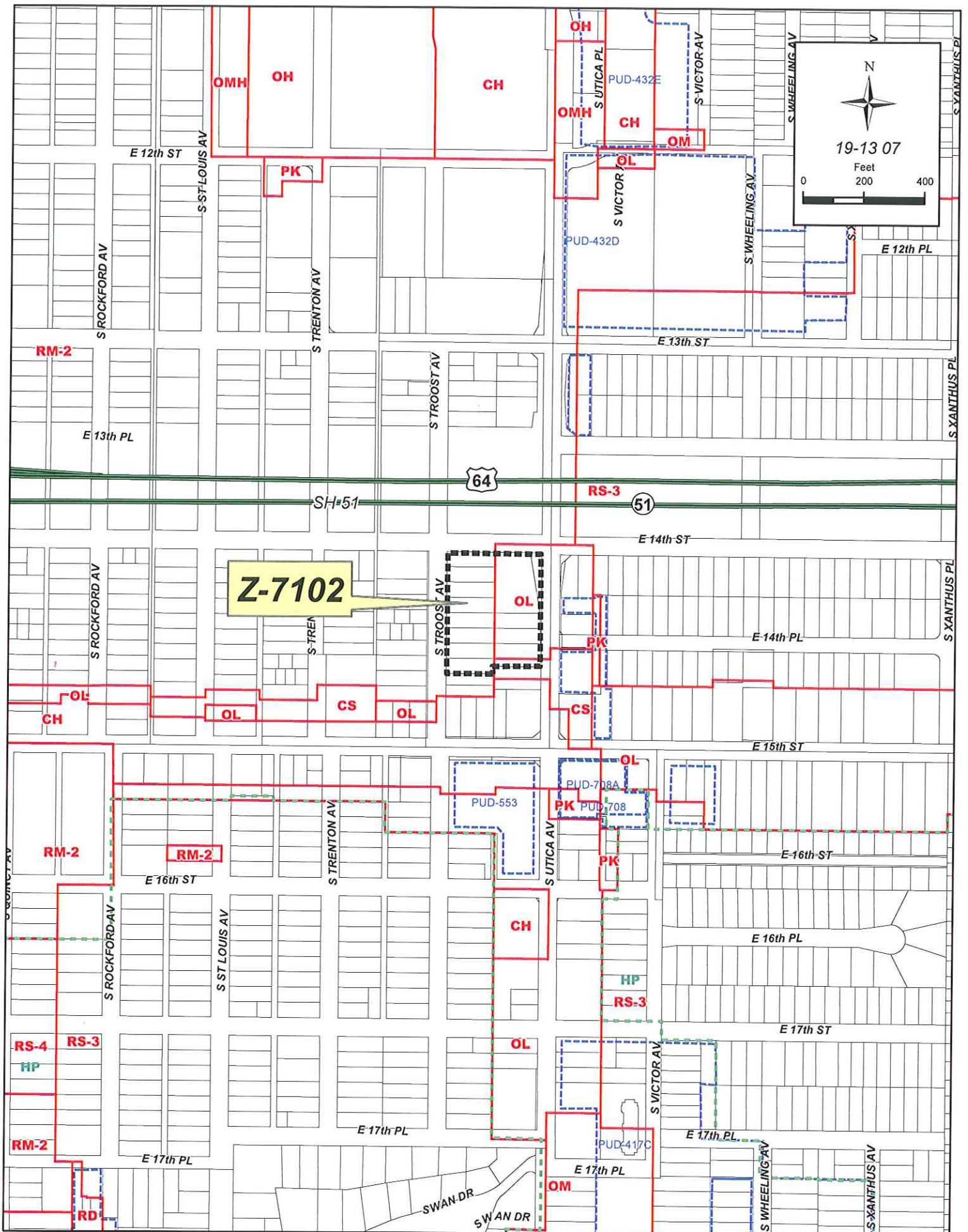
A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

- | | Yes | NO |
|---|-----|----|
| 1. Has Property previously been platted? | X | |
| 2. Are there restrictive covenants contained in a previously filed plat? | X | |
| 3. Is property adequately described by surrounding platted properties or street right-of-way? | X | |

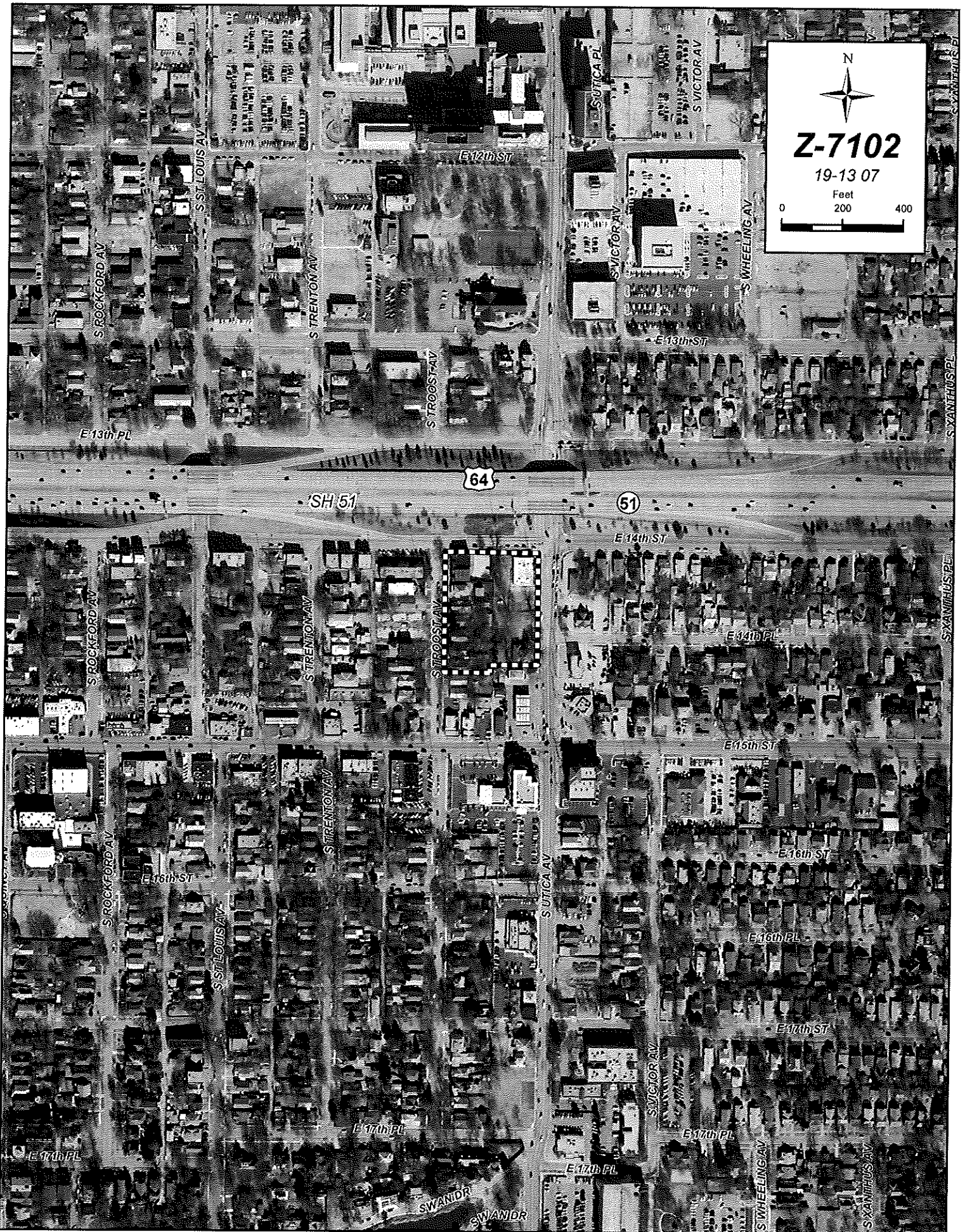
24.3

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

	YES	NO
4. Is right-of-way dedication required to comply with Major Street and Highway Plan?	X	
5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived?		X
6. Infrastructure requirements:		
a) Water		
i. Is a main line water extension required?		X
ii. Is an internal system or fire line required?		X
iii. Are additional easements required?		X
b) Sanitary Sewer		
i. Is a main line extension required?		X
ii. Is an internal system required?		X
iii. Are additional easements required?		X
c) Storm Sewer		
i. Is a P.F.P.I. required?		X
ii. Is an Overland Drainage Easement required?		X
iii. Is on site detention required?		X
iv. Are additional easements required?		X
7. Floodplain		
a) Does the property contain a City of Tulsa (Regulatory) Floodplain?		X
b) Does the property contain a F.E.M.A. (Federal) Floodplain?		X
8. Change of Access		
a) Are revisions to existing access locations necessary?		X
9. Is the property in a P.U.D.?		X
a) If yes, was plat recorded for the original P.U.D.		
10. Is this a Major Amendment to a P.U.D.?		X
a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.?		
11. Are mutual access easements needed to assure adequate access to the site?		X
12. Are there existing or planned medians near the site which would necessitate additional right-of-way dedication or other special considerations?		X



25.1



Z-7102

19-13 07

Feet

0 200 400

25.2



**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7102

TRS 9307

Atlas 3/14

CZM 37

PD-6 CD-4

TMAPC Hearing Date: July 16, 2008

Applicant: Roy D Johnsen

Tract Size: 2.7± acres

ADDRESS/GENERAL LOCATION: Southwest corner of the Broken Arrow Expressway and South Utica Avenue.

EXISTING ZONING: OL/RM-2 /CS

EXISTING USE: formerly office and residential; now cleared and vacant

ZONING ORDINANCE: Ordinance number 16678 dated September 24, 1986, and 11815 dated June 26, 1970, established zoning for the subject property.

PROPOSED ZONING: OH

PROPOSED USE: Offices

RELEVANT ZONING HISTORY:

Z-7038 October 2006: A request for rezoning a 2± acre tract of land from RM-2 to CH for new commercial development and parking, on property located north of the northeast corner of South Troost Avenue and East 15th Street and abutting south of subject property was withdrawn by applicant.

Z-6977/PUD-708-A July 2005: All concurred in approval of a proposed Major Amendment to a PUD on a 1.34± acre tract of land on property and to allow on property located on the southeast corner East 15th Street and South Utica Avenue. Staff and TMAPC recommended approval to remove HP zoning subject to the removal of the Victor access. The City Council motioned to retain the three lots in HP overlay zoning, and approve the curb-cut onto Victor but not allow to open until the scheduled improvements at 15th and Utica intersection are made; and to approve a landscaping addition to the project at the southeast corner of parking lot providing a buffer and transition into the remaining single-family residential uses to the south.

PUD-708 August 2004: All concurred in approval of a proposed Planned Unit Development on a 1.34± acre tract of land, to permit the consolidation of several parcels with various zoning, CH, OL, PK, RS-3 and HP to allow for a bank, including drive-thru facility, and office use subject to staff recommendations and eliminating access to Victor Avenue, and to specific traffic flow requirements on property located on the southeast corner of East 15th Street South and South Utica Avenue and southeast of subject property.

PUD-614 August 1999: All concurred in approval of a proposed Planned Unit Development a 1.2± acre tract for a one-story medical office (KMO Cancer Care Facility) on property located on the southeast corner of East 15th Street and South Victor Avenue.

PUD 553 April 1997: All concurred in approval of a proposed Planned Unit Development on a 2.14± acre tract of land to permit a bank, including drive-in facility, and office use per

25.4

conditions on property located on the southwest corner of East 15th Street and South Utica Avenue and south of subject property.

PUD-437 August 1988: All concurred in approval of a proposed Planned Unit Development a 1.35+ acre tract of land for uses as permitted by right in an OL district excluding drive-in banks and funeral homes and allowing 2 stories on property located on the southeast corner of East 14th Place and South Utica Avenue.

Z-6111 September 1986: A request to rezone a .2 acre tract from OL to CS on property located north of the northwest corner of East 15th Street and Utica Avenue and a portion of the subject property was recommended for approval by staff if the property continues with the commercial lot to the south and if TMAPC amends the Comprehensive plan to include this area otherwise staff recommended denial. The TMAPC recommended denial, however the City Council approved the CS zoning.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2.7± acres in size and is located southwest corner of East 14th Street South and South Utica Avenue. The property appears to be vacant, cleared land and is zoned RM-2/OL.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 14 th Street	N/A	N/A	4 (one-way exit road from the Broken Arrow Expressway; two outer lanes must turn either north or south)
South Utica Avenue	Urban arterial	70'	4
South Troost Avenue	N/A	N/A	2

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

SURROUNDING AREA: The subject tract is abutted on the east by office and commercial uses, zoned PUD/CS/PK/RM-2/OL; on the north by the expressway, zoned RS-3; on the south by office/commercial uses, zoned RM-2/CH; and on the west by office/commercial/residential uses, zoned RM-2. It lies midway between the Hillcrest Health Care Center and St. John's Medical Center, both very high intensity uses.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 6 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being within the Cherry Street Special Consideration Area. According to the Zoning Matrix, the requested OH zoning **may be found** in accord with the Plan by virtue of its location within a Special District. Policies in the Cherry Street refer to area F as the Bellview Special Development Sub-area and cite the area east of Peoria for Medium Intensity Residential or Office use, and encourage use of the PUD in redevelopment. Area G is designated as a Low Intensity Sub-area, with uses limited to off-street parking, Low Intensity Office or Low Intensity Residential. But for its location in a Special District, the proposed rezoning would not be in accord with the Plan.

25.5

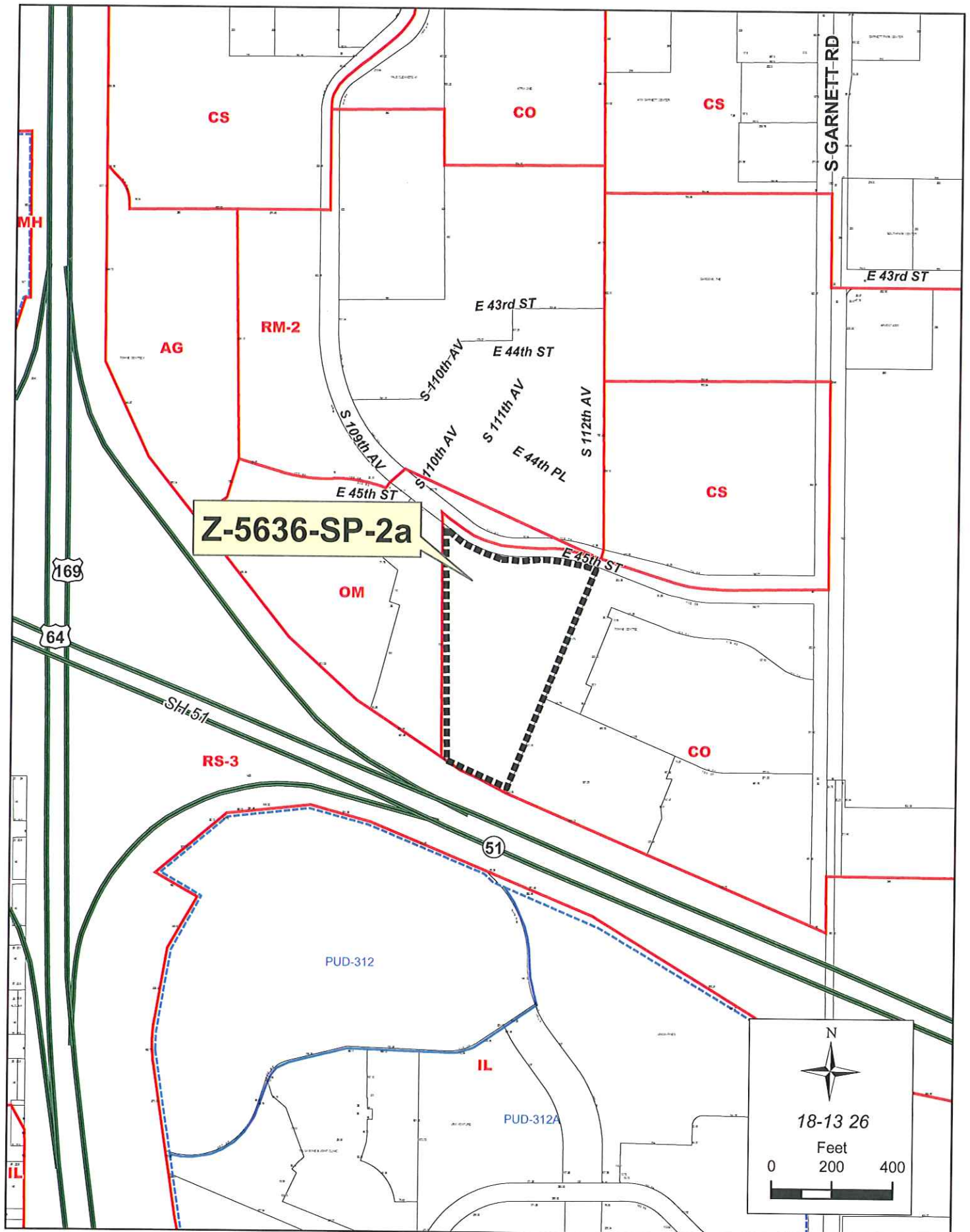
STAFF RECOMMENDATION:

The site's location adjacent to a very busy expressway and its eastbound off-ramp argues for its development as a high intensity office use. The surrounding area is clearly in transition and has been in mixed uses for some time. North and south of this site, the Utica Avenue corridor has developed in high intensity, highrise uses and continues to do so. To the north, the Hillcrest Medical Center complex includes highrise buildings and OH zoning. The St. John Medical Center does the same on the south. The requested use is of the same nature. Therefore, staff can recommend **APPROVAL** of the requested OH zoning for Z-7102.

Staff further recommends that the District 6 Plan map and text be amended to reflect the appropriateness of high intensity uses on this site. Staff also believes that the Cherry Street Special District study should be reevaluated for relevance during the Comprehensive Plan update process.

07/16/08

25.6



26.1



07/07/08

Tulsa Metro Area Planning Commission
Care of Mindi Bass

Ms. Bass,

We are asking for a continuance of corridor site plan minor amendment number Z-5636-SP-2A. The purpose of the continuance is to allow consideration of a LED/Digital Outdoor Advertising Sign.

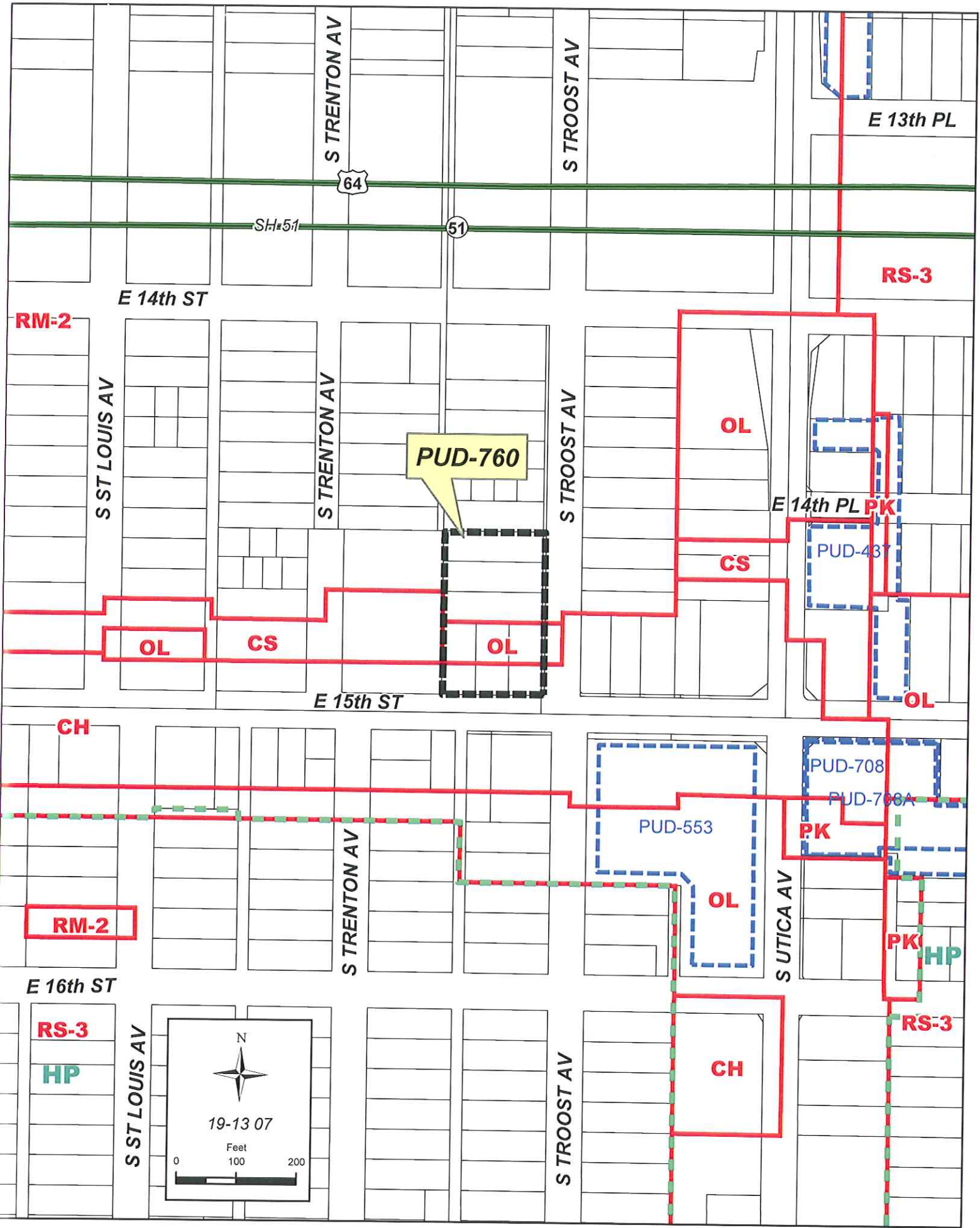
Thank You For Your Time And Consideration,

John Allred
Whistler Sign Company, LLC
918-770-3339

Whistler Outdoor Advertising, Inc.

8988-L South Sheridan • PMB 189 • Tulsa, Oklahoma 74133 • phone: 918-491-SIGN fax: 918-491-7449 • www.whistlersign.com

26.2





S STRENTON AV

S STROOST AV

E 13th PL

64

SH 51

51

E 14th ST

S ST LOUIS AV

S STRENTON AV

S STROOST AV

E 14th PL

E 15th ST

S STRENTON AV

S UTICA AV

E 16th ST

S ST LOUIS AV

S STROOST AV

N

19-13 07

PUD-760

Feet

0 100 200

27.2

STRENTON AV

STROOST AV

PUD-760

E 15th ST



**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: PUD-760

TRS 9307

Atlas 14

CZM 37

PD-6 CD-4

TMAPC Hearing Date: July 16, 2008

Applicant: Roy D Johnsen

Tract Size: 1.35± acres

ADDRESS/GENERAL LOCATION: Northwest corner of East 15th Street South and South Troost Avenue

EXISTING ZONING: RM-2/OL/CH

EXISTING USE:
Commercial/Residential/vacant

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

PROPOSED ZONING: RM-2/OL/CH/PUD

PROPOSED USE: Retail/office

RELEVANT ZONING HISTORY:

Z-7038 October 2006: A request for rezoning a 2± acre tract of land from RM-2 to CH for new commercial development and parking, on property located north of the northeast corner of South Troost Avenue and East 15th Street and east of subject property was withdrawn by applicant.

Z-6977/PUD-708-A July 2005: All concurred in approval of a proposed Major Amendment to a PUD on a 1.34± acre tract of land on property and to allow on property located on the southeast corner East 15th Street and South Utica Avenue. Staff and TMAPC recommended approval to remove HP zoning subject to the removal of the Victor access. The City Council motioned to retain the three lots in HP overlay zoning, and approve the curb-cut onto Victor but not allow to open until the scheduled improvements at 15th and Utica intersection are made; and to approve a landscaping addition to the project at the southeast corner of parking lot providing a buffer and transition into the remaining single-family residential uses to the south.

PUD-708 August 2004: All concurred in approval of a proposed Planned Unit Development on a 1.34± acre tract of land, to permit the consolidation of several parcels with various zoning, CH, OL, PK, RS-3 and HP to allow for a bank, including drive-thru facility, and office use subject to staff recommendations and eliminating access to Victor Avenue, and to specific traffic flow requirements on property located on the southeast corner of East 15th Street South and South Utica Avenue and southeast of subject property.

PUD 553 April 1997: All concurred in approval of a proposed Planned Unit Development on a 2.14± acre tract of land to permit a bank, including drive-in facility, and office use per conditions on property located on the southwest corner of East 15th Street an South Utica Avenue and south of subject property.

BOA-16415 August 24, 1993: The Board of Adjustment denied a Special Exception to permit Use Unit 11 in an RM-2 district finding office use too intense for the surrounding residential neighborhood on property located at 1432 South Troost; Lot 7, Block 1, Clark's Addition; and a part of subject property.

BOA-16365 June 8, 1993: The Board of Adjustment denied a Special Exception to permit Use Unit 5 or 11 in an RM-2 district finding community services and office use too intense for the surrounding residential neighborhood on property located at 1432 South Troost; Lot 7, Block 1, Clark's Addition; and a part of subject property.

PUD-437 August 1988: All concurred in approval of a proposed Planned Unit Development a 1.35+ acre tract of land for uses as permitted by right in an OL district excluding drive-in banks and funeral homes and allowing 2 stories on property located on the southeast corner of East 14th Place and South Utica Avenue.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1.35± acres in size and is located northwest corner of East 15th Street South and South Troost Avenue. The property appears to be residential, commercial, and some vacant and is zoned RM-2/OL/CH.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 15 th Street South	Urban arterial	70'	4
South Troost Avenue	Residential Collector	60'	2

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

SURROUNDING AREA: The subject tract is abutted on the east by Troost Avenue and then Lots 13, 14 and the south ½ of Lot 15, Lakeview Addition, zoned CH and the north ½ of Lot 15, and Lots 16, 17, and 18 – Lakeview Addition, zoned RM-2; on the north by Troost Lofts at Cherry Street, zoned RM-2; on the south by 15th Street and then Orcutt Addition, zoned CH; and on the west by Lot 13 and the southern 2/3 of Lot 14, Clark's Addition, zoned CH and the northern 1/3 of Lot 14 and Lots 15 and 16, Clark's Addition, zoned CS and Lots 17 and 18, Clark's Addition, zoned RM-2.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 6 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being Medium Intensity, as well as being in Special Area A - Cherry Street Business Sub-area, Special Area F – Bellview Special Development Sub-area, and a historic neighborhood. The subject tracts are not in the Swan Lake Historic Preservation District.

The site consists of 17,640 gross square feet (gsf) (.4 acres) of CH zoning, 12,740 gsf (.29 acres) of OL zoning and 29,400 gsf (.67 acres) of RM-2 zoning. According to the Zoning Matrix, the existing CH, zoning **is not** in accord with the plan, and the OL and RM-2 zoning **is** in accord with the Plan.

Although the existing CH zoning is not in accord with the Comprehensive Plan, the proposed uses, Use Units 10, 11, 12, 13, and 14, are in keeping with the overall intensity and types of uses surrounding it. Furthermore, Special District F - the Bellview Special Development Sub-area, of the District 6 Plan recognizes in section 3.5.6.2;

"The area east of Peoria (along 15th Street) is uniquely defined, such that redevelopment could accommodate either medium intensity residential or office developments or projects combining the two uses. Any future development should utilize the PUD process or Board of Adjustment review to ensure a comprehensive development embodying the intent of the Comprehensive Plan. Uses within this area should support and be compatible with commercial uses along 15th Street. Also, section 3.5.1.2 of the District 6 Plan in discussing The Cherry Street Business Sub-area, suggests parking as a proper buffer between commercial uses and residential uses, as is proposed for this development.

With no zoning change required or requested staff finds the proposed development to be consistent with the development trends of the surrounding area, and therefore may be found in accord with the plan.

STAFF RECOMMENDATION:

PUD-760 comprises 1.03 net acres of land situated on the northwest corner of East 15th Street South and South Troost Avenue, and is described within the attached Exhibit "G". Upon approval of the concept plan herein, the site will be re-platted as "Cherry Street Ridge".

The conceptual site plan is shown in attached Exhibits "A" and "E". The PUD conceptual site plan is submitted to establish designation of uses, permitted intensity and development standards and conditions, including platting and detailed site plan approval.

The Site is presently zoned CH - Commercial High Intensity, OL - Office Low Intensity and RM-2, Residential Multi-Family. No change to zoning is proposed. Existing zoning is shown in Exhibit "C" and can support the requested floor areas and proposed uses. This site is located across the street from the Swan Lake Historic Preservation District. Proposed utilities are shown in Exhibit "D".

The Site has approximately 166 feet of frontage on East 15th Street South and is classified as an urban arterial street which forms the south boundary of the Site. Currently, 15th Street in the immediate vicinity is lined with commercial uses and is zoned CH. The Site also has approximately 270 feet of frontage on South Troost Avenue, which forms the east boundary of the Site. Along the east side of South Troost Avenue are commercial uses zoned CH and older single-family residential uses zoned RM-2. The single-family structures would be removed to make room for the parking lot for the development, identified in section 3.5.1.2 of the comprehensive plan as an appropriate buffer between commercial uses and residential uses in District 6. Multi-family uses abut the north boundary and approximately the north one-third of the west boundary, all of which is zoned RM-2. The south two-thirds of the west boundary abuts commercial uses and is zoned CH.

PUD-760 is an infill development of new construction. In keeping with the established predominant arrangement of commercial uses along East 15th Street, the development concept proposes commercial uses along the 15th Street frontage with pedestrian-oriented store fronts at or near the right-of-way with parking located in the rear. A solid screening masonry wall not less than eight feet in height and a 5-foot landscape buffer along the wall, will screen the parking from abutting multi-family uses. The frontage along Troost Avenue will be landscaped except at points of access. Trash enclosures would be required and all equipment areas - including building mounted - would be required to be screened from the view from a person standing at ground level. All site lighting, including building mounted, would be required to be directed down and away from abutting residential districts and would be verified by application of the Kennebunkport formula.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Staff finds PUD-760 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-760 subject to the following conditions:

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

Gross Land Area:	1.35 AC	58,800 sq. ft.
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Net Land Area:	1.03 AC	44,820 sq. ft.
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Permitted Uses:

Uses permitted by right within: Use Unit 10. Off-Street Parking Areas; Use Unit 11. Offices, Studios, And Support Services excluding drive-thru banking facilities; Use Unit 12. Eating Places Other Than Drive-Ins; Use Unit 13. Convenience Goods And Services; Use Unit 14. Shopping Goods And Services; and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area:

Restaurants	5,800 sq. ft.
Other Permitted Uses	<u>4,350 sq. ft.</u>
Total:	10,150 sq. ft.

Minimum Building Setbacks:

From centerline of East 15 th St. South	35 ft.
From centerline of South Troost Ave.	35 ft.
From north boundary	125 ft.
From west boundary	10 ft.

Maximum Building Height:	35 ft.
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Off-street Parking:	As required by the applicable use unit.
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Minimum Landscaped Area:	10% of net lot area
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Site Lighting:

Exterior area lighting shall be limited to shielded fixtures designed to direct light downward and away from residential properties. Lighting shall be so designed that the light producing elements and the polished light reflecting elements of exterior lighting fixtures shall not be visible to a person standing within an adjacent residential area or street right-of-way. No light standard shall exceed 20 feet in height, the application of which shall be verified by inclusion of Kennebunkport calculations at detail site plan review.

Signs:

Signs shall be limited to:

- (a) Wall or canopy signs not exceeding 2 square feet of display surface area per lineal foot of tenant space, provided however, the aggregate length of wall signs shall not exceed 75% of the wall or canopy to which affixed.

AND,

- (b) One ground sign shall be permitted along the East 15th Street frontage not to exceed 15 feet in height and 65 square feet of display surface area; or one projecting sign shall be permitted not to exceed 65 square feet of display surface area. Projection signs may not exceed the height of the building parapet wall.

Landscaping and Screening:

A minimum 10% net lot area shall be provided and maintained as landscaped open space. A solid screening masonry type wall not less than six (6) feet in height shall be provided along the entire north boundary and along that portion of the west boundary in common with residential uses. A five-foot landscaped strip along the lot lines in common with residential districts will be provided to further provide screening. Landscaping throughout the Planned Unit Development shall meet the adopted standards of the City of Tulsa.

Access and Circulation

Access to the property will be limited to, two (2) drives off of South Troost Avenue as shown in Exhibit "A". Existing Sidewalks along 15th Street and Troost Avenue will be preserved, or installed along 15th Street and Troost Avenue for the limits of the project.

Parcelization

After initial platting setting forth the allocation of floor area, division of lots may occur by approved lot split application and subject to the further approval of the Tulsa Metropolitan Area Planning Commission of proposed floor area allocations and confirmation of the existence of any necessary cross parking and mutual access easements. Such a division of a lot would require approval of a PUD minor amendment.

Transfer of Allocated Floor Area

Allocated floor area may be transferred to another lot or lots by written instrument executed by the owner of the lot from which the floor area is to be allocated provided however the allocation shall not exceed 10 % of the initial allocation to the lot to which the transfer of floor area is to be made. Such a transfer would require approval of a PUD minor amendment.

- 3. No zoning clearance permit shall be issued 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 the development area shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect, architect or engineer registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening will be installed by a specific date in

accordance with the approved landscape plan, 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. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.
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 or existing stormwater drainage structures and detention areas serving the development area 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 platting 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. Receptacle screening shall be constructed of materials having an appearance similar to the buildings themselves and be of complementary color. Trucks or truck trailers may not 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:

General:

Water: The proposed 6-inch water main line will be required to be placed inside of a restrictive water line easement.

Fire: No Comment.

Stormwater: No Comment.

Wastewater: The language in "V. Drainage and Utilities" regarding the Sanitary sewer needs to be corrected. The language reads "...manhole located approximately 108 feet north and 80

feet east, respectively, of the north and west property lines." This is incorrect; it should be the south and west property lines. If the businesses are to be sold separately then each business will need to abut the sewer.

Transportation: On Page 4 under Access and circulation add note for sidewalk requirement.

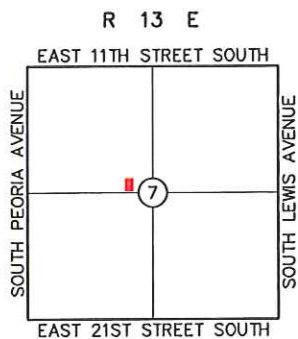
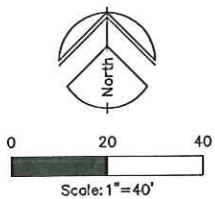
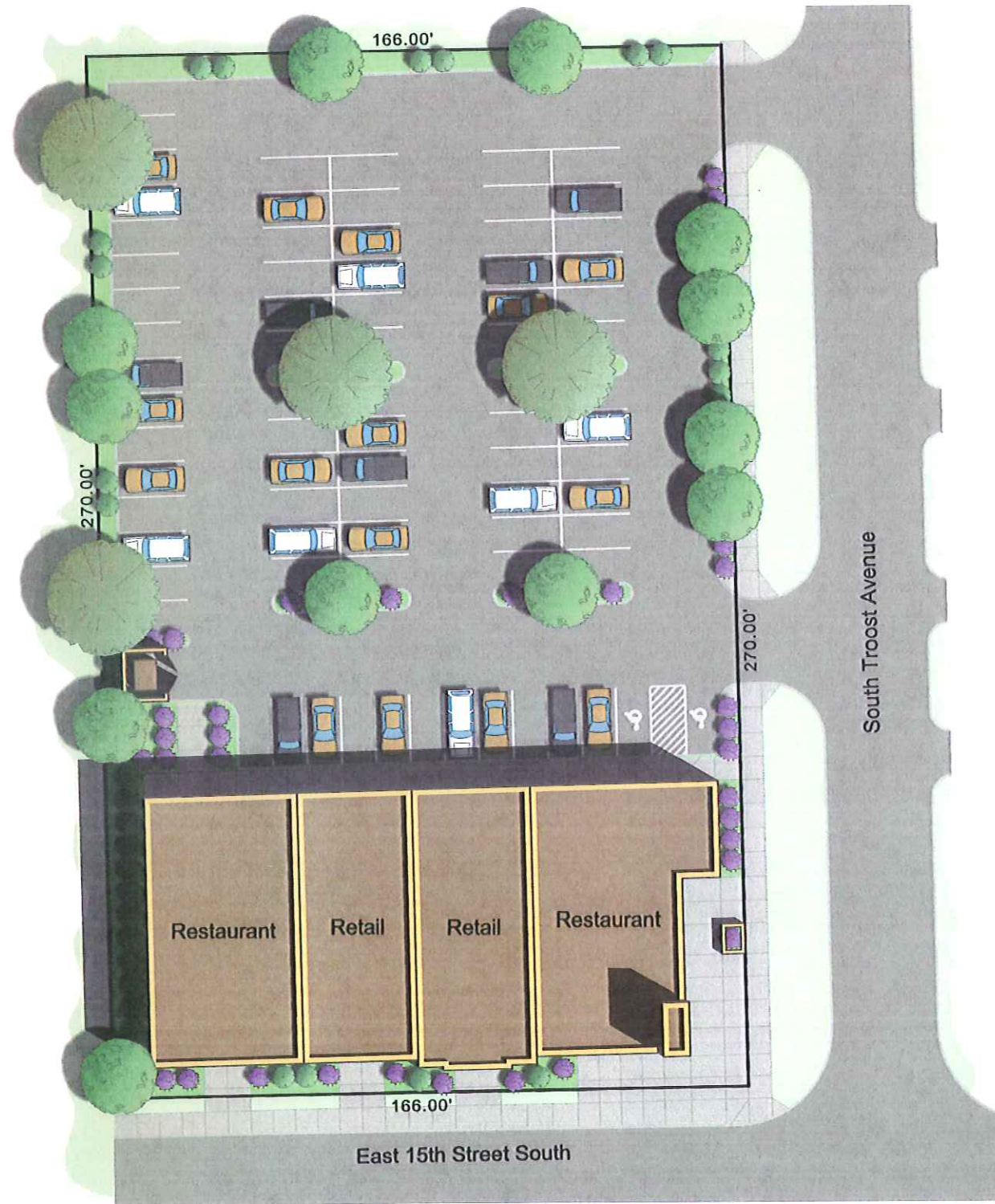
Traffic: No Comment.

GIS: No Comment.

Street Addressing: No Comment.

County Engineer: No Comment.

07/16/08



Location Map
SCALE: 1"=4000'

PUD No. 760
Cherry Street Ridge
 Exhibit A
 Conceptual Site Plan 27.11

 **Tanner Consulting LLC**
 5323 S. Lewis Ave. • Tulsa, OK 74105

Conceptual Site Plan
28124

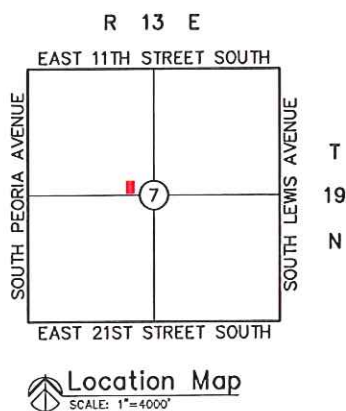
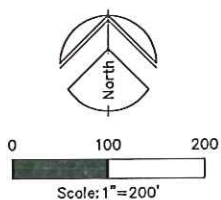
Cherry Street Ridge
Tulsa, Oklahoma

A



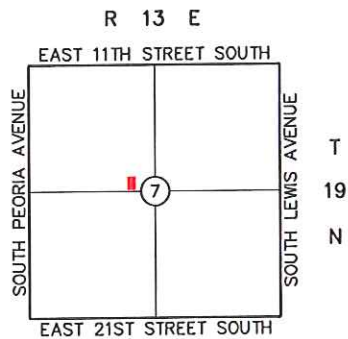
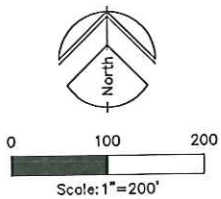
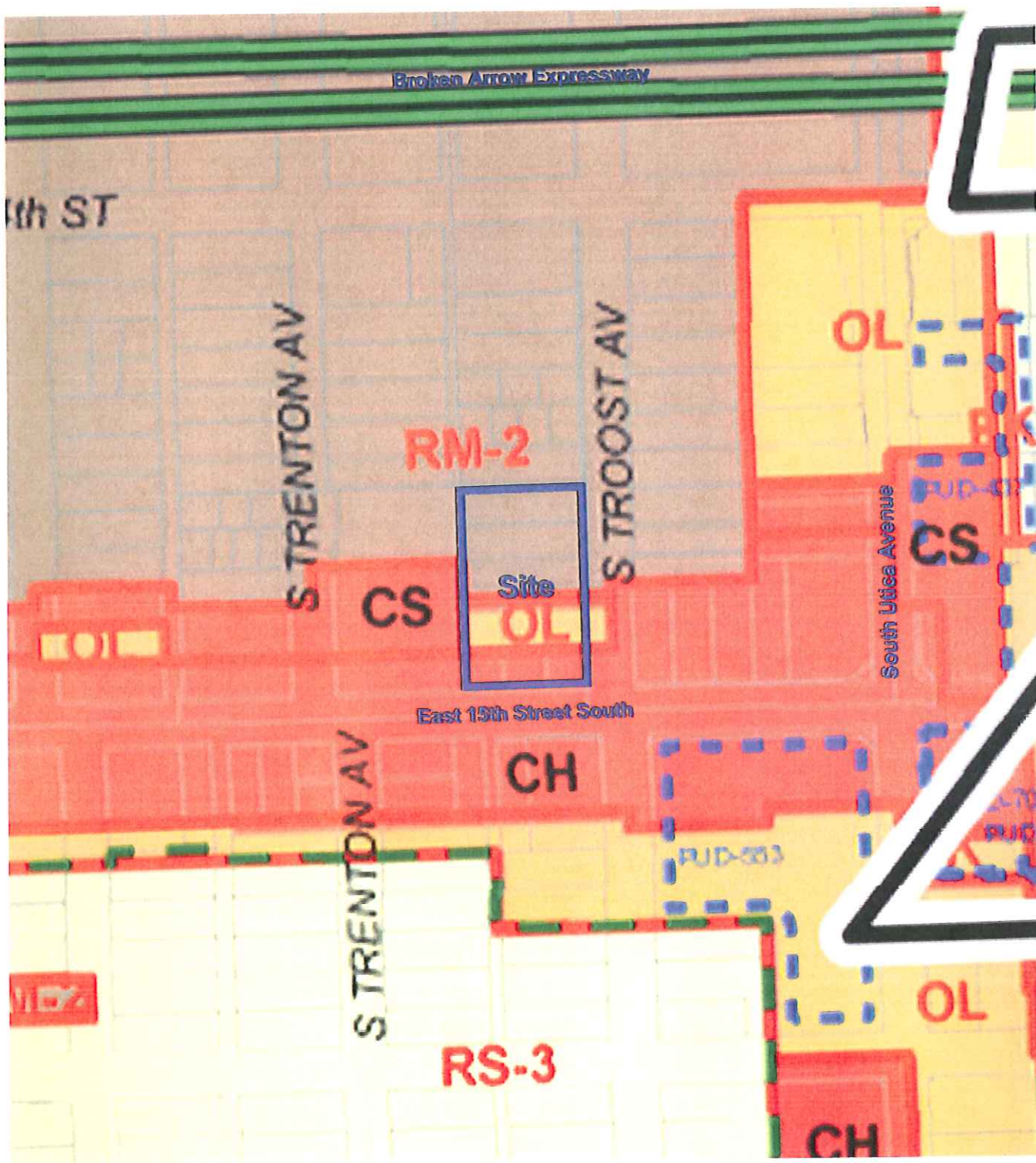
Site Aerial Photo
28124

Cherry Street Ridge
Tulsa, Oklahoma



PUD No. 760
Cherry Street Ridge
 Exhibit B
 Site Aerial Photo **27.12**

 **Tanner Consulting LLC**
 5323 S. Lewis Ave. • Tulsa, OK 74105



Location Map
SCALE: 1"=4000'

PUD No. 760
Cherry Street Ridge
 Exhibit C
 Existing Zoning

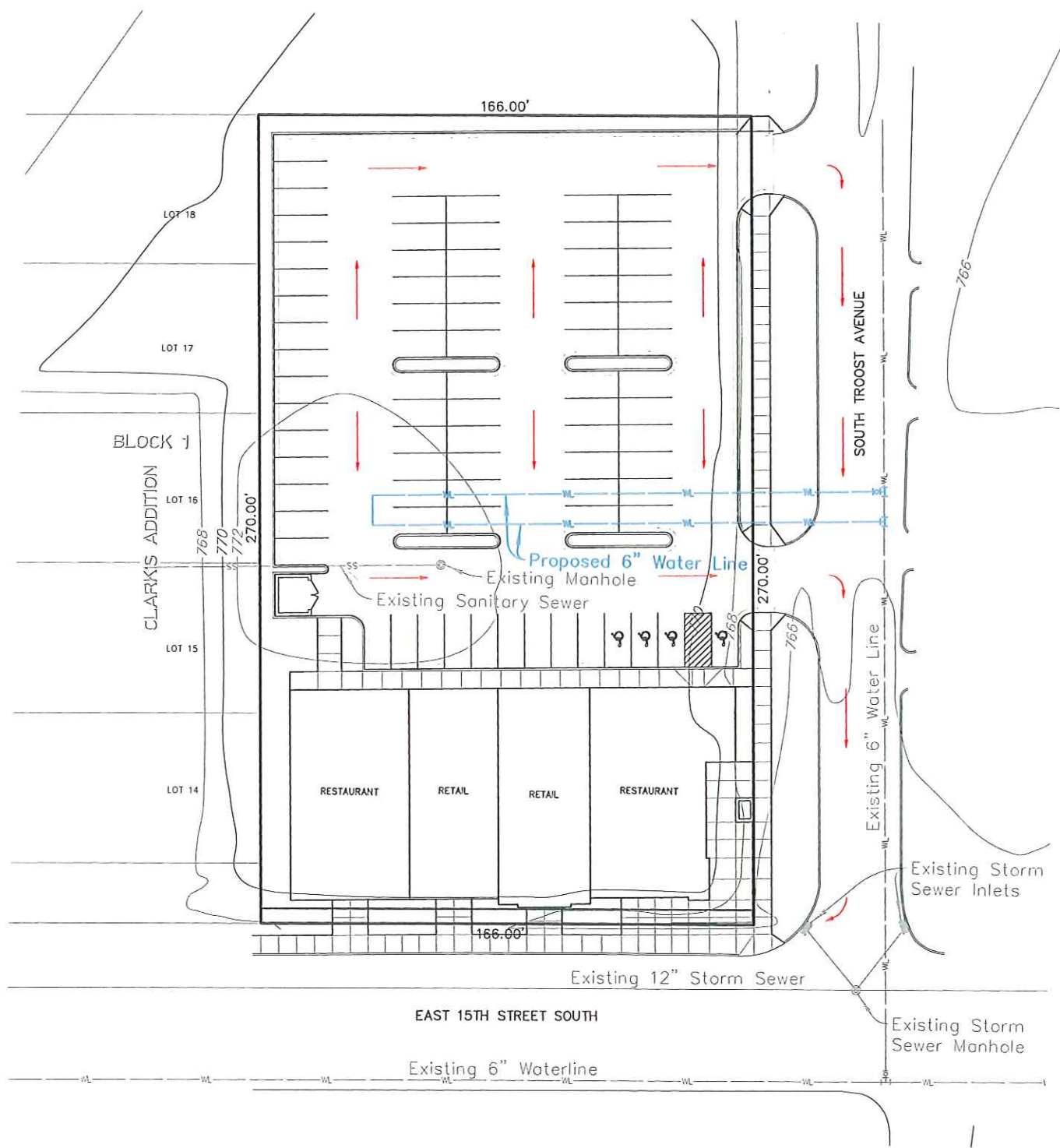
27.13

 **Tanner Consulting LLC**
 5323 S. Lewis Ave. • Tulsa, OK 74105

Existing Zoning
28124

Cherry Street Ridge
Tulsa, Oklahoma

C

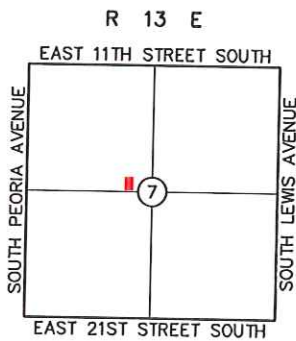


Utility Legend

- WL — Water Line
- - - WL - - - Ex. Water Line
- - - SS - - - Ex. Sanitary Sewer
- - - - - Ex. Storm Sewer
- Sheet Flow



0 25 50
Scale: 1"=50'



Location Map
SCALE: 1"=4000'

PUD No. 760

Cherry Street Ridge

Exhibit D

Existing Topography & Utilities



Tanner Consulting LLC
5323 S. Lewis Ave. • Tulsa, OK 74105

Cherry Street Ridge
Tulsa, Oklahoma

Existing Topography & Utilities
28124

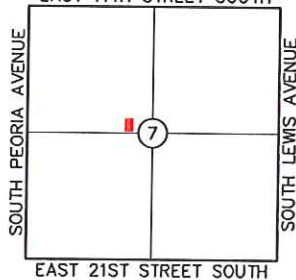
27.14

D



R 13 E

EAST 11TH STREET SOUTH



Location Map
SCALE: 1"=4000'

T
19
N

PUD No. 760

Cherry Street Ridge

Exhibit E

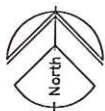
Oblique Aerial w/ Conceptual Site Plan



Tanner Consulting LLC
5323 S. Lewis Ave. • Tulsa, OK 74105

Cherry Street Ridge
Tulsa, Oklahoma

Oblique Aerial w/ Conceptual Site Plan
28124

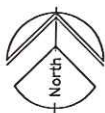


0 50 100
Scale: 1"=100'

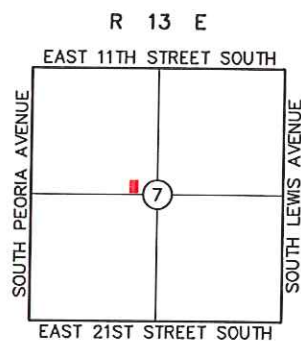


Soil Legend

17 Urban Land-Dennis Complex
0%-5% Slope



0 30 60
Scale: 1"=60'



Location Map
SCALE: 1"=4000'

T
19
N

PUD No. 760

Cherry Street Ridge

Exhibit F

Existing Soils Map



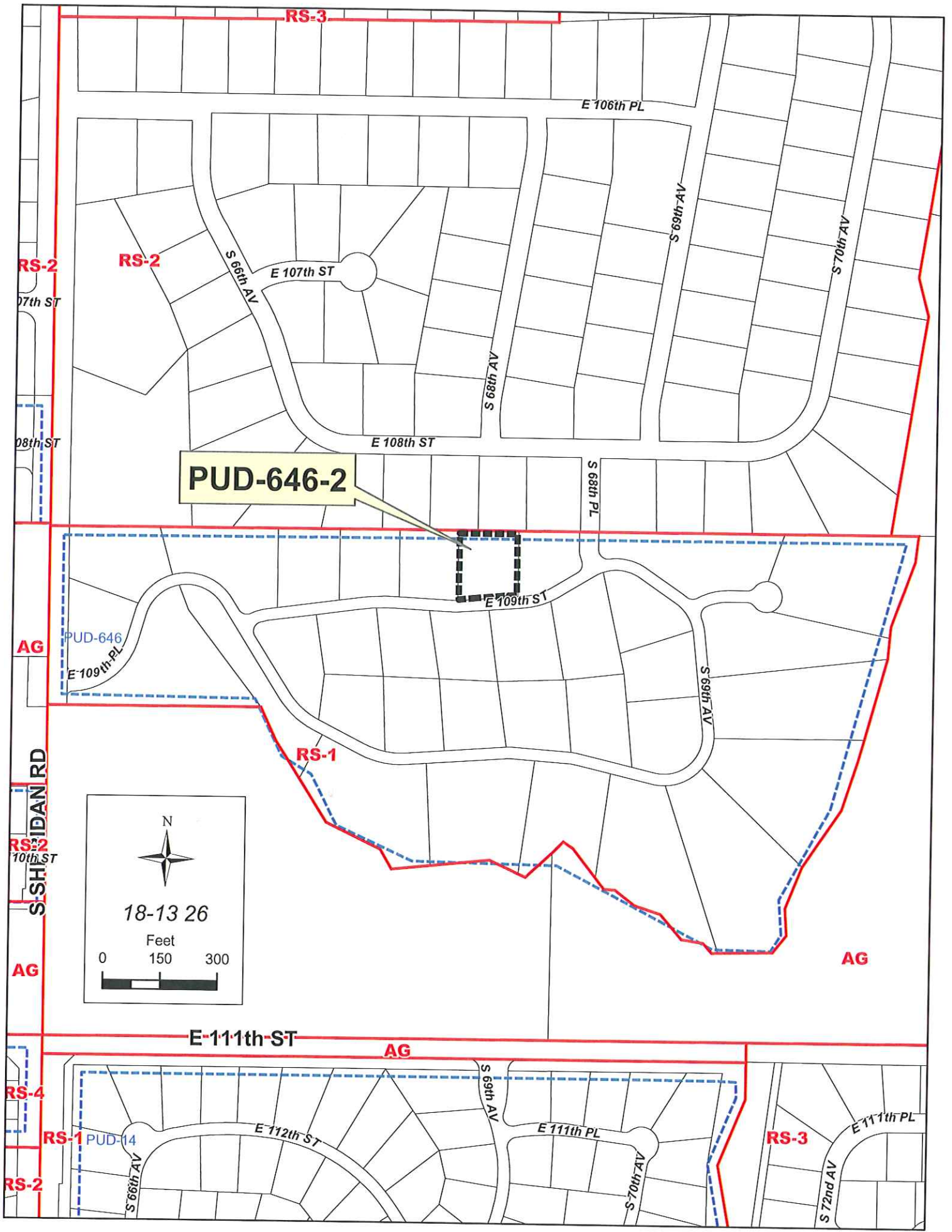
Tanner Consulting LLC
5323 S. Lewis Ave. • Tulsa, OK 74105

Existing Soils Map
28124

Cherry Street Ridge
Tulsa, Oklahoma

27.16

F



28.1



N

PUD-646-2

18-13 26

Feet

0 150 300



SUBJECT
TRACT

N

PUD-646-2

18-13 26

0 Feet 150
 75

STAFF RECOMMENDATION

PUD-646-2: Minor Amendment – Northeast, of the northeast corner of 111th Street South and Sheridan Road; Lot 2, Block 1 – Wenmoor; 6809 E. 109th Street South; TRS 8326; CZM 57; Atlas 2674; PD-26; CD-8; RS-1/PUD.

The applicant is requesting a minor amendment to reduce the rear setback on Lot, 2, Block 1 - Wenmoor from 25' to 11'3". The setback reduction would allow for construction of a 748 square foot (SF) detached, three-car garage and a 290 SF pool cabana. The subject tract is abutted on the north by Lots 12 and 13, Block 7 – Forest Trails.

The subject tract is a 27,584 SF lot (net), with an 8,228 SF house proposed for construction (see Exhibit A). PUD development standards call for accessory structures to meet the minimum setback requirements of the principal structure. Aside from the requested reduction in rear setback the proposed site plan appears to meet all other development standards of the PUD. The Wenmoor Homeowners Association has approved this proposal (see Exhibit B).

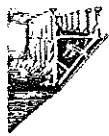
The house is proposed to be placed 7.5' from the west lot line with a carport extending to the 7.5' east setback line, the minimum side setback allowed by the PUD. The front setback is proposed for approximately 42' from the front property line/street ROW. The PUD front setback requirement is 30' from the front property line/street ROW. This could allow for the principal structure to be placed 12' closer to the street.

The closest residential structure to the subject tract is Lot 13 of Block 7 – Forest Trails, zoned RS-2. This house meets its rear setback requirement being approximately 55' from the north property line of the subject tract. The rear setback requirement for PUD-646 is, "25' from the north boundary, plus two additional feet of setback for every one-foot over 35' high". It is staff's opinion that per Section 1105 of the Code, the rear setback requirement for PUD-646 was made restrictive to protect abutting properties, specifically those RS-2 zoned lots to the north of the PUD whose lots are smaller in lot area and therefore permit smaller homes. Section 1105 of the Zoning Code states, "within a PUD, perimeter requirements for screening, landscaping, and setbacks, (will be established) as are necessary to assure compatibility with adjoining and proximate properties...". No other requests for relief of the setback from the north boundary of PUD-646 have been made or approved. There has been one amendment to the PUD which was an amendment to reduce the front setback on Lot 9, Block 2 – Wenmoor from 30' to 25'.

Given: 1) the over-all size of the subject tract; 2) the principal structure immediately to the north is approximately 55' from the PUD boundary; 3) that the principal structure for this proposal could be repositioned 12 feet closer to the street making the accessory structures compliant; and 4) there is nothing unique or non-conforming about the size,

28.4

shape, topography or location of the lot, staff finds per Section 1107-H of the Code the purposes and standards of the setback requirement and provisions of the PUD thereof are not maintained, and therefore recommends **DENIAL** of minor amendment PUD-646-2.



project, Keliyem Residence	location Lot 2, Bx 1, Wagonway
date, Feb. 8, 2008	May 22, 2008
	Mar. 10, 2008
	May 28, 2008 (Const Start)

Hollinger & Associates
Ketchum Residence

Ketchum Residence

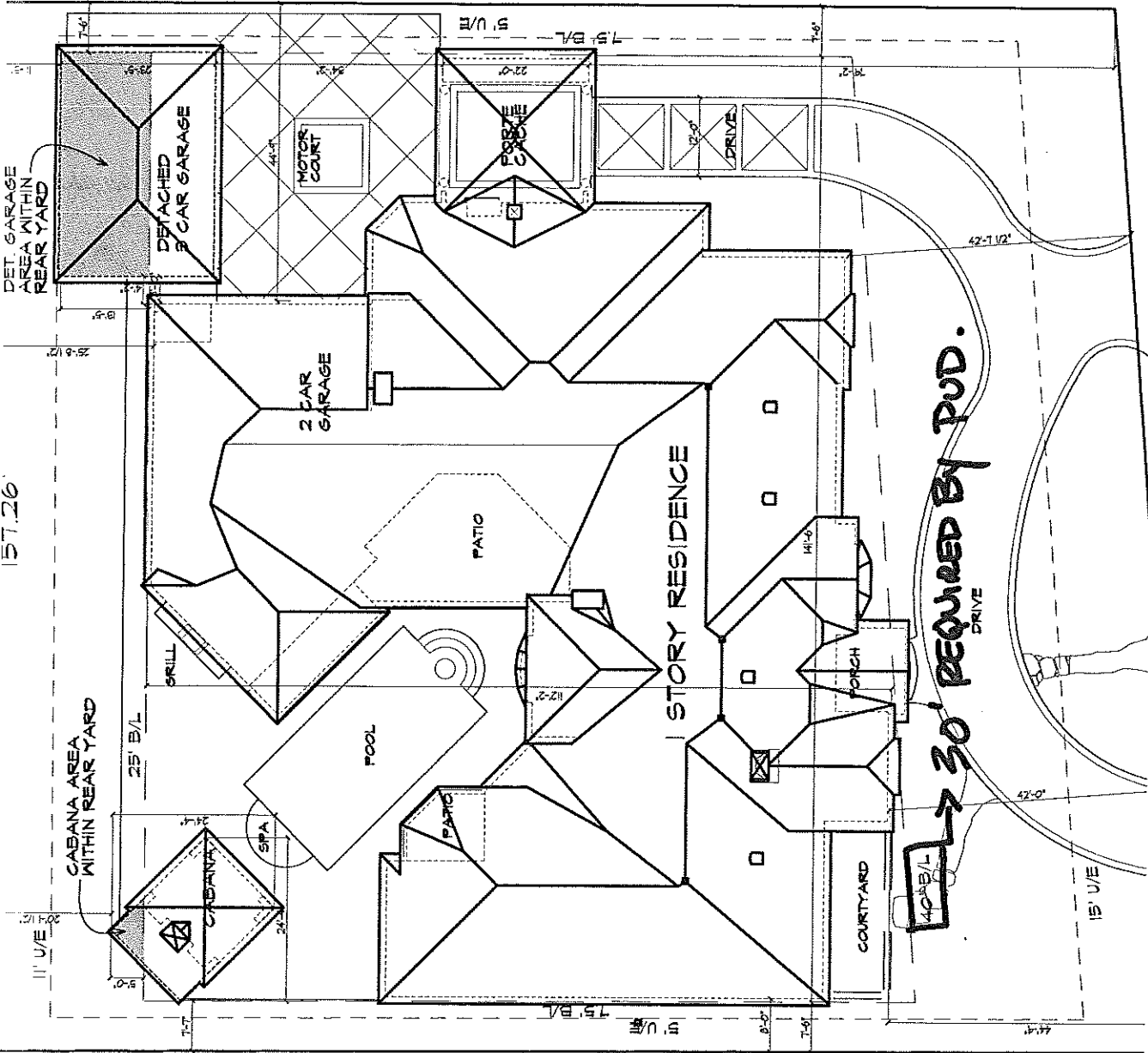
PWD
Bundara

LEGAL DESCRIPTION
LOT 2, BLOCK 1, KENMOOR, AN ADDITION
TO THE CITY OF TULSA, TULSA COUNTY,
STATE OF OKLAHOMA.

LEGAL ADDRESS
6809 EAST 109TH STREET SOUTH
TULSA, OK

AREA DATA	
LIVING (HOUSE)	7,759F
<hr/>	
TOTAL LIVING	8,228SF
GARAGES	1,534SF
<hr/>	
SITE AREA	27,504SF
LIVABLE AREA	12,719SF
<hr/>	
DET. GARAGE (AREA IN REAR YARD)	748SF 489SF (11%)
<hr/>	
CABANA (AREA IN REAR YARD)	240SF 245F (0.6%)
<hr/>	
TOTAL REAR YARD	3,492SF

 SITE PLAN
1/16" = 1'-0"



30' REQUIRED BY PUD.
DRIVE

May 27, 2008

Hollinger & Associates
Fax: 918-296-3808

RE: Ketchum Residence
Wenmoor, Block 1, Lot 2

Dear Mr. Hollinger:

We have reviewed the revised plot plan of the Ketchum Residence. Based upon this new plot plan, the Wenmoor Homeowner's Association Architectural Committee is approving the plans for the Ketchum Residence. As noted in our prior letter of May 20, we are approving the following exceptions to the Wenmoor Deed of Dedication and Restrictive Covenants:

- Section II.B.4 and Section II.B.5: Residences and all detached accessory buildings shall be setback 25 feet from the external boundaries of Wenmoor. The accessory building of the Ketchum residence is set back 11 feet 2 inches from the external boundary of Wenmoor.
- Section III.E: The primary residence shall provide an attached garage for a minimum of three automobiles.
- Section III.E: Side loading garages may be allowed with approval of the Architectural Committee.
- Section III.E: Detached garages for accessory buildings may be front loading providing they are not visible from the street and require Architectural Committee approval.

In addition, specific window, fencing, and any retaining wall plans must be submitted to the Architectural Committee for approval prior to installation.

If you have any questions or would like to discuss these issues further, please feel free to call any of our committee members.

Sincerely,

Wenmoor Home Owner's Association Architectural Committee

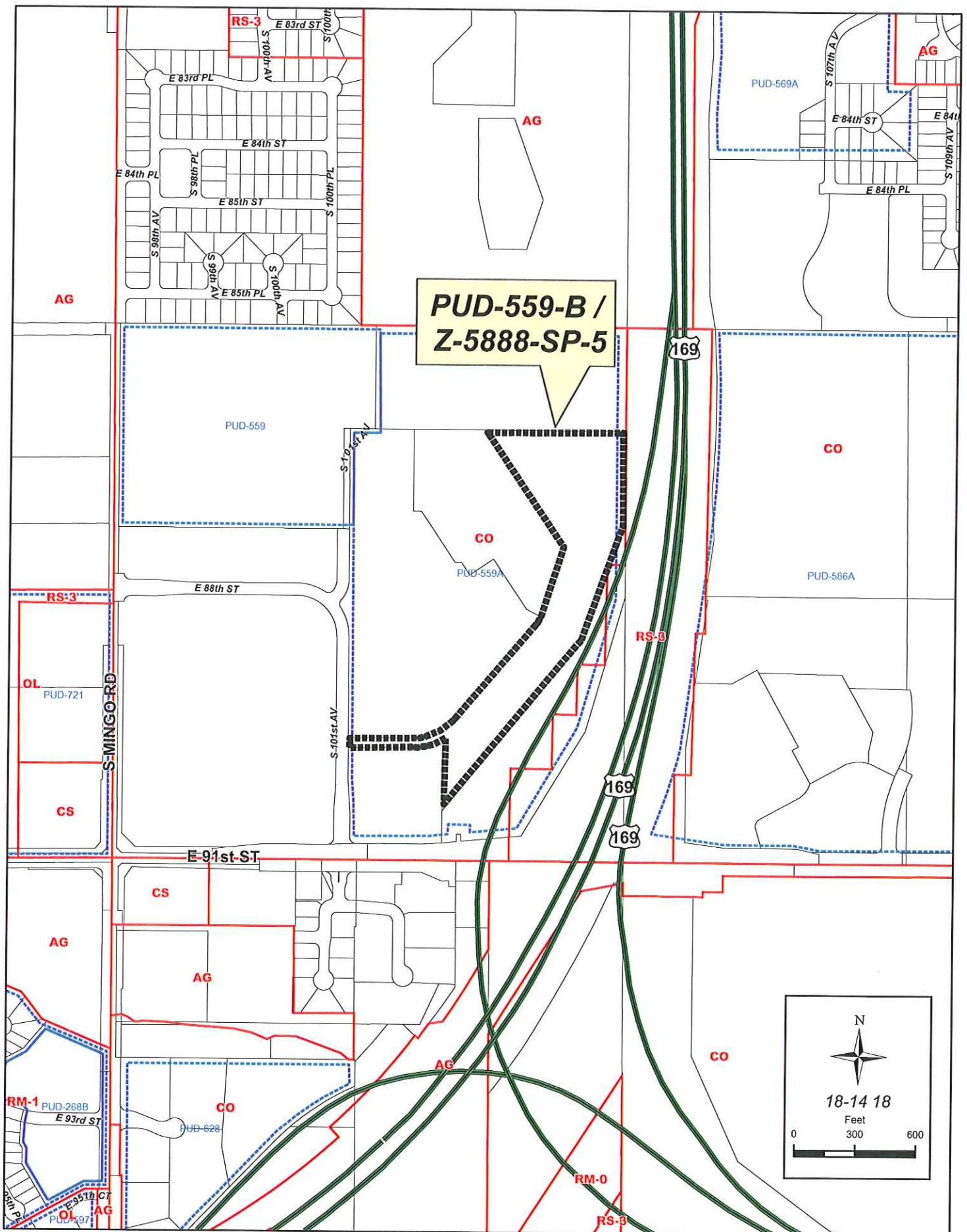
Lisa Powell
918-645-3698

Les Horner
918-688-3007

Norma James
918-625-1414

28.7

Exhibit B



29.1



N

PUD-559-B /
Z-5888-SP-5

18-14 18

Feet
0 300 600

29.2



SUBJECT TRACT

S 101st AV

E 88th ST

S 101st AV

E 91st ST

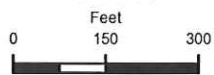
169

169



**PUD-559-B /
Z-5888-SP-5**

18-14 18



**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: PUD-559-B/Z-5888-SP-5

TRS 8418

Atlas 1902

CZM 54

PD-18 CD-8

TMAPC Hearing Date: July 16, 2008

(continued from 6/18/08 and 6/25/08)

Applicant: John W. Moody

Tract Size: 5.03± acres

ADDRESS/GENERAL LOCATION: North and east of the northeast corner of East 91st Street and South 101st East Avenue

EXISTING ZONING: CO/PUD

EXISTING USE: Vacant

ZONING ORDINANCE: Ordinance number 19538 dated May 17, 1999, established zoning for the subject property.

PROPOSED ZONING: CO/PUD

PROPOSED USE: Use Unit 21, to add a second outdoor advertising sign

RELEVANT ZONING HISTORY:

Z-6503-SP-2 October 19, 2007: Staff approved a proposed sign application in a Corridor Site Plan on a tract of land to replacing a previously approved outdoor sign, on property located east of the southeast corner of East 91st Street South and South Mingo Road, abutting west of the Mingo Valley Expressway and located south of subject property across East 91st Street South.

Z-6503-SP-2 May 2007: All concurred in approval of a proposed Corridor Site Plan on an 8.67± acre tract of land for new commercial and office development, on property located east of the southeast corner of East 91st Street South and South Mingo Road, abutting west of the Mingo Valley Expressway and located south of subject property across East 91st Street South.

Z-7003/PUD-721 January 2006: All concurred in approval of a request for rezoning and a proposed Planned Unit Development on a 40± acre tract of land from AG to RS-3/OL/CS/PUD for mixed use development with four development areas on property located northeast corner of East 91st Street South and South Mingo Road.

Z-5888-SP-4/PUD-586-A January 2002: All concurred in approval of a proposed Corridor Site Plan and Major Amendment to a PUD on a 23.4± acre tract of land to allow Use Unit 21 for two outdoor advertising signs in Development Area A, along the Mingo Valley Expressway with 1,300 feet distance between signs on property located on the northeast corner of East 91st Street South and Mingo Valley Expressway.

Z-6910-SP-2 April 2006: All concurred in approval of a proposed Corridor Site Plan on a 4.45± acre tract of land for commercial and medical office use and to establish the aggregate floor area of 27,380 square feet for office development on property located east of southeast corner of East 91st Street South and South Mingo Road.

Z-6910-SP-1 December 2003: All concurred in approval of a proposed Corridor Site Plan for a four-story medical office building on property located east of southeast corner of East 91st Street South and South Mingo Road.

Z-6910 November 2003: All concurred in approval of a request for rezoning from AG to CO on property located east of southeast corner of East 91st Street South and South Mingo Road.

BOA-19101 June 12, 2001: The Board of Adjustment approved a Special Exception to construct an 80 foot monopole cellular transmission tower on property zoned AG, per plan submitted on property located east of southeast corner of East 91st Street South and South Mingo Road.

BOA-18760 June 13, 2000: The Board of Adjustment approved a Variance of allowable height for existing outdoor advertising sign from 60' to 125', subject to meeting the spacing requirement between outdoor advertising signs finding the hardship to be the elevation of the Broken Arrow South Loop interchange on property located east of the southeast corner of East 91st Street South and South Mingo Road, abutting west of the Mingo Valley Expressway and located south of subject property across East 91st Street South.

BOA-18480 August 1999: The Board of Adjustment denied a request for a variance of the required 1,200' spacing between outdoor advertising signs to 940' to relocate an existing outdoor advertising sign, finding that there is no hardship to support the variance, on property located east of the southeast corner of East 91st Street South and South Mingo Road, abutting west of the Mingo Valley Expressway and located south of subject property across East 91st Street South.

Z-6503-SP-1a June 16, 1999: All concurred in approval of a proposed minor amendment to a Corridor Site Plan to remove an existing outdoor advertising sign, (located in the Mingo Valley Expressway Right-of-way) and erect a new sign that is within 940' of another outdoor advertising sign to the south, subject to applicant applying and receiving approval for a variance from the Board of Adjustment or applicant finding another location that will meet the spacing requirement, on property located east of the southeast corner of East 91st Street South and South Mingo Road, abutting west of the Mingo Valley Expressway and located south of subject property across East 91st Street South.

Z-6503-SP-1 March 1996: All concurred in approval of a proposed Corridor Site Plan on a 10.6± acre tract of land for an outdoor advertising sign subject to the requirements of Section 1221.F of the Tulsa Zoning Code, on property located south of southwest corner of East 91st Street South and South Highway 169.

Z-6503 October 1995: All concurred in approval of a request for rezoning a 10.6± acre tract of land from AG to CO on property located east of southeast corner of East 91st Street South and South Mingo Road and the subject property.

29.5

PUD-559-A/Z-5888-SP-3 May 1999: All concurred in approval of a proposed Major Amendment to Planned Unit Development and a Corridor Site Plan on a 58.4± acre tract of land for outdoor advertising sign on property located on the northwest corner of East 91st Street and South Mingo Valley Expressway and a part of the subject property.

PUD-559-A May 1999: Approval was granted for a major amendment to allow two outdoor advertising signs on property located east of the northeast corner of East 91st Street and South 101st East Avenue and within Development Area A of the original PUD-559 that was approved for South Crest Hospital facilities.

PUD-586 June 1998: All concurred in approval of a request for a proposed Planned Unit Development and Detail Corridor Site Plan on a 29± acre tract for a mixed-use development. The development proposed a medical complex, related offices, residential facilities and retail shopping area, located on the northwest corner of East 91st Street South and South Garnett Road.

PUD-559 November 1997: All concurred in approval of a proposed Planned Unit Development on a 60.9± acre tract of land for multi-use development including apartments, offices, colleges and universities was approved on property located on the northwest corner of East 91st Street and South Mingo Valley Expressway and a part of subject property.

Z-6523 March 1996: All concurred in approval of a request for rezoning a .87± acre tract of land from AG to CO on property located east of southeast corner of East 91st Street South and South Mingo Road and south of the subject property.

Z-6503-SP-1 March 1996: All concurred in approval of a proposed Corridor Site Plan on a 10.6± acre tract of land for an outdoor advertising sign subject to the requirements of Section 1221.F of the Tulsa Zoning Code, on property located south of southwest corner of East 91st Street South and South Highway 169.

Z-6503 October 1995: All concurred in approval of a request for rezoning a 10.6± acre tract of land from AG to CO on property located east of southeast corner of East 91st Street South and South Mingo Road.

Z-6194 July 1988: All concurred in approval of a request for rezoning a 4± acre tract located east of the southeast corner of East 91st Street and South Mingo Road from CS to CO.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 5.03± acres in size and is located north and east of the northeast corner of East 91st Street and South 101st East Avenue. The property is vacant and is zoned CO/PUD.

STREETS:

Exist. Access	MSHP Design.	MSHP R/W	Exist. # Lanes
91 st Street South	Secondary Arterial	100'	5
South 101 st East Avenue	Commercial Collector	80'	2

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

29.4

SURROUNDING AREA: The subject tract is abutted on the east by Highways 169 and 64 zoned RS-3; on the north by Tulsa Community College-Southeast campus, zoned AG; on the south by St. Francis Medical facility, zoned CO; and on the west by Southcrest, zoned CO.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 18 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being Corridor/Development Sensitive (in conjunction with a floodplain) and Low Intensity-No Specific land use. This means that development to Corridor standards is encouraged; however, if not developed at that higher intensity, then development should be at the Low Intensity-No Specific land use designation. According to the Zoning Matrix the requested zoning is the same as is currently in place. The issue in question is an additional outdoor advertising sign. The Plan does not address this level of detail.

STAFF RECOMMENDATION:

PUD-559-B is an undeveloped 14.86 acre (637,864 sf) tract located east of Southcrest Hospital and west of the southbound inter-dispersal loop of US Highway 169 and the Creek Turnpike. The major amendment request is to allow a second outdoor advertising (OA) sign within the southern ½ of Development Area A, of PUD-559-A.

This case was continued from 6/25/08 to allow for further legal investigation to verify if a variance for the height of an outdoor advertising sign granted to the property owner to the south is a variance that goes in perpetuity with the land, or is applicable to the permitted sign and therefore a specific assign owner only. Also under consideration was whether the 1,200 foot spacing requirement for O/A signs was a 1,200 foot requirement between existing signs (in the ground), or should the spacing verification consider signs that are not constructed and in the permitting/spacing verification process, but also have an approved detail sign plan.

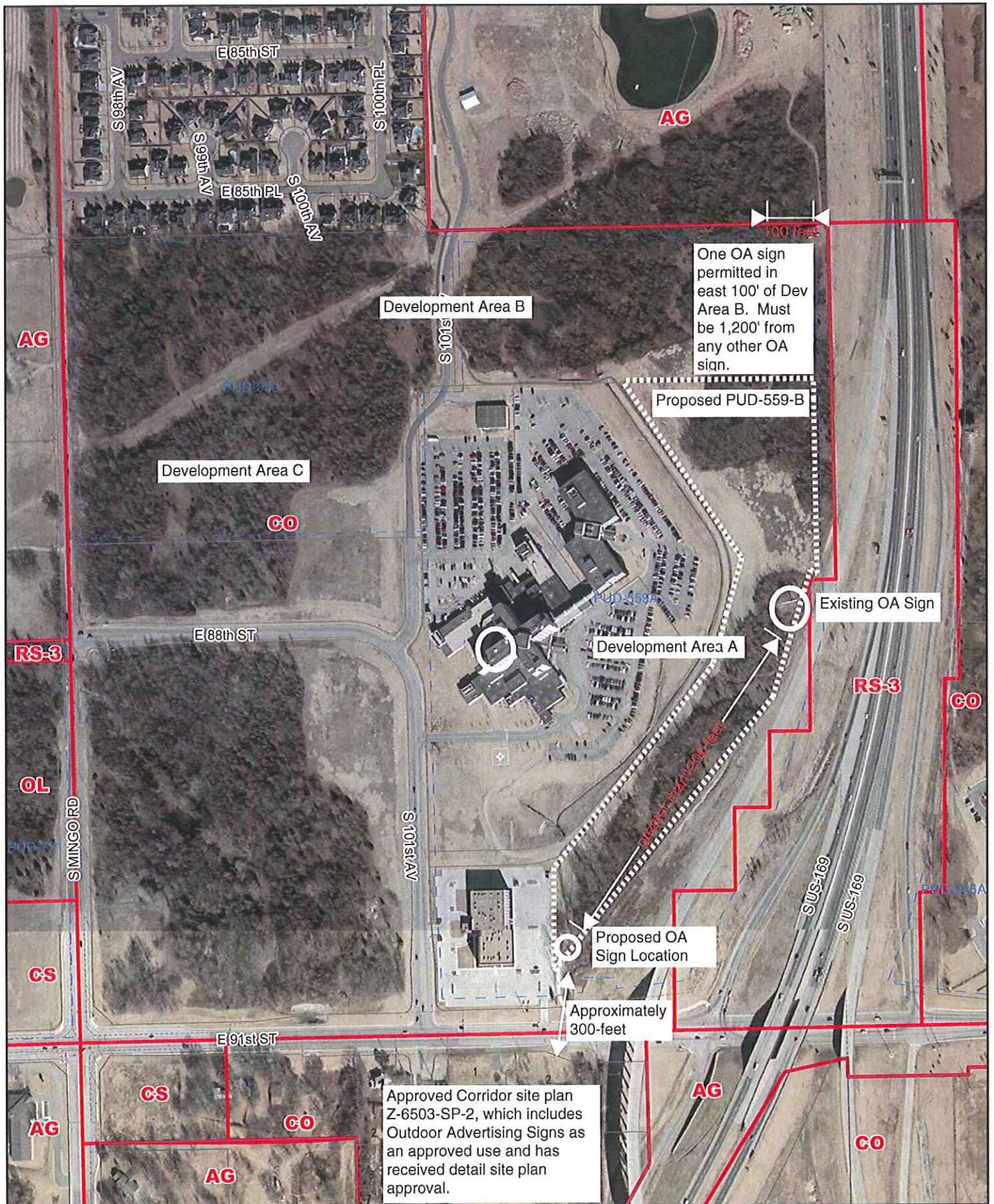
As approved PUD-559 and PUD-559-A permits two Outdoor Advertising signs. One permitted OA sign location is within the east 100' of Development Area B and one Outdoor Advertising sign within the limits of Development Area A (see Exhibit A). There is one existing Outdoor Advertising sign in the northern ½ of Development Area A along the US 169 right-of-way (ROW) as depicted on attached Exhibits A and B. It appears that this sign is greater than 1,200 feet from any other OA sign.

The proposed new Outdoor Advertising sign location is also depicted on Exhibits A and B, and appears to be located greater than 1,200 feet south of the existing Outdoor Advertising sign within Development Area A.

The new location is less than 1,200 feet from an approved Corridor Site Plan (Corridor site plan # Z-6503-SP-2, located south of the subject property) which has been approved for OA signs as a permitted use, and has historically had an OA sign on site per Z-6503-SP-1. Staff understands that the property owner of Z-6503-SP-2 currently has an application pending with ODOT for a billboard at this location. Incidentally, an application to ODOT was rejected in August 2007 for Z-6503-SP-2.

Since this proposed location is within 1,200 feet of an existing approved Outdoor Advertising sign location and there are already two billboards permitted in PUD-559, staff recommends **DENIAL** of PUD-559-B.

29.7



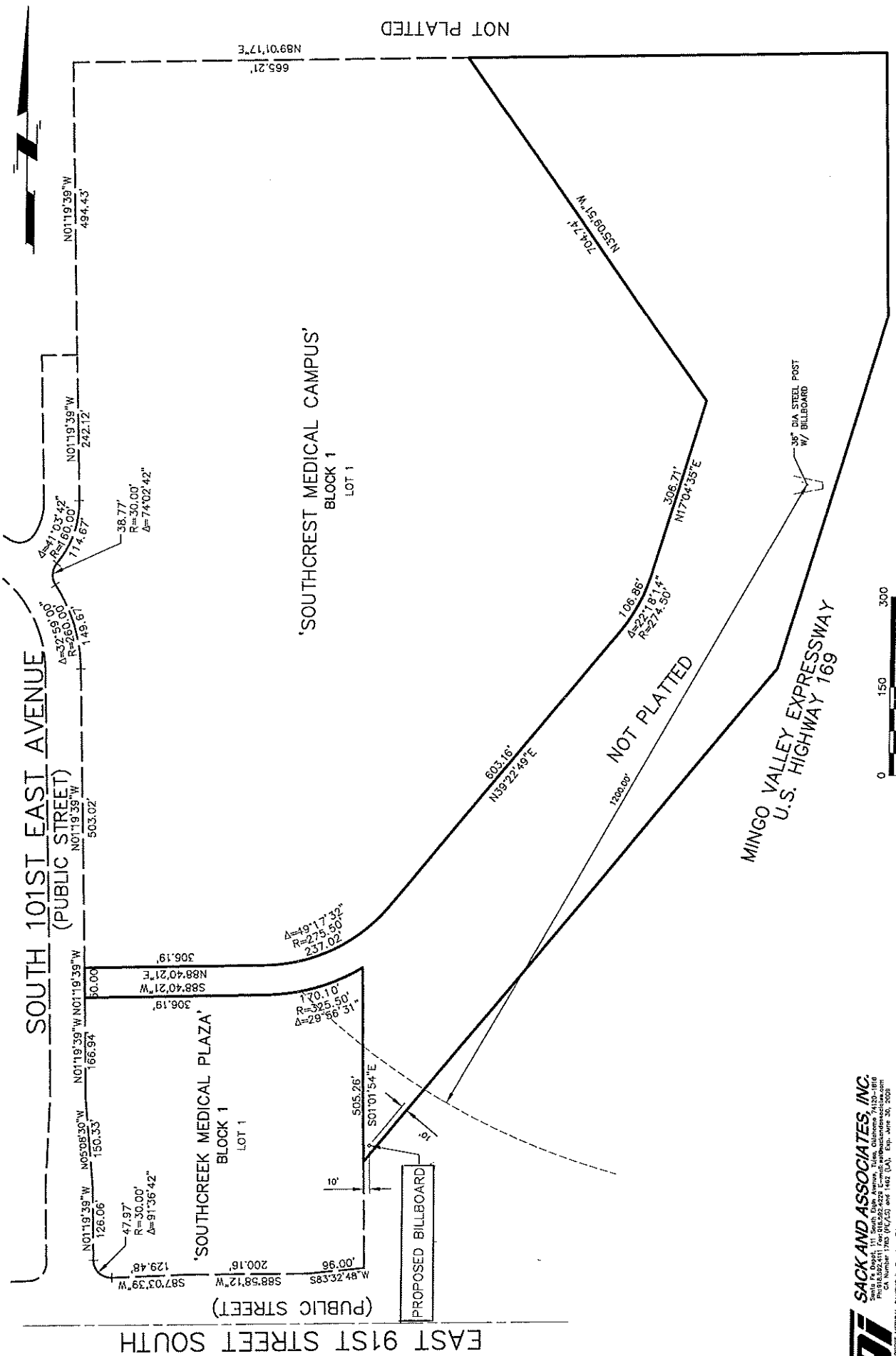


EXHIBIT B



29.6

SACK AND ASSOCIATES, INC.
 Scott E. Sack, 111 South Eighth Avenue, Tulsa, Oklahoma 74103-1816
 Phone 918.592.4111 Fax 918.592.4235 E-mail esack@sackandassociates.com
 CA Number 17963 (F-A), Exp. Apr. 30, 2009

Project: SOUTHSHORE MEDICAL CAMPUS I-6-Opening DK010108
Client: Miami MDL
Owner: F&B, Inc.

MS&W COMPANY: S-11734, T-5A12
 Expires: 29 APRR 2008

Exhibit B

29.10

John W. Moody
Attorney at Law

5610 East 76th Street
Tulsa, Oklahoma 74136

Email: johnw.moody@gmail.com

Telephone: 918.728.7528
Facsimile: 918.728.7528

June 24, 2008

VIA FACSIMILE AND EMAIL

Wayne Alberty
Manager of Land Development Services
INCOG
201 W. 5TH St.
Suite 600
Tulsa, Oklahoma 74103-4236

Chris Sansone
Land Development Services
INCOG
201 W. 5th St.
Suite 600
Tulsa, Oklahoma 74103-4236

Re: PUD 559-B/Z-5888-SP-5

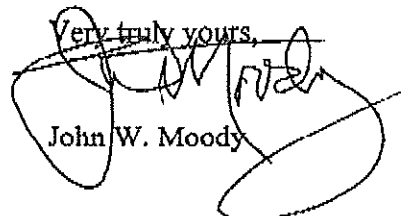
Dear Wayne and Chris:

I am transmitting herewith a copy of the Application for Sign Registration & Permit filed with the Oklahoma Department of Transportation ("ODOT") by the owner of the property on the south side of East 91st Street referenced in the Staff's recommendation. As shown on the Application, the Application was REJECTED.

Accordingly, it is our position that since there is no actual sign within 1,200 feet of my client's proposed sign and since the application for a sign within 1,200 feet of my client's sign location has been rejected by ODOT, the proposed location does meet the 1,200 spacing requirement of the Zoning Code.

We respectfully request that Staff review its recommendation of denial in light of this new information and (hopefully) recommend approval of the amendment.

Thank you for your consideration of this request.

Very truly yours,

John W. Moody

Attachment

Cc: Dane Matthews via fax and email
W/attachment
Bill Stokely via fax
W/attachment

29.11
EXHIBIT C

OKLAHOMA DEPARTMENT OF TRANSPORTATION
APPLICATION FOR SIGN REGISTRATION & PERMIT
(See back of form for instructions.)

MAA T.C. Road Business for Co
9/1/07
FOR OFFICIAL USE ONLY
3-31-07 DATE 2794 OWNER NO. REG. NO.
100 FEE AMOUNT 6023 APPLICATION NO. SIGN FILE NO.

Part I - SIGN OWNER INFORMATION

101 Applicant's Name: DFI-Crossroads Village, LLC 102 Address: c/o Wheeler Investments
580 E. Main Street, Suite 300
103 City: Norfolk 104 State: VA 105 Zip Code: 23510
106 Telephone No. (972) 980-9587 107 Fax No. (757) 627-9081 108 Email Address: randywheeler@sbcglobal.net

Part II - LOCATION OF SIGN SITE

201 Located on Hwy.: US Hwy 202 Side of Hwy.: W 203 County Name: Tulsa 204 City Name: Tulsa
169 N SEW
205 Nearest Direction from 206 Distance from 207 Distance from
Intersecting Hwy.: Broken Arrow Intersection: S 4.2 Right-of-Way: 40
N SEW Miles & Tenths Feet

Part III - LAND OWNER INFORMATION

301 Land Owner's Name: DFI-Crossroads Village, LLC 302 Address: c/o Wheeler Investments
580 E. Main Street, Suite 300
303 City: Norfolk 304 State: VA 305 Zip Code: 23510
306 Telephone No. (972) 980-9587 307 * Owner of sign and land are the same
Have you enclosed proof of land use consent? ☒ YES ☐ NO

Part IV - PHYSICAL DESCRIPTION OF SIGN

401 DIMENSIONS: Height of Facing: 14' ft. Width of Facing: 48' ft. Overall Height Above Ground: 125' ft.
(Can not exceed 25 ft.) (Can not exceed 60 ft.) (No limit by state)
402 TYPE OF SIGN: ☐ Single ☐ Side-by-Side ☐ Double Decked (Stacked) ☒ V-Type ☐ Back-to-Back ☒ Tri-Vision
(Can not exceed 30 ft.)
403 NO. OF PANELS: 2 404 WILL SIGN BE ILLUMINATED? ☒ YES ☐ NO If yes, will it be an LED display? ☒ YES ☐ NO
(Advertising Displays)

Part V - ZONING AND COMMERCIAL/INDUSTRIAL QUALIFICATIONS

ZONED AREA UNZONED AREA
501 - Is proposed location zoned? ☒ YES ☐ NO 505 - Is proposed location within 600 ft. of a business?
(If answer is no, then go directly to item 505.) ☐ YES ☐ NO
502 - What is the zoning designation? Corridor District 506 - What is the name of the business?
(Must be some type of commercial, industrial or business designation.) PROPOSED: ECONOMY PHARMACY, FARMER HWY
503 - Who is the zoning authority? TMLPC EXISTING: SOUTHCREST HWY
504 - If area is zoned, a Zoning Confirmation form must be completed and attached. (Form OAC Z-504) See Attachment

Part VI - ACKNOWLEDGMENT

Have you read all of the statutes and regulations concerning signs? ☒ YES

REMARKS:

STATE OF: OKLAHOMA
County of: TULSA

Michael A. Joyce

being of lawful age and first duly sworn upon oath deposes and states the following:

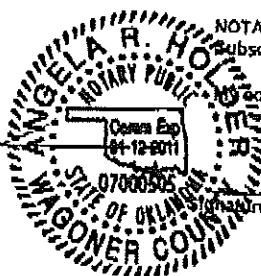
I, on behalf of myself (or) ☒ as authorized representation of the organization listed above as "Applicant", so attest that I have read the foregoing information and that the facts set out therein are true and correct to the best of my knowledge and belief.

NOTARY PUBLIC:

subscribed and sworn to me this 31st day of August, 2007

My commission expires: 01-12-2011

Signature of Applicant or Representative



Angela R. Holden
Signature of Notary

29.12

EXHIBIT D

JOYCE & PAUL
ATTORNEYS ~ COUNSELORS

June 17, 2008

VIA FACSIMILE & ELECTRONIC MAILING

Mindy Bass
INCOG
201 W. 5th St., Ste. 600
Tulsa, OK 74103

Re: PUD599 – Location Northeast corner of East 91st Street South of 101st East Avenue, Zoning Application of John Moody.

Dear Ms. Bass:

This firm represents DFI Crossroads, the owners of the property located immediately West of Highway 169 and south of East 91st Street in Tulsa, Oklahoma. DFI Crossroad's property is the subject of Z-6503-SP-2 relating to the redevelopment of this particular property.

Per your phone message this afternoon, in response to my phone message of this morning, this letter serves as the official objection of DFI Crossroads to the referenced application filed by Mr. John Moody.

As you are aware, and as referenced in the staff report recommending denial of the Moody application, the plans for the DFI property include the redevelopment of a billboard structure that was recently removed from this property. The application for this redevelopment is currently pending before the Oklahoma Department of Transportation (ODOT).

As correctly noted in the staff recommendations, the current zoning for the subject property allows only two billboards, both of which are already in existence. Moreover, the proposed site of rezoning is within 300 feet plus/minus of the DFI site which is already zoned for billboards and which is the subject of the pending ODOT permit. This alone would require denial. However, and notwithstanding DFI's zoning and pending ODOT permit action, ODOT as well as the Federal Highway Administration do not allow spot zoning for the sole purpose of constructing outdoor advertising signs. Clearly, the pending Moody application is solely intended for this purpose. If you are not familiar with the Federal Highway Administration and ODOT policies in this regard, you will no doubt want to contact Ms. Monti Smith at ODOT for clarification on the issue.

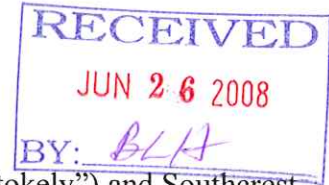
Based on the above, and in complete concurrence with staff recommendation, DFI respectfully requests denial of the pending Moody application. In the alternative and due to the fact that I am traveling this week, I request that this matter be continued to allow opportunity for DFI to make a full presentation before TMAPC in objection to the pending application.

BEFORE THE TULSA METROPOLITAN AREA PLANNING COMMISSION

**In the Matter of the Appeal of STOKELY OUTDOOR)
ADVERTISING, INC., an Oklahoma corporation, and)
SOUTHCREST HOSPITAL, L.L.C, an Oklahoma)
limited liability company, from a decision of the)
STAFF OF THE TULSA METROPOLITAN AREA)
PLANNING COMMISSION in regard to the approval)
of a Detail Site Plan and Detail Sign Plan for an)
Outdoor Advertising Sign)**

**CORRIDOR SITE
PLAN NO. Z-6503-SP-2**

NOTICE OF APPEAL



Stokely Outdoor Advertising, Inc., an Oklahoma corporation ("Stokely") and Southcrest Hospital, L.L.C., an Oklahoma limited liability company ("Southcrest"), hereinafter referred to collectively as "Appellants", pursuant to the provisions of Section 1007 D. 4 of Title 42, Revised Ordinances of the City of Tulsa (the "Zoning Code") do hereby appeal the decision of the Staff of the Tulsa Metropolitan Area Planning Commission of the City and County of Tulsa, Oklahoma, approving a Detail Sign Plan and Detail Site Plan for an outdoor advertising sign on the property subject to Corridor District Site Plan Z-6503-SP-2 , hereinafter referred to collectively as the "Sign Plan". The grounds for the appeal are:

1. The Appellant, Stokely Outdoor Advertising, Inc., is the Lessee and the Appellant, Southcrest Hospital, L.L.C., is the owner of the real property situated in the City of Tulsa, Tulsa County, Oklahoma, as described in Exhibit "A" attached hereto and made a part hereof, and were at all times stated hereinafter.
2. Appellants are aggrieved by the decision of the Staff of the Tulsa Metropolitan Area Planning Commission approving the Sign Plan.
3. Appellants had no notice of and were not notified that an application for approval of a Detail Site Plan and Detail Sign Plan had been filed by the applicant and had no opportunity

to appear and object to the approval of the Sign Plan by Staff.

4. No notice of the approval of the Sign Plan by the Staff was given to Appellants, nor did Appellants have any actual or constructive notice of the approval of the Sign Plan by Staff.

5. Appellants first learned that an application for the Sign Plan had been filed and approved on June 16, 2008, during a conference with the Staff.

6. Appellants are filing this appeal within ten (10) days after the date that Appellants learned of the approval of the Sign Plan by Staff.

7. The Applicant wrongfully represented in its application that it was entitled to construct an outdoor advertising sign exceeding 60 feet in height pursuant to a variance granted by the Board of Adjustment of the City to Stokely for the sign owned and constructed by Stokely. The variance was granted to and for Stokely and not to or for the owner of the property on which the sign was placed and on which the Applicant had applied for approval to erect its sign.

8. The Permit for the outdoor advertising sign issued by the Department of Transportation of the State of Oklahoma ("ODOT") to Stokely for its sign was revoked, cancelled and rescinded by ODOT when the sign owned by Stokely was taken down and removed from the property.

9. The variance for the sign owned by Stokely and the permit for the sign approved by the Board of Adjustment of the City of Tulsa was rescinded, withdrawn, revoked and cancelled by Stokely. The letters from the Attorney in Fact for Stokely revoking, rescinding and canceling the variance are attached hereto as Exhibit "B-1" and Exhibit "B-2".

10. The Permits for the outdoor advertising sign and the variance for the height of the

Sign were owned by Stokely and were not appurtenant to the real property, as agreed to in the Sign Location Lease between the owner and Stokely dated October 11, 1999 (the "Lease"). A true and correct copy of the Lease is attached hereto as Exhibit "C". Unlike buildings, business signs and other permanent improvements that are made to or erected on real property, outdoor advertising signs and the permits issued for such signs are chattels or personal property and do not "run with the land. Such signs and permits must be specifically transferred, conveyed and assigned to the owner of the real property by the owner of such permits and signs.

11. Staff had no legal authority to approve a Detail Sign Plan for an outdoor advertising sign exceeding 60 feet in height as no valid variance of the height of the sign proposed by the applicant had been approved by the Board of Adjustment of the City of Tulsa.

12. Appellants have real property and personal property interests that have been taken by the actions of the Staff without just compensation and Appellants have been denied due process of law and the equal protection of the law guaranteed to Appellants by the Tulsa Zoning Code, the Statutes of the State of Oklahoma and the Constitution of the United States of America.

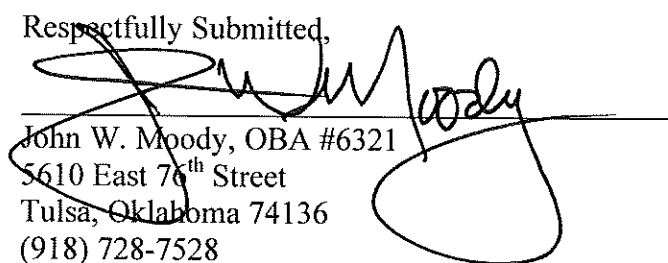
13. The approval to the Sign Plan without notice to the Appellants denied Appellants of the right and opportunity to present their objections to the application.

14. The Appellants reserve the right to add additional grounds for the appeal and to present other evidence in support of their appeal and are not limited to the above numbered grounds for the appeal.

WHEREFORE, the Petitioners/Appellants, Stokely Outdoor Advertising, Inc. and Southcrest Hospital, L.L.C., request that the record of the proceedings in the submission of the application for approval of the Detail Sign Plan, together with the order, decision, or ruling of the

Staff be transmitted to the Tulsa Metropolitan Area Planning Commission ("TMAPC") and that this appeal be heard by the TMAPC. Appellants further request the TMAPC to enter its decision, order and judgment adjudging and decreeing that the action of the Staff is void and that the application for approval of the Detail Sign Plan for a sign in excess of 60 feet in height be denied.

Respectfully Submitted,



John W. Moody, OBA #6321
5610 East 76th Street
Tulsa, Oklahoma 74136
(918) 728-7528
Fax (918) 742-7528
E-Mail: johnw.moody@gmail.com

Attorney for Petitioners/Appellants

RECEIVED by the Secretary of the Tulsa Metropolitan Area Planning Commission of the City and County of Tulsa, Oklahoma, on June 26, 2008.

By: _____
Recording and Acting Secretary

EXHIBIT A

A TRACT OF LAND THAT IS PART OF THE SW/4 OF SECTION 18, T-18-N, R-14-E, OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

STARTING AT THE SOUTHWEST CORNER OF SAID SECTION 18; THENCE N $88^{\circ}58'12''$ E ALONG THE SOUTHERLY LINE OF SECTION 18 FOR 1631.59'; THENCE N $01^{\circ}01'48''$ W FOR 94.07' TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF EAST 91ST STREET SOUTH, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF THE MINGO VALLEY EXPRESSWAY AND THE "POINT OF BEGINNING" OF SAID TRACT OF LAND; THENCE S $83^{\circ}32'48''$ W ALONG SAID NORTHERLY RIGHT-OF-WAY LINE FOR 96.00'; THENCE S $88^{\circ}58'12''$ W CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY LINE FOR 200.25'; THENCE S $87^{\circ}03'39''$ W CONTINUING ALONG THE NORTHERLY RIGHT-OF-WAY LINE FOR 129.39' TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF SOUTH 101ST EAST AVENUE AND A POINT OF CURVE; THENCE NORTHWESTERLY ALONG SAID EASTERLY RIGHT-OF-WAY LINE ON A CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF $91^{\circ}36'42''$ AND A RADIUS OF 30.00' FOR 47.97' TO A POINT OF TANGENCY; THENCE N $01^{\circ}19'39''$ W ALONG SAID TANGENCY AND CONTINUING ALONG SAID EASTERLY RIGHT-OF-WAY LINE FOR 126.06'; THENCE N $05^{\circ}08'30''$ W CONTINUING ALONG THE EASTERLY RIGHT-OF-WAY LINE FOR 150.33'; THENCE N $01^{\circ}19'39''$ W CONTINUING ALONG THE EASTERLY RIGHT-OF-WAY LINE FOR 216.94' TO THE SOUTHWEST CORNER OF LOT 1 IN BLOCK 1 OF "SOUTHCREST MEDICAL CAMPUS", A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, ACCORDING TO RECORDED PLAT NUMBER 5304 THEREOF; THENCE ALONG THE SOUTHERLY AND EASTERLY LINES OF SAID LOT 1 AS FOLLOWS:

N 88°40'21" E FOR 306.19' TO A POINT OF CURVE; NORTHEASTERLY ALONG A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 49°17'32" AND A RADIUS OF 275.50' FOR 237.02' TO A POINT OF TANGENCY; N 39°22'49" E ALONG SAID TANGENCY FOR 603.16' TO A POINT OF CURVE; NORTHEASTERLY ALONG A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 22°18'14" AND A RADIUS OF 274.50' FOR 106.86' TO A POINT OF TANGENCY; N 17°04'35" E ALONG SAID TANGENCY FOR 306.71'; N 35°09'51" W FOR 704.74' TO THE MOST NORTHERLY NORTHEAST CORNER OF LOT 1; THENCE N 89°01'17" E AND PARALLEL WITH THE NORTHERLY LINE OF THE SW/4 OF SECTION 18 FOR 704.79' TO A POINT ON THE EASTERLY LINE OF SAID SW/4, SAID POINT ALSO BEING ON THE WESTERLY RIGHT-OF-WAY LINE OF THE MINGO VALLEY EXPRESSWAY; THENCE S 01°19'39" E ALONG SAID EASTERLY LINE OF THE SW/4 AND SAID WESTERLY RIGHT-OF-WAY LINE FOR 442.35'; THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE AS FOLLOWS: S 18°23'37" W FOR 621.72'; S 38°08'39" W FOR 1090.61'; S 01°01'48" E FOR 159.82' TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND.

John W. Moody
Attorney at Law

5610 East 76th Street
Tulsa, Oklahoma 74136

Email: johnw.moody@gmail.com

Telephone: 918.728.7528
Facsimile: 918.728.7528

September 13 2007

VIA FACSIMILE AND POST

Board of Adjustment of the City of Tulsa, Oklahoma
Attention: Duane Cuthbertson
201 West 5th Street, Suite 600
Tulsa, OK 74103-4236

Re: BOA No. 18760 - Abandonment and Withdrawal of Variance of Height
Restriction for 125 Feet High Outdoor Advertising Sign, Southwest Corner
of Intersection of U. S. HWY. 169 and East 91st Street South

Dear Duane:

I am writing this letter at the request of and on behalf of my client, Stokely Outdoor Advertising, Inc. ("Stokely") as required by the attached letter and emails from the owner, acting by and through its attorney, of the property leased by Stokely for an outdoor advertising sign at the above location. The leased property was the subject of a variance requested by and granted to Stokely by the Board of Adjustment on June 13, 2000, to permit an outdoor advertising sign 125 feet in height. I filed the Board of Adjustment Application ("BOA #18760") on behalf of Stokely as authorized and permitted by its lease with the owner of the property.

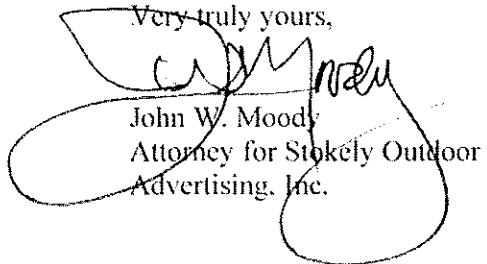
The letter and emails notified Stokely that its lease had been terminated by the owner because it was interfering with the new owners's development of the property and demanded that Stokely not only take down and remove the outdoor advertising sign erected and owned by Stokely, but also demanded that Stokely remove the below ground concrete and steel pier for the sign that extended thirty (30) feet below the surface to the bedrock. The owner demanded Stokely to remove the below ground supporting pier because the owner claimed that it also interfered with the development of the property by the owner. The owner's attorney demanded that the sign be taken down by no later noon, August 31, 2007. Stokely took the sign down on August 31 as demanded by the attorney for the owner.

Because the owner of the property terminated the lease for the sign and required its complete removal and because the owner's development of the property now precludes the use of the property for an outdoor advertising sign as approved by the Board, the variance has

Board of Adjustment
Attention: Mr. Cuthbertson
September 13, 2007
Page 2 of 2

been relinquished and abandoned. Therefore, in accordance with the demands made by the owner and its attorney requiring the removal of the sign, Stokley hereby withdraws, abandons, relinquishes and vacates the variance requested by Stokely in BOA #18760 and approved by the Board of Adjustment on June 13, 2000.

Very truly yours,



John W. Moody
Attorney for Stokely Outdoor
Advertising, Inc.

Cc: Chris Sansone
Bill Stokley

John W. Moody
Attorney at Law

5610 East 76th Street
Tulsa, Oklahoma 74136

Email: johnw.moody@gmail.com

Telephone: 918.728.7528
Facsimile: 918.728.7528

September 18, 2007

VIA FACSIMILE AND POST

Board of Adjustment of the City of Tulsa, Oklahoma
Attention: Duane Cuthbertson
201 West 5th Street, Suite 600
Tulsa, OK 74103-4236

Re: BOA No. 18760 - Abandonment and Withdrawal of Variance of Height
Restriction for 125 Feet High Outdoor Advertising Sign, Southwest Corner
of Intersection of U. S. HWY. 169 and East 91st Street South

Dear Duane:

I wish to provide you and the Board of Adjustment with more information regarding the basis for my letter to you on September 13, 2007, on behalf of my client, Stokely Outdoor Advertising, Inc. ("Stokely") and its right to withdraw, abandon and vacate the variance of the height restriction for its sign at the above location. My letter advised you of the demands of the new owner of the property for Stokely to remove the sign and all appurtenances to the sign as shown by the letter and emails from the owner's attorney, who we now know also represents Whistler Outdoor Advertising Company, a fact not disclosed by Mr. Joyce.

Enclosed is a copy of the Lease Agreement between the prior owner of the property and Stokely that was in effect at the time the demands were made for Stokely to remove its sign, supposedly because it interfered with the development of the property by the new owner. Paragraph 7 of the Lease specifically provides that Stokely "... is and shall remain the owner and in complete control of all displays, permits, equipment, fixtures and improvements placed by Lessee on said property and shall have the right to remove the same. . .".

As the owner of the sign and all permits, Stokely has the right of control over the variance granted for its sign erected on its leasehold estate. The variance related only to a variance needed for the leasehold estate owned exclusively by Stokely, as Lessee, in order for Stokely, not the owner of the property, to construct its sign having a height of 125 feet. The right to erect an outdoor advertising sign was granted exclusively to Stokely, as stated in Paragraph 2 of the Lease, so it is and was part of the leasehold estate owned by Stokely and not anyone else, including the owner.

Exhibit "B-2"

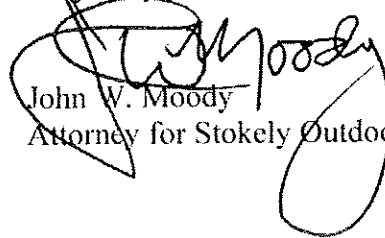
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Board of Adjustment
Attention: Mr. Cuthbertson
September 18, 2007
Page 2 of 2

As the variance was and is appurtenant to the permit owned by Stokely, Stokely alone has the right to erect a sign more than 60 feet high on the property of the owner and if the owner or another sign company wishes to erect its own sign on the property, it will have to obtain a variance for its sign and cannot use the variance and permit granted to and owned exclusively by Stokely for its sign. Accordingly, Stokely permanently objects to use of its permit and its variance by anyone else for an outdoor advertising sign on the property where its sign was located as described in BOA No. 18760.

Please provide notice to me of any application for a permit for an outdoor advertising sign on the property or of an application to verify the spacing requirement for any sign proposed to be erected on the property so that my client's interests can be represented and protected at any hearing. Thank you for your assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "John W. Moody", is written over a circular stamp or seal.

John W. Moody
Attorney for Stokely Outdoor Advertising, Inc.

Enclosure

Cc: Chris Sansone w/enclosure
Bill Stokley w/o enclosure

30.10

~~Stokely~~

LEASE AGREEMENT

10111 East 45th Place . Tulsa, Oklahoma 74146 . 918-664-4724

OUTDOOR ADVERTISING, INC.

This agreement made and entered into this 1st day of Oct, 19 77, by and between
Y.M.C.A. hereinafter referred to as the "Lessor", and
STOKELY OUTDOOR ADVERTISING, INC., hereinafter referred to as the "Lessee".

NOW, therefore, in consideration of the mutual covenants and agreements hereinafter contained, the parties agree as follows:

1. The Lessor hereby leases to the Lessee, subject to the conditions hereinafter expressed, that certain portion of a parcel of real property legally described as follows:

and is more particularly set forth in the following sketch of the demised premises:

for the purpose of placing, constructing, erecting and maintaining outdoor advertising displays of any and all types, including any and all necessary paraphernalia, structures, devices equipment and connections which the Lessee deems necessary to carry on the business of outdoor advertising on the demised premises.

2. The exclusive right to use, occupy and enjoy said premises is hereby granted for a term of Month To Month years commencing and contingent upon the Lessee obtaining all necessary licenses and/or permits or otherwise complying with all applicable statutes, rules, ordinances and regulations of city, state and federal law or administrative rulings required for the erection of any such outdoor advertising and continuing for the full term Month To Month years unless sooner terminated in accordance herewith. Said term and lease payments hereunder shall commence upon completion of the outdoor advertising structure contemplated hereunder.

3. In consideration therefore, the Lessee agrees to pay as annual rental during the term hereof:

- Stokely Outdoor Advertising, Inc. will give [REDACTED]
- The YMCA has first option to use one half, (1/2) of this sign upon any yearly anniversary date of advertisers being placed on this sign in lieu of [REDACTED]
- Stokely Outdoor Advertising, Inc. will also be responsible for production cost if the YMCA decides to utilize one half, (1/2) of the sign, which would also include design concepts

Provides copies of Agreement at time of onset.

Exhibit "C"

No. 5324 P. 1/3

STOKELY OUTDOOR ADVERTISING

AUG. 9. 2007 10:49AM

30.11

4. Lessee shall have and is hereby granted an exclusive option to extend the term of this lease for successive periods of like years upon the same terms and conditions herein set forth by giving written notice of such renewal at least one hundred and twenty (120) days prior to the expiration of the then current lease term.

5. The Lessor agrees to promptly notify the Lessee in writing in the event of any change of ownership of the demised premises.

6. The Lessee agrees to save and hold harmless the Lessor from any and all claims or demands on account of bodily injury or physical property damage caused by or resulting from any negligent or willful act of Lessee's agents or employees in the construction, maintenance, repair, change or removal of the Lessee's outdoor advertising on the property, and agree to carry, at its own costs and expenses, adequate public liability insurance covering such contingency so long as this lease shall remain in effect. The Lessor agrees to save and hold harmless the Lessee from any and all claims or demands occasioned on account of bodily injury or physical property damage caused by or resulting from an negligent or willful act of the Lessor.

7. The Lessee is and shall remain the owner and in complete control of all displays, permits, equipment, fixtures and improvements placed by Lessee on said property and shall have the right to remove the same at any time prior to or within a reasonable time after the termination of this lease or any extension thereof. Lessor hereby covenants and grants unto Lessee full rights of ingress and agrees to the property to be occupied by the outdoor advertising herein contemplated for the purpose of erecting, maintaining, changing or removing said outdoor advertising at any time.

8. If the view of the property or outdoor advertising contemplated hereby is partially obstructed or if any permanent building or structure is hereafter erected, Lessee shall have the option of either terminating this agreement as herein provided or of using the remaining portion of the premises at a proportionately reduced rental.

9. The Lessor hereby grants unto the Lessee the right, privilege and option to terminate this agreement upon Lessee giving a thirty (30) day written notice to Lessor if the advertising value of the demised premises is diminished by any of the following events: (a) the enforcement and/or enactment of any law, statute, ordinance, rule or regulation which will prevent or interfere with the erection or maintenance of Lessee's outdoor advertising, (b) if, in the opinion of the Lessee, the view of said premises becomes entirely or partially obstructed for any reason either with or without the fault of the Lessor. In any such event, the Lessor shall refund to Lessee the rent previously paid for the unexpired portion of this Lease.

10. The Lessee shall have the exclusive right, use, privilege and option to sell, assign or convey its rights hereunder.

11. This document contains the entire agreement of the parties. No alteration or waiver of any provision of this lease shall be of any force or effect unless such alteration or waiver shall be in writing and shall be executed by both parties hereto.

12. This lease agreement shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns.

13. The Lessor represents and warrants that it is either the owner or the agent of the owner of the demised premises and that it has full authority to enter into this lease. Lessor covenants and warrants that Lessee shall and may, peaceably and quietly have, hold and enjoy the use of the demised premises for the term of this lease, such to include access to the site over and across any lands under the control of the Lessor.

14. Lessee further agrees not to place any outdoor advertising on the demised premises which promotes any competition of Lessor's business. Lessor's business for the purpose hereof is defined as:

15. Special Conditions:

* Stokely Outdoor Advertising, Inc. will remove this structure within Thirty, (30) days notice if it encumbers any aspect of the YMCA utilizing their property. Or...

* The sign may be removed for any reason the YMCA deems it not in their best interest.

73-0579269
FEDERAL ID# OR SS #
918-587-1888
918-747-9622
PHONE #

John R. Swift
Lessor: YMCA
543 SOUTH DENVER TULSA, OK 74103-74170-
PO Box 701620
MAILING ADDRESS
Lessee: Bill R. Stokely, President
Sarah Stokely
Lessee: Sarah Stokely, Secretary

STATE OF OKLAHOMA

COUNTY OF TULSA

On this 1st day of October, 1999

state, personally
appeared

before me, the undersigned, a Notary Public in and for said county and

known to me (or satisfactorily proven) to be the person(s) whose name is subscribed to the above instrument, and being

informed of the contents of said instrument, acknowledged that

he voluntarily executed the same for the uses and purposes therein contained.

In witness whereof, I have hereunto set my hand and official seal.

Kay J. Clark
NOTARY PUBLIC

May 20, 2002
MY COMMISSION EXPIRES

STATE OF OKLAHOMA

COUNTY OF TULSA

SS:

STOKELY OUTDOOR ADVERTISING

APR 9 2007 10:49AM

30.13