

TULSA METROPOLITAN AREA PLANNING COMMISSION

For Meeting No. 2533

December 3, 2008, 1:30 PM

Aaronson Auditorium, Central Library, 400 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:

1. Minutes of November 5, 2008 Meeting No. 2351

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. **LS-20261** – John Wimbish (8304)/Lot-Split (PD-18B) (CD-7)
West of South Oswego Avenue and North of East 66th Street, 3720 East 64th Place (Continued from 11-05-08 agenda for re-notification on related PUD-142-7 minor amendment) (Related to Item 3.)
3. **PUD-142-7 – John B. Wimbish** (PD-18) (CD-7)
South and east of the southeast corner of Harvard Avenue and 61st Street South (Minor Amendment to reflect a lot-split.) (Continued from 11/05/08 and 11/19/08.) (Related to Item 2.)
4. **LS-20267** – Tulsa Engineering (8305)/Lot-Split (PD 18 B) (CD 2)
East of East 67th Place and West of South Timberlane Road, 2858 East 67th Place South
5. **LS-20268** – Andrew Shank (9317)/Lot-Split (PD 6) (CD 9)
North of East 26th Place and East of South Delaware Avenue, 2829 East 26th Place
6. **LC-137** – Mary Kell (9202)/Lot-Combination (PD 10) (CD 1)
Southeast corner of West Easton Street and North Union Avenue, 1602 West Easton Street (Related to LS-20269, Item 7.)
7. **LS-20269** – Mary Kell (9202)/Lot-Split (PD 10) (CD 1)
Southeast corner of West Easton Street and North Union Avenue, 1602 West Easton Street (Related to LC-137, Item 6.)
8. **LC-112** – Tyson Tompkins (9318)/Lot-Combination (PD 6) (CD 9)
North of East 27th Street and East of South Peoria Avenue, 1341 East 27th Street

9. **LC-134** – Richard Morgan (0331)/Lot-Combination (PD 2) (CD 3)
East of North Utica Avenue and North of East King Street, 1015 North Utica
10. **LC-135** – Roy Johnsen (9202)/Lot-Combination (PD 10) (CD 1)
Southeast corner of West 1st Street and South Phoenix Avenue, 115 South Phoenix Avenue West
11. **LC-138** – Damas & LaShaun Joseph (0225)/Lot-Combination (PD 2) (CD 1)
East of North Midland Avenue and South of East Tecumseh Street, 762 East Tecumseh Street
12. **Amendment to Deed of Dedication and Restrictive Covenants –** (PD 18c) (CD 8)
Living Word Missions Plat, North of East 91st Street South and East of South Memorial Drive
13. **BOA-20802 –**(9329) Plat Waiver – Cell Tower (PD 6) (CD 9)
2491 Skelly Drive
14. **Z-7095 –**(9308) Plat Waiver (PD 4) (CD 4)
Southeast corner of South Lewis Avenue and East 16th Street
15. **Cherry Street Ridge** – (9307) Final Plat (PD 6) (CD 9)
Northwest corner of East 15th Street South and South Troost Avenue
16. **Penn Office Park -** (8315) Final Plat (PD 18) (CD 8)
North of the northeast corner of East 91st Street South and Yale Avenue
17. **Z-5636-SP-2b – Whistler Sign Company, LLC** (PD-18) (CD-5)
Located along the northbound exit ramp of U.S. 51 (B.A. Expressway) to U.S. 169 (Corridor Plan Minor Amendment for the purpose of relocating a previously approved outdoor advertising sign.)
18. **Z-5903-SP-1d – Sisemore Weisz & Associates, Inc.** (PD-18C) (CD-8)
South of the southeast corner of 63rd Street and Mingo Road (Corridor Plan Minor Amendment to reflect variances granted by the City Board of Adjustment.) (Related to Item 19)
19. **Z-5903-SP-1 – Sisemore Weisz & Associates, Inc.** (PD-18c) (CD-8)
South of the southeast corner of 63rd Street and Mingo Road (Corridor Detail Plan for a 27,822 SF addition to the existing Tulsa Oiler's Ice Center to allow for the construction of a second indoor ice rink) (Related to Item 18.)
20. **Z-5412-SP-1a – Whistler Sign Company, LLC** (PD-6) (CD-9)
3141 East Skelly Drive South (Corridor Plan Minor Amendment) (Withdrawn by applicant.)
21. **PUD-578-A – Tanner Consulting/Susan Torbett** (PD-26) (CD-8)
North of the northwest corner of 111th Street South and Memorial Drive (Detail Site Plan for a 4,987 square foot Braum's Restaurant and Ice Cream Store.)

22. **PUD-555-A-2 – Lou Reynolds/World Outreach Church** (PD-18C) (CD-8)
The north side of 91st Street, east of Memorial Drive (Minor Amendment to consolidate the allocated floor area between two permitted uses.)
23. **PUD-422 – John Morgan** (PD-6) (CD-9)
West of the southwest corner of East 33rd Street South and Peoria Avenue (Detail Site Plan for a security gate across 33rd Street South between Lot 8 and Lot 2.)
24. **CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA**
- PUBLIC HEARINGS**
25. **LS-20260** – Sack & Associates (9316)/Lot-Split (PD 4) (CD 4)
West of South Knoxville Avenue and South of East 23rd Street, 2400 South Harvard Avenue
- 26.. **51 Yale** – (9328) Preliminary Plat (PD 18B) (CD 7)
Southwest of the intersection of East Skelly Drive and South Yale Avenue (continued from 11/19/08)
27. **Harvard Square South** – (9328) Preliminary Plat (PD 6) (CD 5)
Southeast corner of East 41st Street and South Harvard Avenue (continued from 11/5/08 and 11/19/08)
28. **Z-7119 – Robert Buss** AG to CS
Northwest corner of West 71st Street South and Highway 75 South (PD-8) (CD-2)
29. **Z-7120 – Robert Buss** AG to CS
South of southwest corner West 71st Street South and Highway 75 South (PD-8) (CD-2)
30. **Z-7121 – Robert Winchester** PK to OM
South of southwest corner East 31st Street South and South Louisville Avenue (PD-6) (CD-9)

OTHER BUSINESS

31. **Correction of Scrivener's Error**
Minutes of August 6, 2008 correcting Scrivener's error for Item 25, Z-7085 – John Moody, Legal Description, located at North of northeast corner of East 31st Street North and North Cincinnati Avenue.
32. **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**

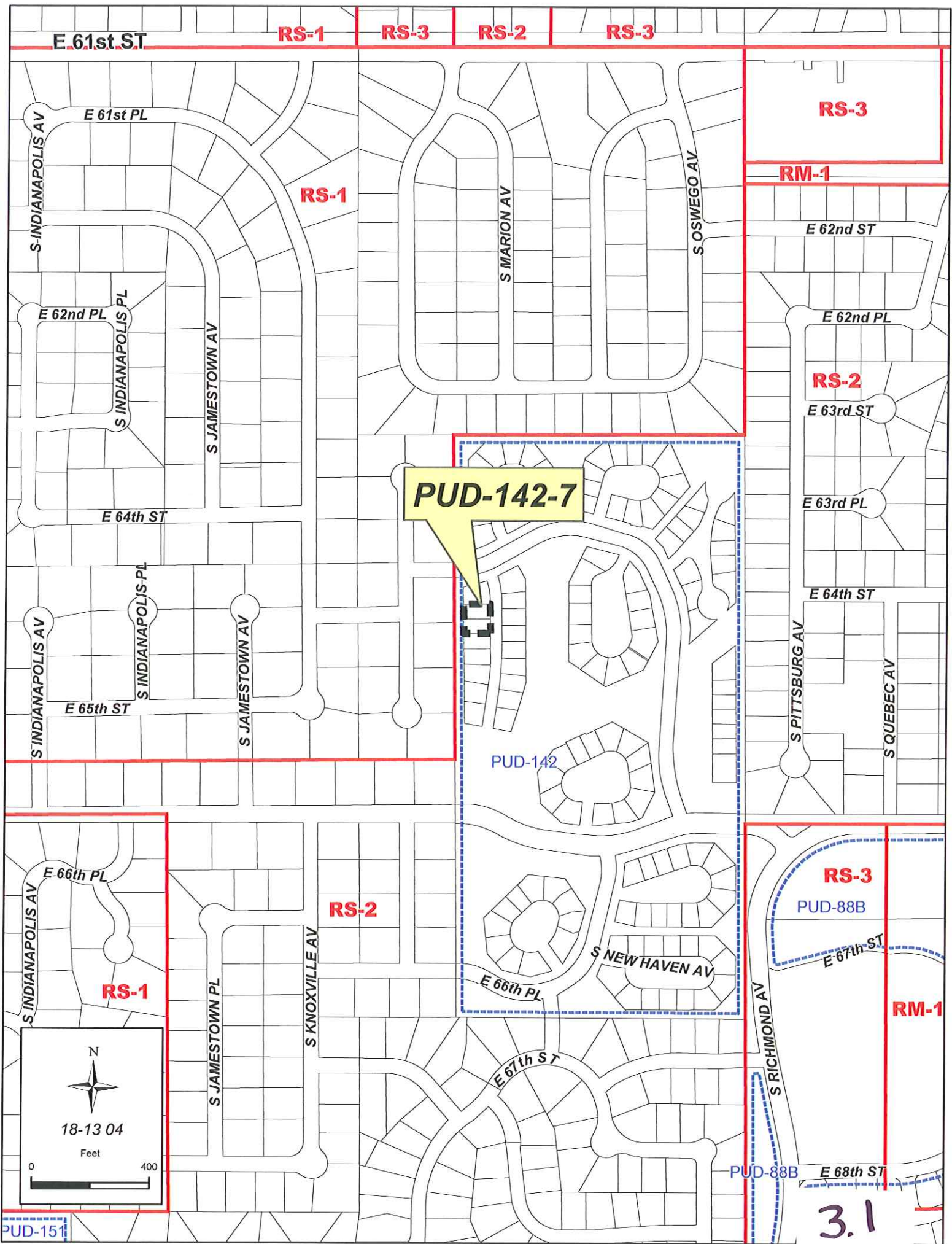
Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Land Development Services, INCOG.

Ringin/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



E 61st ST

S INDIANAPOLIS AV

E 61st PL

E 62nd PL

S INDIANAPOLIS PL

S JAMESTOWN AV

S MARION AV

S OSWEGO AV

E 62nd ST

E 62nd PL

E 63rd ST

E 63rd PL

E 64th ST

S PITTSBURG AV

S QUEBEC AV

S INDIANAPOLIS AV

E 65th ST

S INDIANAPOLIS PL

S JAMESTOWN AV

E 66th PL

S INDIANAPOLIS AV

S JAMESTOWN PL

S KNOXVILLE AV

E 66th PL

S NEW HAVEN AV

E 67th ST

S RICHMOND AV

E 67th ST

E 68th ST

PUD-142-7

N

18-13 04

Feet

0 400

Photo Date: March 2008

3.2



PUD-142-7



18-13 04

Feet



Photo Date: March 2008

December 3, 2008

STAFF RECOMMENDATION

PUD-142-7: Minor Amendment – S/E of the s/e corner of Harvard Avenue and 61st Street South; Lots 15 and 16, Block 4 – Point South; TRS 8304; CZM 52; Atlas 881; PD 18 CD 7; RS-2/PUD.

The applicant is requesting a minor amendment to reflect a lot split. The lot split proposes removing a 5' x 90.08' portion from the northern boundary of Lot 15 and adding it to the southern boundary of Lot 16, of Block 4 – Point South. The lot split will correct an existing structural property line encroachment from Lot 16 onto Lot 15. Concurrently, lot split application LS 20261 appears on the November 5th, 2008 agenda.

Pending the approval of LS 20261, staff recommends **APPROVAL** of minor amendment PUD-142-7.

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



WHITE SURVEYING COMPANY

• 9936 EAST 55TH PLACE TULSA, OKLAHOMA 74146 • (918) 663-6924

LOT SPLIT EXHIBIT

1"=20'

INVOICE NO.: WS 08-43766

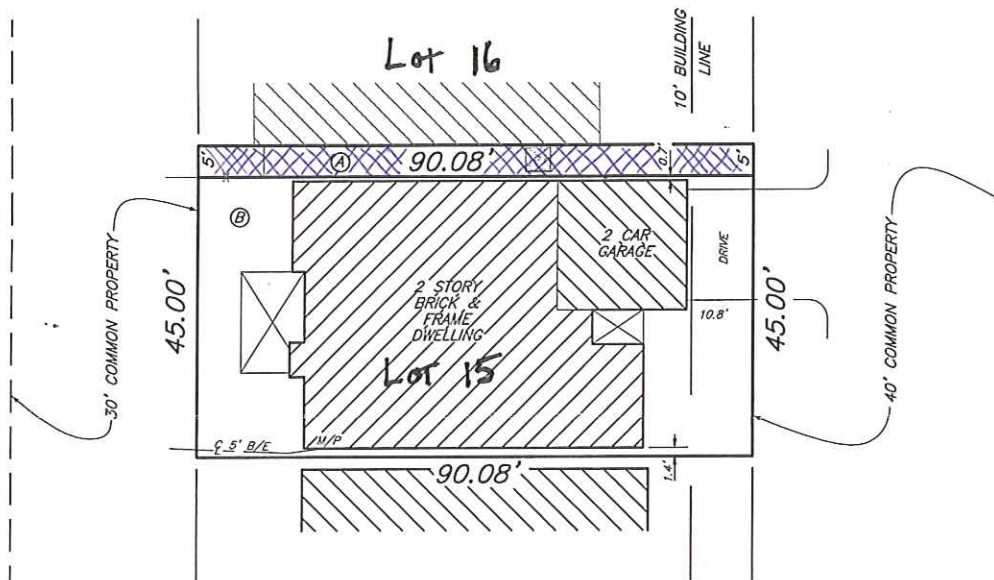
MORTGAGOR: WILSON, BETTY J.

CLIENT: RIDDLE & WIMBISH, P.C.

LEGEND

—X— FENCE
U/E UTILITY EASEMENT
D/E DRAINAGE EASEMENT
M/P METERING POINT
B/E BURIED ELECTRIC & TELEPHONE CABLE EASEMENT (APPROXIMATE LOCATION)
B.L. BUILDING LINE
O.B.L. OUTBUILDING LINE

BEFORE YOU DIG,
CALL OKIE
1-800-522-6543



PLAT NO. 3544

UNDIVIDED TRACT

LOT FIFTEEN (15), BLOCK FOUR (4), POINT SOUTH, A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AND KNOWN AS 3720 EAST 64TH PLACE.

PROPOSED SPLIT TRACT (A)

THE NORTH FIVE (5) FEET OF LOT FIFTEEN (15), BLOCK FOUR (4), POINT SOUTH, A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

REMAINING TRACT (B)

LOT FIFTEEN (15), BLOCK FOUR (4), LESS & EXCEPT THE NORTH FIVE (5) FEET THEREOF, POINT SOUTH, A SUBDIVISION IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, AND KNOWN AS 3720 EAST 64TH PLACE.

WITNESS MY HAND AND SEAL THIS DATE: 9/15/08

WARNING! If the seal on this document is not RED, it is an unauthorized copy which may have been altered or modified, and cannot be used for any purpose without the written permission of White Surveying Company.

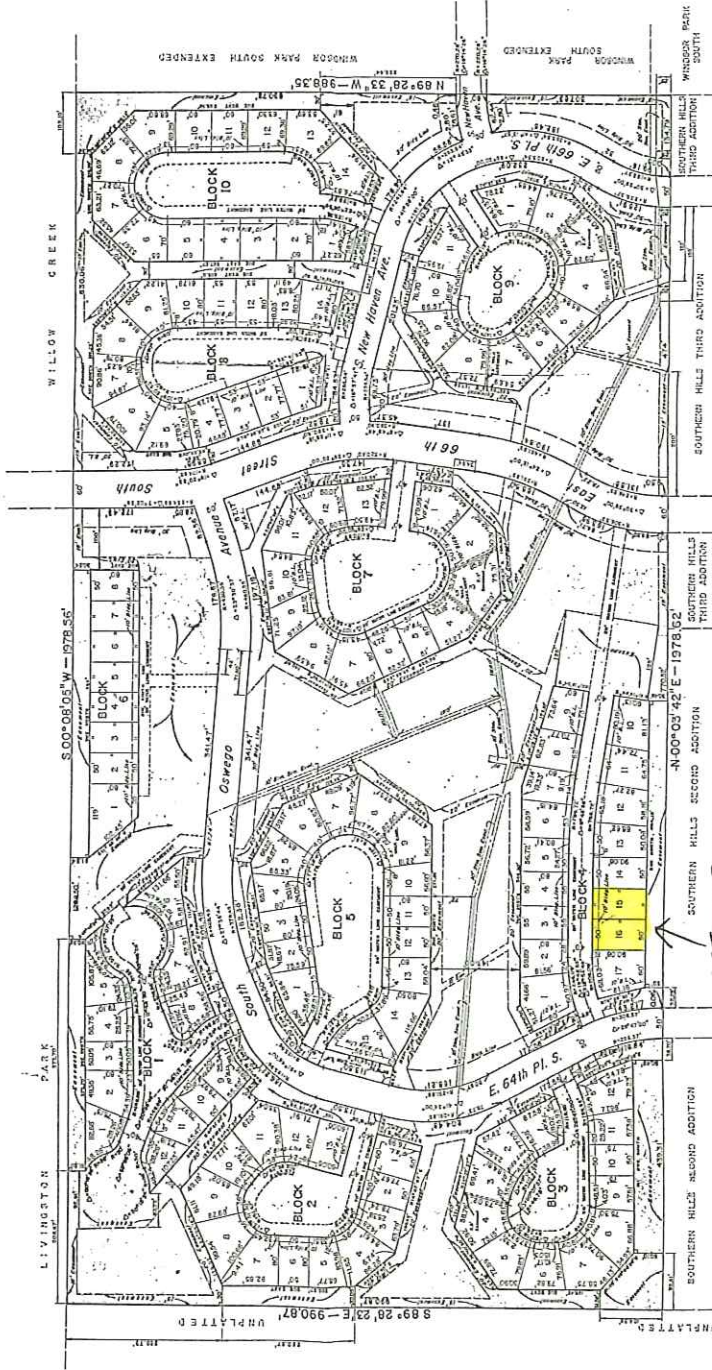


POINT SOUTH

A part of the W1/2 of Section 4,
T-18-N, R-13-E, Tulsa County, Oklahoma
PLANNED UNIT DEVELOPMENT NO. H2

DEVELOPER
POINT SOUTH INC.
815 E 1st PLACE
TULSA, OKLAHOMA

COMMON PROPORTIONS AND PROJECTIONS



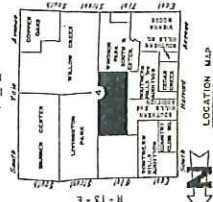
PLAT NO. 3544
PAGE 1 OF 2

352577
10-1-35-N

RECEIVED
AUG 27 1974
TULSA METRO AREA
PLANNING COM.

ENGINEERS
COLPITT, MIDDLETON & NICKLE
10540 EAST 11th STREET SOUTH
TULSA, OKLAHOMA

FINAL PLAT
CERTIFICATE OF APPROVAL
I, the undersigned, County Clerk of Tulsa County, Oklahoma, do hereby certify that the above described plat was approved by the Tulsa County Planning Commission on August 5, 1974.
This plat was approved by the Tulsa County Planning Commission on August 5, 1974.
I, the undersigned, County Clerk of Tulsa County, Oklahoma, do hereby certify that the above described plat was approved by the Tulsa County Planning Commission on August 5, 1974.
COUNTY CLERK



CERTIFICATE
I, the undersigned, County Clerk of Tulsa County, Oklahoma, do hereby certify that the above described plat was approved by the Tulsa County Planning Commission on August 5, 1974.
This plat was approved by the Tulsa County Planning Commission on August 5, 1974.
I, the undersigned, County Clerk of Tulsa County, Oklahoma, do hereby certify that the above described plat was approved by the Tulsa County Planning Commission on August 5, 1974.
COUNTY CLERK

3.6

Eller & Detrich
A Professional Corporation

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Donald L. Detrich
Kevin H. Wylie
R. Louis Reynolds
James C. Hodges
Shanann Pinkham Passley
Daniel C. Cupps
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(918) 747-2665

Writer's E-Mail:
rlreynolds@ellerdetrich.com

November 17, 2008

VIA HAND DELIVERY

Ms. Diane Fernandez
INCOG
201 West 5th Street, Suite 600
Tulsa, OK 74103-4236

Re: World Outreach Church
PUD Minor Amendment
TMAPC Case No. PUD 555-A-2

8863 East 91st Street South

Amendment to Deed of Dedication and Restrictive Covenants of
Living Word Missions

Dear Diane:

In connection with the above referenced Minor Amendment application, I reviewed the zoning case history for the subject property and found that the restrictive covenants in Plat of the Living Word Missions subdivision need to be amended to reflect a previous PUD amendment (PUD 555-A-1) which allowed church and church accessory uses on the property. Additionally, in the event PUD 555-A-2 is approved, these restrictive covenants will need to be amended to reallocate Building Floor Area. In order to insure that the zoning case history and the recorded restrictive covenants are consistent, I have prepared the attached Amendment to Deed of Dedication and Restrictive Covenants of Living Work Missions and respectfully request that such amendment be heard and approved by the TMAPC simultaneously with PUD 555-A-2.



www.EllerDetrich.com

2727 East 21st Street, Suite 200, Tulsa Oklahoma 74114-3533

12.1

Ms. Diane Fernandez
November 17, 2008
Page 2

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

Yours very truly,

ELLER and DETRICH
A Professional Corporation

A handwritten signature in black ink, appearing to read 'R. Louis Reynolds', with a long horizontal flourish extending to the right.

R. Louis Reynolds

RLR:kfm

Enclosure

cc: Mr. Doug Cole (w/Enclosure)
Mr. Craig Swengle (w/Enclosure)

I:\Cole, Doug\World Outreach Church\N & C\Fernandez ltr-1 (11.17.08).doc

12.2

**AMENDMENT TO DEED OF DEDICATION AND RESTRICTIVE COVENANTS
OF
LIVING WORD MISSIONS**

THIS AMENDMENT TO DEED OF DEDICATION AND RESTRICTIVE COVENANTS (this "Amendment") is entered into to be effective as of the _____ day of December, 2008.

RECITALS:

A. On June 19, 1998, Living Word Missions, Inc., an Oklahoma corporation, entered into a certain Deed of Dedication and Restrictive Covenants covering Living Word Missions, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof (the "Subdivision") and recorded the same on June 30, 1998 in the Office of the Tulsa County Clerk as part of Plat No. 5286 (the "Deed of Dedication").

B. The undersigned as the owner of all of the property within the Subdivision desires to amend the Development Standards set forth in Section B., Development Standards, of the Deed of Dedication as provided hereinbelow.

AMENDMENT:

NOW, THEREFORE, in consideration of the foregoing, the adequacy and receipt of which is hereby acknowledged as consideration, the undersigned, as the owner of all of the property within the Subdivision hereby amends the Deed of Dedication as follows:

1. Section A., Use of Land., 2. Permitted Uses, of the Deed of Dedication is hereby deleted in its entirety and replaced with the following:

2. Permitted Uses.

The use of Lot One (1), Block One (1), shall be limited to Children's Nursery and Non-Profit, Non-Congregational Missionary Ministry with Accessory Uses that include Offices, Chapel, Auditorium, Printing Area, Museum, Kitchen and Dining Area, Missionary Quarters, Storage and Church and Accessory Church Uses.

2. Section B., Development Standards., 1. Floor Area, of the Deed of Dedication is hereby deleted in its entirety and replaced with the following:

1. Floor Area.

The floor area of buildings shall not exceed the following:

Church/Sanctuary: 15,000 SF

Office/Accessory Uses: 47,100 SF

Missionary Quarters/Storage Buildings: 7,900 SF

3. Except as amended hereby, all the other terms, conditions and provisions of the Deed of Dedication shall remain the same.

DATED on the date and year first above written.

APPROVED THIS _____ day of December, 2008:

APPROVED AS TO FORM:

TULSA METROPOLITAN
AREA PLANNING COMMISSION

Assistant City Attorney

By: _____
Name: _____
Chairman

LIVING WORD MISSIONS, INC.,
an Oklahoma corporation

By: _____
Richard J. Tatro
Its President

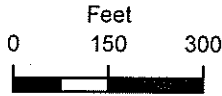
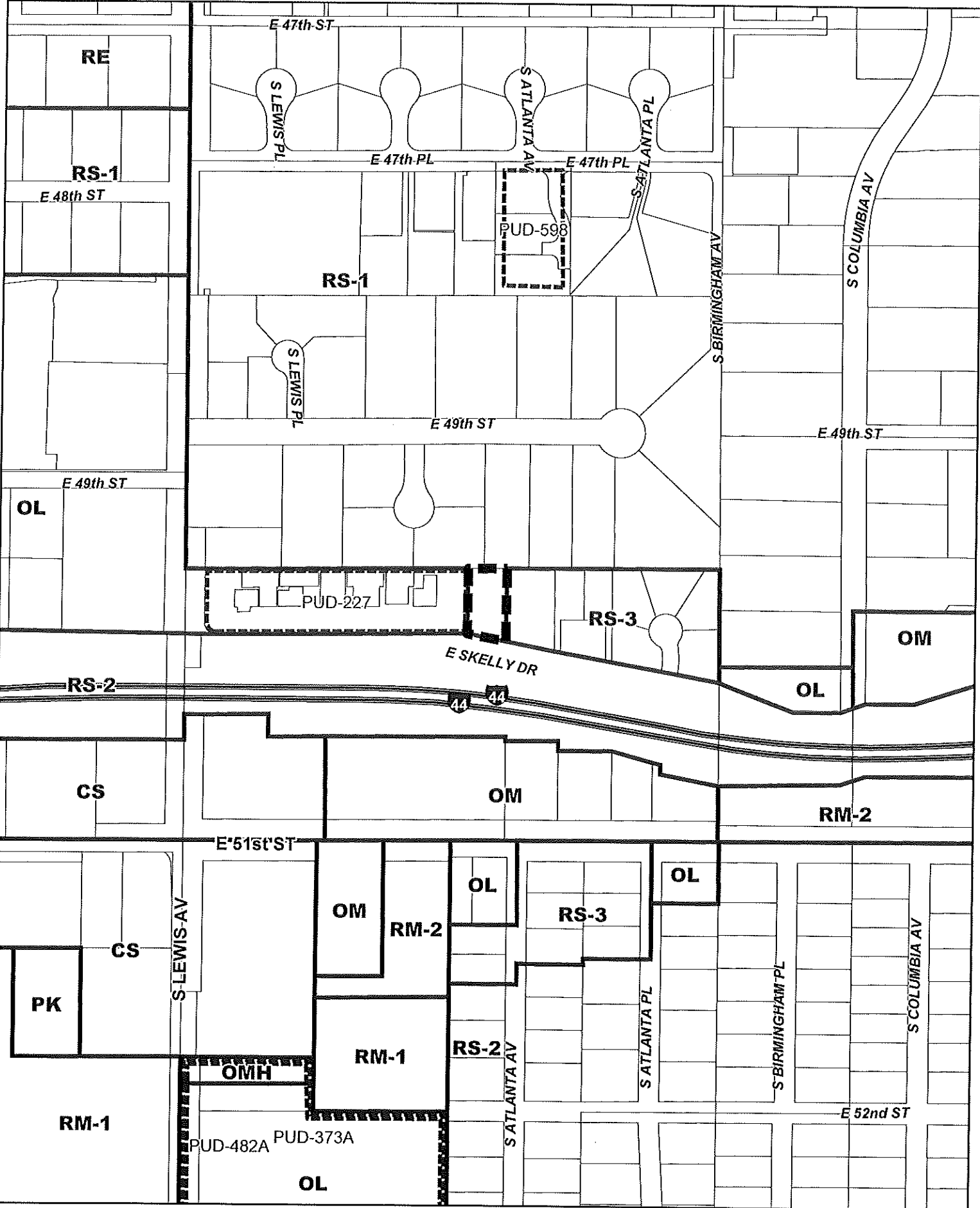
STATE OF OKLAHOMA)
) ss
COUNTY OF TULSA)

This instrument was acknowledged before me on this _____ day of December, 2008, by Richard J. Tatro as President of LIVING WORD MISSIONS, INC., an Oklahoma corporation.

My Commission Expires:

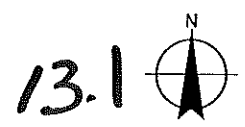
Notary Public

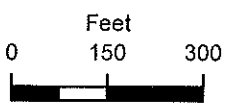
My Commission Number:




BOA-20802

19-13 29





19-13 29

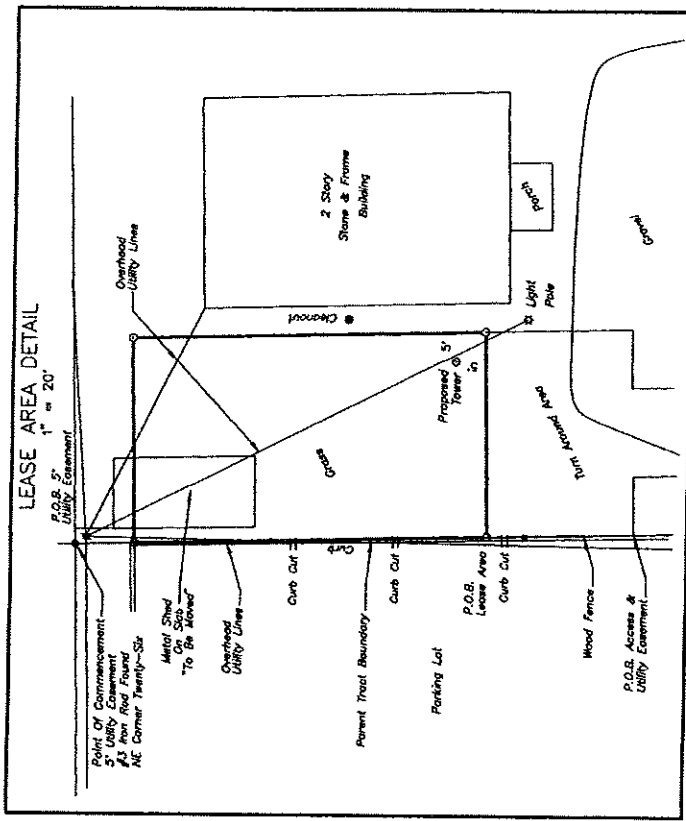
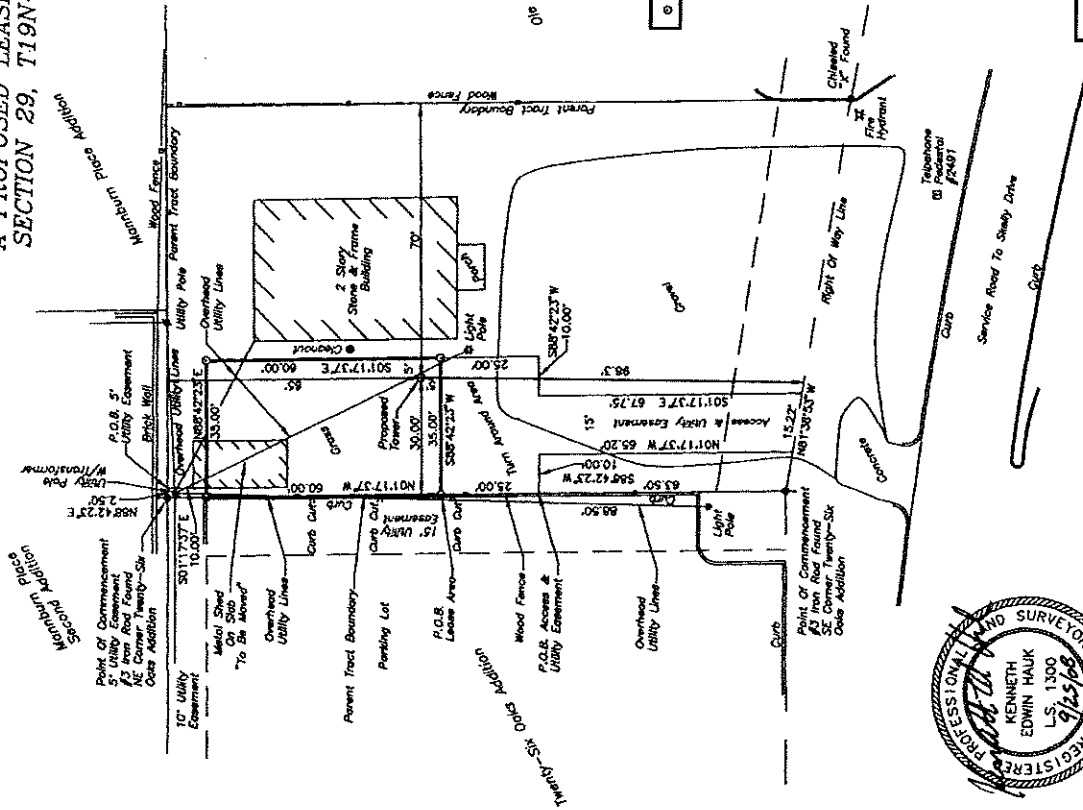
13.2 

BOA – 20802 –(9329) (PD 6) (CD 9)

The platting requirement is being triggered by BOA 20802 which, if approved, will allow a cell tower in RM-1 and RM-2 zoning districts for this site.

It is the policy of TMAPC to waive the platting requirement for the cell tower use. Therefore, staff can recommend **APPROVAL** of the requested plat waiver for BOA-20802 if it is approved by the board of adjustment. This agenda item will have been prepared before the BOA hearing on the cell tower.

A PROPOSED LEASE AREA IN PART OF THE SW/4 OF SECTION 29, T19N-R13E, TULSA COUNTY, OKLAHOMA



TU01006
LEWIS/I-44 REPLACEMENT

NO.	REVISION	DATE	BY

T-MOBILE CENTRAL LLC
OKLAHOMA CITY, OKLAHOMA

Prepared By:
Pack Professional Land Survey, P.C.
715 S. 8th Street, Tulsa, OK 74009 (405)-354-8272
Certificate of Authorization No. - 3098 Exp. 06/30/2009

SURVEYED BY: DN SCALE: 1"=30' FIELD BOOK: 21
DRAWN BY: KEH DATE: 9/22/08 PAGE #: 5
APPROVED BY: KEH JOB #: 1789 SHEET 1 OF 2

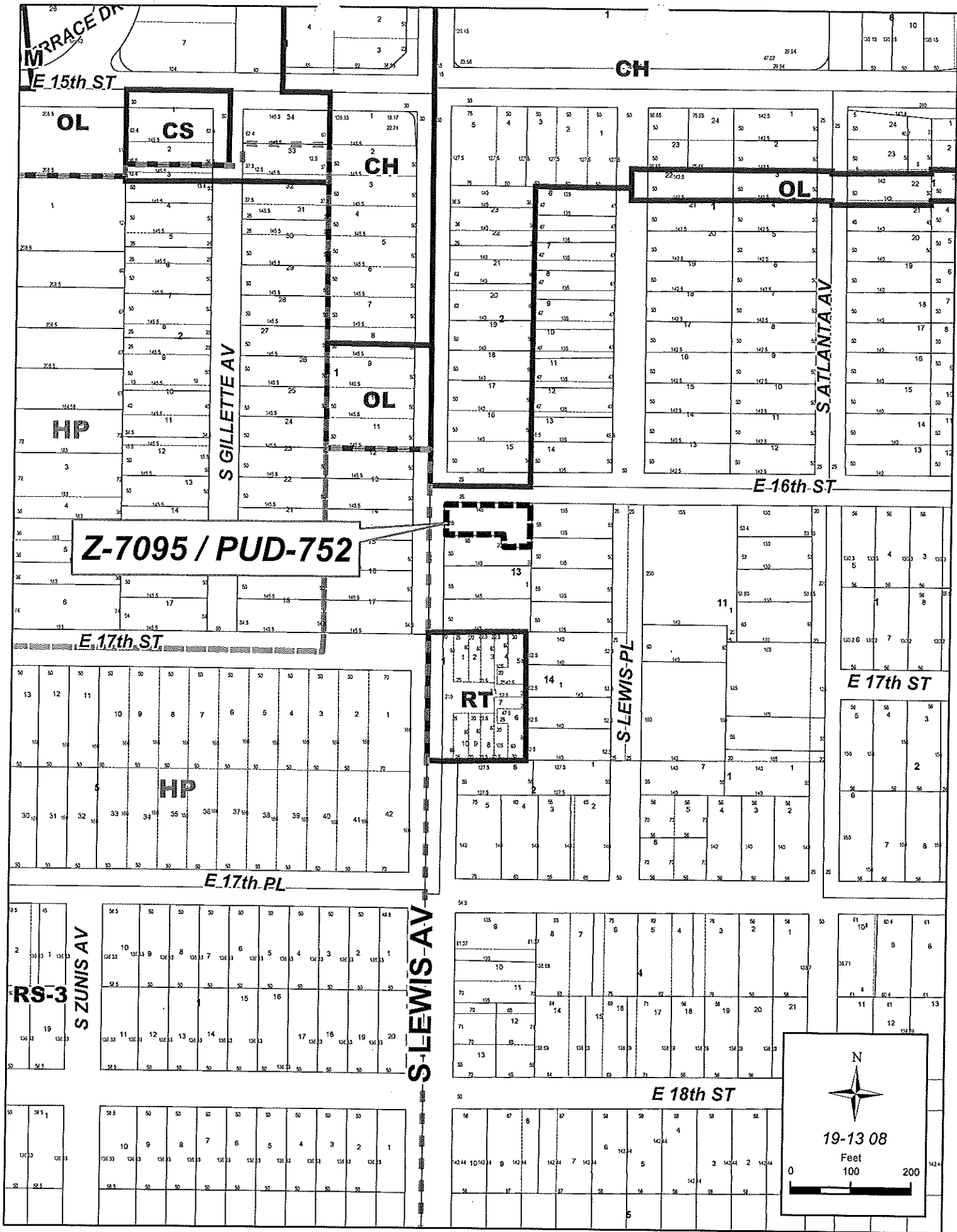
LEASE CORNER ELEVATIONS
SE LEASE AREA: 699.3' NE LEASE AREA: 698.8'
SW LEASE AREA: 701.6' NW LEASE AREA: 699.6'

FLOOD NOTE
By graphically putting the proposed lease area is not affected by a Flood Zone per the National Flood Insurance Rate Map, Community Panel Number 405381, 5004, Map Number 40143000004, Effective Date: September 22, 1999.

LEASE AREA: 2100 SQUARE FEET OR 0.048 ACRES
ACCESS & UTILITY EASEMENT: 1872.11 SQUARE FEET OR 0.043 ACRES
UTILITY EASEMENT: 10.00 LINEAR FEET

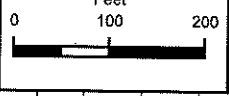


13.4



19-13 08

Feet



14.1



N

Z-7095 / PUD-752

19-13 08

Feet

0 100 200

PLAT WAIVER

December 3, 2008

Z- 7095/PUD 752 - (9308) (PD 4) (CD 4)

Southeast corner of South Lewis Avenue and East 16th Street

The platting requirement is being triggered by a rezoning to PUD 752.

Staff provides the following information from TAC at their November 20, 2008 meeting:

ZONING:

- TMAPC Staff: This site is in the Lewis Area study site and the plat waiver is being facilitated with the help of City Legal and Development Services.

STREETS:

- Additional right-of-way on Lewis is required to meet the Major Street Plan for an Urban Arterial (35 feet minimum from section line). The shared drive requires a Mutual Access Easement which should be a minimum of 24 feet wide. The drive from 16th Street must be 24 feet wide.

SEWER:

- An 11 foot utility easement (U/E) is needed along the East property line for the existing sanitary sewer main.

WATER:

- A 12 inch water main line exists along South Lewis Avenue and a 6 inch water main line exist along East 16th Street for water services connections for this site.

STORM DRAIN:

- No comment.

FIRE:

- No comment.

UTILITIES:

- No comment.

This request is being facilitated and supported by Councilor Gomez for this constituent of Council District 4. There are conditions that need to be met for a plat waiver for the site. City Legal is providing the covenants for the site, a mutual access easement needs to be prepared and filed to accommodate a shared driveway, Development Services needs to provide drainage plans and approval, and additional right-of-way needs to be dedicated. There are no fees charged for the waiver.

14.3

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 |

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

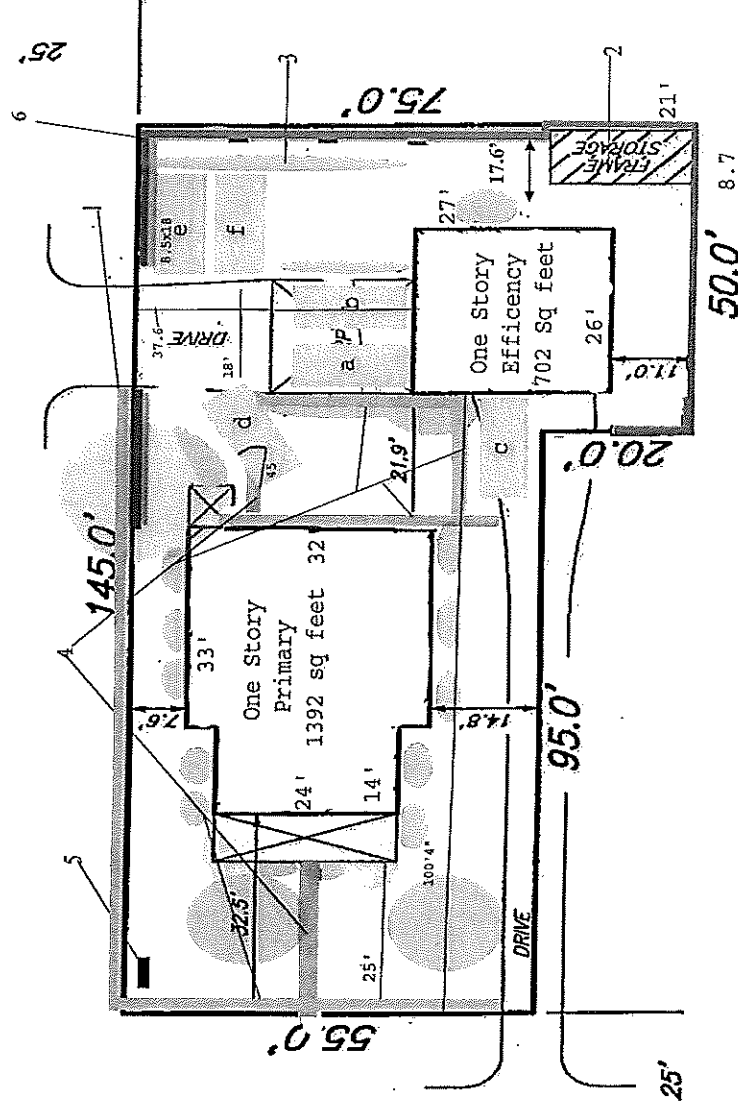
- | | YES | NO |
|---|-----|----|
| 4. Is right-of-way dedication required to comply with Major Street and Highway Plan? | X | |
| 5. Would restrictive covenants be required to be filed by separate instrument if the plat were waived? | X | |
| 6. Infrastructure requirements: | | |
| a) Water | | |
| 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. | | X |
| 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 |

* Stormwater plans need to be provided and approved by Development Services.

PUD-752

6 EAST 16TH STREET

6 SOUTH LEWIS AVENUE



conceptual site plan

* NOT TO SCALE

14.5

Exhibit B

Site Plan Details

1. Sidewalks
2. Storage building
3. Shrubs to be planted
4. Existing internal sidewalks
5. Sign
6. Required screening wall or fence per Lewis Study Guidelines

Gross Lot Area: 14,600 SF/ 33 acres
Net Lot Area: 8975 SF/2 acres
Maximum Permitted Floor Area (Office Use): 4,080 SF FAR
Actual Coverage Office Use: 1,392 sf
Actual Coverage Residential: 702 sf
Actual Coverage Accessory: 182 sf

Maximum Height Allowed:
Office Use: 35'
Residential Use: 1 story not to exceed 18'

EXISTING BUILDING SETBACKS/Office Use:
Existing from the centerline of Lewis Avenue: 50'
Existing from the centerline of 16th Street: 32.6'
Existing from the East Boundary of the PUD: 65.5'
Existing from the south boundary: 14.8'

EXISTING BUILDING SETBACKS/Residential Use:
Existing from Lewis Avenue ROW: 100'
Existing from 16th Street ROW: 37.6'
Existing from the East Boundary of the PUD: 17.5'
Existing from the south boundary: 11'

Note: Existing 8.7' x 21' "frame storage" as indicated on conceptual site plan may continue at less than 1' setback from east boundary boundaries. Should this structure be removed for any reason, the new structure would be subject to detached accessory buildings per the R District and sections 210-9-5 and 402 of the Zoning Code.

Parking Requirements:
1,392 sf office use
702 sf efficiency Apartment

Minimum Landscaped Open Space: 15%*

*This may include the street yard requirement which shall be landscaped in accord with the Landmarks Chapter of the Zoning Code and shall include at least five feet of landscape area on the west side of the required screening wall located on the east boundary.

LIGHTING:

Exterior light standards, including building mounted lighting shall not exceed 15 feet in height and shall be hooded and directed downward and away from the boundaries of the planned unit development. Light standards shall be derivative and residential in style and function per the Lewis Study. Shielding of outdoor lighting shall be designed so as to prevent the light producing element of the light fixture from being visible to a person standing at ground level in adjacent residential areas. Compliance with these standards shall be verified by application of the Kamehameha Formula. Consideration of topography must be included in the calculations.

SCREENING*:

All parking and boundaries abutting the residential district to the east shall be screened from such residential district by the erection of an 8' masonry wall or privacy fence per Draft Design Guideline #4 of the Lewis Study (below). The masonry wall or privacy fence shall have masonry pilasters and a landscaped buffer of no less than 5' and will extend along the south 30' boundary identified herein and along the south 11' of the 20' boundary identified herein. Material used for privacy fences shall be opaque in nature, to completely screen any view of adjacent residential uses.

*Screening along the south 30' boundary and north 9' of the 20' boundary identified herein of this PUD may be waived at detail site plan review with a letter agreement between the applicant and the property owner immediately adjacent to the south showing agreement of mutual access for both properties. This is to allow for the continuation of the shared access drive along the southern boundary of the PUD as recommended by Alternative III of the Lewis Study (below).

TRASH CONTAINERS:

Outside trash containers are restricted to that which is typical for single-family residential areas, and must be screened from view of any person standing at ground level by the erection of a solid screening wall or fence.

SIGNS:

Signs shall be limited to one (1) ground sign or one (1) wall sign, not to exceed six (6) square feet of display surface area. Any ground sign shall not exceed 4 feet in height. Illumination of any sign is prohibited. Banners or temporary signs related to the property's business are prohibited.

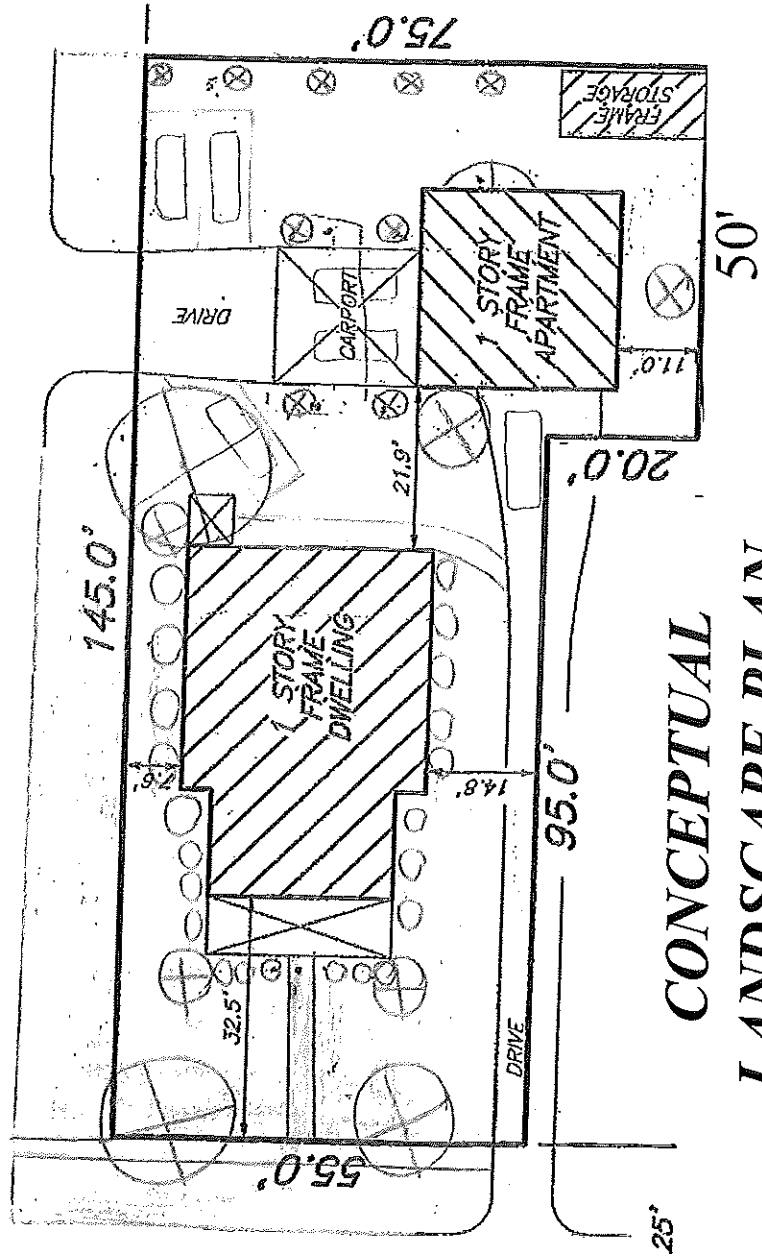
ACCESS AND PEDESTRIAN CIRCULATION:

No additional curb cuts will be permitted onto Lewis Avenue. Pedestrian circulation shall be provided by existing internal sidewalks. Sidewalks, if not existing, shall be installed along Lewis Avenue and 16th Street, and shall be maintained by the property owner.

PERMITTED HOURS OF OPERATION:

Hours of operation for permitted Office Light (O.L.) uses shall be limited to 7:00 am to 7:00 pm.

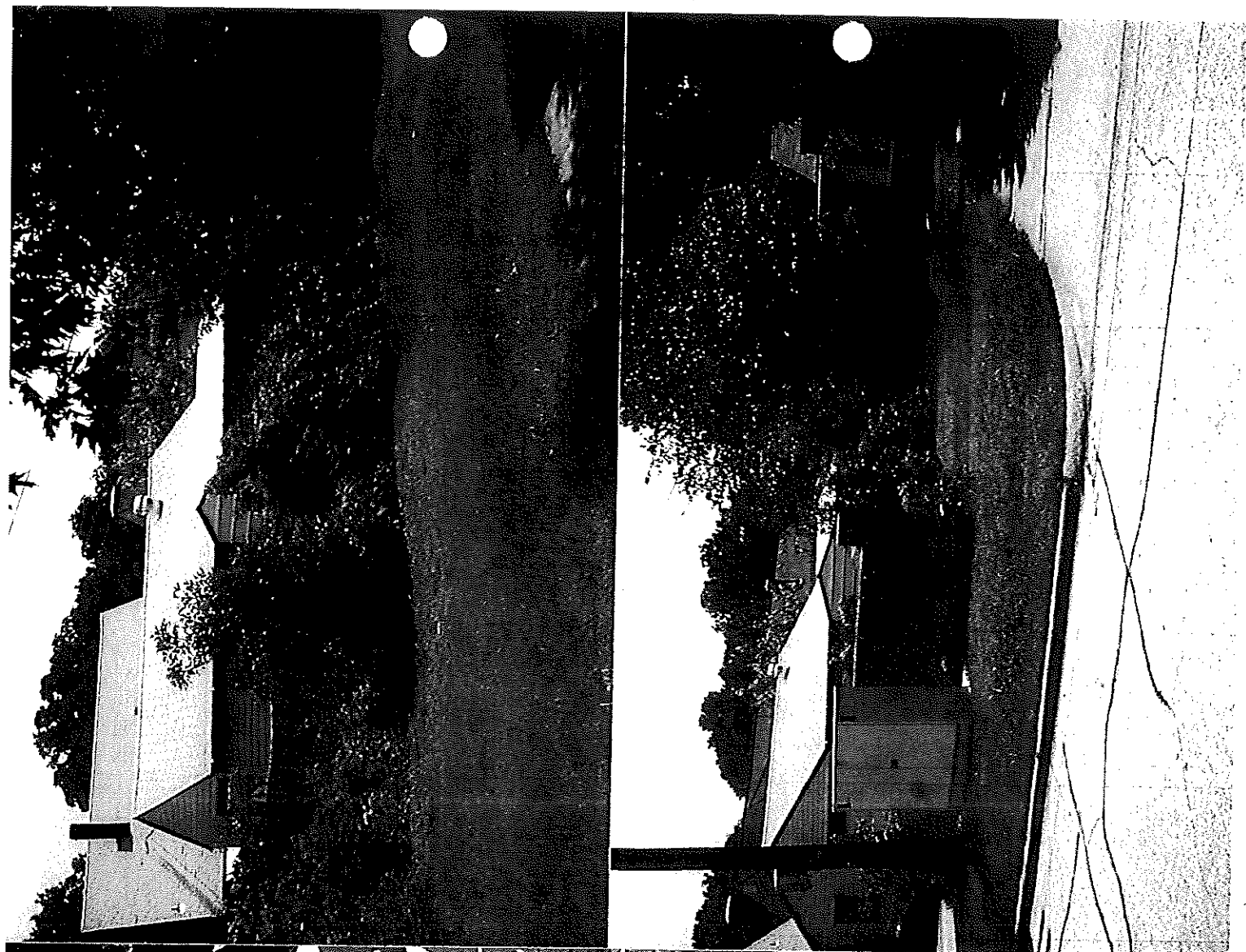
6 EAST 16TH STREET



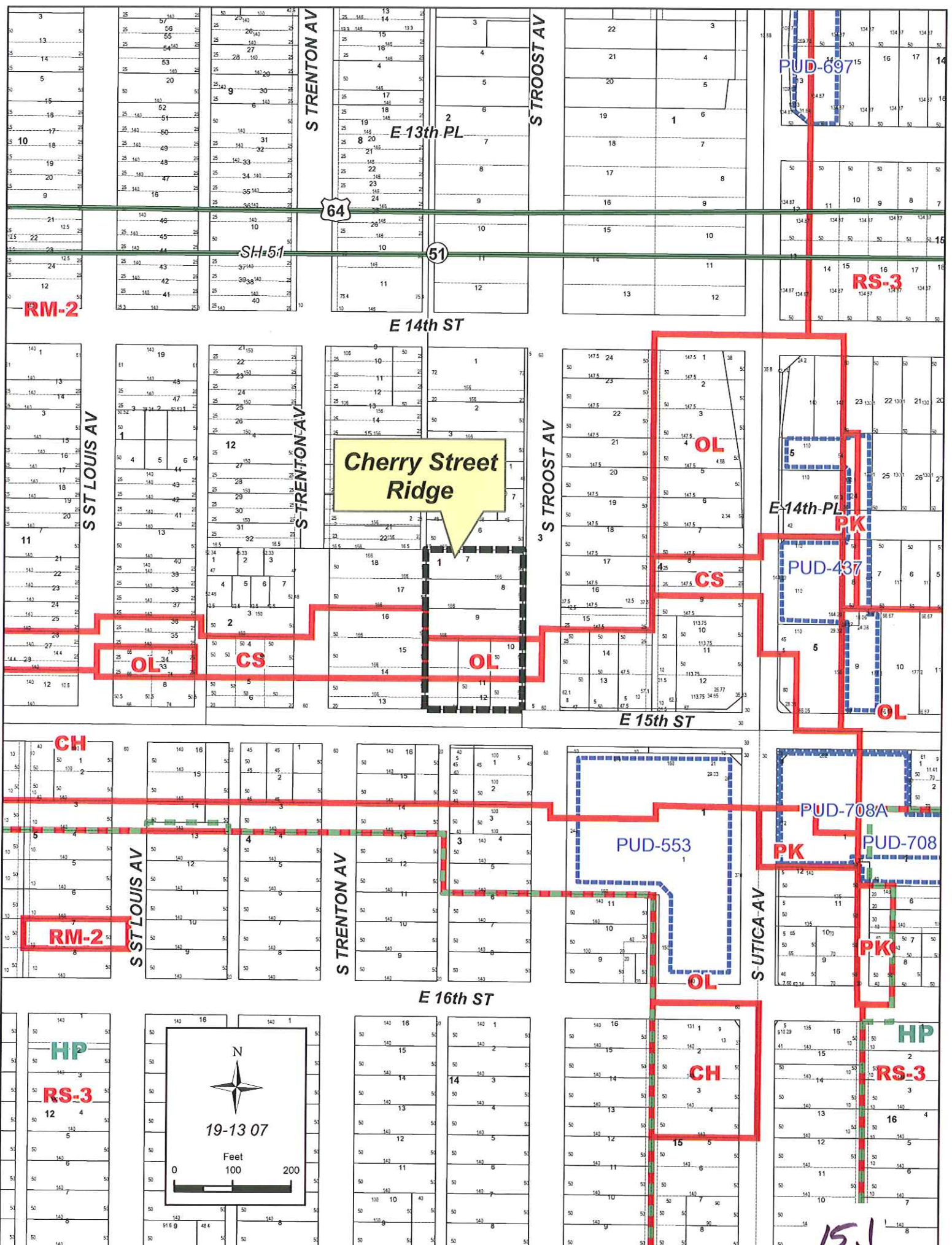
CONCEPTUAL
LANDSCAPE PLAN

14.6






14.8





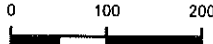
N



19-13 07

**Cherry Street
Ridge**

Feet
0 100 200



15.2

Final Subdivision Plat

Cherry Street Ridge - (9307) (PD 6) (CD 9)

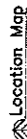
Northwest corner of East 15th Street South and South Troost Avenue

This plat consists of 1 Lot in 1 Block on 1.03 acres.

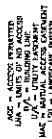
Staff recommends **APPROVAL** of the Final Plat. All release letters have been received.

PUD 760

A RECONVECTION OF ALL OF BLOCK 1, LOTS 7-12 INCLUSIVE, "CLARK'S ADDITION",
AN ADDITION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA.



INFORMATION CONTAINS
 ONE(1) LOT IN CRIME(1) BLOCK
 CRIME(1) INFORMATION AREA(1) LOT AREA(1)

[illegible]

OWNER:
Oak Properties, LLC.
AN OKLAHOMA LIMITED LIABILITY COMPANY
115 W. 5th Street
Suite M 100
Tulsa, Oklahoma 74103
Phone: (918)488-9995

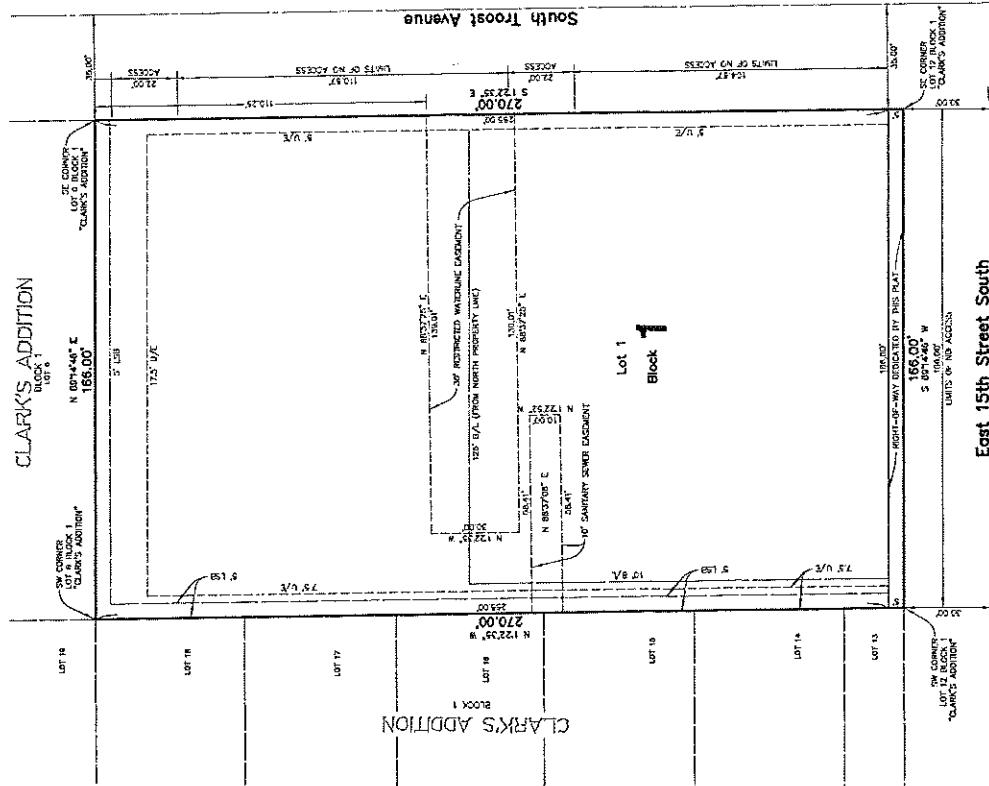
SURVEYOR:
Tanner Consulting, L.L.C.
DAN E. TANNER, P.L.S., NO. 1420
OK CA No. 2061, EXPIRES 6/30/2009
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918)745-9929
email: dan@tannerhellip.com

STATE OF OKLAHOMA }
COUNTY OF TULSA } ss.
I, Charles Wilson, Tulsa County Clerk, in and for the County and State above named, do hereby certify that the foregoing is a true and correct copy of a like instrument now on file in my office.

Dated the _____ day of _____ 19____
KARLENE WILSON, Tulsa County Clerk

RECEIVED
NOV 10 1965
U.S. AIR FORCE
HONOLULU AIR
MAIL CENTER

DRAFT FINAL COPY

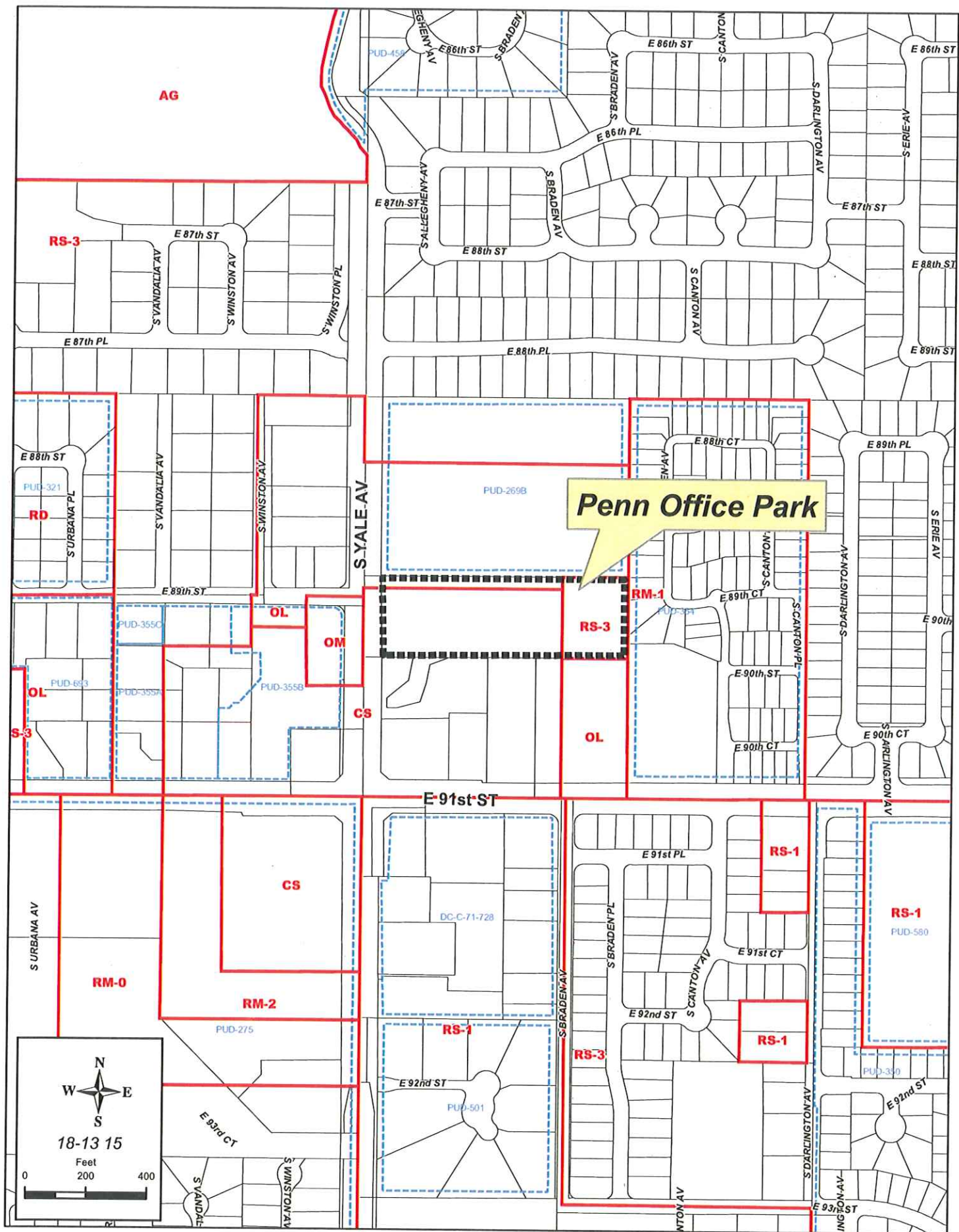


Basis of Bearing

DATE OF PREPARATION: NOVEMBER 10, 2008

Cherry Street Ridge
SHEET 1 OF 2

15.4



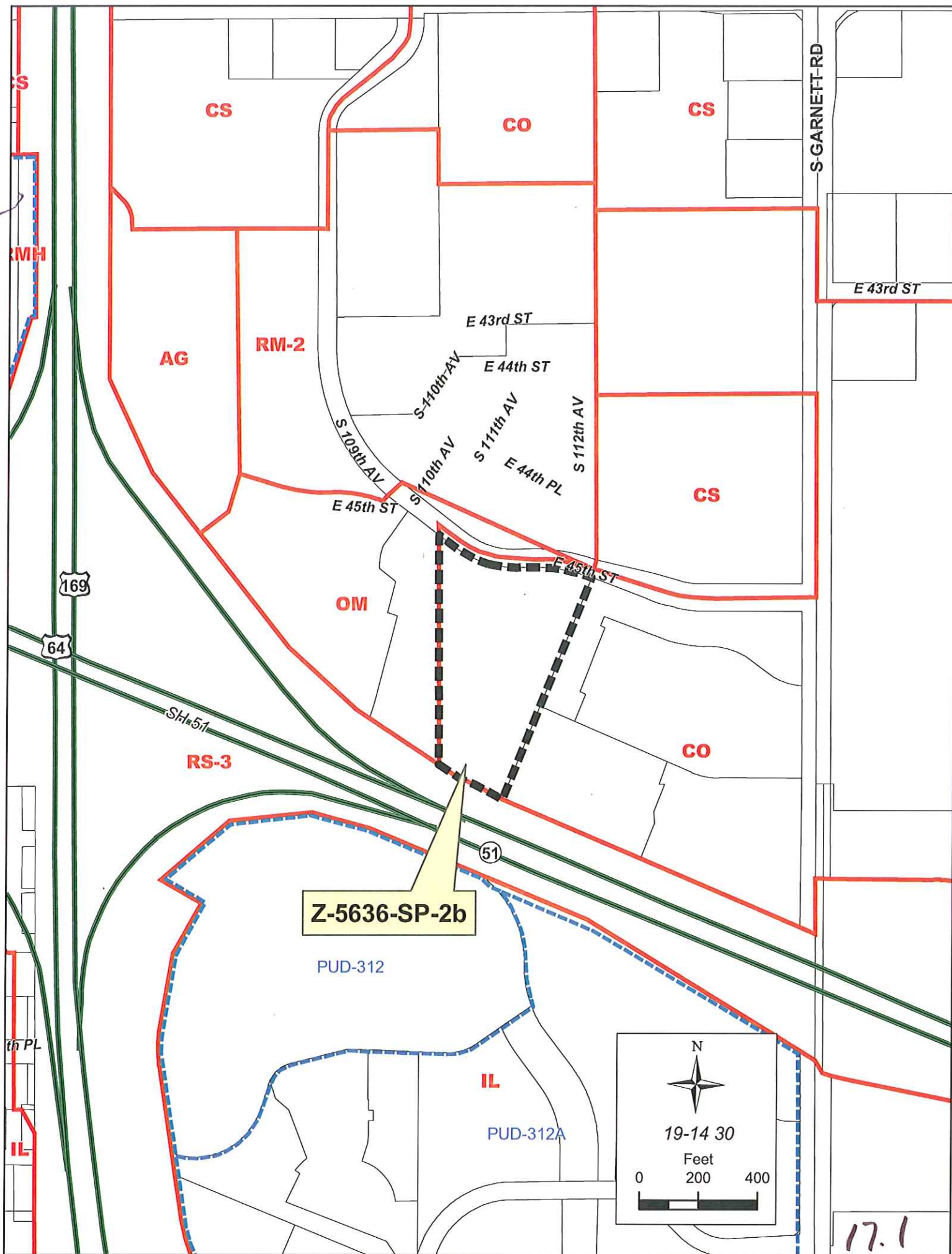
Final Subdivision Plat

Penn Office Park - (8315) (PD 18) (CD 8)

North of the northeast corner of East 91st Street South and Yale Avenue

This plat consists of 2 Lots in 1 Block on 4.96 acres.

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





169

64

SH 51

51

S 109th AV

E 43rd ST

E 44th ST

S 110th AV

S 111th AV

E 44th PL

S 112th AV

E 45th ST

E 45th ST

S GARNETT RD

E 43rd ST



19-14 30

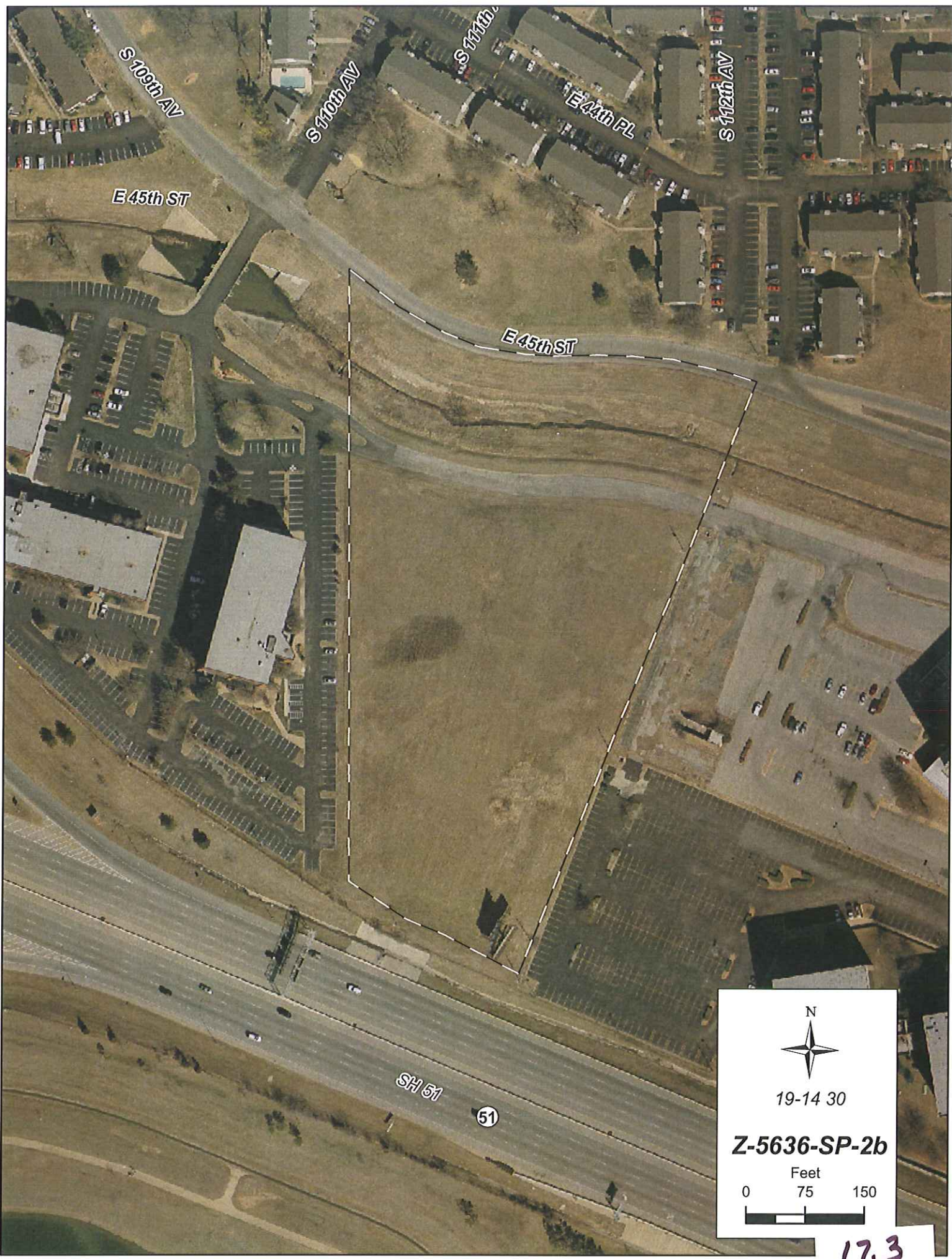
Z-5636-SP-2b

Feet

0 200 400



17.2



S 109th AV

S 110th AV

S 111th AV

E 44th PL

S 112th AV

E 45th ST

E 45th ST

SH 51

51



19-14 30

Z-5636-SP-2b

Feet

0 75 150



17.3

December 3, 2008

STAFF RECOMMENDATION

Z-5636-SP-2b: Corridor Plan Minor Amendment – Located along the northbound exit ramp of U.S. 51 (B.A. Expressway) to U.S. 169; Lot 1, Block 2 – Town Center II; 10909 E. Broken Arrow Expressway; TRS 9430; CZM 49; Atlas 753; PD-18 CD-5; CO.

The applicant is requesting a minor amendment for the purpose of relocating a previously approved Outdoor Advertising (O/A) sign location to the originally approved location per Z-5636-SP-2.

In 1994 the TMAPC approved corridor site plan Z-5636-SP-2 permitting an OA sign at the location depicted by #1 on attached Exhibit A. In July 2008 the TMAPC approved minor amendment Z-5636-SP-2a permitting digital technology to be added to the OA sign and the relocation of the approved location, 237' to the west as signified by #2 on Exhibit A. Since that 7/08 TMAPC approval an OA sign has been approved via the BOA spacing verification process and installed 1,100 feet to the northwest of the location approved in July of 2008, making the currently approved location less than 1,200 feet from the northwest OA sign.

As a result this minor amendment is required to return the approved location to the existing and originally approved location (see #3 on Exhibit A). The BOA has re-approved the spacing for the exiting/original location in case 20803, approved 11/25/08. The re-approval is required so the applicant may add digital technology to the existing OA sign.

Therefore, staff recommends **APPROVAL** of minor amendment Z-5636-SP-2b with the condition that the overall height of the sign does not increase, and the permitted display surface area (672 sf) of the sign as approved by Z-5636-SP-2 will remain effective. Certification of compliance with section 1221-F and G of the Zoning Code (see Exhibit B) must be supplied to the City of Tulsa Zoning Official prior to the release of sign permits.

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

17.4

Section 1221, C-2, F and G:

Use Conditions for Outdoor Advertising Signs

1221, C-2: Flashing signs, digital signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be subject to the following limitations.

a. No such sign shall be located within fifty (50) feet of the driving surface of a signalized intersection. The fifty (50) feet shall be measured in a straight line from the nearest point on a sign structure to the nearest point of the signalized intersection.

b. No such sign shall be located within twenty (20) feet of the driving surface of a street. The twenty (20) feet shall be measured in a straight line from the nearest point on a sign structure to the nearest point of the street curb, or edge of the traveled roadway marked or understood as such.

c. No such sign, if visible from an R district other than street, highway or freeway right-of-way, or if visible from a designated residential development area, shall be located within two hundred (200) feet of such district or area. The two hundred (200) feet shall be measured in a straight line from the nearest point on a sign structure to the nearest point of an R district or residential development area boundary line.

d. No such sign shall exceed an illumination of seventy (70) foot candles measured at a two (2) foot distance.

e. No such digital sign shall display an illuminative brightness exceeding five hundred (500) NITs at any time between one-half (1/2) hour after sunset until one-half (1/2) hour before sunrise or six thousand five hundred (6,500) NITs between one-half (1/2) hour before sunrise until one-half (1/2) hour after sunset.

f. No such digital sign shall display an illuminative brightness of such intensity or brilliance that it impairs the vision or endangers the safety and welfare of any pedestrian, cyclist, or person operating a motor vehicle.

g. No such digital sign shall resemble or simulate any warning or danger signal, or any official traffic control device, sign, signal or light.

h. No such digital sign shall be permitted to operate unless it is equipped with:

(1) A default mechanism that shall freeze the sign in one position or static message if a malfunction occurs; and

(2) Notwithstanding paragraph 1221.C.2.e., a mechanism able to automatically adjust the display's illuminative brightness according to natural ambient light conditions by means of a light detector/photo cell by which the sign's brightness shall be dimmed.

17.4
EXHIBIT B

1221-F: Use Conditions for Outdoor Advertising Signs

1. Outdoor advertising signs shall be permitted in CS, CG, CH, CBD, IL, IM and IH zoning districts only when located within a freeway sign corridor. Outdoor advertising signs may be permitted in the CO zoning district, subject to the site plan review as provided in Chapter 8 of this code and provided it is located within a freeway sign corridor. Outdoor advertising signs may be permitted in Planned Unit Developments, in accordance with Chapter 11 of this code, so long as the same is zoned CS, CG, CH, CBD, IL, IM or IH and is within a freeway sign corridor.
2. An outdoor advertising sign shall be separated a minimum distance of one thousand two hundred (1,200) feet from any other outdoor advertising sign. Spacing limitations shall not apply between signs separated by the freeway. The one thousand two hundred (1,200) feet shall be measured in a straight line from the center of an outdoor advertising sign's structure, as located on the ground, to the center of any other outdoor advertising sign's structure, as located on the ground.
3. No outdoor advertising sign shall be located within one hundred fifty (150) feet of a public park. The one hundred fifty (150) feet shall be measured in a straight line from the nearest point on a sign structure to the nearest point on the property of the park.
4. Outdoor advertising signs, if visible from an R district other than street, highway or freeway right-of-way, or if visible from a designated residential development area, shall be setback from such district or area a minimum distance as follows:
 - a. One hundred fifty (150) feet if the display surface area is three hundred (300) square feet or less; or
 - b. Two hundred (200) feet if the display surface area is greater than three hundred (300) square feet.
 - c. The setback requirement imposed by this paragraph 1221.F.4. shall be measured in a straight line from the nearest point on a sign structure to the nearest point of an R district or residential development area boundary line.
5. No portion of an outdoor advertising sign shall be located within ten (10) feet of a freeway right-of-way. The ten (10) feet shall be measured in a straight line from the nearest point on a sign structure to the nearest point of the freeway right-of-way boundary line.
6. No outdoor advertising sign shall contain more than two (2) sides, and only one (1) side shall be included in the computation of display surface area. The two (2) sides shall face in opposite directions. "Opposite" shall, in addition to its ordinary meaning, include V-shaped signs when the angle of separation of the display surfaces does not exceed thirty degrees (30°).
7. An outdoor advertising sign shall be oriented to be primarily visible from the freeway.
8. No outdoor advertising sign shall contain flashing, blinking or traveling lights or reflective glitter.

9. Cutouts or extensions shall be permitted, in addition to the display surface area permitted in this section, so long as the cutouts or extensions do not exceed fifteen percent (15%) of the display surface area.

10. No outdoor advertising sign shall be supported by more than one (1) post or column unless required by site engineering considerations and is certified as such by a registered professional engineer.

11. Outdoor advertising signs which have animation, revolving or rotating components or movement shall be subject to the following limitations:

a. No such sign shall be located within fifty (50) feet of the driving surface of a signalized intersection. The fifty (50) feet shall be measured in a straight line from the nearest point on a sign structure to the nearest point of the signalized intersection;

b. No such sign shall be located within twenty (20) feet of the driving surface of a street. The twenty (20) feet shall be measured in a straight line from the nearest point on a sign structure to the nearest point of the street curb, or edge of the traveled roadway marked or understood as such; and

c. No such sign, if visible from an R district other than street, highway or freeway right-of-way, or if visible from a designated residential development area, shall be located within two hundred (200) feet of such district or area. The two hundred (200) feet shall be measured in a straight line from the nearest point on a sign structure to the nearest point of an R district or residential development area boundary line.

12. Illumination on the face of outdoor advertising signs shall not be permitted to exceed seventy (70) foot candles measured at a two (2) foot distance.

13. Outdoor advertising signs shall maintain a minimum separation of thirty (30) feet from any roof, projecting or ground sign.

14. Any illumination shall be by constant light.

15. No outdoor advertising sign shall exceed fifty (50) feet in height; except when the freeway is elevated ten (10) feet or more above grade where the sign is to be located then, in that event no outdoor advertising sign height shall exceed sixty (60) feet in height.

16. The maximum number of signs on a lot of record, including outdoor advertising signs but exclusive of business wall signs and promotional business signs shall be as provided in 1221.C.8.

17. The aggregate display surface area for all ground, roof or projecting signs, whether business or outdoor advertising, shall comply with the provisions of paragraphs 1221.C.4, 1221.D.3 and 1221.E.3, as applicable; provided that in no event shall an outdoor advertising sign exceed six hundred seventy-two (672) square feet of display surface area.

18. No outdoor advertising sign shall be permitted to be located upon or constructed within a required parking space or loading berth, nor to otherwise obstruct vehicular or pedestrian

access or circulation, or pose any other hazard to motor vehicle traffic exiting, entering or traveling within the site on which the sign is located.

19. A sign permitted as a business sign shall not thereafter be changed to an outdoor advertising sign without a permit for such use; nor shall a sign permitted as an outdoor advertising sign be changed to a business sign without a permit for such use.

20. Signs that have not been issued a sign permit shall not be located in any district.

1221-G: Additional Use Conditions for Digital Outdoor Advertising Signs

In addition to the use conditions prescribed for outdoor advertising signs in subsection 1221.F., digital outdoor advertising signs shall also comply with the following use conditions:

1. Digital outdoor advertising signs shall only display a static message or messages..
2. Digital outdoor advertising signs which display more than one static message shall do so sequentially, with each static message having a dwell time of no less than eight (8) seconds and a transition time between static messages of no more than one (1) second.
3. Digital outdoor advertising signs shall not display an illuminative brightness exceeding five hundred (500) NITs at any time between one half (1/2) hour after sunset until one half (1/2) hour before sunrise or six thousand five hundred (6,500) NITs between one-half (1/2) hour before sunrise until one-half (1/2) hour after sunset.
4. Use conditions establishing the minimum dwell time and maximum illuminative brightness levels for digital outdoor advertising signs codified in subsection 1221.G. shall be subject to future modification and regulation in the exercise of the City's police powers and no vested right shall ever be created in these use conditions.
5. Digital outdoor advertising signs shall not display an illuminative brightness of such intensity or brilliance that they impair the vision or endanger the safety and welfare of any pedestrian, cyclist, or person operating a motor vehicle.
6. Digital outdoor advertising signs shall not resemble or simulate any warning or danger signal, or any official traffic control device, sign, signal or light.
7. Digital outdoor advertising signs shall not be permitted to operate unless they are equipped with:
 - a. a default mechanism that shall freeze the sign in one position or static message if a malfunction occurs; and
 - b. notwithstanding paragraph 1221.G.3., a mechanism able to automatically adjust the display's illuminative brightness according to natural ambient light conditions by means of a light detector/photo cell by which the sign's brightness shall be dimmed.
8. Digital outdoor advertising signs shall not display consecutive messages facing the same traveled way, which constitute a substantially similar theme or story and is a continuation of any immediately preceding message, thereby creating a storyboarding effect when viewed by

persons operating a motor vehicle. Nothing contained in this paragraph shall prohibit the display of identical consecutive messages.

9. Any digital outdoor advertising sign for which a permit has been applied for prior to January 1, 2009, and the sign has been permitted and completed constructed prior to January 1, 2010, shall be separated by a minimum distance of one thousand two (1,200) feet from any other digital outdoor advertising sign. This spacing limitation shall not apply between signs separated by the freeway. The one thousand two hundred (1,200) feet shall be measured in a straight line from the center of an outdoor advertising sign's structure, as located on the ground, to the center of any other outdoor advertising sign's structure, as located on the ground.

10. Except as provided in paragraph 1221.G.9., any digital outdoor advertising sign having a permit issued on or after January 1, 2009, shall be separated by a minimum distance of one thousand two hundred (1,200) feet from any other digital outdoor advertising sign facing the same traveled way. The one thousand two hundred (1,200) feet shall be measured in a straight line from the center of a digital outdoor advertising sign's structure, as located on the ground, to the center of any other digital outdoor advertising sign's structure, as located on the ground.

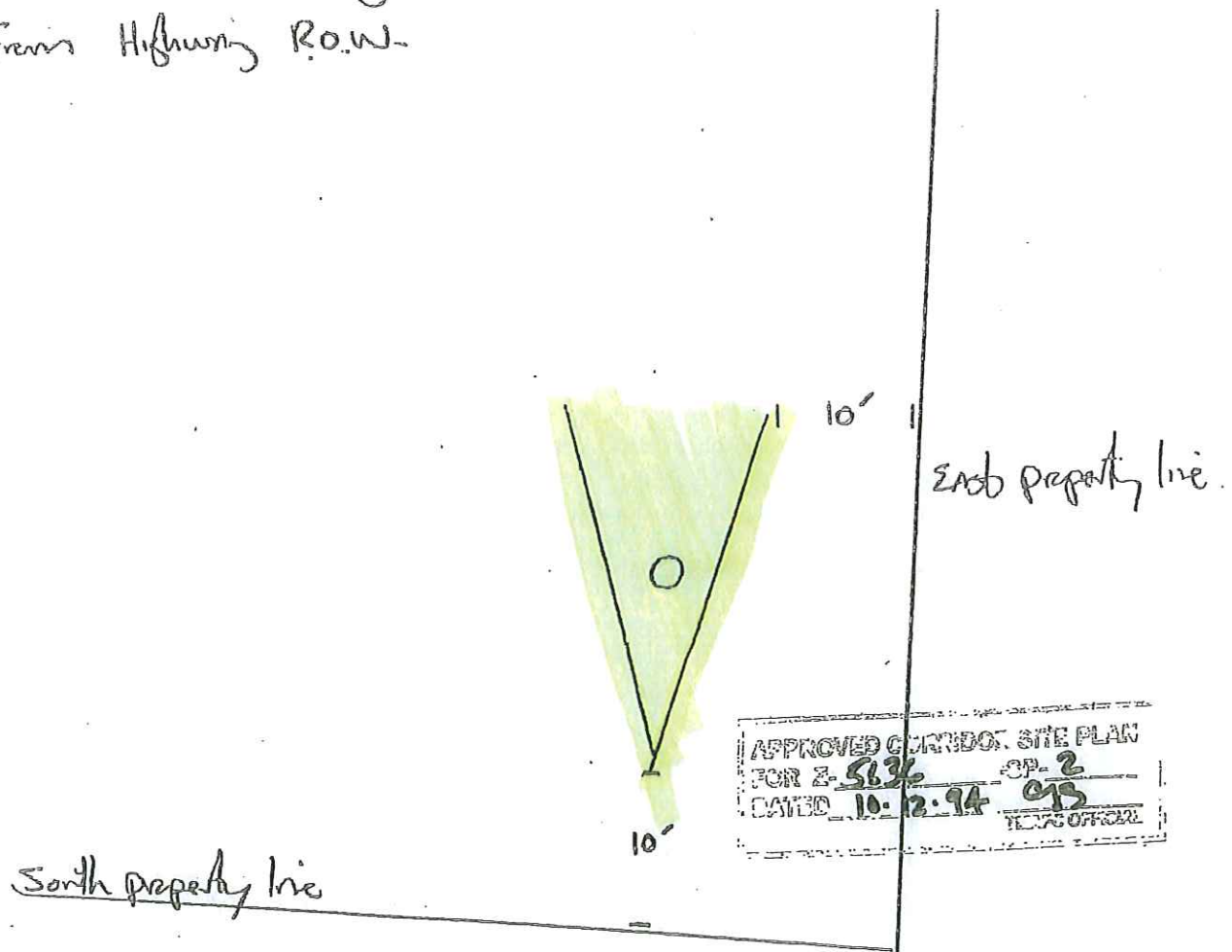
11. Digital outdoor advertising signs, if visible from an R district other than street, highway or freeway right-of-way, or if visible from a designated residential development area, shall be setback from such district or area a minimum distance of two hundred (200) feet. The two hundred (200) feet shall be measured in a straight line from the nearest point on a sign structure to the nearest point of an R district or residential development area boundary line.

12. Prior to the issuance of any permit for the installation, testing, maintenance or use of any digital outdoor advertising sign, the operator shall provide written certification that the illuminative brightness of the display shall not exceed five hundred (500) NITs at any time between one-half (1/2) hour after sunset until one-half (1/2) hour before sunrise.

13. No lawfully existing outdoor advertising sign, whether conforming or lawfully nonconforming, which incorporates any digital sign, electronically generated display or light emitting diode (LED) on its display surface, or attached to the sign structure, shall be deemed a lawfully existing digital outdoor advertising sign pursuant to this subsection 1221.G. and no such sign shall be modified, extended, or enlarged unless and until its installation or use has been permitted as a digital outdoor advertising sign on or after May 1, 2008, in compliance with this Section 1221.

14. No outdoor advertising sign which is lawfully nonconforming as to any requirement imposed by this Zoning Code shall be modified, changed or converted into a digital outdoor advertising sign unless it shall conform to all requirements imposed by this Code and all spacing requirements have been verified as required by this Code. For purposes of this Code, no digital outdoor advertising sign shall be considered lawfully nonconforming and the conversion of an outdoor advertising sign into a digital outdoor advertising sign shall be considered a change of use.

leading edge of sign will be
10' from East boundary and
10' from Highway R.O.W.

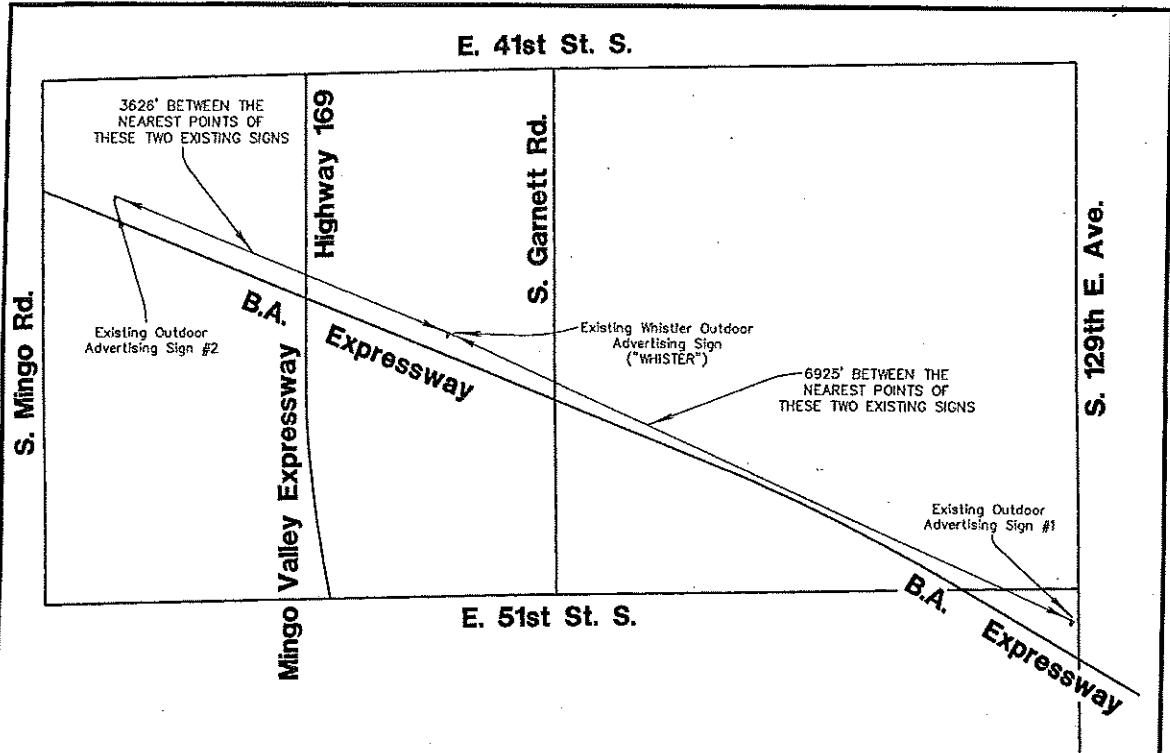


Broken Arrow Expressway ←

→

EXHIBIT B

17.11



Surveyor's Certification

WE, SISEMORE WEISZ & ASSOCIATES, INC., CERTIFY THAT THE EXISTING OUTDOOR ADVERTISING SIGN #1 LOCATION MEASURES 6925 FEET FROM THE NEAREST POINT ON SAID SIGN #1 TO THE NEAREST POINT ON THE EXISTING WHISTLER OUTDOOR ADVERTISING SIGN ("WHISTLER") LOCATION. AND FURTHER, 3626 FEET FROM THE NEAREST POINT ON THE WHISTLER OUTDOOR ADVERTISING SIGN ("WHISTLER") LOCATION TO THE NEAREST POINT ON THE OUTDOOR ADVERTISING SIGN #2 LOCATION.

WITNESS MY HAND AND SEAL THIS 2ND DAY OF MAY, 2008.



NOT TO SCALE



SISEMORE WEISZ & ASSOCIATES, INC.

BY:

Dean Robinson

DEAN ROBINSON
REGISTERED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1146

K:\15953\15953-EXHIBIT.Dwg

ORDER: 15953
DATE: 05/02/08
FILE: 1914.3000



Sisemore Weisz & Associates, Inc.

6111 EAST 32nd PLACE
TULSA, OKLAHOMA 74135
CA. NO. 2421

PHONE: (918) 665-3600
FAX: (918) 665-8668
EXP. DATE 6/30/09

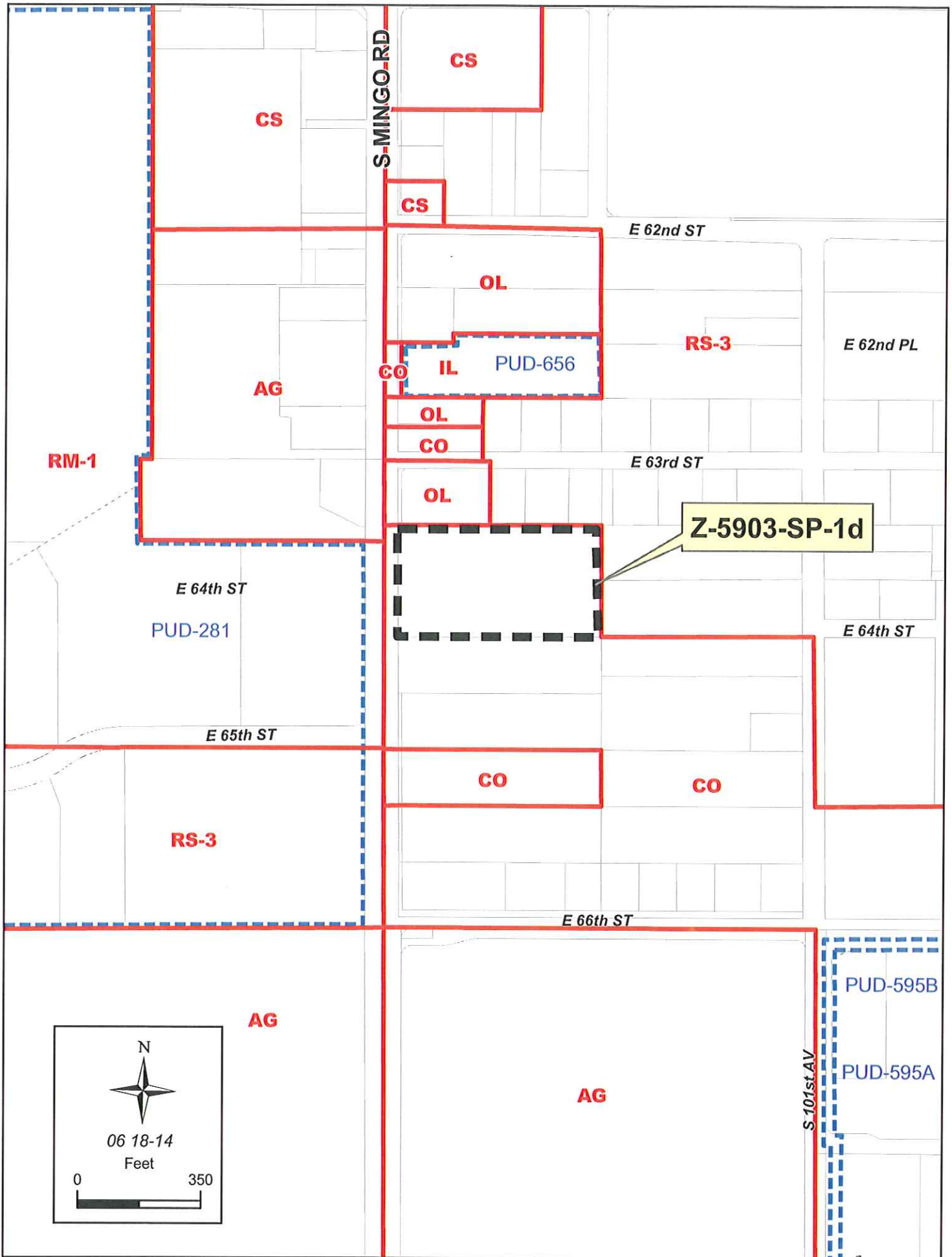
17.12



Notes:

1. 672 Sq. Ft. Digital LED display
2. 50 ft. overall height Monopole steel structure
3. 25ft. "V"
4. Previously approved CO siteplan zoning for billboard

17.13



18.1



Z-5903-SP-1d

N



06 18-14

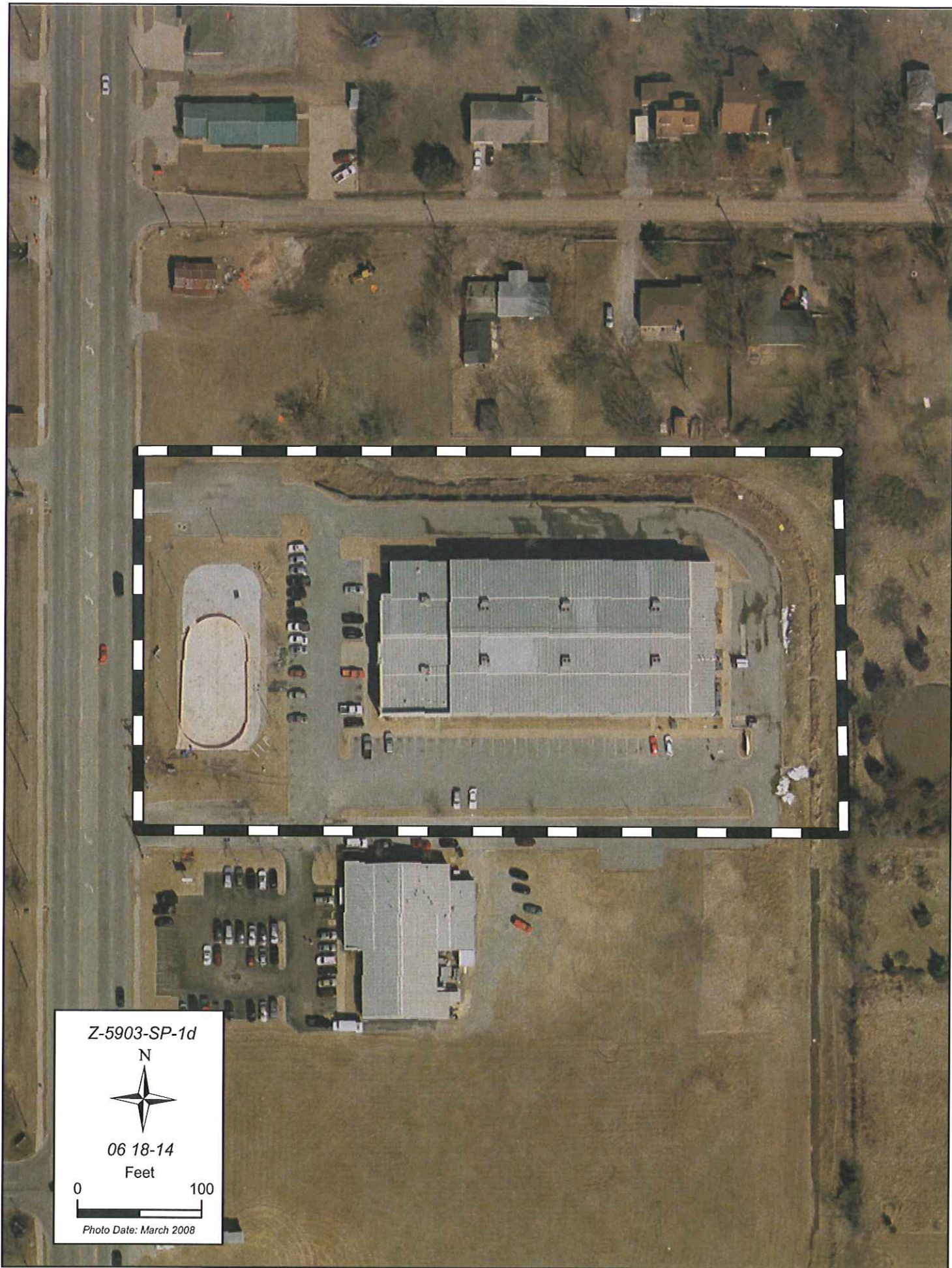
Feet

0

350

Photo Date: March 2008

18.2



Z-5903-SP-1d



06 18-14

Feet

0 100

Photo Date: March 2008

December 3, 2008

STAFF RECOMMENDATION

Z-5903-SP-1d : Corridor Plan Minor Amendment – South of the southeast corner of 63rd Street and Mingo Road; Lot 1, Block 1 – Baldwin Acres Resub., L13 – 15, B7 Union Gardens; 6413 S. Mingo Road; TRS 8406; CZM 110; Atlas 873; PD 18C CD 8.

The applicant is requesting minor amendments to Corridor District Site Plan #Z-5903-SP-1 to reflect variances granted by the City of Tulsa Board of Adjustment (BOA) in BOA case 20282, approved 6/13/06.

Specifically, BOA case 20282 granted an increase in the permitted lot coverage by a building from .3 (30%) to .33 (33%); a reduction in the over-all required parking to 237 parking spaces; and a reduction of the required setback from the centerline of South Mingo Road from 200-feet to 125 feet.

Since these variances have been approved by the BOA staff recommends **APPROVAL** of minor amendment Z-5903-SP-1d.

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

CORRIDOR PLAN MINOR AMENDMENTS

SITE AREA: 4.11 ACRES (179211.75 SF)

1. SITE COVERAGE (BY EXIST. & PROPOSED BUILDINGS.): 59,134 SF (33% OF SITE)

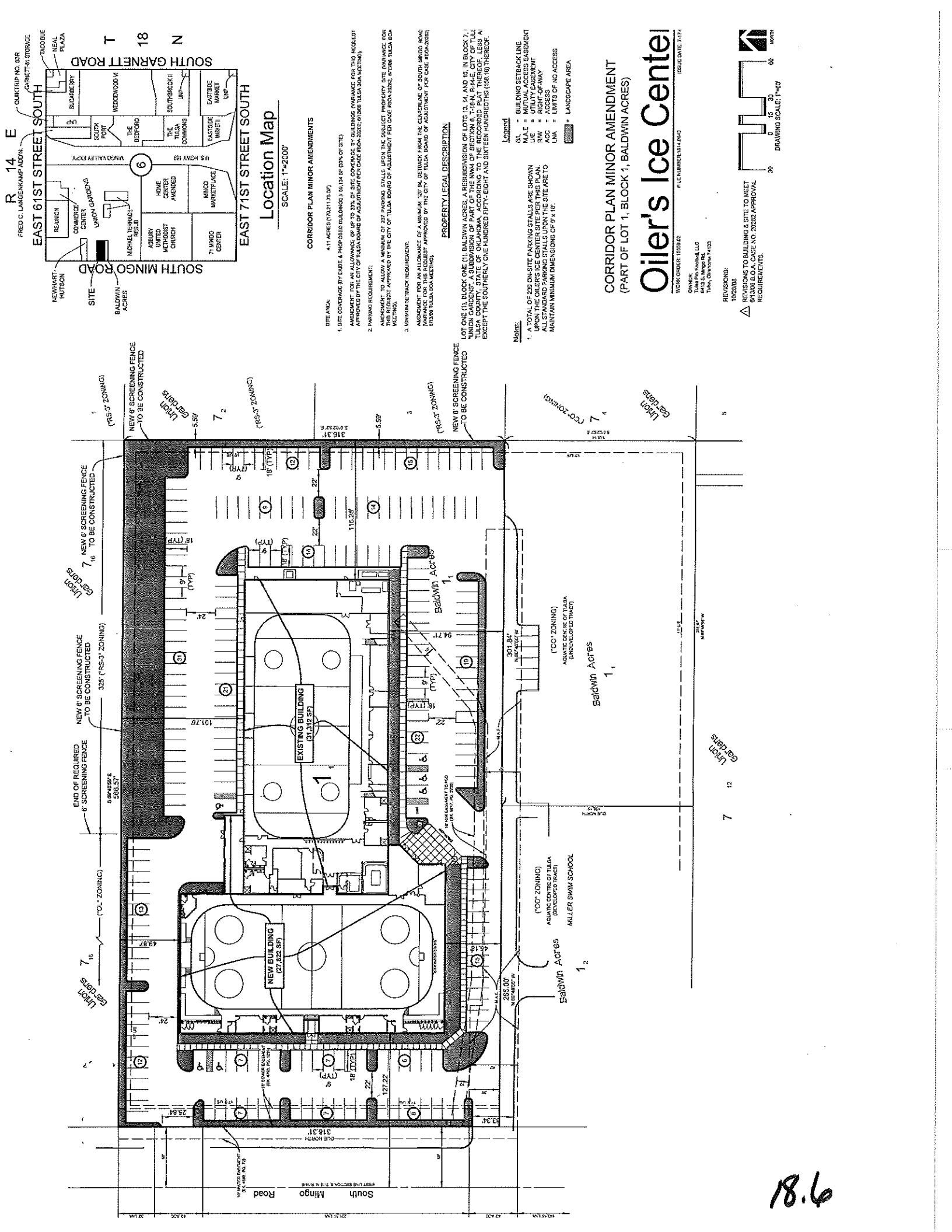
AMENDMENT FOR AN ALLOWANCE OF UP TO 33% OF SITE COVERAGE BY BUILDINGS (VARIANCE FOR THIS REQUEST APPROVED BY THE CITY OF TULSA BOARD OF ADJUSTMENT PER CASE #BOA-20282; 6/13/06 TULSA BOA MEETING).

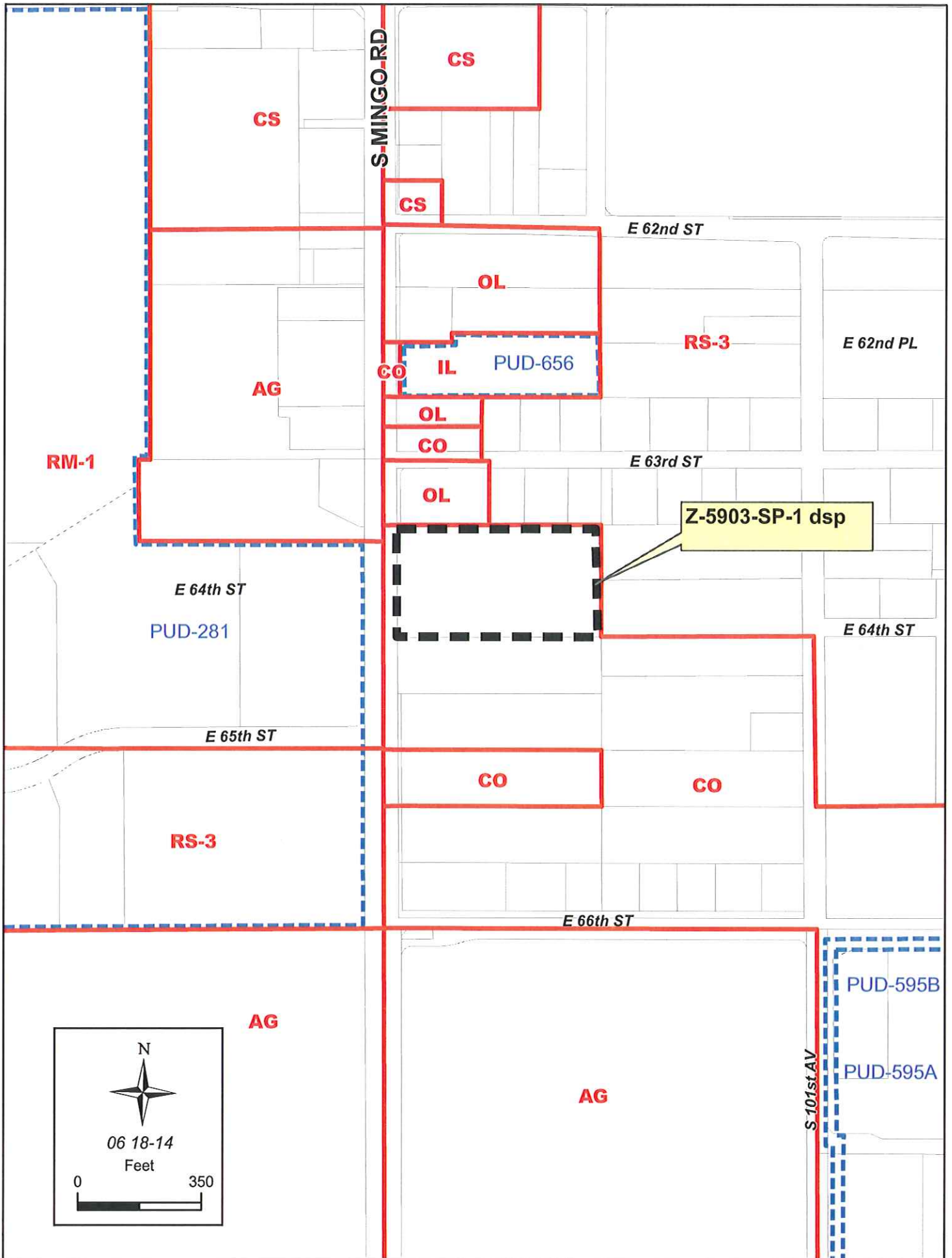
2. PARKING REQUIREMENT:

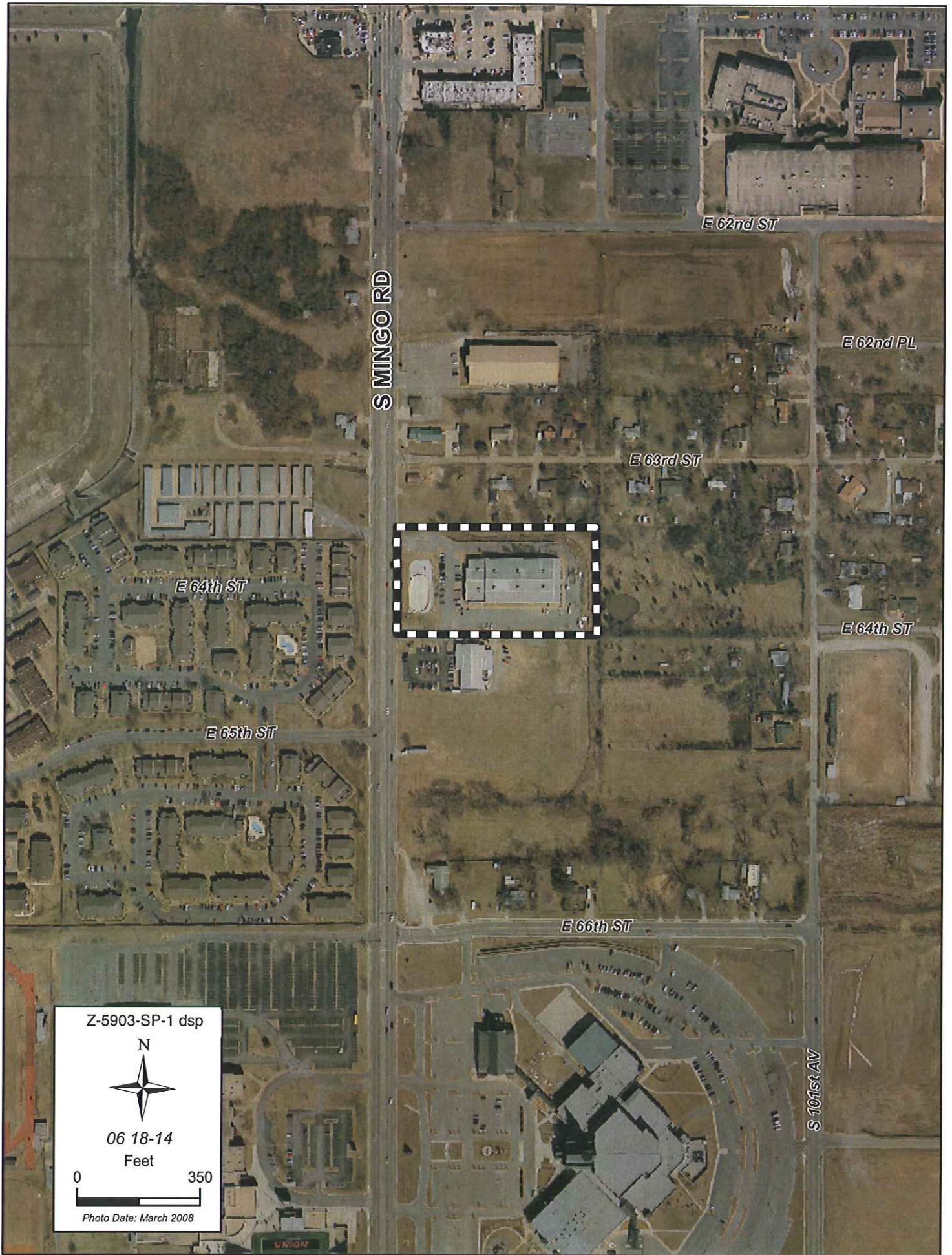
AMENDMENT TO ALLOW A MINIMUM OF 237 PARKING STALLS UPON THE SUBJECT PROPERTY SITE (VARIANCE FOR THIS REQUEST APPROVED BY THE CITY OF TULSA BOARD OF ADJUSTMENT PER CASE #BOA-20282; 6/13/06 TULSA BOA MEETING).

3. MINIMUM SETBACK REQUIREMENT:

AMENDMENT FOR AN ALLOWANCE OF A MINIMUM 125' B/L SETBACK FROM THE CENTERLINE OF SOUTH MINGO ROAD (VARIANCE FOR THIS REQUEST APPROVED BY THE CITY OF TULSA BOARD OF ADJUSTMENT PER CASE #BOA-20282; 6/13/06 TULSA BOA MEETING).







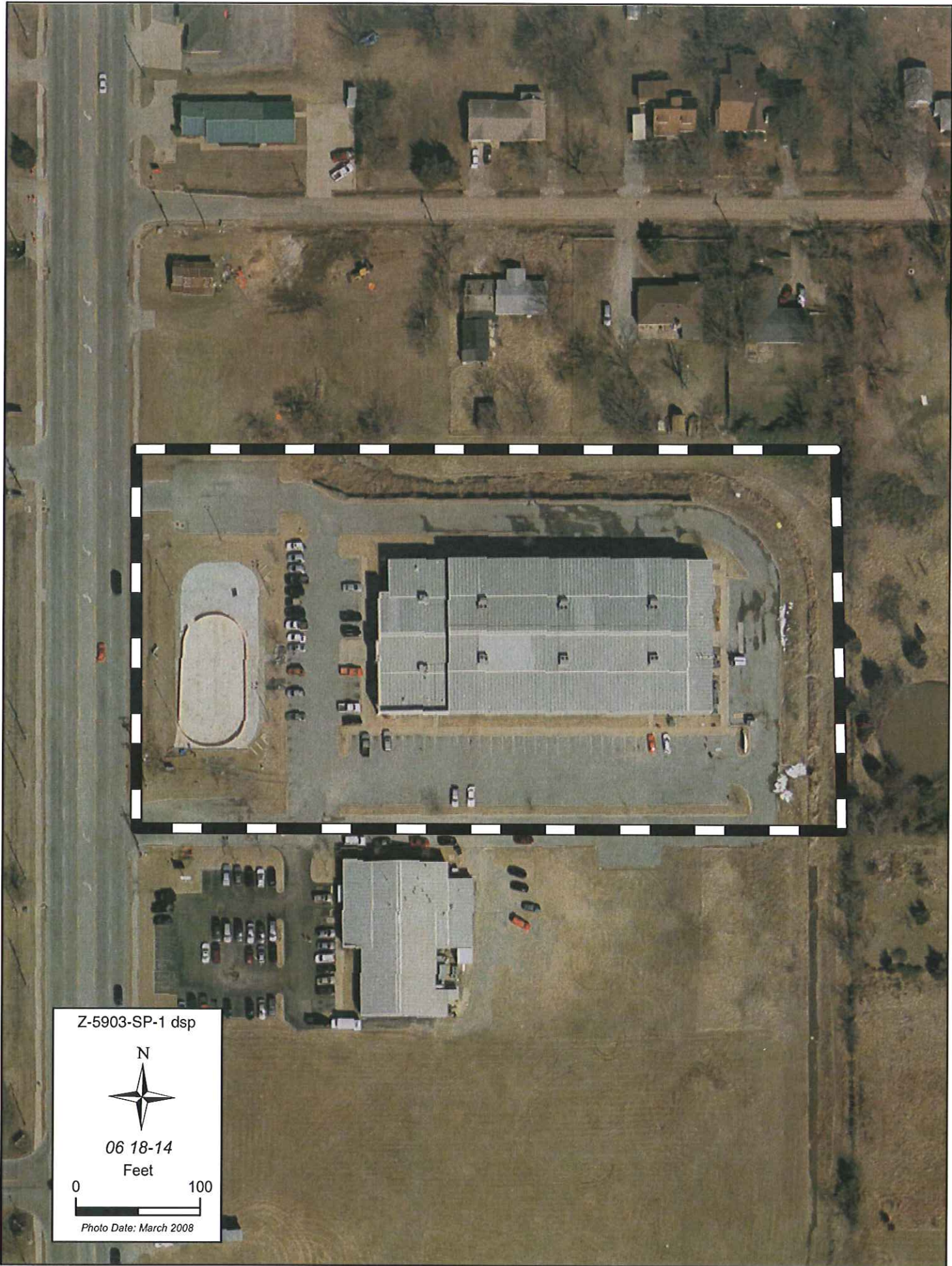
Z-5903-SP-1 dsp



06 18-14
Feet

0 350

Photo Date: March 2008



Z-5903-SP-1 dsp



06 18-14
Feet



Photo Date: March 2008

December 3, 2008

STAFF RECOMMENDATION

Z-5903-SP-1: Detail Site Plan – South of the southeast corner of 63rd Street and Mingo Road; Lot 1, Block 1 – Baldwin Acres Resub., L13 – 15, B7 Union Gardens; 6413 S. Mingo Road; TRS 8406; CZM 110; Atlas 873; PD 18C CD 8.

The applicant is requesting approval of a detail site plan for a 27,822 square foot (sf) addition to the existing Tulsa Oiler's Ice Center to allow for the construction of a second indoor ice rink. The proposed use, Use Unit 19 – Hotel, Motel and Recreation is a permissible use within the approved Corridor District Site Plan.

The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Parking has been provided per BOA approval of case 20282 allowing a reduction in parking to 237 parking spaces. BOA case 20282 also allows a 125' setback from the centerline of Mingo Road and allows the building to cover 33% of the site.

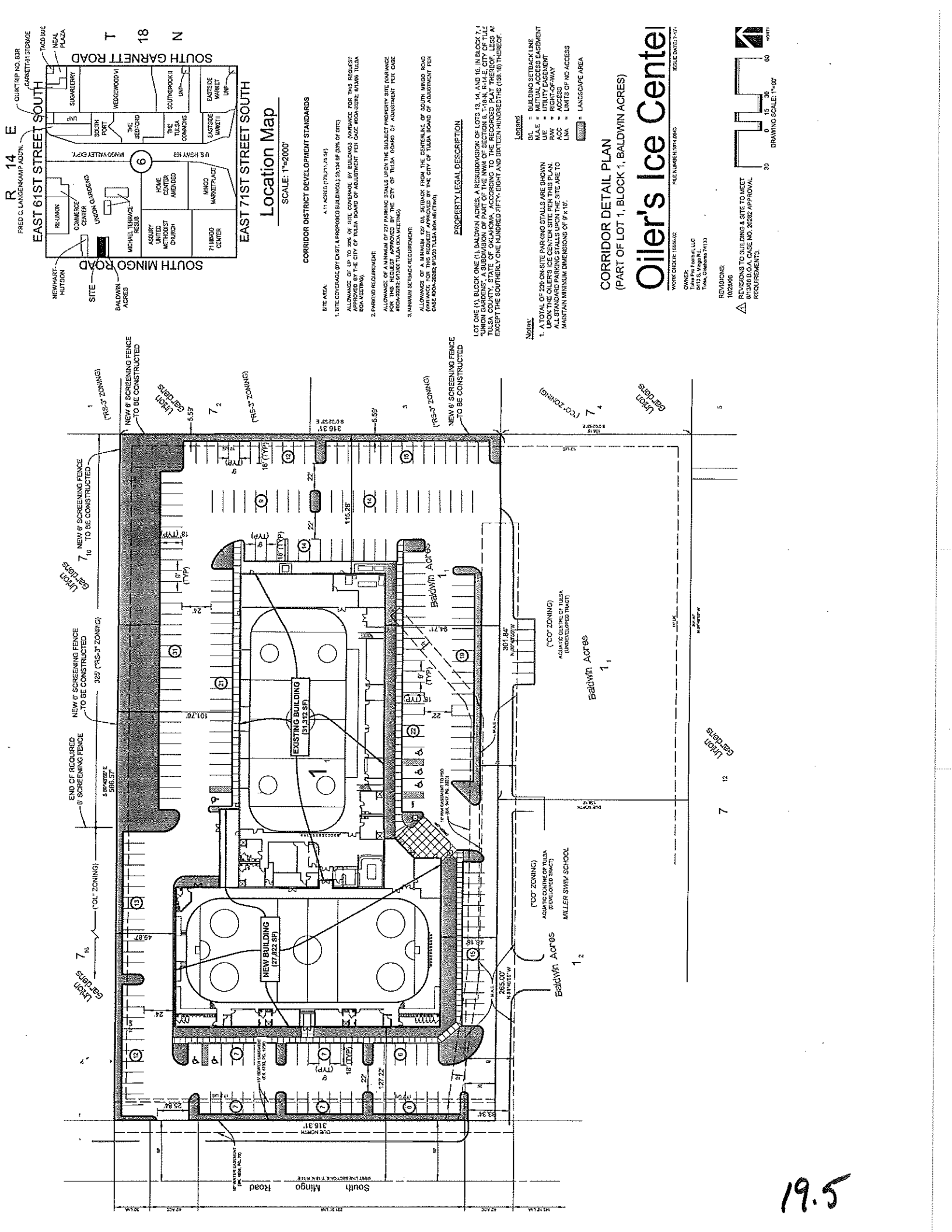
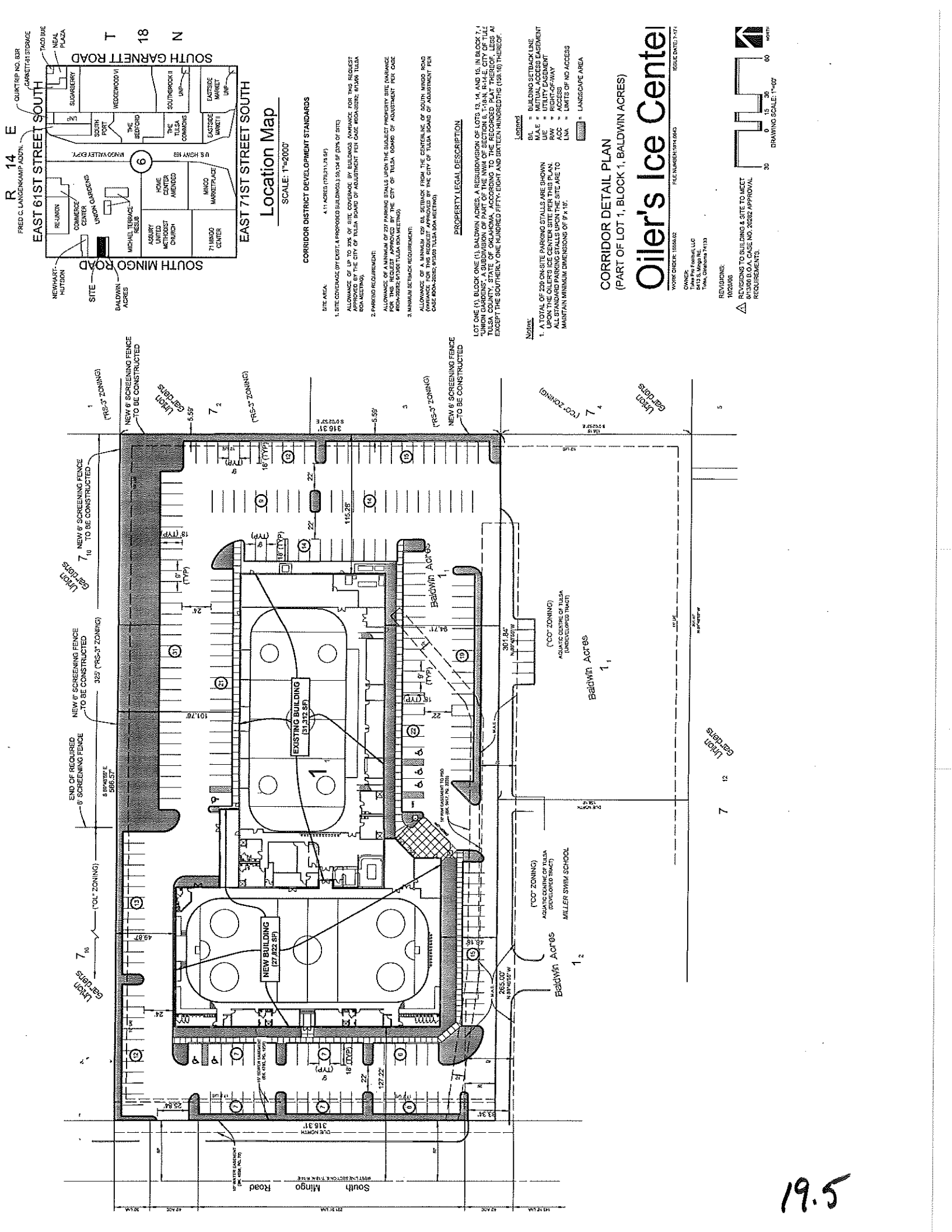
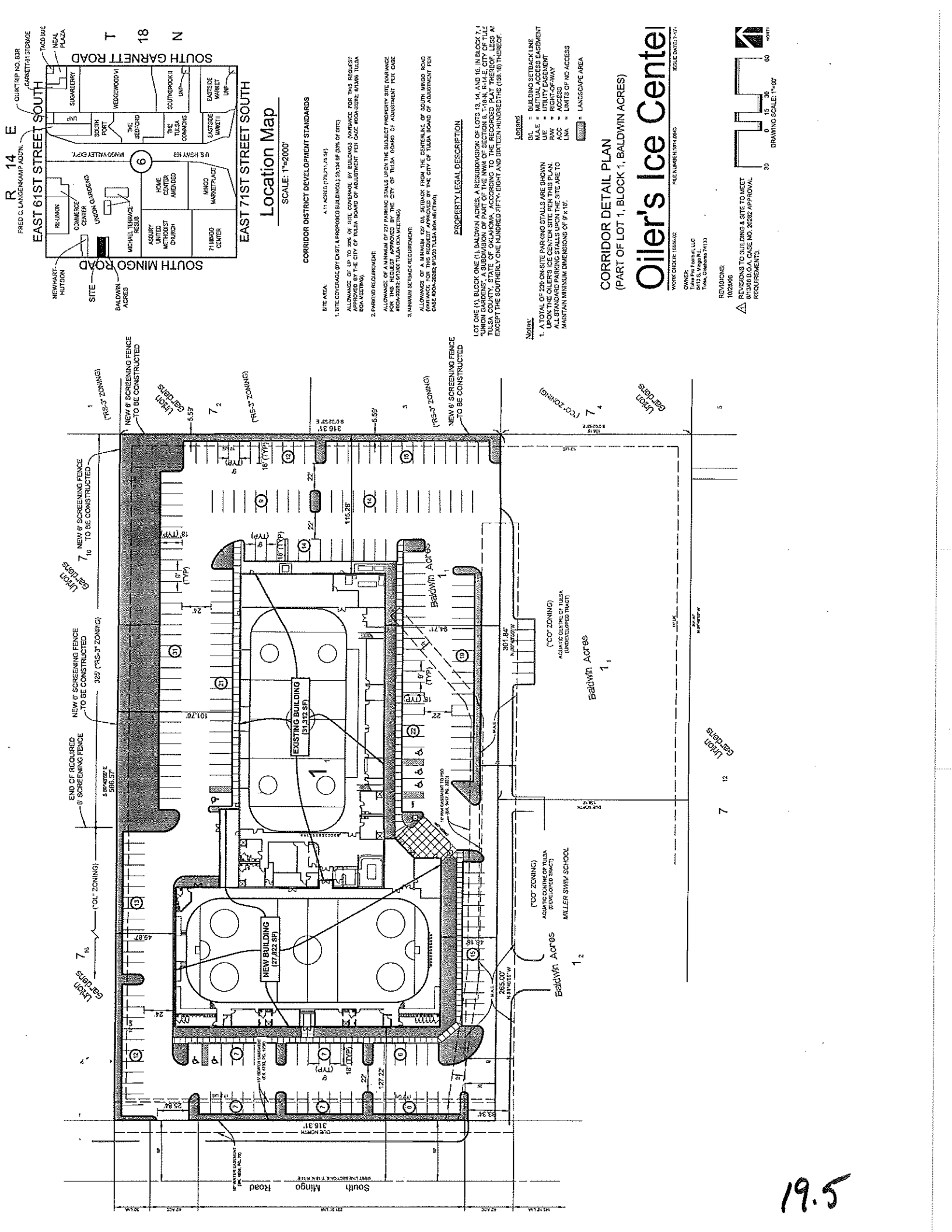
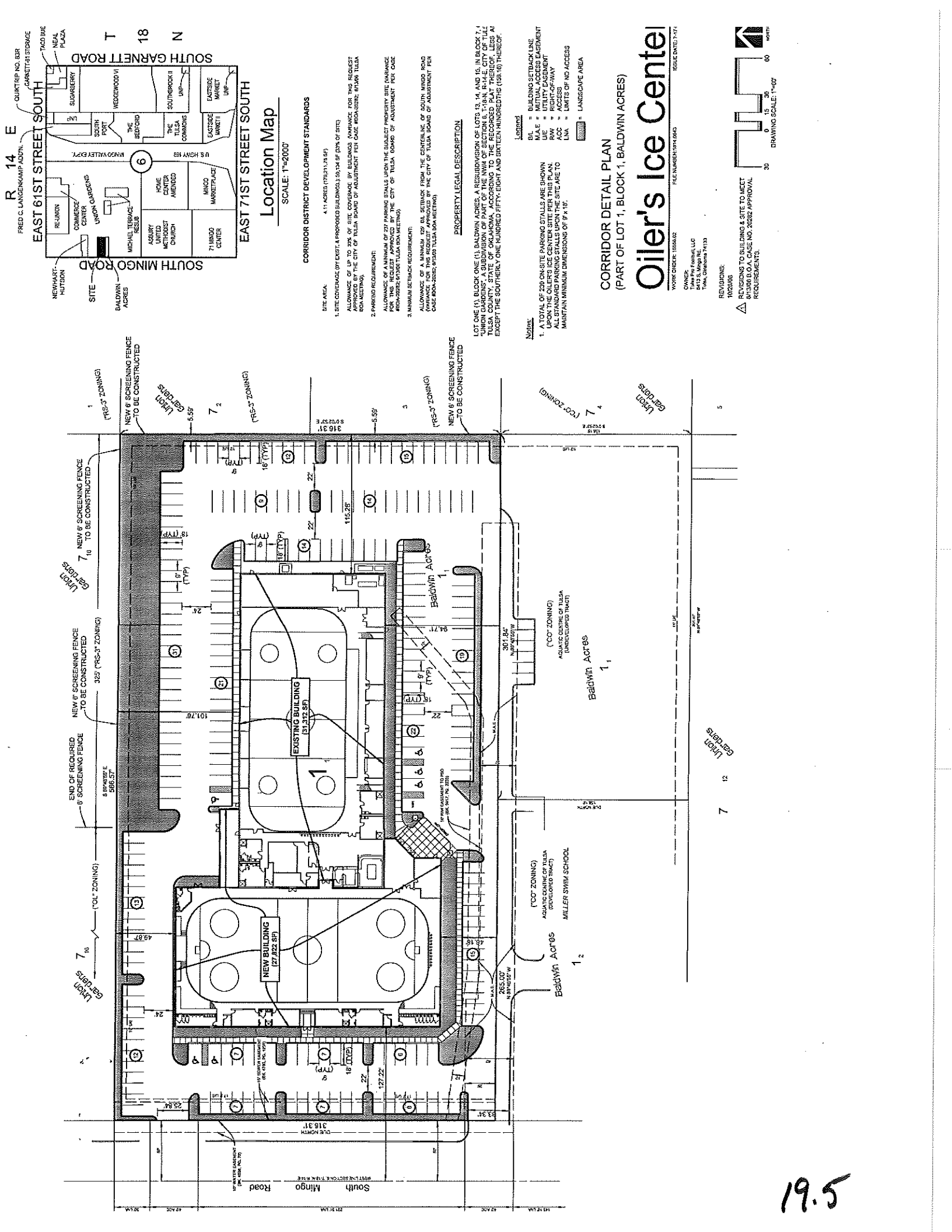
A 6' screening fence will be re-constructed along the north and east boundary lines per Corridor District development standards. Landscaping is provided per the landscape chapter of the Zoning Code and adopted development standards. The existing sidewalk along Mingo Road will be maintained or replaced if removed for construction. All sight lighting will be limited to 18-feet in height and will be directed down and away from adjoining properties per application of the Kennebunkport Formula.

Staff recommends **APPROVAL** of the detail site plan for expansion of the Tulsa Oiler's Ice Center with the following requested revisions to the submitted site plan:

- Add the existing sidewalk along Mingo Road to the submitted plan;
- Show the dimensions of the parking stalls and maneuver isles for the 15 parking spaces located in the Mutual Access Easement (MAE) along the south boundary of the site.

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

19.4



19.5

Sansone, Christopher

From: Michael Joyce [mjoyce@joycepaul.com]
Sent: Thursday, November 20, 2008 11:12 AM
To: Sansone, Christopher
Cc: John Allred
Subject: RE: Trade Winds OA sign

Chris,

As attorney for Whistler, I am advising that this matter be removed from the 12/03/08 agenda. Let me know if you have any questions.

Until such time as the new site plan is approved, can we hang tri-vision displays on the existing pole/structure? My thought is that there should be no-need to do a take down and re-hang – as these are just display faces that are easily switched-out like any other flex vinyl face. For the traditional boards under 1221F, I believe there is no distinction in the code between tri-vision and flex vinyl sign display faces. The LED is a new and different use (1221G) which will actually require a new pole and structure in addition to the LED display faces, so I understand the need for the new site plan here. Let me know your thoughts. Thank you for all your help – greatly appreciated.

Kindest regards,

Mike Joyce
Attorney for Whistler Outdoor Advertising, Inc.

From: Sansone, Christopher [mailto:CSansone@incog.org]
Sent: Thursday, November 20, 2008 10:53 AM
To: John Allred
Cc: Michael Joyce; Bass, Mindi
Subject: Trade Winds OA sign

John,

With respect to the application for minor amendment to corridor district site plan Z-5412-SP-1.

I need you to respond and or acknowledge that the application is going to be removed from the 12/3/08 agenda of the TMAPC for resubmission as a new Corridor District Site Plan.

This way notification of the minor amendment will not go out. Thanks John.

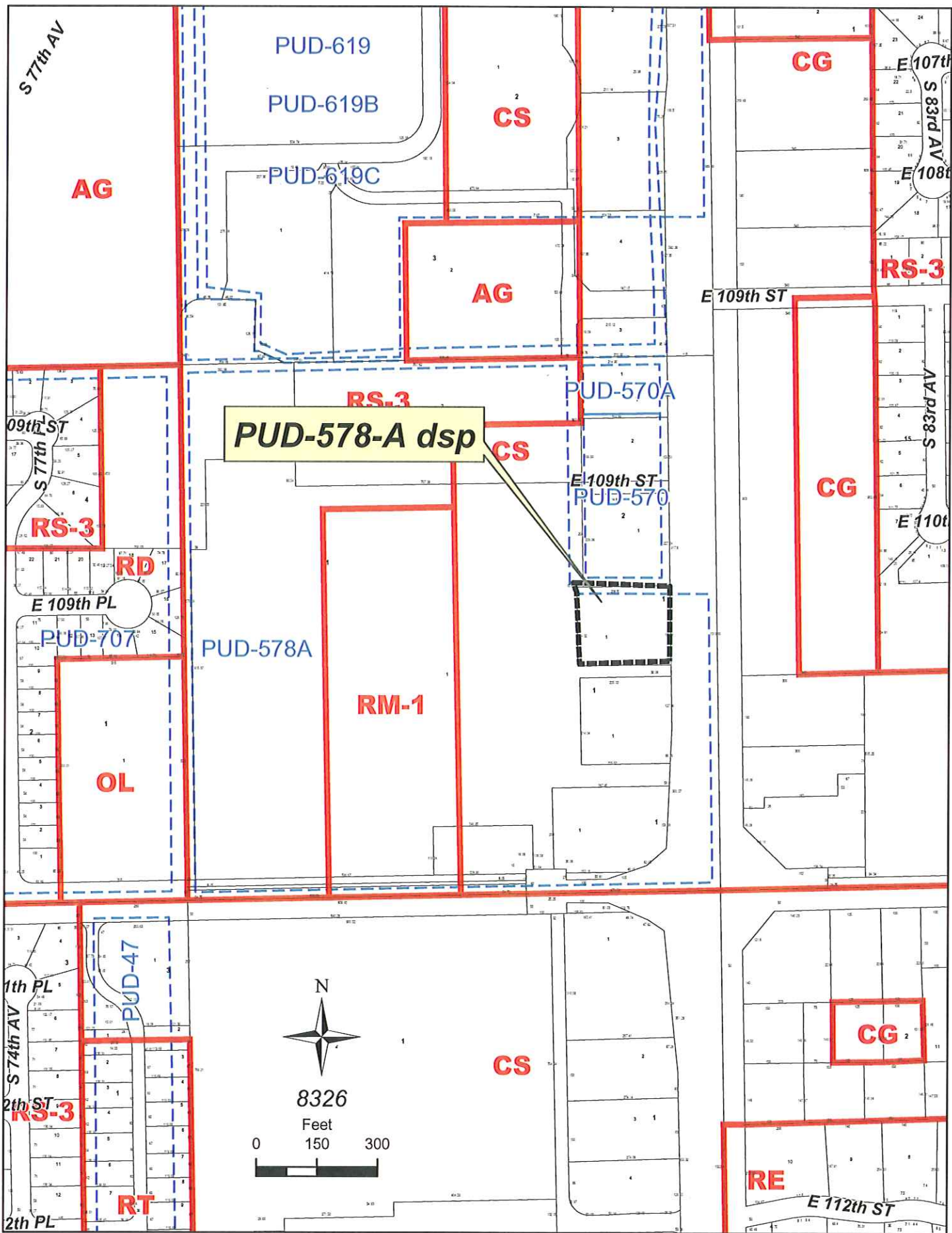
Chris Sansone

Senior Planner
INCOG - Land Regulation Services
Staff to Tulsa Metropolitan Area Planning Commission
201 W. 5th Street
Tulsa, OK. 74120
(918) 584-7526
csansone@incog.org
www.incog.org

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11/26/2008

20.1



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December 3, 2008

STAFF RECOMMENDATION

PUD-578-A

Detail Site Plan – North of the northwest corner of 111th Street South and Memorial Drive; Lot 1, Block 1 – Braum's at Southern Crossing; 10924 S. Memorial Drive; TRS 8326; CZM 57; Atlas 2886; PD 26 CD 8; CS/PUD.

The applicant is requesting approval of a detail site plan for a 4,987 square foot (sf) Braum's Restaurant and Ice Cream Store. The proposed Use Units, Use Unit 12 –Eating Establishments, Other Than Drive-ins and Use Unit 13 – Convenience Goods and Services/Grocery are permitted uses within PUD-578-A.

The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Access to the site is from one direct point off South Memorial Drive and a mutual access easement (MAE)/shared drive from South Memorial with the lot to the south. Sidewalks will be provided along Memorial Drive and parking has been provided per the applicable use units of the Zoning Code. Landscaping is provided per the landscape chapter of the Zoning Code and all sight lighting will be limited to 20-feet in height and will be directed down and away from adjoining residential properties per application of the Kennebunkport Formula where applicable. A 6-foot high trash enclosure is provided per PUD development standards.

Staff recommends **APPROVAL** of the detail site and landscape plans for Lot 1, Block 1 – Braum's at Southern Crossing with the following requested revisions to the site plan:

- Add sidewalks along Memorial Drive per section 1107, B-4 of the Zoning Code and section 4.3 of the Subdivision Regulations.

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

21.4

General Notes

CONTRACTOR SHALL BE RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE UTILITIES (BOTH ABOVE AND BELOW GROUND) BY THE INSTALLATION OF THE PLANTING MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES (BOTH ABOVE AND BELOW GROUND) BY THE INSTALLATION OF THE PLANTING MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES (BOTH ABOVE AND BELOW GROUND) BY THE INSTALLATION OF THE PLANTING MATERIALS.

Soil Preparation

ALL SOILS, GRASSCOVER, AND SEASONAL PLANTING AREAS SHALL RECEIVE SOIL PREPARATION / AMENDMENTS PER SPECIFICATION 0200. MIN. SERIA 17-15 PLUS MIXED INTO THE TOP TWO (2) INCHES OF SOIL IN THE PLANTING BED AT A RATE OF FIVE (5) POUNDS PER 100 SQUARE FEET.

Mulch

MULCH ALL PLANTING BEDS AND TREE WELLS WITH SHREDDED CYPRESS MULCH TO A DEPTH OF FOUR INCHES. ALL AREAS OF THE SITE (AND ADJACENT STREET RIGHT-OF-WAYS) THAT ARE OCCUPIED BY ANY OTHER PLANTING MATERIALS SHALL BE REMOVED AND REPLACED WITH SHREDDED CYPRESS MULCH TO A DEPTH OF FOUR INCHES.

Irrigation Notes

THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND INSTALLATION OF THE IRRIGATION SYSTEM. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND INSTALLATION OF THE IRRIGATION SYSTEM. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND INSTALLATION OF THE IRRIGATION SYSTEM.

Planting Notes

QUANTITIES OF MATERIALS SHOWN IN PLANT MATERIAL LIST IS FOR CONTRACTOR'S QUANTITIES AND INFORMATION ONLY. CONTRACTOR TO VERIFY QUANTITIES AND PROVIDE ALL INFORMATION TO LANDSCAPE PLAN TO PROVIDE A COMPLETE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND INSTALLATION OF THE PLANTING MATERIALS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE DESIGN AND INSTALLATION OF THE PLANTING MATERIALS.

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CULTIVATE GROUND COVER PLANTING BEDS TO DEPTH OF 6". TILL COMPOST AND ALL-HOTTED MANURE INTO THE PLANTING BED AT THE APPROXIMATE RATIO OF ONE (1) PART COMPOST/TWO (2) PARTS MANURE TO THREE (3) PARTS SOIL.

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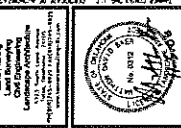
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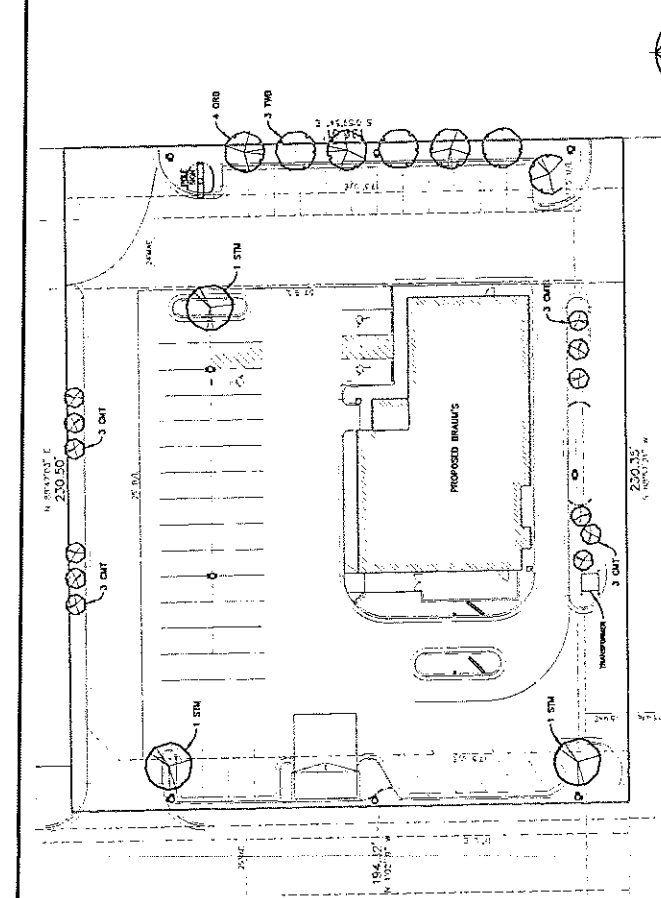


10924 S. MEMORIAL DRIVE #100
TULSA, OK 74133
BRAU'S ICE CREAM STORE #100



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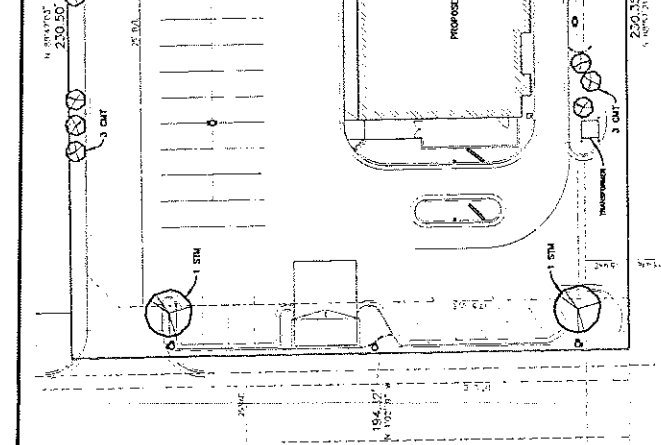


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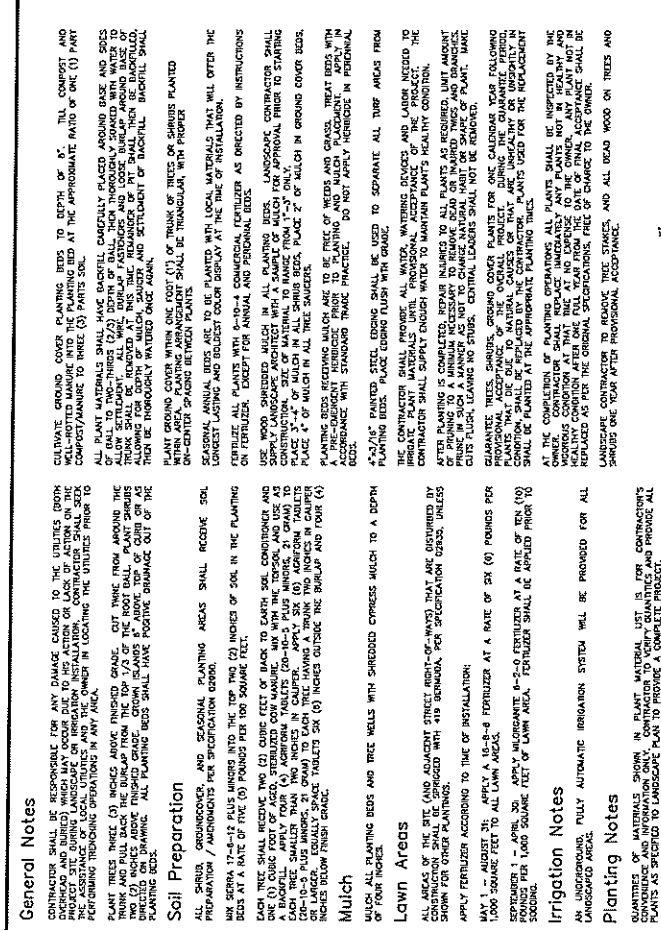


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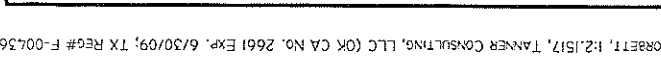


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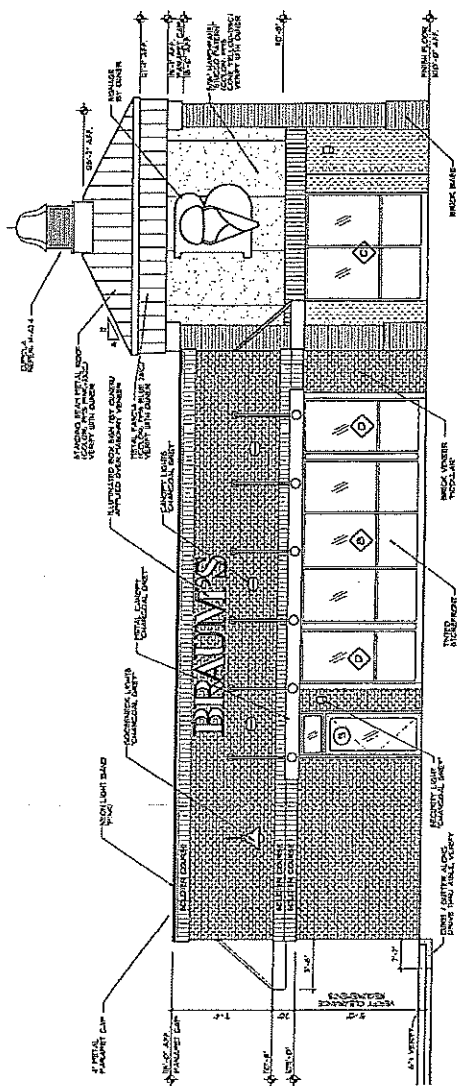
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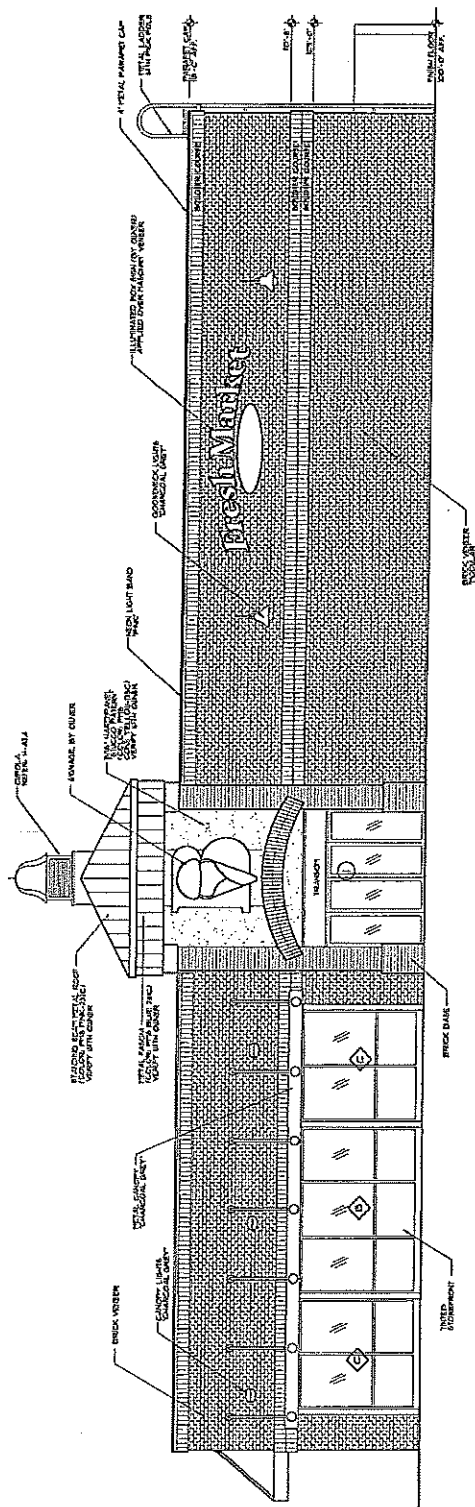
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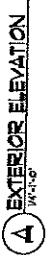
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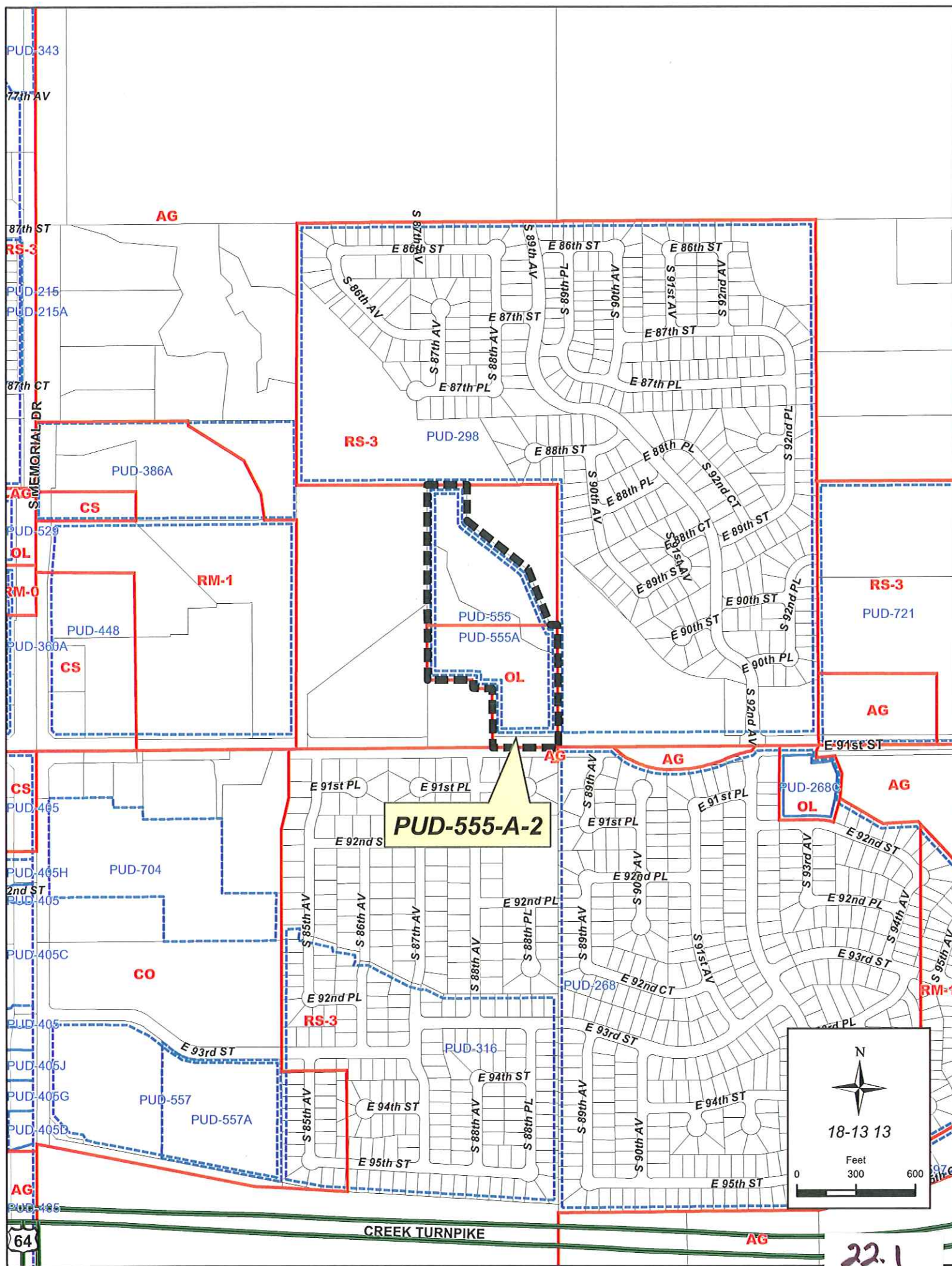


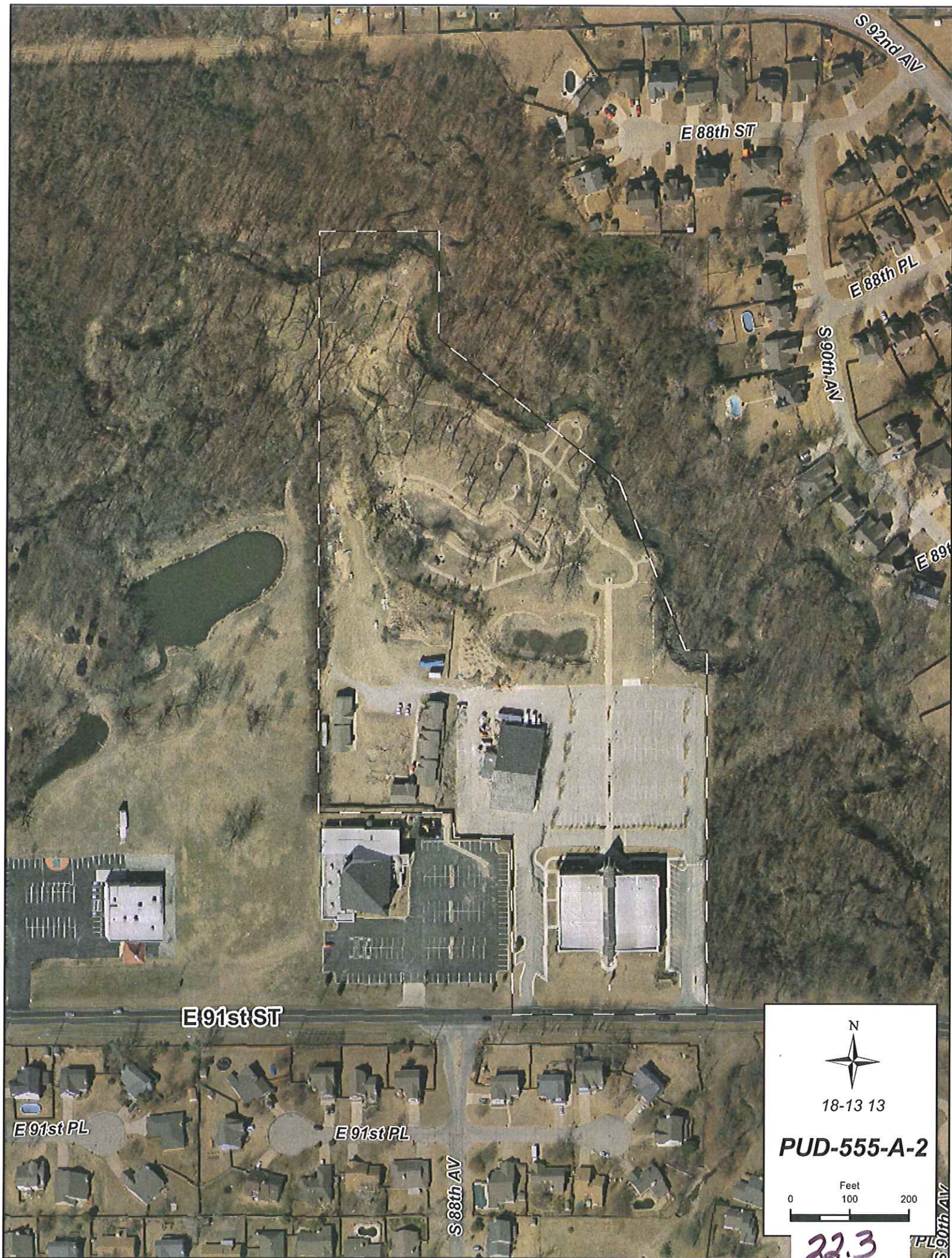
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A EXTERIOR ELEVATION
V.S.P. 57







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PUD-555-A-2

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December 3, 2008

STAFF RECOMMENDATION

PUD-555-A: Minor Amendment – The north side of 91st Street east of Memorial Drive; Lot 1, Block 1 – Living World Missions; 8863 East 91st Street South; TRS 8324; CZM 53; PD 18C CD 8; AG/OL/PUD

The applicant is requesting a minor amendment to consolidate the allocated floor area between two permitted uses within PUD-555-A. There is no request for an increase or decrease in permitted floor area, as well as, no request to amend any other existing development standard of PUD-555-A.

PUD-555-A currently allocates floor area among four (4) permitted uses as follows:

Maximum Building Floor Area:

Sanctuary	15,000 sf
Office/Accessory Uses	47,100 sf
Missionary Quarters	6,500 sf
Storage	1,400 sf
Total permitted	70,000

Minor Amendment PUD-555-A-2 proposes to consolidate the floor area for the missionary quarters use and the storage use due to uncertainty about the future development within these two use categories and providing the some flexibility for future development plans as follows:

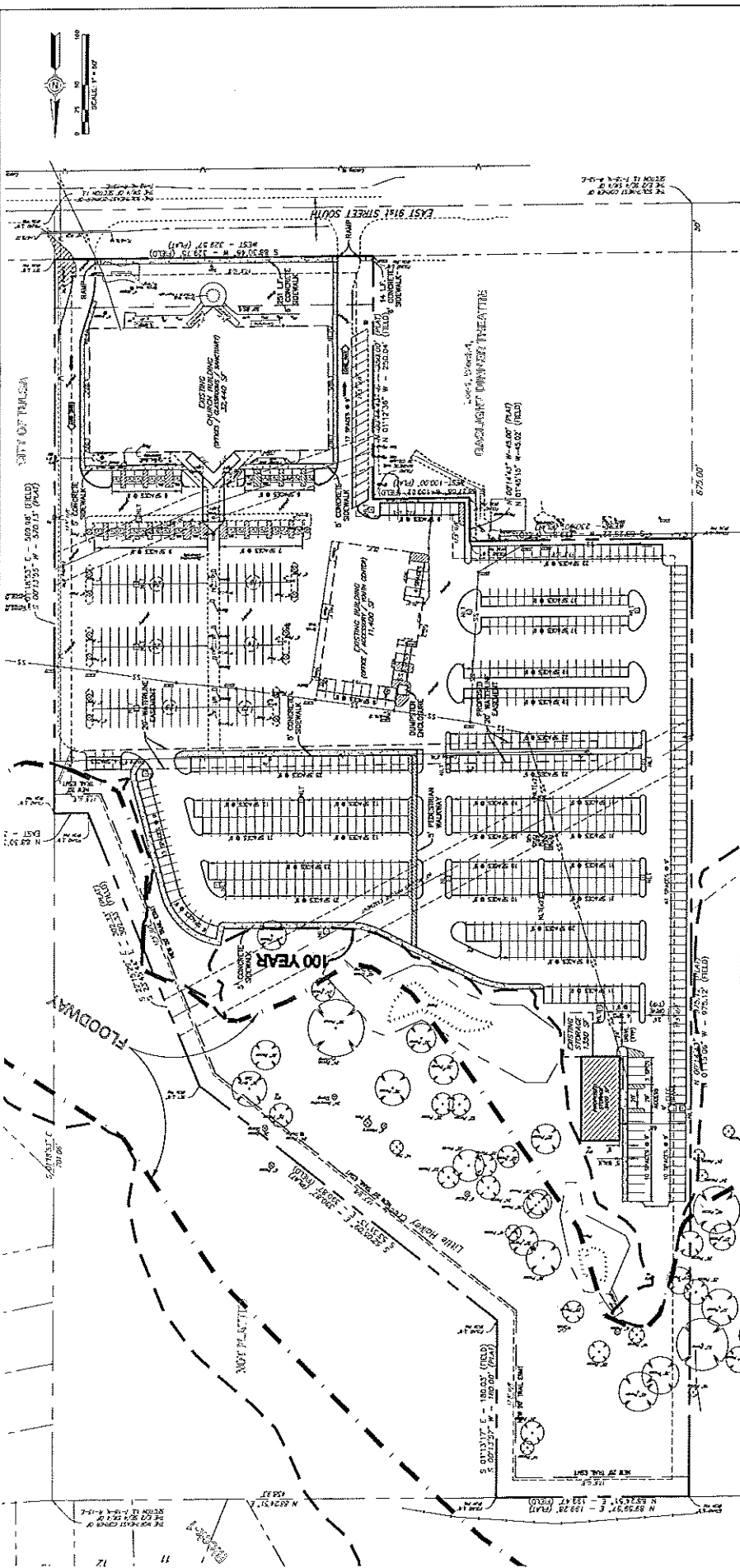
Maximum Building Floor Area:

Sanctuary	15,000 sf
Office/Accessory Uses	47,100 sf
Missionary Quarters/Storage	7,900 sf
Total permitted	70,000

There is no increase in floor area being requested and the consolidation of floor area represents 11% of the over-all allocated floor area for the site, therefore, staff recommends **APPROVAL** of minor amendment PUD-555-A-2. All other terms and conditions of PUD-555-A shall remain effective.

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

22.4



WORLD OUTREACH CHURCH TULSA, OKLAHOMA

CONCEPTUAL SITE PLAN

CITY OF TULSA, OKLAHOMA
PUBLIC WORKS DEPARTMENT
ENGINEERING SERVICES DIVISION

PLANS AND LAYOUTS PREPARED BY:
PSA Dewberry

DATE	BY	REVISION	DESCRIPTION
01/13/17	PSA	1	ISSUED FOR PERMIT

PLAN SCALE	DATE	BY	REVISION	DESCRIPTION
1" = 50'	01/13/17	PSA	1	ISSUED FOR PERMIT

DATE	BY	REVISION	DESCRIPTION
01/13/17	PSA	1	ISSUED FOR PERMIT

DEVELOPED AREAS:

AREA	AREA (SQ FT)	AREA (ACRES)
REPAVING (PULVERIZED ASPHALT)	15,000 SF	0.34 ACRES
SANCTUARY	11,000 SF	0.25 ACRES
OFFICE/ACCENTRY/TOILET CENTER	32,040 SF	0.74 ACRES
OFFICE/ACCENTRY/TOILET CENTER	4,750 SF	0.11 ACRES
WESLEYAN QUARTERS / STORAGE	40,000 SF	0.92 ACRES

PARKING CALCULATIONS:

SANCTUARY (11,000 SF) x 1 PER 30 SF = 367 SPACES
 OFFICE/ACCENTRY/TOILET CENTER (32,040 SF) x 1 PER 30 SF = 1,068 SPACES
 TOTAL REQUIRED = 1,435 SPACES
 - STANDARD 9' WIDE = 1,038 SPACES
 - 1/4" 1/2" ACCESSIBLE = 397 SPACES

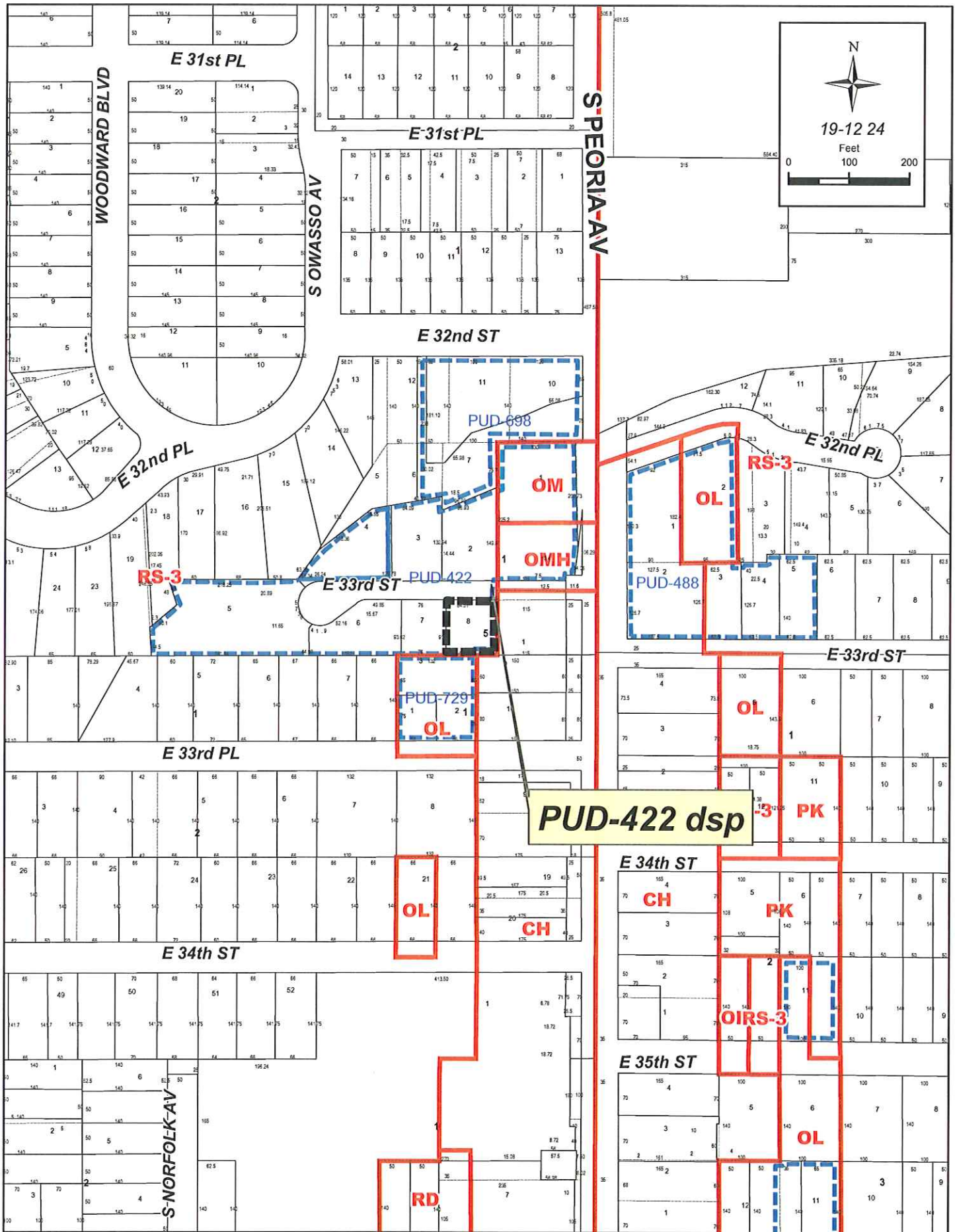
UNPAVED OPEN SPACE:

UNPAVED OPEN SPACE: 22,425 SF (0.51 ACRES)
 IMPAVED OPEN SPACE: 27,000 SF (0.62 ACRES)
 TOTAL OPEN SPACE: 49,425 SF (1.13 ACRES)

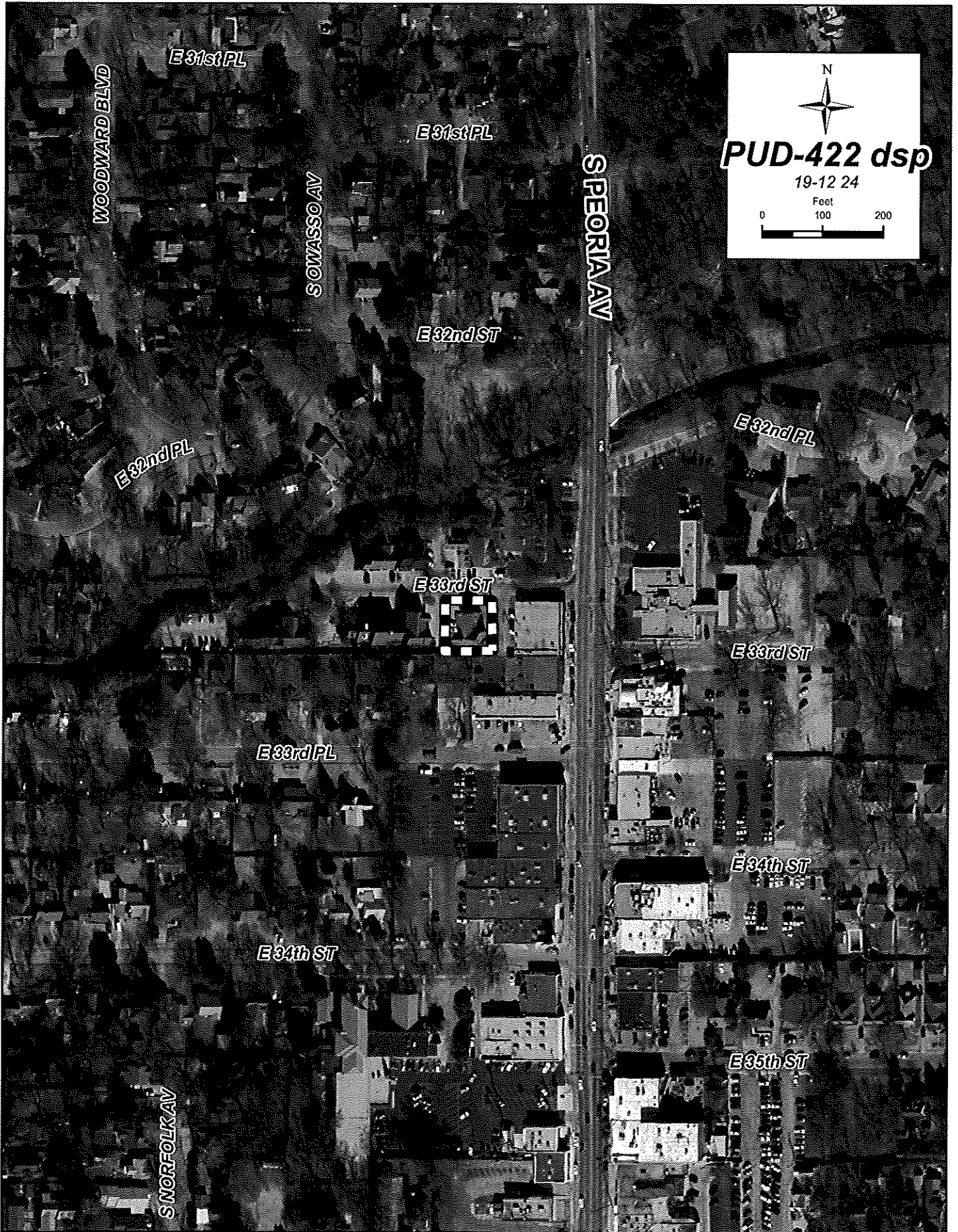
SITE PLAN NOTES

- SEE ARCHITECTURAL DRAWINGS FOR BUILDING DIMENSIONS AND MTD DRAWINGS FOR CONSTRUCTION LOCATIONS TO PROPOSED SITE UTILITIES.
- ALL HANDICAPPED PARKING SPACES SHALL BE CONSTRUCTED IN ACCORDANCE WITH LATEST EDITION OF THE CITY OF TULSA BUILDING CODES.
- FIRE LINES SHALL BE CONSTRUCTED AND MARKED IN ACCORDANCE WITH CITY FIRE CODE STANDARDS.
- ALL MATERIALS, CONSTRUCTION, & TESTING SHALL BE IN ACCORDANCE WITH CURRENT TULSA CITY CODES AND SPECIFICATIONS.
- THESE DRAWINGS SHOW THE PROPOSED IMPROVEMENTS AND ENGINEERING PRACTICE FORMATS. DIMENSIONS AND CLEARANCES SHOULD NOT BE DETERMINED BY SCALING.
- THE CONTRACTOR PRIOR TO COMMENCEMENT OF CONSTRUCTION, SHALL OBTAIN ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF TULSA, AND THE OWNER AND ARCHITECT.
- EXISTING UTILITIES SHOWN ARE APPROXIMATE LOCATIONS DETERMINED AS ACCURATELY AS POSSIBLE BY THE CONTRACTOR.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND SHALL BE REQUIRED TO MAINTAIN A SEPARATE POINT APPLICATION.

22.5



23.1





N

PUD-422-4

19-12 24

Feet

0 50 100

December 3, 2008

STAFF RECOMMENDATION

PUD-422

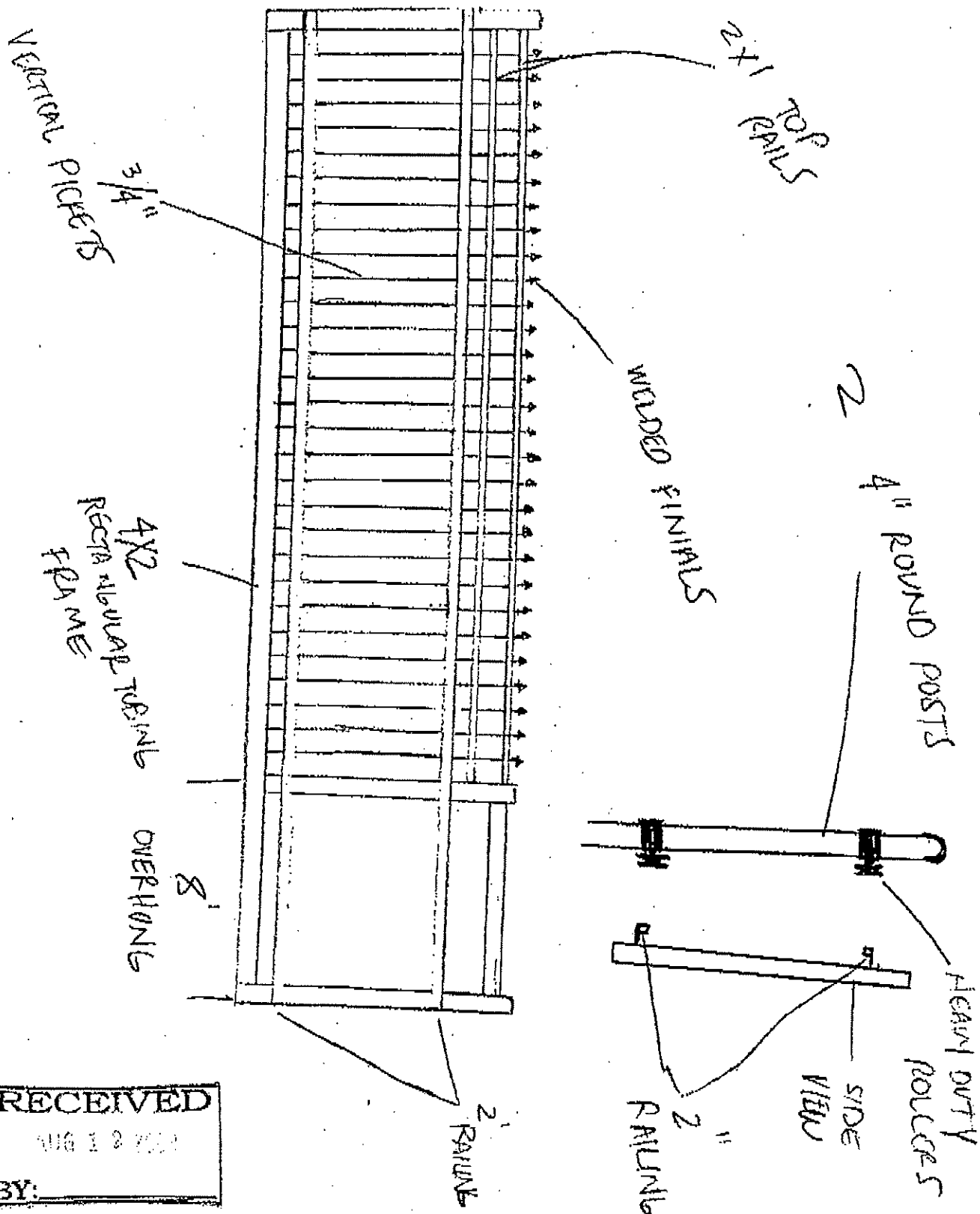
Detail Site Plan – West of the southwest corner of East 33rd Street South and Peoria Avenue; From Lot 8 across East 33rd Street South to Lot 2, Block 1 – Crow Creek Office Park; TRS 9224; CZM 46; Atlas 139; PD 6 CD 9; RS-3/PUD.

The applicant is requesting approval of a detail site plan for a security gate across 33rd Street South between Lot 8 and Lot 2 – Crow Creek Office Park. This portion of East 33rd Street South is a private street. The rolling gate will tie into existing fence structures on Lot 8 and Lot 2.

Since East 33rd Street South is a private street and the plan has received approval of the City of Tulsa Traffic Engineering and the City of Tulsa Fire Marshall (see attached Exhibit A), staff recommends **APPROVAL** of the detailed site plan for the gate across East 33rd Street South in Crow Creek Office Park.

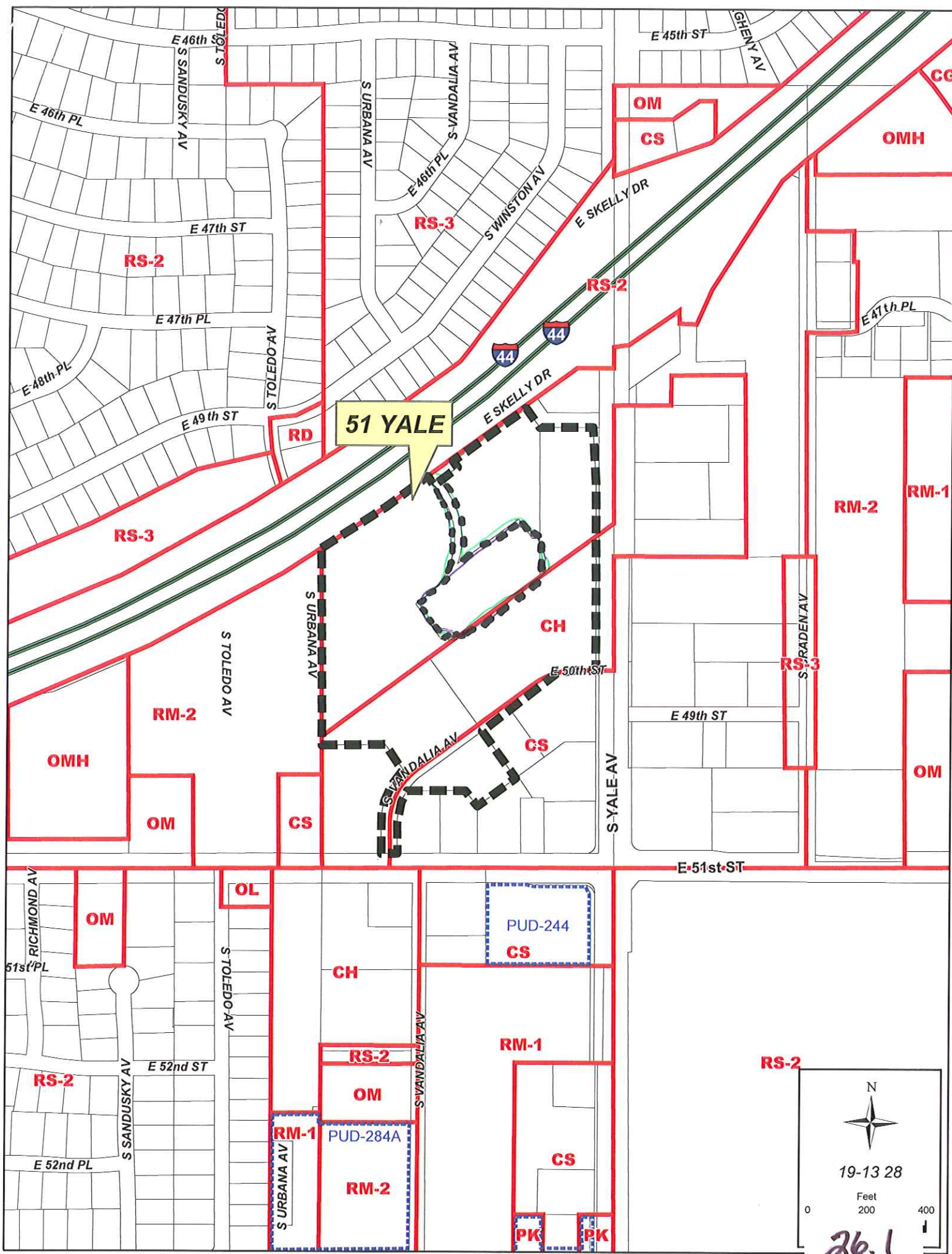
(Note: Detail site plan approval does not constitute landscape and sign plan approval.)

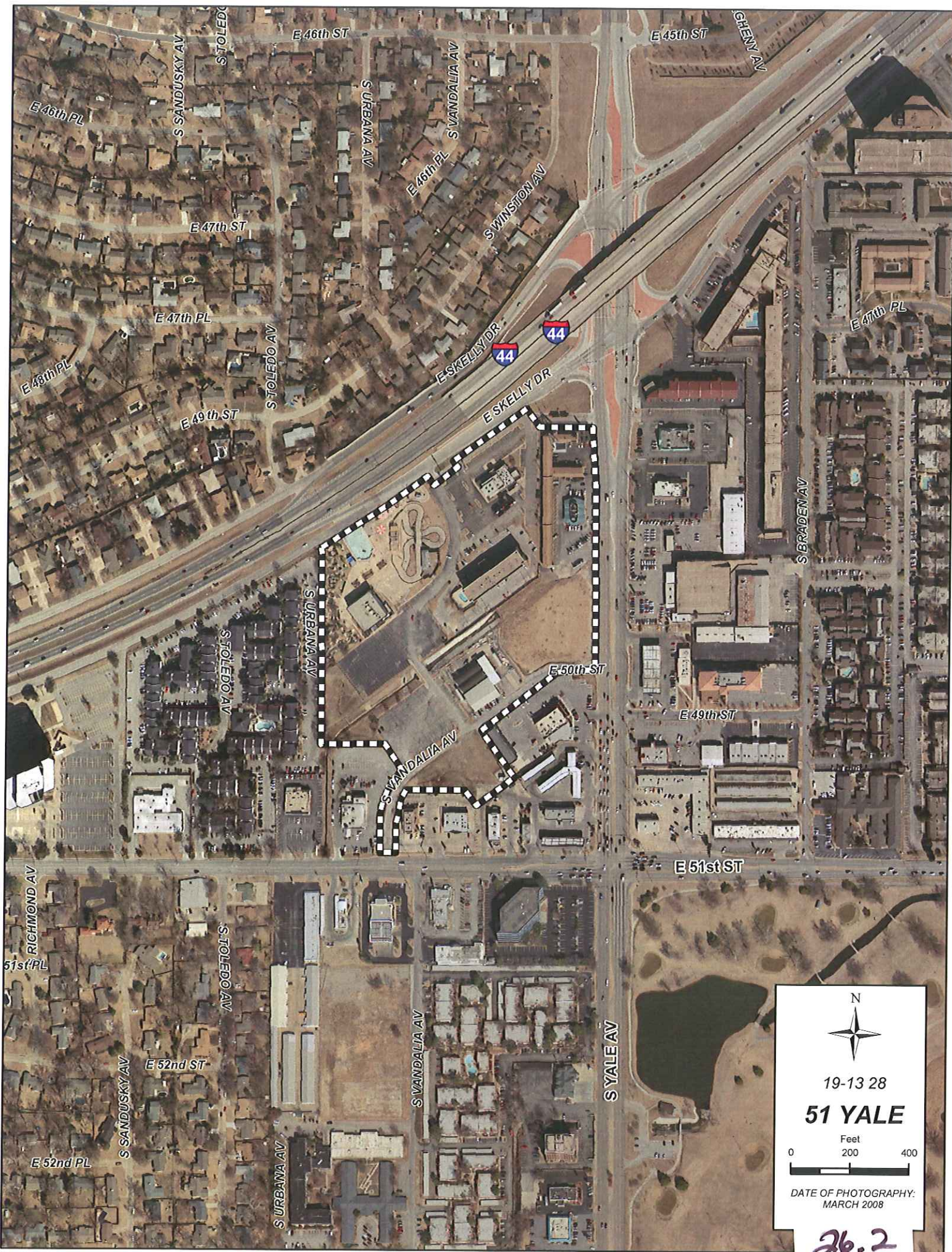
Center Job From MC Electric



RECEIVED
AUG 12 2008
BY: _____

EXHIBIT B
236





N

19-13 28

51 YALE

Feet
0 200 400

DATE OF PHOTOGRAPHY:
MARCH 2008

26.2

PRELIMINARY SUBDIVISION PLAT

51 Yale - (9328) (PD 18 B) (CD 7)

Southwest of the intersection of East Skelly Drive and South Yale Avenue

This plat consists of 8 Lots, 1 Block, on 17 acres.

The following issues were discussed November 6, 2008 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD 766 (CH/CS) (pending City Council action). All PUD standards must be followed and shown in the covenants.
2. **Streets:** Call out and clearly indicate limits of no access and access points along Yale Avenue and Interstate Highway 44 service road. Sixty feet of right-of-way required on Yale. Dedicate 10 feet of right-of-way. At lot corners intersecting Yale or Skelly provide 30 foot curve. Provide curve data. Provide note on face of plat that sidewalks will be constructed in accordance with City of Tulsa Design Standards. Provide plat # for 50 foot right-of-way dimensions along Yale and 51st. Show right-of-way dimension line for I-44 service road. Call out Reserve A as Mutual Access Easement. Add language for right-of-way dedicated to City of Tulsa. Include standard sidewalk language. Call out and clearly indicate limits of no access and access points along Yale Avenue and Interstate Highway 44 service road.
3. **Sewer:** Provide easement widths for all easements, both existing and proposed, on the face of the plat. Additional easement required along the south line of Lot 8 especially in the area of the sanitary sewer main. Maintain adequate separation between the sanitary sewer main and the proposed underground electrical (UGE). The pre-development required the engineer to submit flow data for the proposed development to determine if the existing system has capacity to handle the proposed project. This information must be provided to engineering wastewater design, and approved by them, before work can begin on the proposed development.
4. **Water:** Move the proposed waterline to the eastside out from under the roadway. Place the fire hydrant on the eastside of water main line.
5. **Storm Drainage:** Only existing on-site and adjacent easements, lot lines, and platted property line for the platted area, should be shown on the face of plat. Remove the word "general" from the title to A. Use City of Tulsa standard language for C. Begin the title for F with the word "Overland". Contours must be included on this plan, or it cannot be reviewed.

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Additional easements may be needed.
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 and approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. Exceptions: 1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet. 2. For buildings equipped throughout with an approved automatic sprinkler system the distance requirement shall be 600 feet. **GIS:** Tie the plat from a section corner using bearings and distances from a labeled point of commencement (POC) to a labeled point of beginning (POB). Add a written scale, i.e. 1"=50'. Proportions of the plat do not equal the graphical scale on the face of the plat. Add the name and address of the owners to the face of the plat. On the location map, label and show existing expressways and locations of all subdivisions within the mile section. Fix the inconsistencies between the metes and bounds legal description and what is shown on the face of the plat.

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

26.4

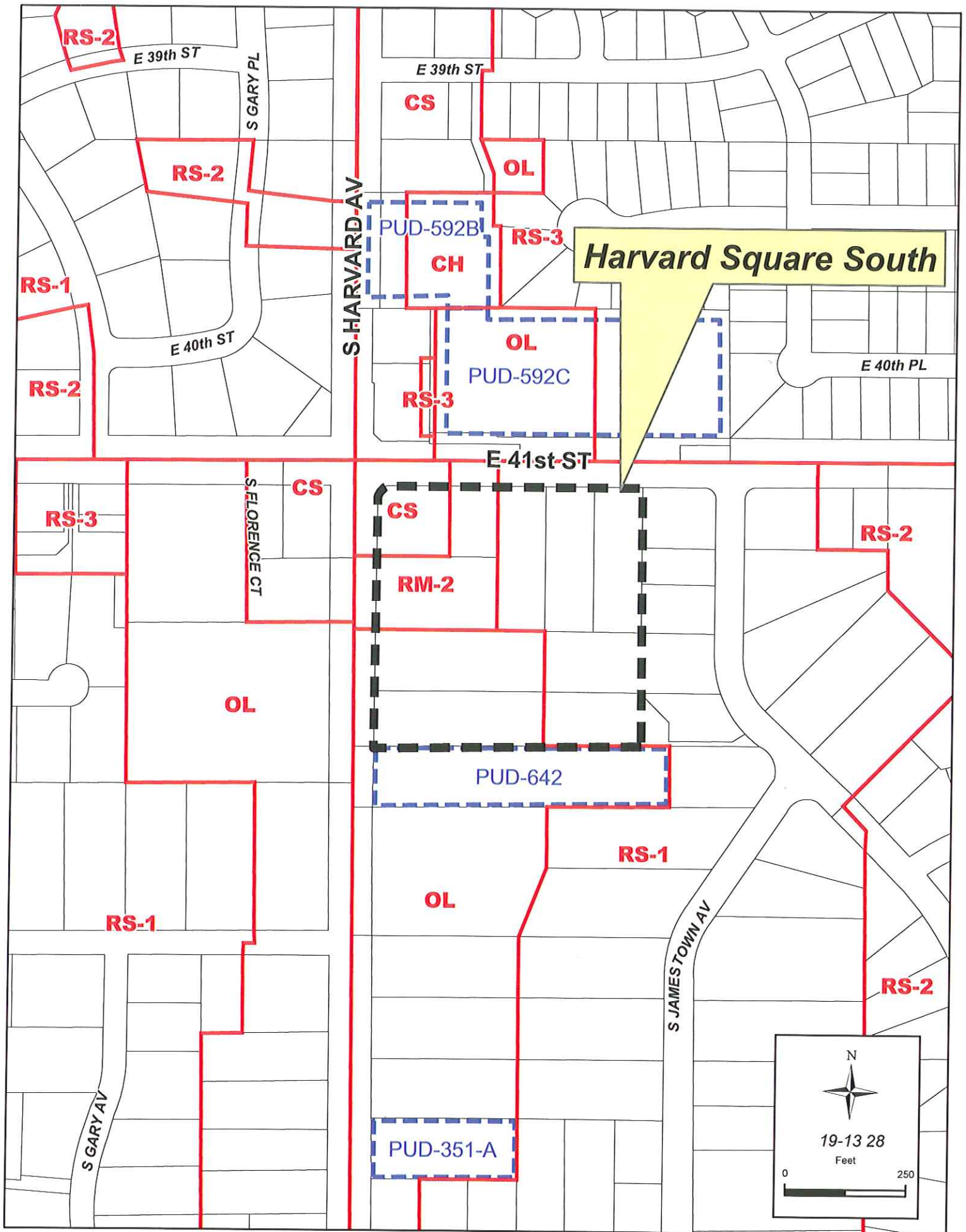
to breaks and failures, shall be borne by the owner(s) of the lot(s).

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

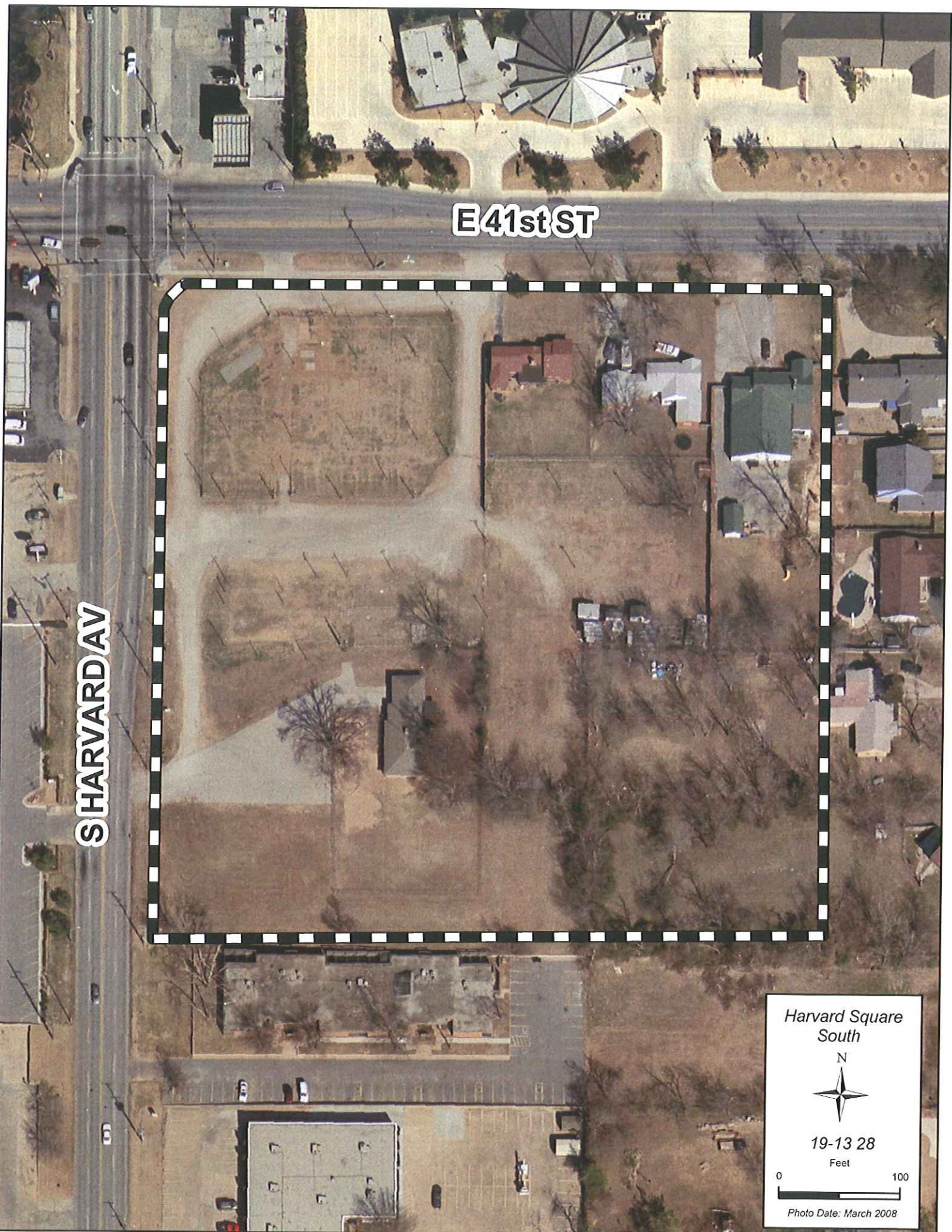
26.5

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.



27.1




SHARVARD AV

E41st ST

Harvard Square
South

N



19-13 28
Feet

0 100

Photo Date: March 2008

27.2

PRELIMINARY SUBDIVISION PLAT

Harvard Square South - (9328) (PD 6) (CD 5)

Southeast corner of East 41st Street and South Harvard Avenue

This plat consists of 4 Lots, 1 Block, on 6.8 acres.

The following issues were discussed October 16, 2008 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned for PUD 761 (CS, RM-2, OL). All PUD standards must be followed and shown in the covenants. Mutual access easements must be shown. The landscaping wall location will need to be coordinated with Development Services to make sure it does not interfere with utilities.
2. **Streets:** Width of mutual access easement (MAE) at Harvard Avenue should be called out with dimension line. The MAE width does not appear to be the same as the access width. Minimum right-of-way dedication length required for a right turn lane on a secondary arterial is 388 feet, measured from the section line. Please verify on plat with additional dimensioning that this minimum distance requirement is met. There is confusion as to where the 310 feet measures to on the north end near 41st Street. Verify street right-of-way.
3. **Sewer:** The proposed abandonment of the existing sanitary sewer line that extends through Lot 4, should be plugged at the existing manhole, without the addition of a new manhole. Lot 4 has access to the existing sanitary sewer line without adding the manhole.
4. **Water:** No comment.
5. **Storm Drainage:** The "Detention Easement" should be in a "reserve", when there is more than one lot in a subdivision. Section I H should have the words "Reserve A" at the end of the title for this subsection. The City of Tulsa standard language for stormwater detention and maintenance in a Reserve must be used. Remove the word "or" from line 4 of Subsection I H I. Standard language can be obtained through David Spear 596-2570. The detention easement shown on this plat will be required, as will the detention facility in that easement.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** No comment.

GIS: Remove the contours from the face of the plat. Fix the inconsistencies between the metes and bounds description and the face of the plat.

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.

'PRELIMINARY PLAT'

Harvard Square South

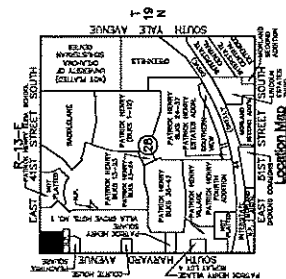
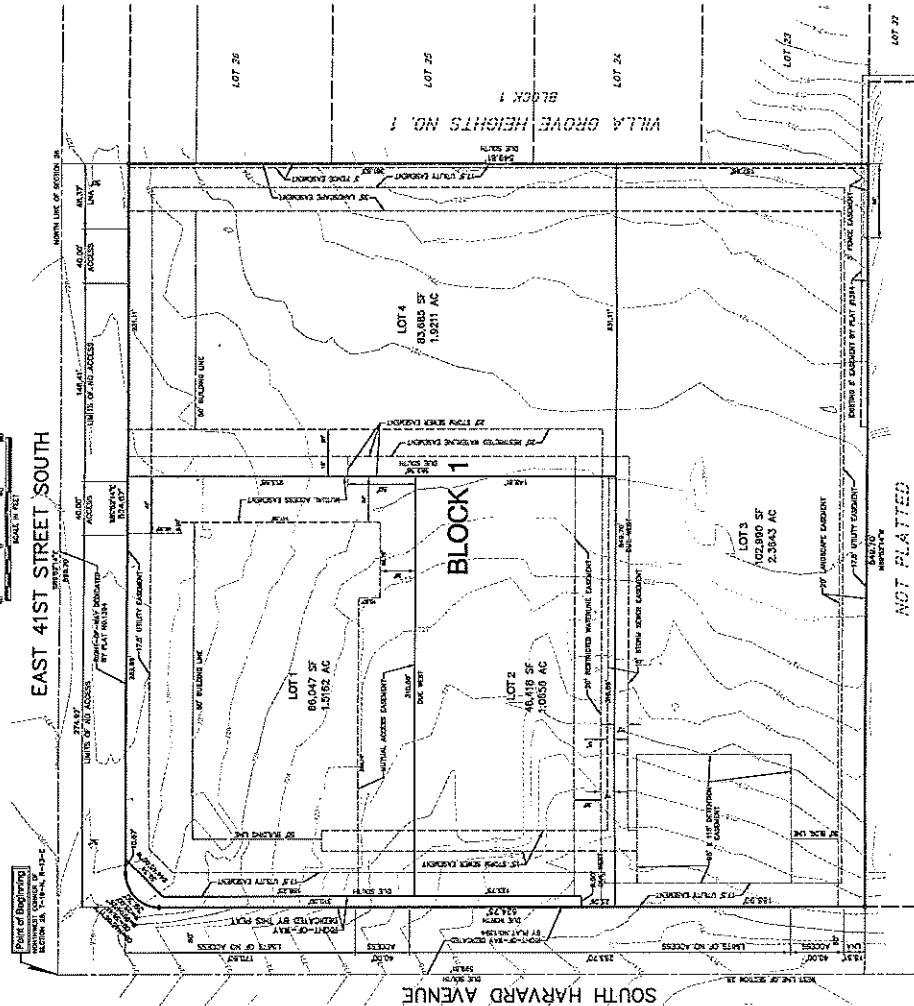
AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA
A RESUBDIVISION OF
LOTS 1 THROUGH 4 AND PART OF LOTS 23 THROUGH 26 IN BLOCK 1
OF
VILLA GROVE HEIGHTS NO. 1
SECTION 28, T-19-N, R-13-E
CITY OF TULSA, TULSA COUNTY, OKLAHOMA
PLANNED UNIT DEVELOPMENT NUMBER 761

PLAT No.
1. PREPARED BY
2. DATE
3. CITY
4. COUNTY
5. STATE
6. APPROVED BY
7. DATE
8. CITY
9. COUNTY
10. STATE

TREASURER'S STAMP
DO NOT USE THIS SPACE



1"=40'



Owner

41ST AND HARVARD, LLC
8401 WEST BRADLEY DRIVE
TULSA, OKLAHOMA 74107
PHONE: (918) 486-0001

Engineer/Planner

DAN AND ASSOCIATES, INC.
111 SOUTH ELDER AVENUE
TULSA, OKLAHOMA 74107
PHONE: (918) 532-9111
FAX: (918) 532-9112
C.A. No. 1785 (EXP. JUNE 30, 2009)

Basis of Bearings

THE BEARINGS SHOWN ON THIS PLAT WERE OBTAINED ON THE MIDDLE LINE OF SECTION 28, T-19-N, R-13-E, BY THE MEANS OF AN ASSURED NON-ASTRONOMICAL BEARING OF USE, TULSA.

Subdivision Statistics

SUBDIVISION CONTAINS 4 LOTS IN 1 BLOCK
BLOCK 1 CONTAINS 9.8093 ACRES

Monumentation

ALL CORNERS WERE SET USING A 3/4\"

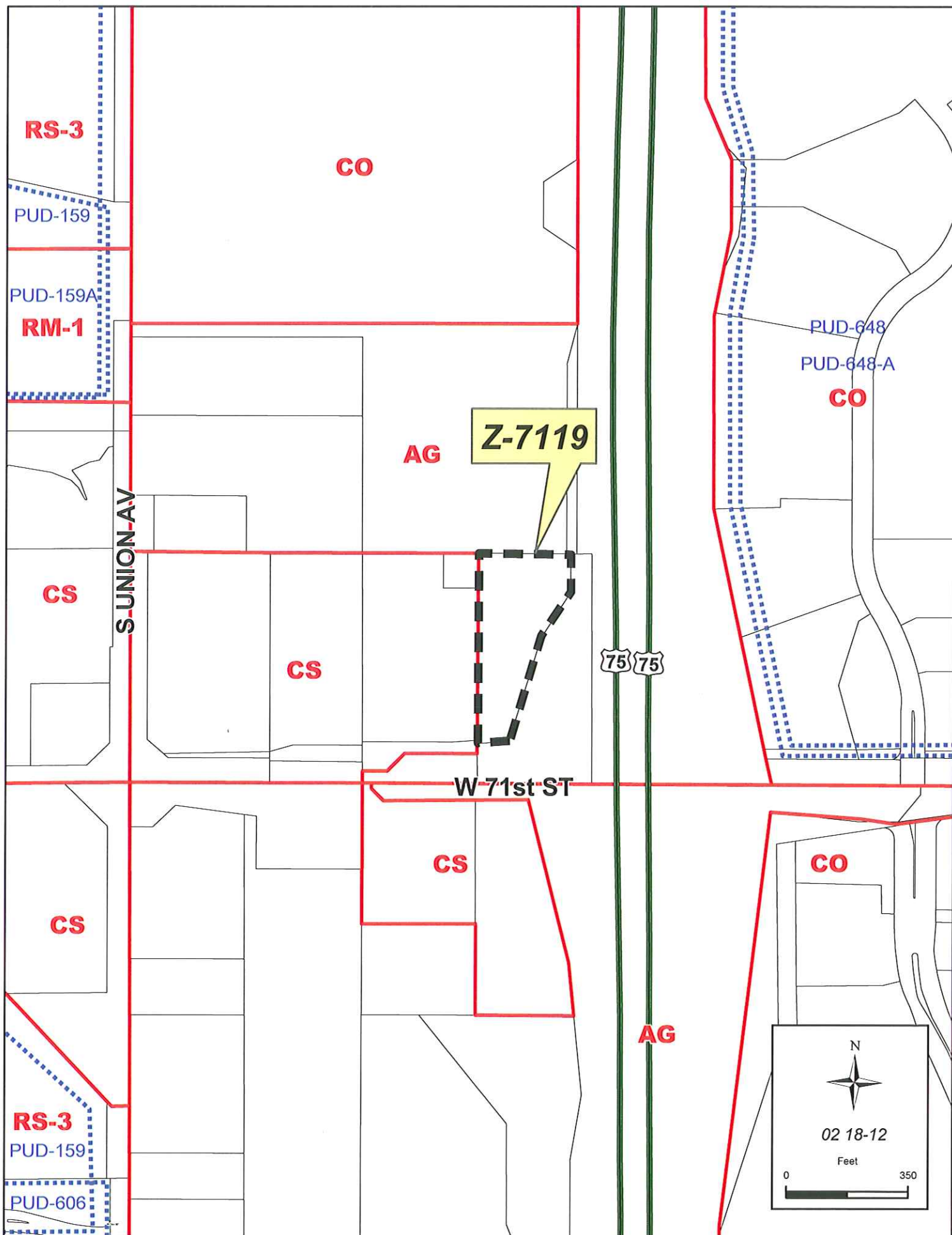
Legend

LMA = LIMITS OF NO ACCESS

Sidewalk Note

SIDEWALKS SHALL BE CONSTRUCTED ALONG EAST 41ST STREET AND SOUTH HARVARD AVENUE IN ACCORDANCE WITH THE DETAIL SITE PLAN APPROVED BY THE CITY OF TULSA METROPOLITAN AREA PLANNING COMMISSION.

27.6



28.1



S UNION AV

75 75

W 71st ST

Z-7119

N



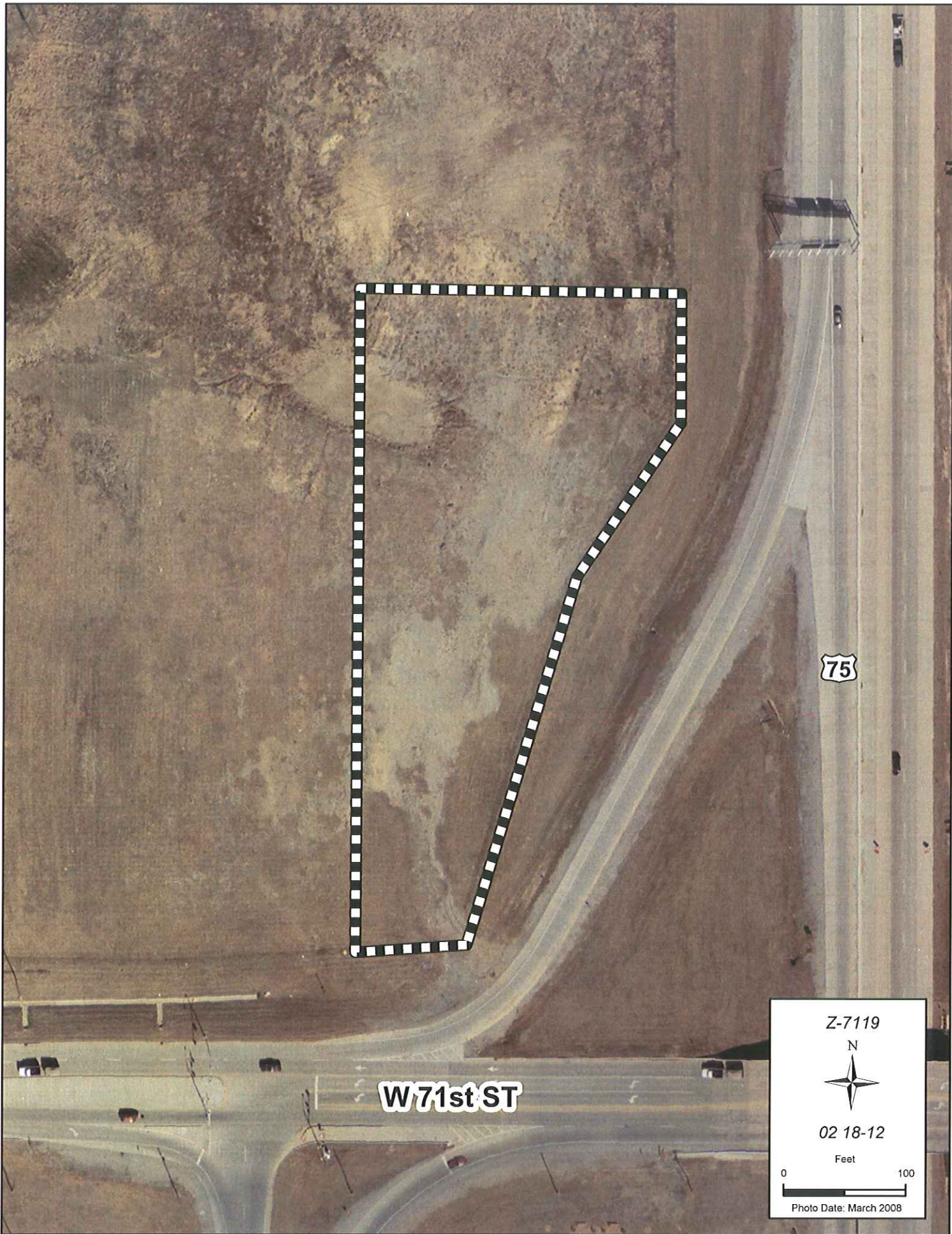
02 18-12

Feet



Photo Date: March 2008

28.2



W 71st ST

75

Z-7119

N



02 18-12

Feet



Photo Date: March 2008

28.3



State of Oklahoma

NEW LIFE PENTECOSTAL CHURCH

NEW LIFE PENTECOSTAL CHURCH

YOUNT, FLOYD & OLIEDA

STATE OF OKLAHOMA

STATE OF OKLAHOMA

STATE OF OKLAHOMA

STATE OF OKLAHOMA

28.4

Matthews, Dane

From: Bass, Mindi
Sent: Tuesday, November 25, 2008 11:03 AM
To: Matthews, Dane
Subject: FW: REZONING CASES Z-7119 AND Z-7120
Importance: High
Attachments: Z-7120.pdf; Z-7119.pdf

DANE THIS IS A RESPONSE FROM MONTE SMITH FOR ODOT...IF YOU HAVE FURTHER QUESTIONS FOR HER, SHE STATES TO CONTACT HER.

Mindi Bass



From: mesmith@ODOT.ORG [mailto:mesmith@ODOT.ORG]
Sent: Tuesday, November 25, 2008 10:43 AM
To: Bass, Mindi
Subject: Re: REZONING CASES Z-7119 AND Z-7120

Mindi,

In response to the subject rezoning cases, I can advise the following from the perspective of this office:

Any zoning put in place for the sole purpose of accommodating outdoor advertising structures is not accepted as viable zoning when considering the issuance of a sign permit. In reference to Case No. Z-7119, there is a permitted sign site located near the subject parcel of property on CS zoned property. (Sign Registration No. 13453.) There is not a current permit issued at the other site referenced as Z-7120.

If you have any questions or desire additional information, please let me know.

Thank you.

Montie Smith
Transportation Manager
Outdoor Advertising Control Branch

Oklahoma Dept. of Transportation
Right-of-Way & Utilities Division
200 NE 21st Street, Room 2A3
Oklahoma City, OK 73105
(405)521-3005 (office)
(405)522-0386 (fax)

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11/25/2008

28.5

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7119

TRS 8202

Atlas 1012

CZM 51

PD-8 CD-2

TMAPC Hearing Date: December 3, 2008

Applicant: Robert Buss

Tract Size: 2.3± acres

100,188± square feet

ADDRESS/GENERAL LOCATION: Northwest corner of West 71st Street South and Highway 75 South

EXISTING ZONING: AG

EXISTING USE: Vacant

ZONING ORDINANCE: Ordinance number 11827 dated June 26, 1970, established zoning for the subject property.

PROPOSED ZONING: CS

PROPOSED USE: CS uses/Outdoor advertising sign

RELEVANT ZONING HISTORY:

BOA-20652 March 15, 2008: The Board of Adjustment approved a verification of spacing requirement for an outdoor advertising sign of 1200 feet from another outdoor advertising sign on the same side of the highway, on property located at 1415 West 71st Street South and north and west of the northwest corner of West 71st Street South and Highway 75 South.

Z-6001-SP-2/PUD-648-A June 2007: All concurred in approval of a proposed Major Amendment to a PUD on a 55± acre tract of land for a development with 6 development areas for office, restaurant, hotel and hospital uses on property located on the northeast corner of West 71st Street South and Highway 75 South.

Z-7008-SP-1/Z-6966-SP-1/Z-6967-SP-1 March 2006: All concurred in approval of a Corridor Site Plan on 176± acres to permit a regional shopping center known as the Tulsa Hills site with a total of 1,554,194 square feet of maximum building floor area approved at a .25 floor area ratio, on property located east of US Highway 75 between West 71st and West 81st Streets.

Z-7008 March 2006: All concurred in approval of a request to rezone a 43.6+ acre tract from AG/RS-3 to CO on property located East side of U. S. Highway 75 South between West 71st Street South and West 81st Street South for regional shopping center known as Tulsa Hills.

Z-6966 February 2005: Approval was granted on a request to rezone a seventy-two acre tract located on the southeast corner of West 71st Street South and U. S. Highway 75 South from AG to CO. An accompanying recommendation was to amend the District Plan map to reflect the CO rezoning, which will be done when the annual plan updates are processed.

28.6

Z-6967 February 2005: Approval was granted on a request to rezone the 62+ acre tract located on the northeast corner of West 81st Street South and U. S. Highway 75 South, from AG to CO.

Z-6871 November 2002: All concurred in approval of a request to rezone a 141-acre tract located on the northwest corner of West 81st Street and South Elwood Avenue, from AG to RS-3 for residential development.

Z-6001-SP-1/PUD-648 May 2001: A Planned Unit Development and Detail Corridor Site Plan were approved for hospital and office use on a 56 acre parcel located on the northeast corner of West 71st Street and U. S. High 75 South. The original CO zoning for this parcel had been approved in 1984 from AG to CO.

BOA-18428 June 8, 1999: The Board of Adjustment approved a Variance to allow off-street parking on a lot other than lot containing the use; and a Variance of the required parking spaces from 67 to 18 to permit a new school and gymnasium; subject to a tie agreement, per plan submitted, on property located at 7001 South Union Avenue.

PUD-606 May 1999: All concurred in approval of a proposed Planned Unit Development a 30+ acre tract of land for single-family development of 15 dwellings on property located south of southwest corner of West 71st Street and South Union Avenue.

BOA-17960 March 10, 1998: The Board of Adjustment approved a Variance of the maximum height limit for an outdoor advertising sign from 50' to 80' for a period of not longer than 5 years or when the improvements to Highway 85 are completed, or whenever comes first, the sign will return to the height of 50' and at least 17 ½', on property located at.

Z-6589 May 1997: A request to rezone a 5.8+ acre tract of land from AG to CS was approved for CS to a depth of 660' south from the center of the section line on West 71st Street South, with the balance of the tract to remain AG on property located south of the southwest corner of West 71st Street and U. S. Highway 75 South.

Z-6468 January 1995: All concurred in approval of a request to rezone a 5+ acre tract from AG to CS on property located on the southwest corner of West 71st Street and U. S. Highway 75 South.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2.3+ acres in size and is located at the northwest corner of West 71st Street South and Highway 75 South. The property appears to be vacant and is zoned AG.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
West 71 st Street South (nearest roadway, but appears to have no existing access from).	Secondary arterial (west of Hwy. 75)	100'	2

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

SURROUNDING AREA: The subject tract is abutted on the east by the highway, zoned AG; on the north by vacant and/or agricultural land, zoned AG; on the south by the highway

28.7

interchange, zoned AG; and on the west by vacant land, zoned CS. Much of the Tulsa Hills commercial development is occurring and has occurred in this vicinity.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 8 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being Corridor/Medium Intensity-No Specific land use. According to the Zoning Matrix, the requested CS zoning is in accord with the Plan.

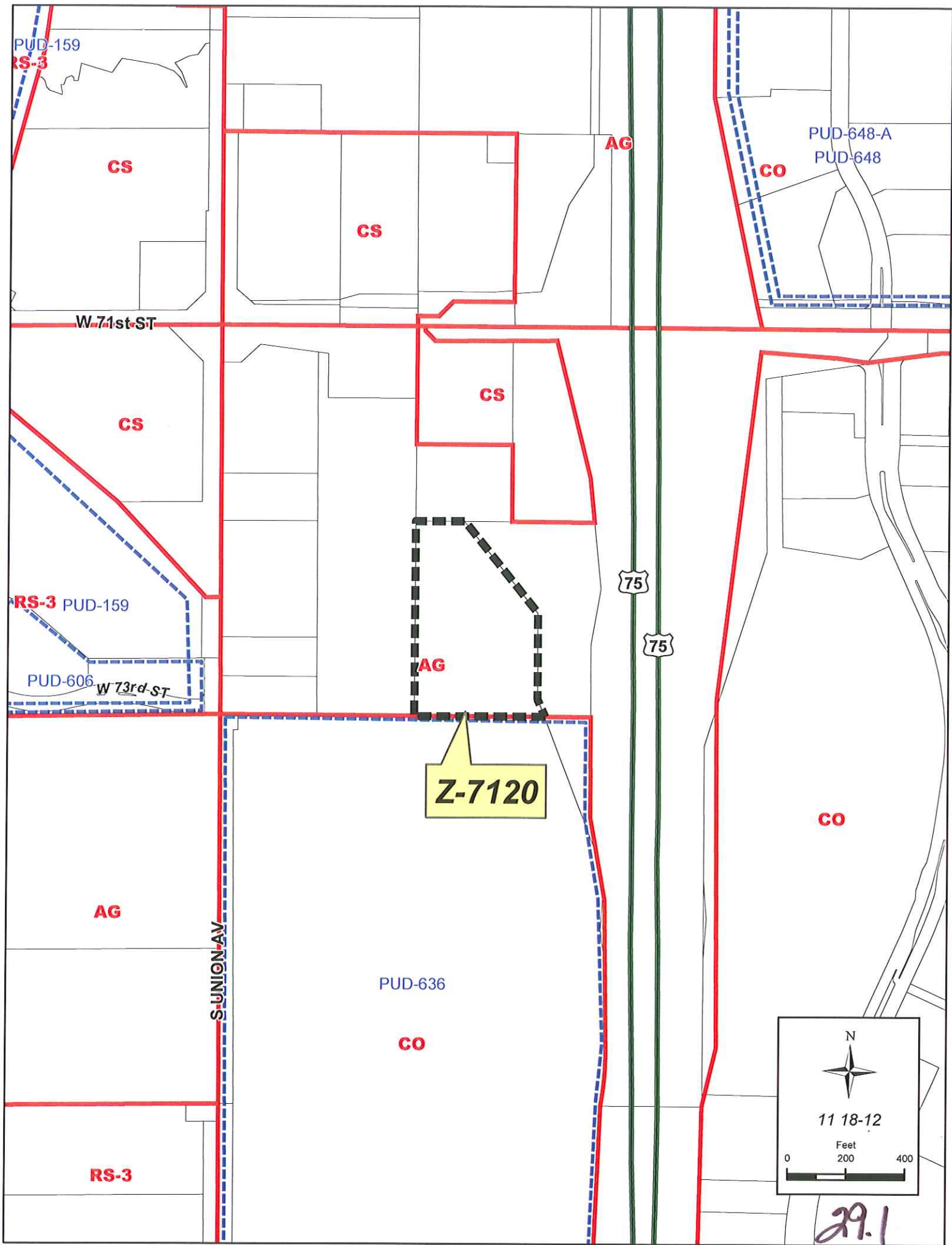
In a bulletin from FHWA (Annexation, Spot or Strip Zoning for Outdoor Advertising Option Implemented by Federal Highway Administration), it is stated that, "Situations have occurred where individuals or sign companies have asked local zoning authorities to 'spot zone' or 'strip zone' a small area for commercial or industrial in an attempt to place billboards in areas that are primarily zoned for agricultural or residential use. This type of zoning action is in violation of the [Federal Regulation 23 CFR 750.708(b)] and could result in a determination by the FHWA that the State is not effectively controlling outdoor advertising...". In this case, CS zoning exists to the west and south of the subject property, so perhaps this regulation does not apply. However, the applicant has specifically stated that the purpose of the request is for outdoor advertising. In any event, the applicant must receive the appropriate permits from the State transportation officials in order to construct the sign. In addition, the applicant must verify spacing requirements before the City Board of Adjustment.

STAFF RECOMMENDATION:

The request is in accord with the District 8 Detail Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area. However, the FHWA policies, as set forth above, appear to discourage, if not bar, rezoning along highway rights-of-way for the express purposes of installing outdoor advertising. There also appears to be no access to this property. Therefore, staff recommends **DENIAL** of CS zoning for Z-7119.

12/03/08

28.8





W 71st St

W 73rd St

S UNION AV

75

75



11 18-12

Z-7120

Feet
0 200 400

29.2



75



11 18-12

Z-7120

Feet

0 75 150

29.3



STATE OF OKLAHOMA

HUBBARD, FAYE H TRUST

HUBBARD, FAYE H TRUST

STATE OF OKLAHOMA

STATE OF OKLAHOMA

MDM INVESTMENTS LP

STATE OF OKLAHOMA

89.4

Matthews, Dane

From: Bass, Mindi
Sent: Tuesday, November 25, 2008 11:03 AM
To: Matthews, Dane
Subject: FW: REZONING CASES Z-7119 AND Z-7120
Importance: High
Attachments: Z-7120.pdf; Z-7119.pdf

DANE THIS IS A RESPONSE FROM MONTE SMITH FOR ODOT...IF YOU HAVE FURTHER QUESTIONS FOR HER, SHE STATES TO CONTACT HER.

Mindi Bass



From: mesmith@ODOT.ORG [mailto:mesmith@ODOT.ORG]
Sent: Tuesday, November 25, 2008 10:43 AM
To: Bass, Mindi
Subject: Re: REZONING CASES Z-7119 AND Z-7120

Mindi,

In response to the subject rezoning cases, I can advise the following from the perspective of this office:

Any zoning put in place for the sole purpose of accommodating outdoor advertising structures is not accepted as viable zoning when considering the issuance of a sign permit. In reference to Case No. Z-7119, there is a permitted sign site located near the subject parcel of property on CS zoned property. (Sign Registration No. 13453.) There is not a current permit issued at the other site referenced as Z-7120.

If you have any questions or desire additional information, please let me know.

Thank you.

Montie Smith
Transportation Manager
Outdoor Advertising Control Branch

Oklahoma Dept. of Transportation
Right-of-Way & Utilities Division
200 NE 21st Street, Room 2A3
Oklahoma City, OK 73105
(405)521-3005 (office)
(405)522-0386 (fax)

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11/25/2008

29.5

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7120

TRS 8211

Atlas 0

CZM 51

PD-8 CD-2

TMAPC Hearing Date: December 3, 2008

Applicant: Robert Buss

Tract Size: 5.4± acres

ADDRESS/GENERAL LOCATION: South of southwest corner of West 71st Street South and Highway 75 South

EXISTING ZONING: AG

EXISTING USE: Vacant

ZONING ORDINANCE: Ordinance number 11827, dated June 26, 1970, established zoning for the subject property.

PROPOSED ZONING: CS

PROPOSED USE: CS uses/Outdoor advertising sign

RELEVANT ZONING HISTORY:

Z-6001-SP-2/PUD-648-A June 2007: All concurred in approval of a proposed Major Amendment to a PUD on a 55± acre tract of land for a development with 6 development areas for office, restaurant, hotel and hospital uses on property located on the northeast corner of West 71st Street South and Highway 75 South.

Z-7008-SP-1/Z-6966-SP-1/Z-6967-SP-1 March 2006: All concurred in approval of a Corridor Site Plan on 176+ acres to permit a regional shopping center known as the Tulsa Hills site with a total of 1,554,194 square feet of maximum building floor area approved at a .25 floor area ratio, on property located east of US Highway 75 between West 71st and West 81st Streets.

Z-7008 March 2006: All concurred in approval of a request to rezone a 43.6+ acre tract from AG/RS-3 to CO on property located East side of U. S. Highway 75 South between West 71st Street South and West 81st Street South for regional shopping center known as Tulsa Hills.

Z-6966 February 2005: Approval was granted on a request to rezone a seventy-two acre tract located on the southeast corner of West 71st Street South and U. S. Highway 75 South from AG to CO. An accompanying recommendation was to amend the District Plan map to reflect the CO rezoning, which will be done when the annual plan updates are processed.

Z-6967 February 2005: Approval was granted on a request to rezone the 62+ acre tract located on the northeast corner of West 81st Street South and U. S. Highway 75 South, from AG to CO.

Z-6871 November 2002: All concurred in approval of a request to rezone a 141-acre tract located on the northwest corner of West 81st Street and South Elwood Avenue, from AG to RS-3 for residential development.

29.4

Z-6001-SP-1/PUD-648 May 2001: A Planned Unit Development and Detail Corridor Site Plan were approved for hospital and office use on a 56 acre parcel located on the northeast corner of West 71st Street and U. S. High 75 South. The original CO zoning for this parcel had been approved in 1984 from AG to CO.

PUD-636/Z-5457-SP/Z-4825-SP October 2000: Approval was granted, subject to conditions of the PUD, for a Planned Unit Development on a 108-acre tract located on the northwest corner of West 81st Street South and South Highway 75. The proposed uses include single-family and townhouse dwellings and commercial uses.

PUD-606 May 1999: All concurred in approval of a proposed Planned Unit Development a 30± acre tract of land for single-family development of 15 dwellings on property located south of southwest corner of West 71st Street and South Union Avenue.

Z-6589 May 1997: A request to rezone a 5.8± acre tract of land from AG to CS was approved for CS to a depth of 660' south from the center of the section line on West 71st Street South, with the balance of the tract to remain AG on property located south of the southwest corner of West 71st Street and U. S. Highway 75 South.

BOA-17388 May 28, 1996: The Board of Adjustment approved a Variance of the required all-weather surface to permit a gravel access drive; per plan submitted, finding a gravel rive already exists and will only be extended to the location of the tower, on property located at 1410 West 71st Street South and the subject property.

Z-6468 January 1995: All concurred in approval of a request to rezone a 5± acre tract from AG to CS on property located on the southwest corner of West 71st Street and U. S. Highway 75 South.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 5.4± acres in size and is located south of southwest corner of West 71st Street South and Highway 75 South. The property appears to be vacant but with a large cell tower on it and is zoned AG.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
Access road to cell tower*	N/A	N/A	1

*Has a security gate that was locked upon field checking time; relatively unimproved roadway.

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

SURROUNDING AREA: The subject tract is abutted on the east by Highway 75, zoned AG; on the north by vacant land, zoned AG; on the south by now-vacant land, zoned CO/PUD-636; and on the west by vacant land, zoned AG.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 8 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being Corridor-Low Intensity-No Specific land use. According to the Zoning Matrix, the requested CS zoning is **not** in accord with the Plan.

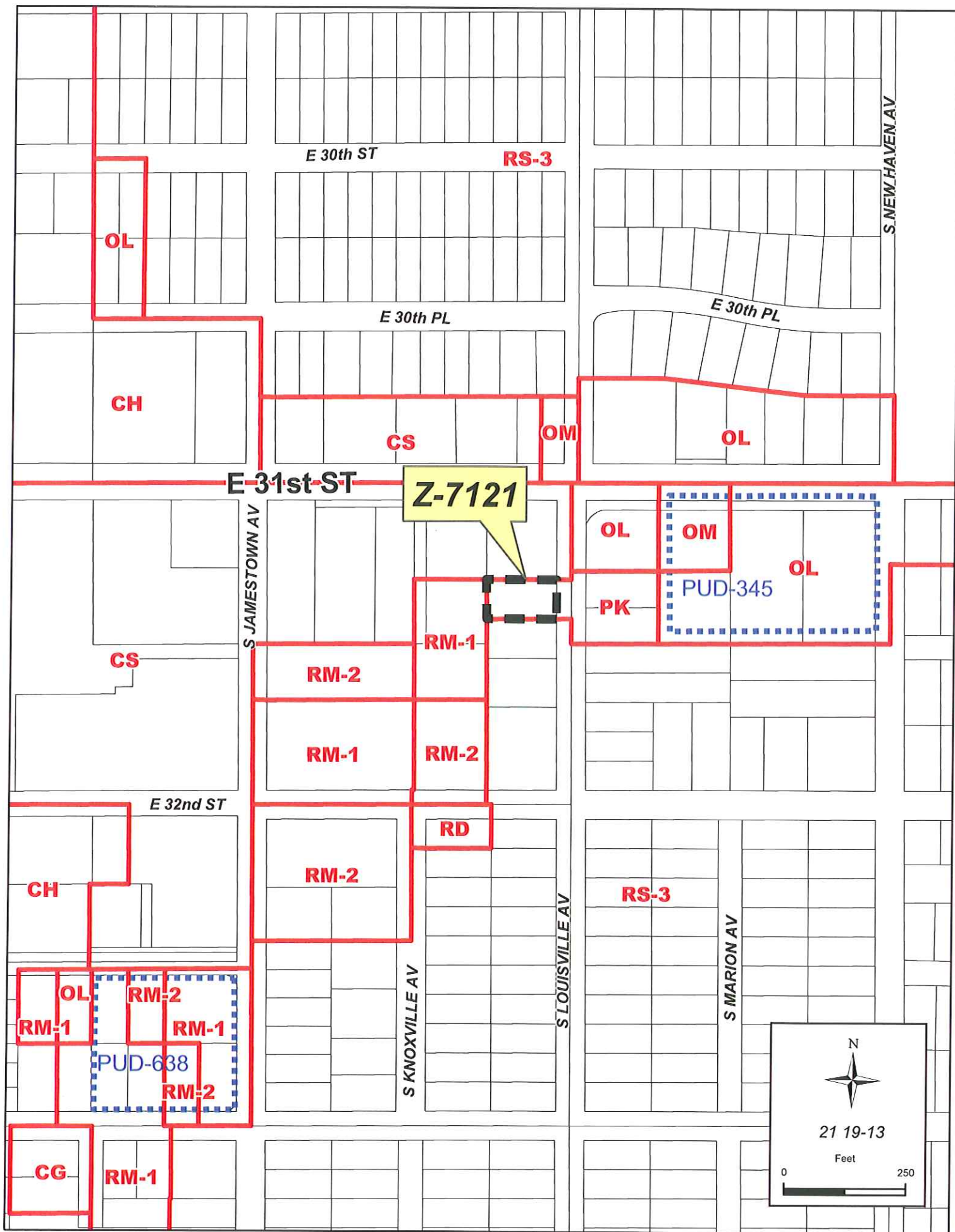
In a bulletin from FWHA (Annexation, Spot or Strip Zoning for Outdoor Advertising Option Implemented by Federal Highway Administration), it is stated that, "Situations have occurred where individuals or sign companies have asked local zoning authorities to 'spot zone' or 'strip

zone' a small area for commercial or industrial in an attempt to place billboards in areas that are primarily zoned for agricultural or residential use. This type of zoning action is in violation of the [Federal Regulation 23 CFR 750.708(b)] and could result in a determination by the FHWA that the State is not effectively controlling outdoor advertising...". In this case, CS zoning exists to the north of the subject property (although not adjacent to the property) and CO zoning exists to the south, so perhaps this regulation does not apply. However, the applicant has specifically stated that the purpose of the request is for outdoor advertising. In any event, the applicant must receive the appropriate permits from the State transportation officials in order to construct the sign. In addition, the applicant must verify spacing requirements before the City Board of Adjustment.

STAFF RECOMMENDATION:

This property has no access onto any roadways but an access road that apparently allows access to the cell tower. There is no frontage on any other type of roadway. Therefore, staff cannot support the requested CS zoning, based on the Comprehensive Plan, lack of roadway frontage and existing development in the area. Staff recommends **DENIAL** of CS zoning for Z-7120.

12/03/08

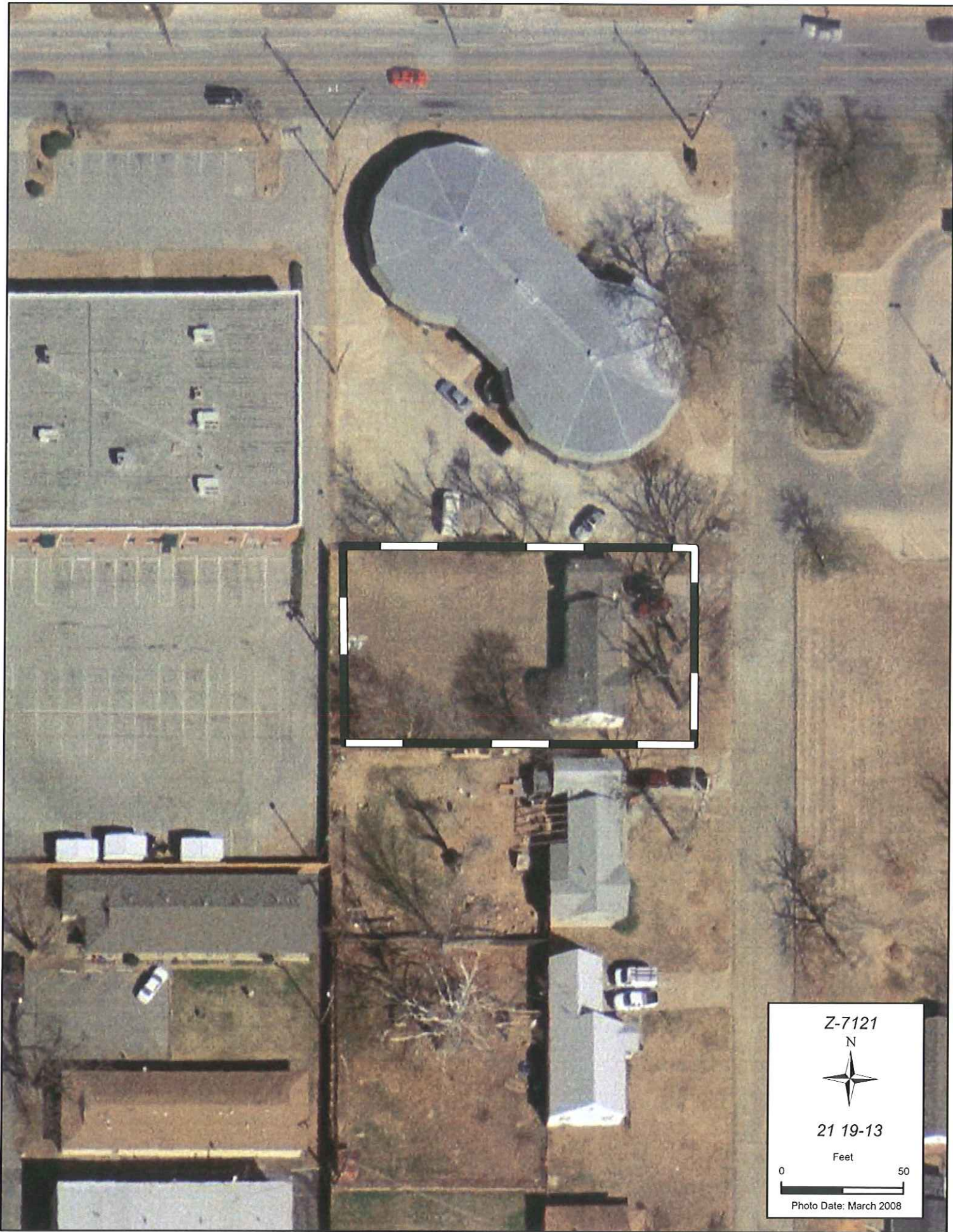


30.1



Z-7121
N
21 19-13
Feet
0 250
Photo Date: March 2008

30.2



Z-7121
N
21 19-13
Feet
0 50
Photo Date: March 2008

30.3

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7121

TRS 9321

Atlas 134

CZM 47

PD-6 CD-9

TMAPC Hearing Date: December 3, 2008

Applicant: Robert Winchester

Tract Size: 12,188± square feet

ADDRESS/GENERAL LOCATION: South of southwest corner of East 31st Street South and South Louisville Avenue

EXISTING ZONING: PK

EXISTING USE: Residential

ZONING ORDINANCE: Ordinance number 20206 dated August 30, 2001, established zoning for the subject property.

PROPOSED ZONING: OM

PROPOSED USE: Office

RELEVANT ZONING HISTORY:

Z-6825 September 2001: All concurred in approval of a request for rezoning a 5± acre tract of land from RS-3 to PK for parking on property located south of southwest corner of East 31st Street and South Louisville Avenue.

PUD-638 October 2000: All concurred in approval of a request for a Planned Unit Development on a 1.9-acre tract located on the southwest corner of East 32nd Place and South Jamestown from RM-1 and RM-2 to PUD for a two-story medical office development.

BOA-17502 September 1996: The Board of Adjustment approved a special exception to allow a public library, Use Unit 2, on property located east of the northeast corner of East 32nd Place and South Harvard and a variance of the required frontage on a non-arterial street from 50' to 22' to permit a lot-split.

BOA-16586 February 1994: The Board of Adjustment approved a special exception to allow a drive-through facility in an OL-zoned district and for an existing bank. The property is located on the northeast corner of East 31st Street South and South Louisville Avenue and northeast of the subject property.

Z-6393 March 1993: All concurred in approval of a request to rezone a lot located east of the northeast corner of East 31st Street and South Louisville Avenue from RS-3 to OL.

Z-6227 January 1989: All concurred in approval of a request to rezone a 1.3-acre tract located on the southeast corner of East 31st Street South and South Louisville Avenue directly east of the subject tract from RS-3 to OL on the north 150' and PK zoning on the south tract that fronts the subject property.

PUD-345 January 1984: All concurred in approval of a proposed Planned Unit Development a 3.1± acre tract of land for office use including the Tulsa Teacher's Credit Union, on property located west of the southwest corner of East 31st Street and South New Haven Avenue.

30.4

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 12,188± square feet in size and is located south of southwest corner of East 31st Street South and South Louisville Avenue. The property appears to be used residentially and is zoned PK.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
South Louisville Ave	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 green space associated with the adjacent credit union, zoned OL, and the credit union's parking lot, zoned PK; on the north by an office building, zoned CS; on the south by single-family residential units, zoned RS-3; and on the west by a parking lot, zoned RM-1.

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 Low Intensity-No Specific land use. According to the Zoning Matrix, the requested OM zoning **is not** in accord with the Plan.

STAFF RECOMMENDATION:

The remainder of the block face on South Louisville and facing it are in single-family residential use. The requested OM zoning has no height limitations and is not in accord with the Comprehensive Plan. If this request were recommended for approval, one could expect both sides of South Louisville to eventually request rezoning to medium intensity uses as far south as East 32nd Street, as it has to the west on either side of South Jamestown. Therefore, staff cannot support the requested OM zoning and recommends **DENIAL** of OM zoning but can recommend **APPROVAL** of OL (which may be found to be in accord with the Plan and which is limited to one story in height) in the alternative. Per provisions of the Zoning Code (Section 1211.C), uses in Use Unit 11 (Offices, Studios and Support Services) must be screened by a screening wall or fence along the lot line(s) in common with an R district, in this case, on the south and west.

12/03/08

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, TMAPC voted **7-0-0** (Ard, Cantrell, Carnes, Marshall, McArtor, Shivel, Walker "aye"; no "nays"; none "abstaining"; Midget, Miller, Sparks, Wright "absent") to **APPROVE** the minor amendment for PUD-646-2 per new submittal provided by the applicant on 8/6/08.

25. **Z-7085 – John Moody**

AG/RM-1/OL to CS

North of northeast corner of East 31st Street North and (PD-2) (CD-1)
North Cincinnati Avenue (Continued from 3/5/08, 5/7/08
and 6/18/08)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 11918 dated September 1, 1970 established zoning for the subject property.

PROPOSED ZONING: CS

PROPOSED USE: Commercial/day
care

RELEVANT ZONING HISTORY:

Z-7054 June 2007: All concurred in approval of a request for rezoning a 15.86± acre tract of land from AG/OL to RM-1 for multifamily on property located north of the northeast corner of North Cincinnati Avenue and East 31st Street North and a part of the subject property.

BOA-18540 November 9, 1999: The Board of Adjustment approved a special exception to allow for one-bedroom duplexes as part of "Crestview II" development in an RS-3 and CS district per plan submitted on property located southeast of the southeast corner of East 36th Street North and North Cincinnati Avenue and north of subject property.

Z-6553 September 1996: All concurred in approval of a request for rezoning a 12+ acre tract of land from RS-3 to RM-1 on property located south of the southeast corner of East 36th Street North and North Cincinnati and abutting north of subject property.

CDP-18 June 6, 1967: The Board of Adjustment approved a Community Development Plan for multifamily development which allowed 198 dwelling units located at North Garrison and Gilcrease Expressway and abutting east of subject property.

31.1

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2.92± acres in size and is located north of the northeast corner of North Cincinnati and East 36th Street North. The property appears to have a child daycare use and vacant land and is zoned AG/RM-1 and OL.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
North Cincinnati	Secondary arterial	100'	4

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

SURROUNDING AREA: The subject tract is abutted on the east by a multifamily residential development zoned RM-1; on the north by a vacant church, zoned RM-1; on the south by an expressway under construction and vacant land, zoned AG and RS-3; and on the west by heavily wooded vacant land, zoned AG.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The *District 25 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being in Special District 5 – Development Incentive Area. According to the Zoning Matrix, the requested CS zoning **may be found** in accord with the Plan under the Special District designation. Special District 5 plan policies call for it to be developed as a well designed and well planned growth area, and to include buffering to protect adjacent residential areas. The plan also encourages development in these areas through a PUD.

STAFF RECOMMENDATION:

Although plan provisions appear to encourage commercial and other related development here, the policies indicate that a unified approach under a PUD is envisioned, rather than a piecemeal development such as this. Staff cannot support the requested CS zoning, as it would be spot zoning adjacent to residential uses and/or zoning on three sides. Therefore, staff recommends **DENIAL** of CS zoning for Z-7085.

Applicant was not present.

There were no interested parties wishing to speak.

TMAPC COMMENTS:

In response to Ms. Cantrell, Ms. Matthews stated that there will be development in the subject area. Crest View senior housing development to the north of the subject property is being built. Ms. Matthews indicated that it will be duplexes for elderly housing and they do not necessarily have to be retired. Ms. Matthews

31.2

reminded Ms. Cantrell that the Planning Commission saw the rezoning for Crest View expansion approximately one year ago.

Ms. Cantrell stated that to the west there is corridor zoning and should develop fairly intensely. In response, Ms. Matthews stated that topography will be an issue. Ms. Matthews further stated that to the east is a multifamily development and gated.

Ms. Cantrell stated that what is going on there is multifamily then she is not sure why there is a need to protect that since it is more of a higher density residential and in the past the Planning Commission has allowed higher intensity zoning. In response, Ms. Matthews stated that this is a case of spot zoning and whatever the Planning Commission decides to do will go forward as a recommendation.

In response to Mr. Marshall, Ms. Matthews stated that there is no CO zoning on the subject property.

In response to Ms. Cantrell, Ms. Matthews stated that it is a development incentive area and not a corridor. Ms. Matthews stated that it is in Special District 5 Development Incentive Area. In response, Ms. Cantrell stated that she is talking about the property to the west of Cincinnati that is supposed to develop as corridor. In response, Ms. Matthews stated that is true, but the subject property is in a development incentive area, which qualifies as a special district.

In response to Mr. McArtor, Ms. Matthews explained what a development incentive area is and how it qualifies as a special district. The idea was to create a development incentive area to call attention to the fact that this is where future development should occur. The Crestview Development was one that they saw as being very positive and the expansion of the Crestview Developments was considered positive. There is Westview Clinic on the northwest corner and there is a pharmacy associated with it. INCOG has received inquiries about the southeast corner, which has serious topographical challenges that will probably cause it to not develop.

In response to Mr. McArtor, Ms. Matthews stated that this is considered spot zoning and it is adjacent to residential property. She explained that the daycare is presently there and now they want to put commercial zoning with commercial uses on the subject property and that is a problem.

Mr. Carnes stated that the northside wants development and he believes that this is not that much of a change. This would be a perfect place for a convenience store. He indicated that he would be in favor of the CS zoning.

Mr. McArtor echoed Mr. Carnes's statements. This seems to be consistent with what is going on in the subject area and he understands the argument of spot zoning. This is development and it is needed on the northside and we shouldn't

be picky about the development in a part of a town that needs it more than anyone else. Mr. McArtor indicated that he would be in favor of the application.

Ms. Cantrell stated that she would support it as well. She understands the argument of spot zoning, but she believes that the fact that this is right next to what will someday be a highway and the property directly to the west, whether it develops or not, is supposed to be a high intensity development. Not too far off is another CS development. The residential around the subject property is RM-1 and it is not single-family homes. There is nothing there at this point that needs to be protected.

Mr. Marshall stated that he would not support this because he believes that it is spot zoning.

TMAPC Action; 7 members present:

On **MOTION** of **CARNES**, TMAPC voted **5-2-0** (Cantrell, Carnes, McArtor, Shivel, Walker "aye"; Ard, Marshall "nays"; none "abstaining"; Midget, Miller, Sparks, Wright "absent") to recommend **APPROVAL** of the CS zoning for Z-7085.

Legal Description for Z-7085:

The West 31.64 feet of the South Half of the North Half of the Southwest Quarter of the Northwest Quarter (S/2 N/2 SW/4 NW/4) of Section Twenty-four (24), Range Twelve (12) East of the I.B.&M., Tulsa County, State of Oklahoma, LESS AND EXCEPT the following described tracts of land, to-wit: Three tracts of land located in the S /2 of the N /2 of the SW 1/4 of the NW 1/4 of Section 24, Township 20 North, Range 12 East of the Indian Base and Meridian, Tulsa County, Oklahoma; being more particularly described by metes and bounds, as follows: Tract No. 1: Commencing at the SW corner of the NW /4 of Sec 24, T-20-N, R-12-E, of the I.B.&M.; thence N 01° 10' 36" W along the west line of said NW 1/4 a distance of 658.90 feet to the SW corner of the S 1/2 N 1/2 SW 1/4 of said NW 1/4; thence N 88° 41' 50" E a distance of 50.00 feet to the point of beginning being on the east right-of-way of North Cincinnati Avenue; thence N 01° 10' 36" W along the said east right-of-way a distance of 77.96 feet; thence N 88° 41' 33" E a distance of 291.64 feet; thence S 74° 31' 25" E a distance of 270.13 feet to a point on the south line of the said S 1/2 N /2 SW /4 NW /4; thence S 88° 41' 50" W a distance of 550.44 feet to the point of beginning, and containing 0.7537 acres, more or less. Tract No. 2: Commencing at the SW corner of the NW 1/4 of Sec 24, T-20-N, R-12-E, of the I.B.&M.; thence N 01° 10' 36" W along the west line of said NW 1/4 a distance of 864.36 feet; thence N 88° 41' 50" E a distance of 50.00 feet to the point of beginning being on the east right-of-way of North Cincinnati Avenue; thence N 01° 10' 36" W along the said east right-of-way a distance of 30.00 feet; thence N 88° 41' 33" E a distance of 125.00 feet; thence S 41° 02' 09" E a distance of 39.01 feet; thence S 88° 41' 33" W a distance of 150.00 feet to the point of beginning, and containing 0.0947 acres, more or less. Tract No. 3: The South 127.5 feet of the North 251.5 feet of the East 291.64 feet

31.4

of the West 341.64 feet of the S/2 of the N/2 of the SW/4 of the NW/4 of Sec. 24, T-20-N, R-12-E of the I.B.&M., according to the U.S. Government Survey thereof. **From AG/RM-1/OL (Agriculture District/Residential Multi-family District/Office Low Intensity District) To CS (Commercial Shopping Center District).** (Language with a strike-through has been deleted and language with an underline has been added.)

* * * * *

26. **Z-7103 – Paul Nosak**

IL/RS-3 to IL

West of northwest corner of East Ute Street and North Lewis Avenue (PD-2) (CD-3)

STAFF RECOMMENDATION:

ZONING ORDINANCE: Ordinance number 11809 dated June 26, 1970, and 13107 dated March 25, 1974, established zoning for the subject property.

PROPOSED ZONING: IL

PROPOSED USE: Industrial

RELEVANT ZONING HISTORY:

BOA-20453 March 13, 2007: The Board of Adjustment approved a Special Exception to permit Use Unit 28 within an IM District; a Special Exception to modify the screening requirement; a Variance of the limitation on the height of materials placed in open air staging area to permit a maximum height of 20 feet, per plan and per landscaping plan to be installed and maintained by the owner; planting of non-deciduous trees only along Highway 75; the sidewalk on North Lewis to be installed and maintained; applicant's narrative and use conditions marked page 20.7 (Exhibit K-3), by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land, structure or building involved, the literal enforcement of the terms of the Code would result in unnecessary hardship; that such extraordinary or exceptional conditions or circumstances do not apply generally to the property in the same use district and that the variance to be granted will not cause substantial detriment to the public good, on property located at 2300 North Lewis Avenue and north of subject property across railroad.

Z-4583 March 1974: All concurred in approval of a request for rezoning a tract of land from RS-3 to IL on property located and a part of the subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately .32± acres in size and is located west of the northwest corner of East Ute Street and North Lewis

31.5