TULSA METROPOLITAN AREA PLANNING COMMISSION

For Meeting No. 2534

December 17, 2008, 1:30 PM
One Technology Center, 175 East 2nd Street, 2nd Level
City Council Chambers

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 19, 2008 Meeting No. 2532 Minutes of December 3, 2008, Meeting No. 2533

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. <u>LS-20217</u> – Dennis Seawright (2318)/Lot-Split

(County)

East of North Utica Avenue and North of 161st Street North, 16201 North Utica

3. <u>LS-20262</u> – Andy Allen (9330)/Lot-Split

(PD 6) (CD 9)

South of East 41st Street and East of South Wheeling Avenue, 4180 Oak Road

4. <u>LS-20270</u> – Helen Cobb (9136)/Lot-Split

(County)

East of South 89th Avenue and South of West 51st Street, 5484 South 89th West Avenue

5. <u>LS-20271</u> – W.P. Smith (9217)/Lot-Split

(PD-9) (County)

North of West 21st Street South and West of South 33rd West Avenue, 5109 West 21st Street South

6. <u>LS-20272</u> – Tulsa Community College (9417)/Lot-Split

(PD 17) (CD 6)

Southeast corner of East 22nd Street and South Garnett Road, 2221 South Garnett Road

7. <u>LS-20273</u> – Paul Woodum (1315)/Lot-Split

(County)

West of North Yale and South of East 106th Street North, 10428 North Yale Avenue

8. <u>LS-20274</u> – WM Holloway (9214)/Lot-Split

(PD 9) (CD 2)

Southwest corner of West 23rd Street South and South Jackson Avenue, 704 West 23rd Street South

9.	LC-136 – Matthew Vianes (9402)/Lot Combination	(PD 17) (CD 6)	
•	South of East 4th Street and East of South 161st Avenue		
10.	<u>LC-139</u> – John Folks (3813)/Lot Combination	(PD 26) (CD 8)	
	North of East 116 th Street and East of South Delaware Avenue, 11527 South New Haven		
11.	PUD-431-C - Tanner Consulting, LLC	(PD-26) (CD-8)	
	Southwest, of the southwest corner of 101st Street South and Sheridan Road, Lot 6, Block 1, Copper Oaks Office Park (Detail Site Plan and Landscape Plan for a 5,400 SF two-story office building.) (Related to Item 12.)		
12.	PUD 431-C - Tanner Consulting, LLC	(PD-26) (CD-8)	
	Southwest, of the southwest corner of 101 st Street South and Sheridan Road, Lot 5, Block 1, Copper Oaks Office Park (Detail Site Plan and Landscape Plan for a 5,969 SF two-story office building.) (Related to Item 11.)		
13.	PUD-684-1 — Wallace Engineering	(PD-18) (CD-2)	
	Southeast corner of East 81 st Street South and Riverside Drive (Minor Amendment for the purpose of constructing a temporary parking lot.) (Related to Item 14.)		
14.	PUD-684 – Wallace Engineering	(PD-18) (CD-2)	
	Southeast corner of East 81 st Street South and Riverside Drive (Detail Site Plan for the purpose of constructing a temporary parking lot.) (Related to Item 13.)		
15.	AC-085 - Alaback Design Associates	(PD-4) (CD-4)	
	Southwest corner of East 3 rd Street and Lewis Avenue (Alternative Compliance Landscape Plan to allow three existing trees within the City right-of-way to remain and be counted toward tree requirements and reduce from six to five trees along Lewis Avenue.)		
16.	CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT	AGENDA	
PUBLIC HEARINGS			
17.	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 and 12/3/08)		
18.	<u>Fleming Addition II – (3204)</u> Minor Subdivision Plat	(PD 16) (CD 6)	
	North of East Pine Street and east of North 129th East Avenue		
19.	<u>Fleming Addition II – (3204)</u> Authorization for Accelerated Release of Building Permit	(PD 16) (CD 6)	
	North of East Pine Street and east of North 129 th East Avenue		
20.	Nickel Creek — (8211) Authorization for Accelerated Release of Building Permit	(PD 8) (CD 2)	
	Northwest corner of West 81st Street and U.S. Highway 75		

21. **Z-7122/PUD-768** – Roy D. Johnsen

AG to CS/OL/PUD

East of northeast corner Highway 75 South and West 71st Street South (PUD for mixed use commercial development, including retail, hotel, restaurant and office uses.)

(PD-8) (CD-2)

OTHER BUSINESS

22. Refund Request for Plat Waiver - David Qualls

Applicant is requesting a refund of fees.

23. Refund Request for AC-084 - Tanner Consulting, LLC

Applicant is requesting a refund of fees.

24. Commissioners' Comments

ADJOURN

PD = Planning District/CD = Council District

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

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

Ringing/sound on all <u>cell phones</u> and <u>pagers</u> 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

AGENDA

Tulsa Metropolitan Area Planning Commission

WORKSESSION

One Technology Center, City Hall

175 E. 2nd Street, 2nd Floor

Tulsa City Council Chambers

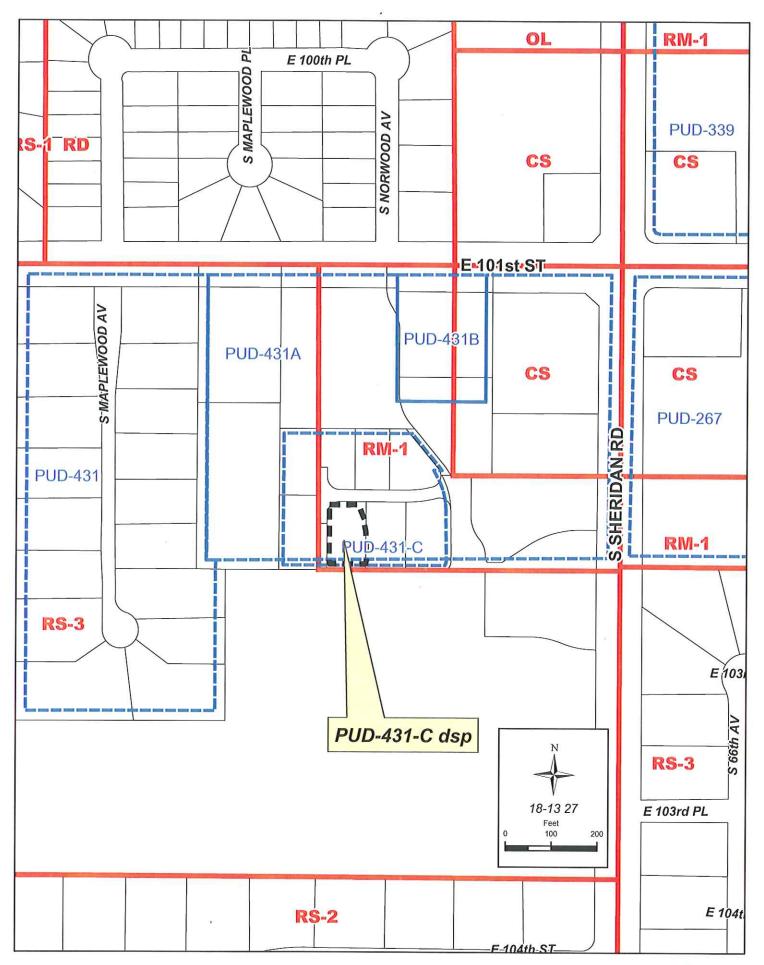
Wednesday, December 17, 2008–1:45 p.m.* (*Or immediately following adjournment of the TMAPC Meeting)

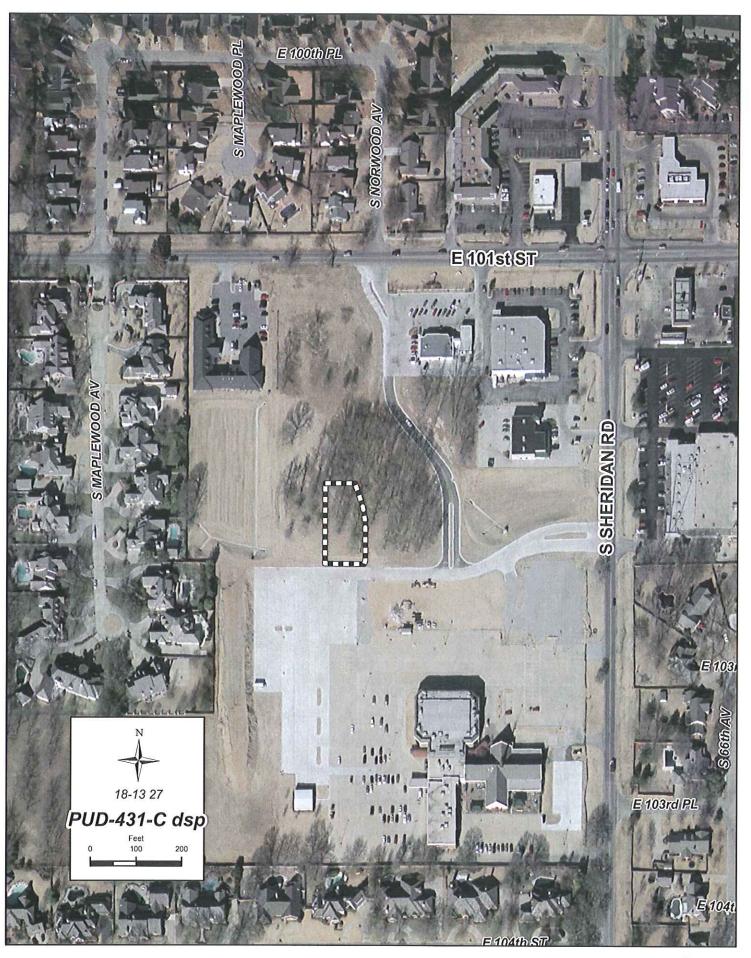
CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Discuss and Review TMAPC Policies and Procedures and Code of Ethics.
 Adjourn.

www.tmapc.org

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







11.3

PUD-431-C

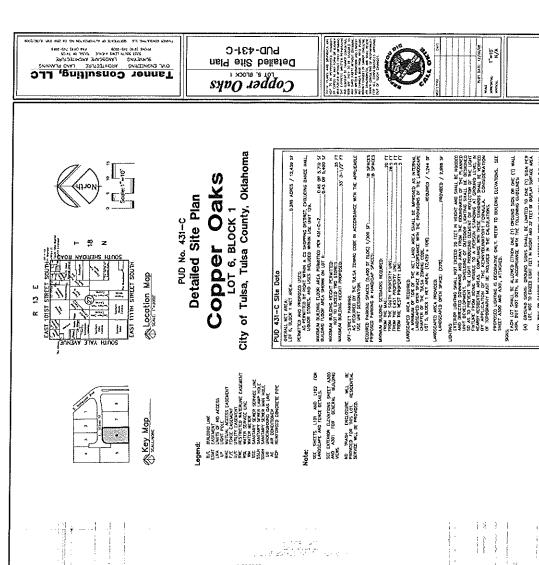
Detail Site Plan – Southwest, of the southwest corner of 101st Street South and Sheridan Road; Lot 6, Block 1 – Copper Oaks Office Park; TRS 8327; CZM 57; Atlas 2470; PD 26 CD 8; RS-3/RM-1/PUD.

The applicant is requesting approval of a detail site and landscape plan for a 5,400 square foot (SF), two-story office building. The proposed use, Use Unit 11 – Offices, Studios, and Support Services is a permitted use in PUD-431-C.

The submitted site plan meets all permitted building floor area, landscaped open space, building height and setback limitations. Parking has been provided per the Zoning Code, and a six-foot screening fence will be constructed along the southern boundary line per PUD development standards. Landscaping is provided per the landscape chapter of the Zoning Code and adopted PUD development standards. All sight lighting will be limited to 20 feet in height and will be directed down and away from adjoining properties. Compliance with lighting standards shall be verified by application of the Kennebunkport Formula or other accepted standard showing compliance with section 1303-C where applicable.

Staff recommends **APPROVAL** of the detail site plan for Lot 6, Block 1 – Copper Oaks Office Park.

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



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PROPOSED BUILDING 5,400 SF LOT 6 BLOCK 1

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28187.04 SPET NUMBER

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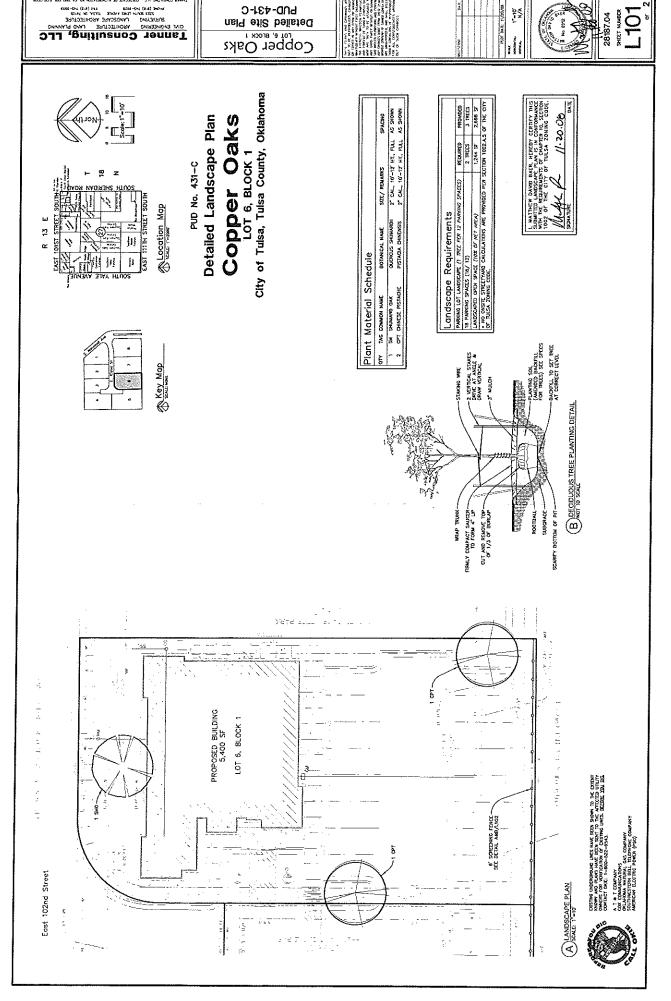
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A Detailed Site Plan

CONCRETE PAYCHENT

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General Notes

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Soil Preparation

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MULCH ALL PLANTING BEDS AND TREE WELLS MITH SHREDGED CYPRESS MULCH. REFER TO PLANT DETAILS FOR MULCH DEPTH.

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MAY I ... AUGUST 31: APPLY A 16-6-8 FERTILIZER AT A RATE OF SIX (8) POUNDS PER 1,000 SQUARE FEET TO ALL LAWA AREAS. SEPTEMBER 1 – APRIL 30. APRLY MILORGANITE 6-2-0 FERTILIZER AT A RATE OF TEX (10) PONINSE PRE 1,5000 SQUARE FEET OF LAWN AREA. PERTILIZER SHALL BE APPLED PRINS TO SODOWG.

APPLY FERTILIZER ACCORDING TO TIME OF INSTALLATION

Irrigation Notes

AN UNDERGROUND, FULLY AUTOMATIC RRIGATION SYSTEM WILL BE PROVIDED FOR CANDSCAPED AREAS BY OTHERS.

Planting Notes

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skagonal annual beds are to be plante with local materials that wil offer the longest lastikg and doldest color display at the time of installation. PLANT GROUND CONDY WITHIN ONE FOOT (!!) OF TRUMK OF TREES OR SHRIUBS PLANTED WITHIN AREA. PLANTING ARRANGEMENT SHALL BE TRIANGLIAN, WITH PROPER ON-CENTER SPACKE BETWEEN PLANTS.

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PLANTING BEDS RECOVANG MULCH, ARE TO BE FREE OF WERDS AND GRASS. TREAT BEDS AND ARACES THE AND ADDITION AND MULCH PLACEMENT PROPERTY ACCORDISANCE WITH STANDARD TRADE PRACTICE. DO NOT APPLY HERBIDD IN PEREUMANA BEDS.

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Detailed Site Plan Oaks Copper

0 × PLOT DATE. 11/20/05

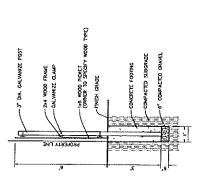
L102 SHEET NUMBER 28187.04

-WOOD PICKETS (TYP.,) (OWNER TO SPECIFY WOOD TYPE) -COMPACTED SUBGRADE WOOD FRAME (TYP.) COMPACTED GRAVEL CONCRETE FOOTING -- GALVANIZE POST -FINISH GRADE -6' CEDAR FENCE

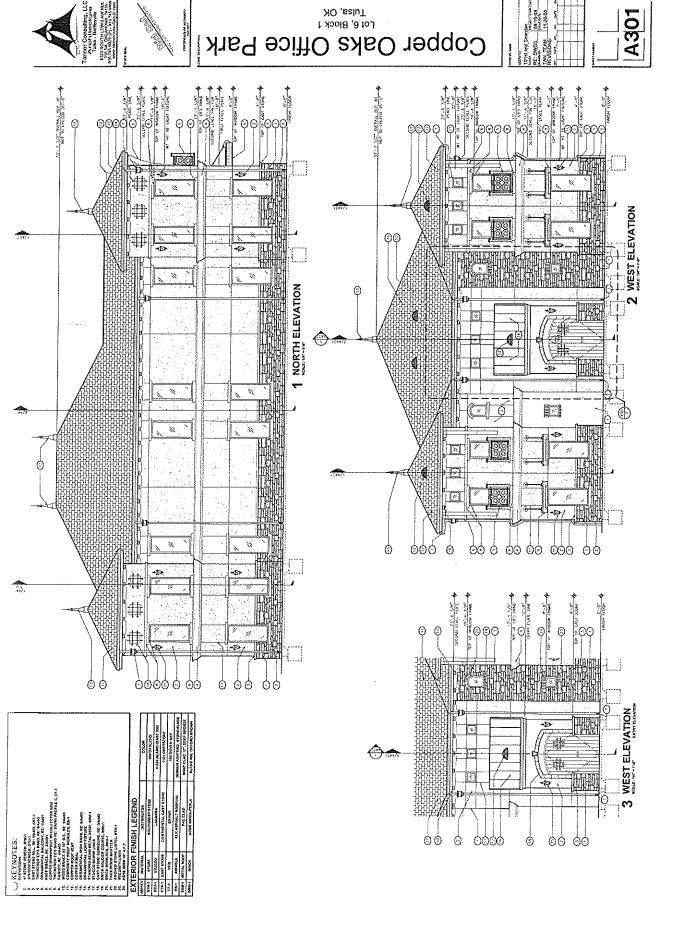
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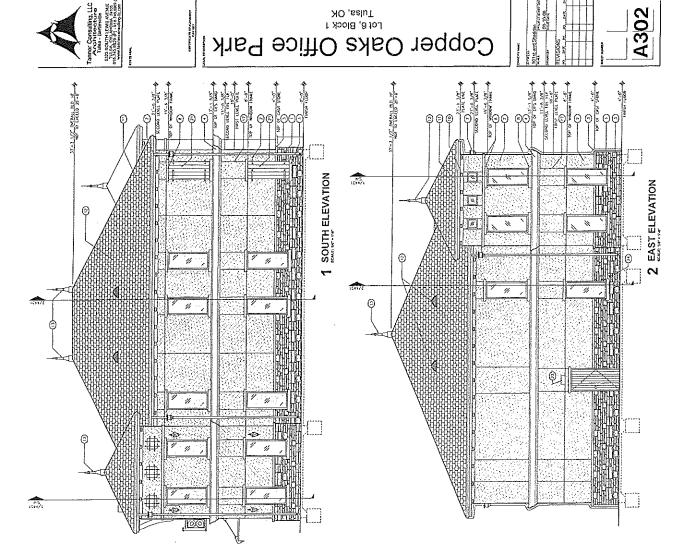
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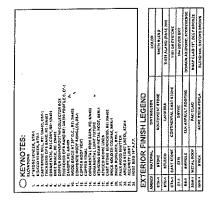
A WOOD SCREENING FENCE ELEVATION

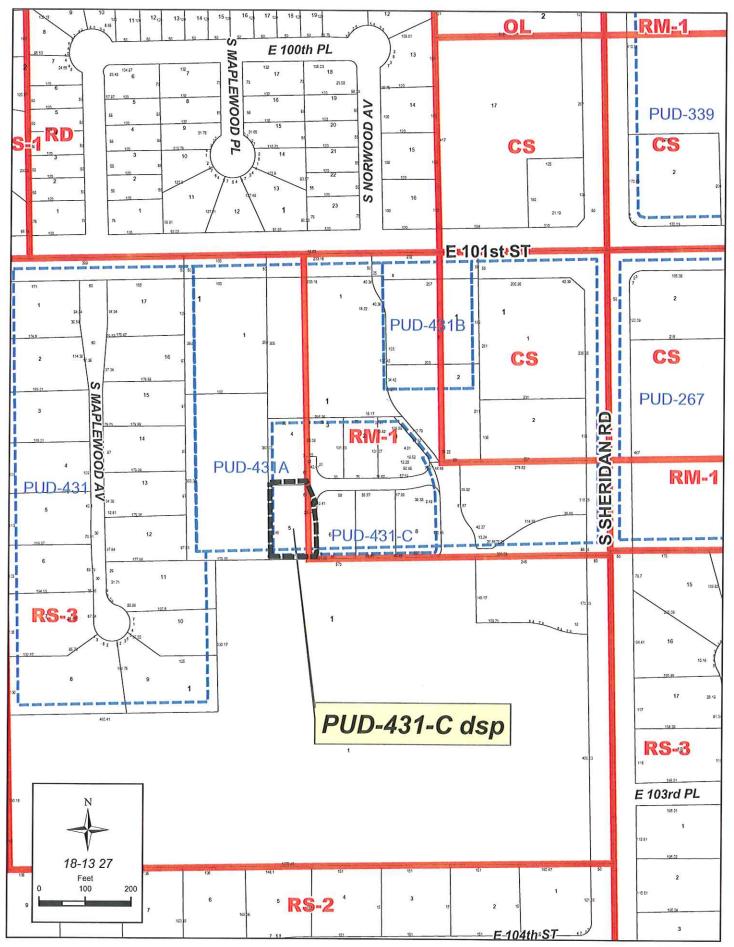


B WOOD SCREENING FENCE SECTION













12.3

PUD-431-C:

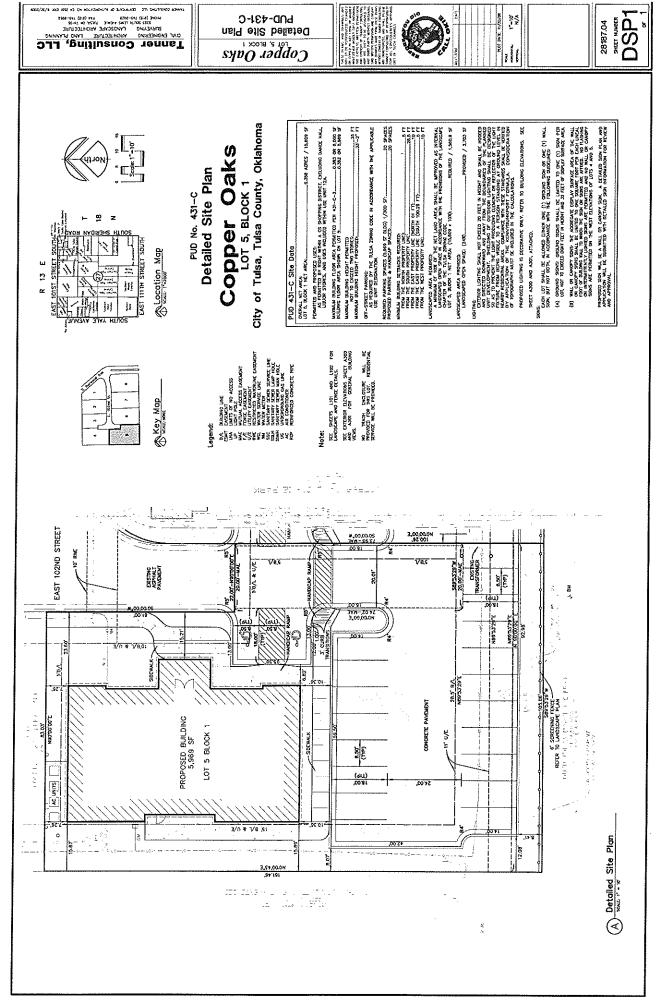
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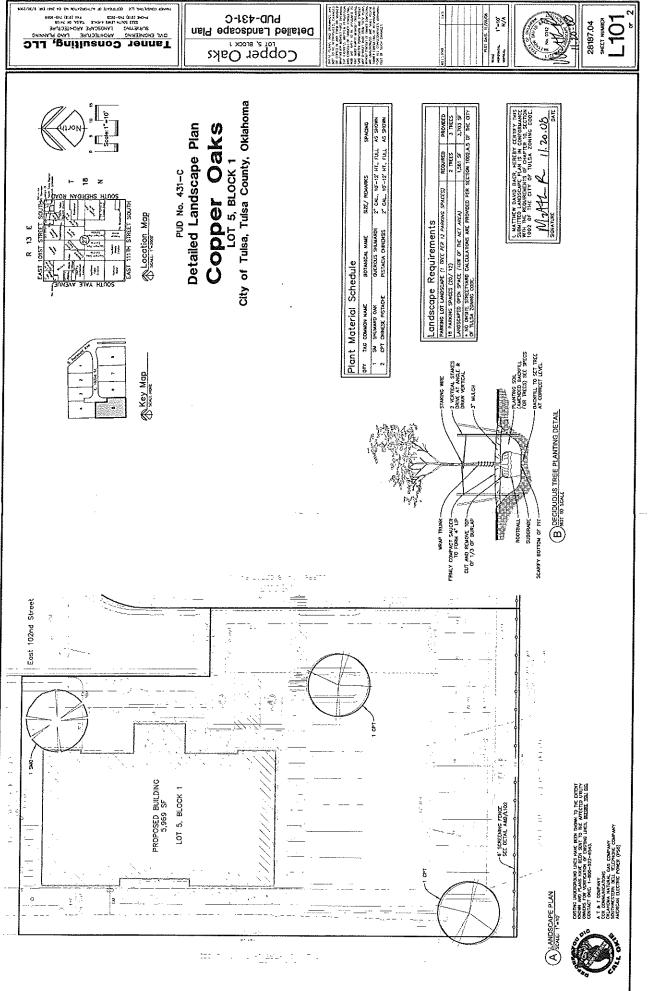
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Staff recommends **APPROVAL** of the detail site plan for Lot 5, Block 1 – Copper Oaks Office Park.

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



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General Notes

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Irrigation Notes

Planting Notes

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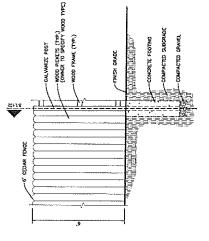
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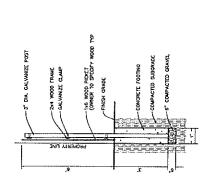
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Copper Oaks Lot s, eLock 1 Detailed Site Plan PUD-431-C



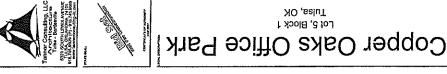
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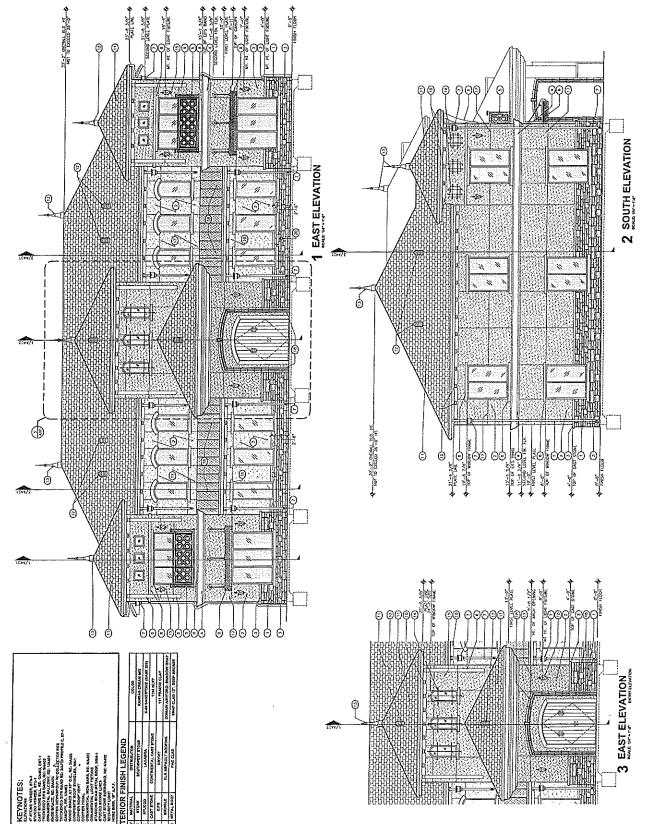
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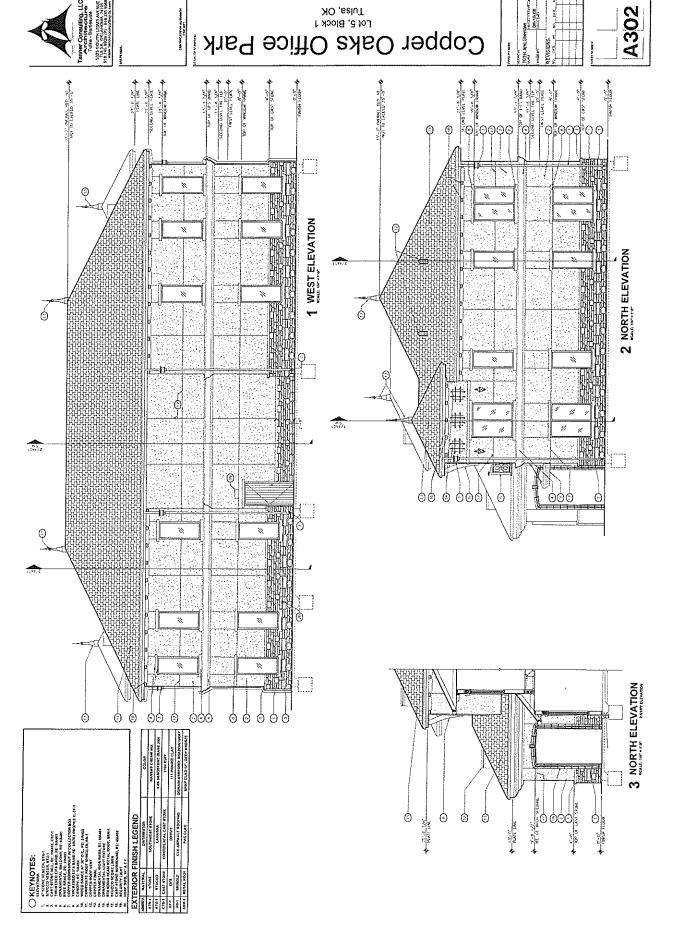
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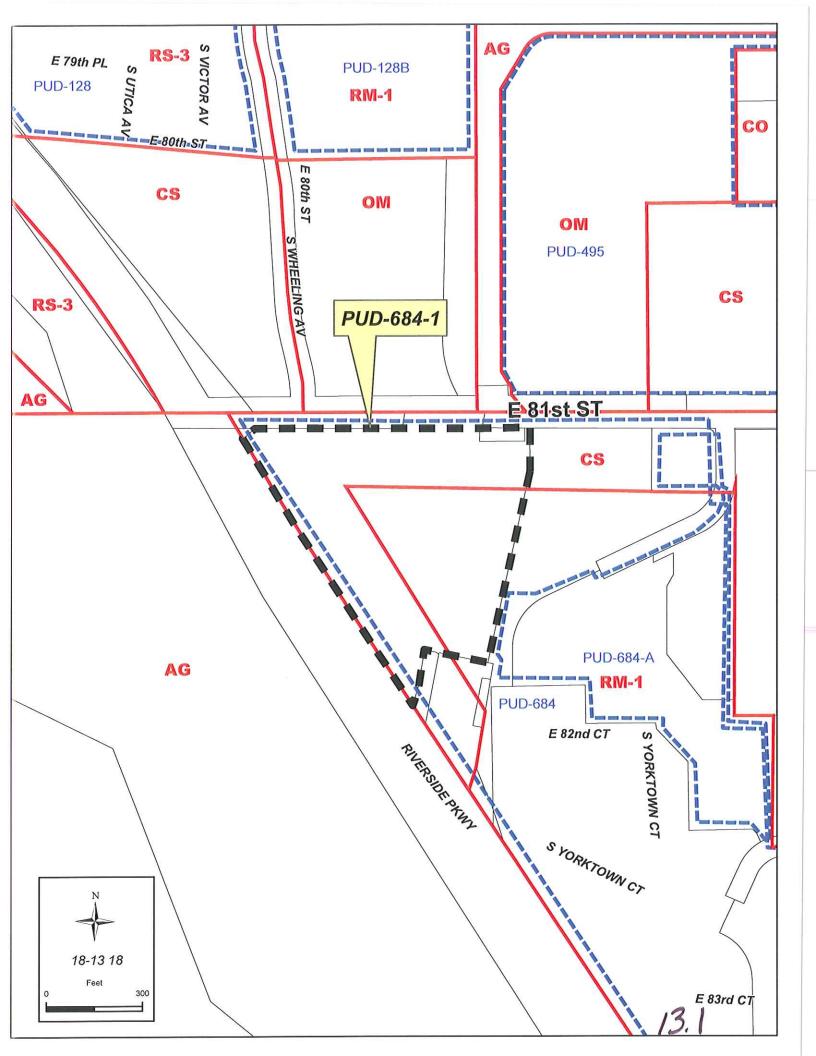
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PUD-684-1:

Minor Amendment – Southeast corner of E. 81st Street South and Riverside Drive; Part of Lot 1, Block 1 – Riverbend Addition; TRS 8318; CZM 52; Atlas 1424; PD 18 CD 2; CS/RM-1/PUD.

The applicant is requesting a minor amendment for the purpose of constructing a temporary parking lot. The property is owned by the Muscogee/Creek Nation and would be used for temporary parking while the Creek Nation Casino on Riverside Drive undergoes major renovations. The requested use, Use Unit 10 – Off-street Parking is a permitted use within PUD-684.

Specifically, the request is allow the temporary parking lot for a period of two years; allow a reduction in the required landscaped open space requirement from 10% to 7.6%; to reduce the required setback for parking lots from an abutting R District from 50' to 0'; and to allow a 120' portion of the 5' required landscape strip along the eastern boundary to be 0'.

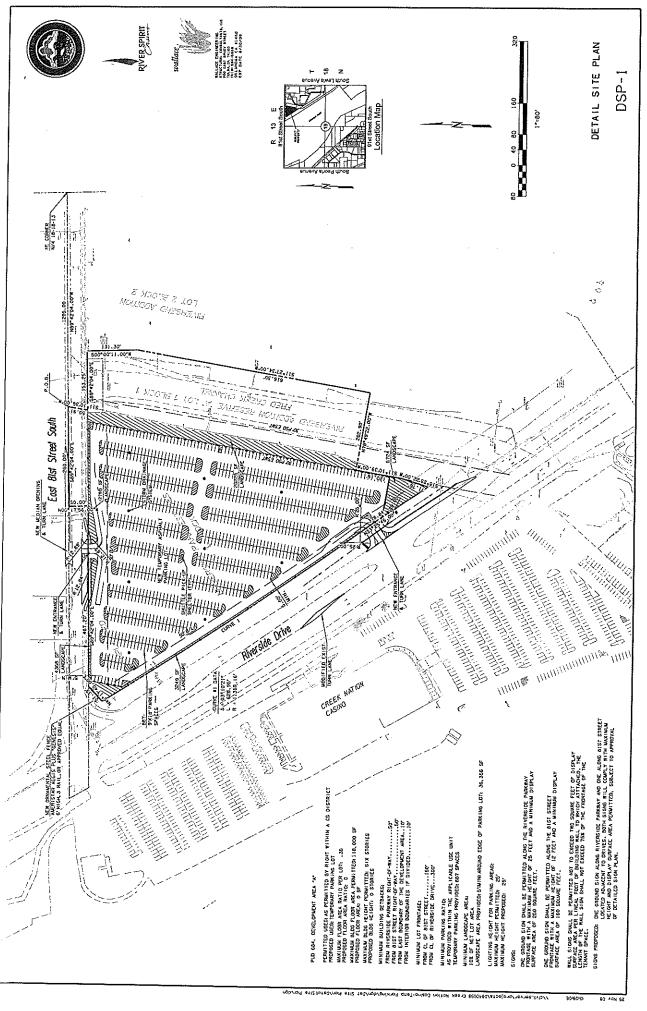
Staff can support the request since the proposal is temporary in nature. The 2.4% reduction of the landscaped open space requirement is viewed by staff as minor in nature. The 10 acre site will have a perimeter landscaped strip while permitting a 120' section of the 938-foot long eastern boundary along the Fred Creek Drainage Channel to have no landscaping strip. All tree requirements will be met. A six-foot (6') high ornamental steel fence will be constructed along the north and west perimeter of the site as well. Pedestrian walkways across 81st Street and Riverside Drive will be required.

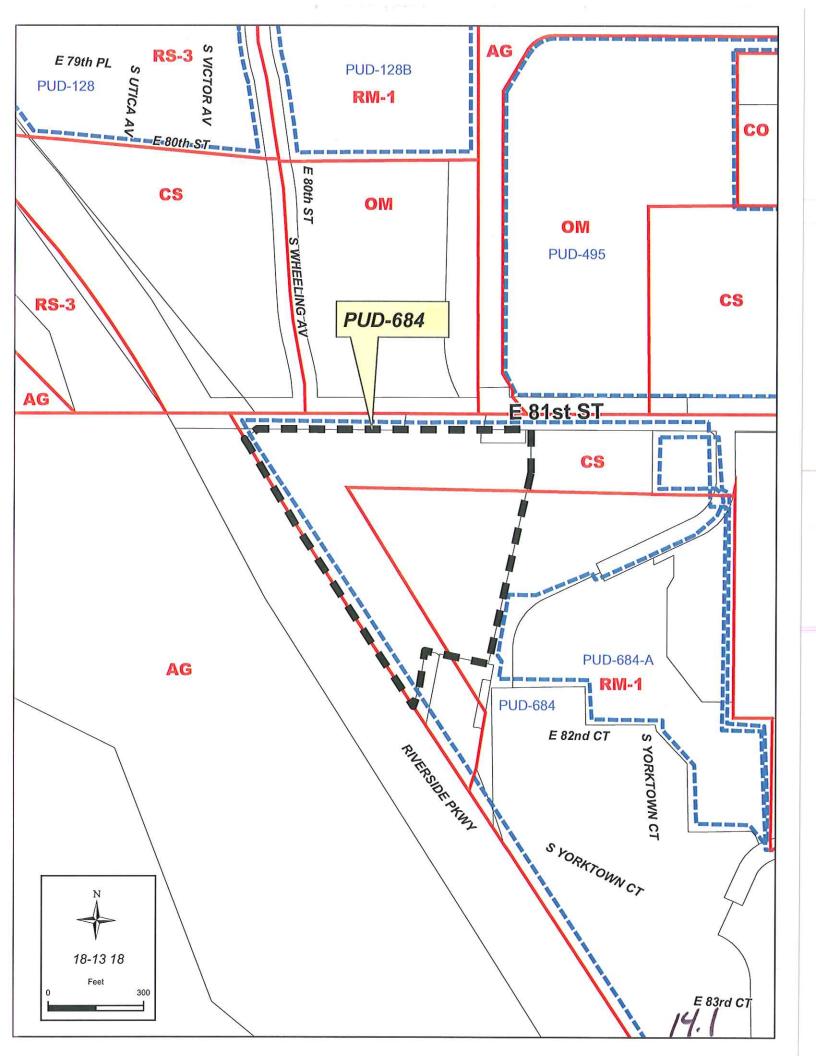
The reduction of the 50' setback requirement from an abutting R District is also viewed as minor in nature; not changing the character or intent of the PUD chapter of the Code. While the parking lot may not technically setback 50-feet from the RM-1 district to the east, it will be setback from the R District a distance of 203 feet which is the width of the Fred Creek Drainage Channel/Reserve A of Riverbend Addition/PUD-684. The nearest residential structure will be approximately 500-feet away.

Since the request is temporary in nature staff recommends **APPROVAL** of minor amendment PUD-684-1 with the following condition:

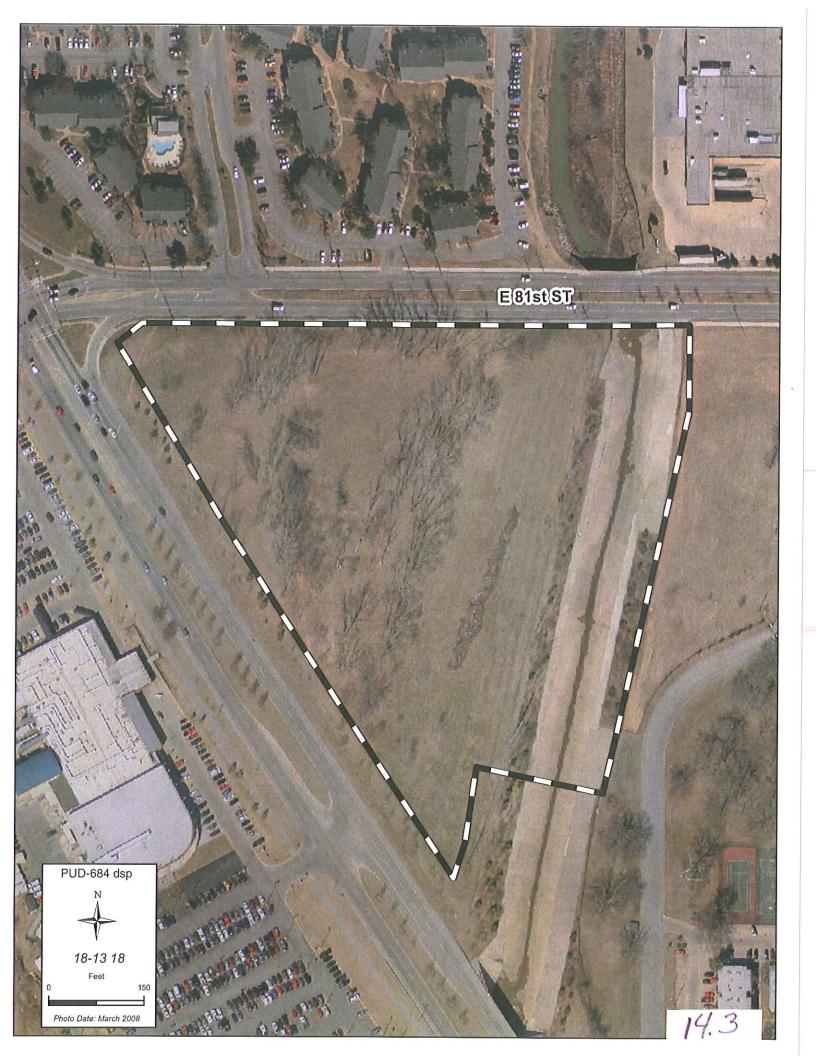
- Should use of the temporary parking lot become necessary beyond two (2) years from the date of this approval, the applicant will appear again before the TMAPC for approval of a minor amendment extending the use (requiring re-notification of the surrounding property owners of the proposal).
- Should the parking lot become necessary on a permanent basis sidewalks would be required along 81st Street and Riverside Drive and all screening and landscape requirements of chapter 10 would be met.

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









PUD-684: Detail Site Plan – Southeast corner of E. 81st Street South and Riverside Drive; Part of Lot 1, Block 1 – Riverbend Addition; TRS 8318; CZM 52; Atlas 1424; PD 18 CD 2; CS/RM-1/PUD.

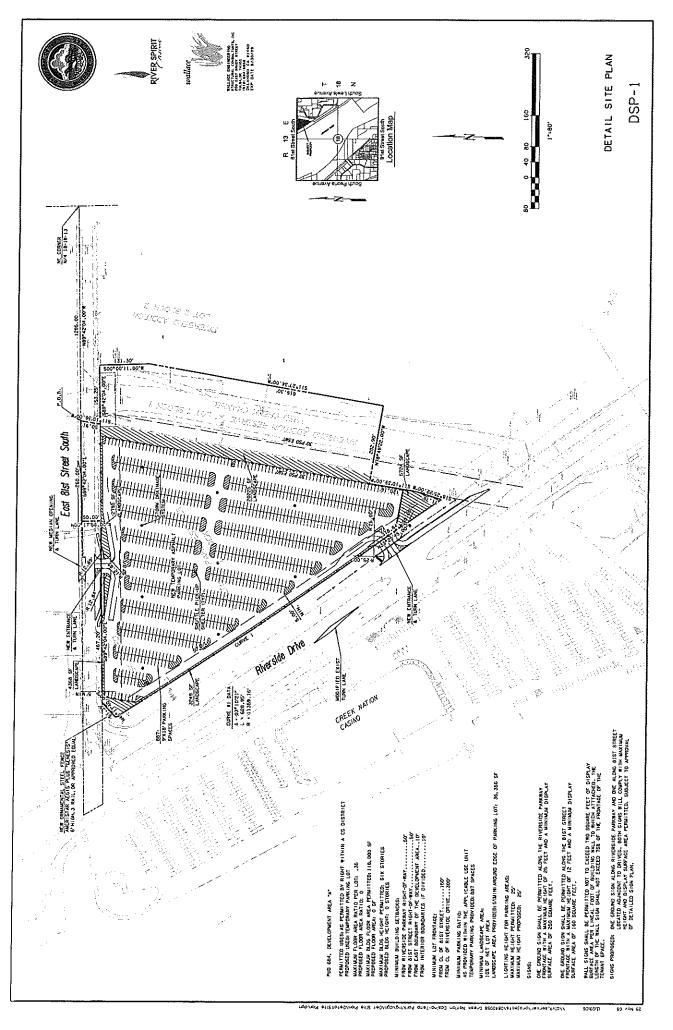
The applicant is requesting approval of a detail site plan for the purpose of constructing a temporary parking lot. The requested use, Use Unit 10 – Off-street Parking is a permitted use within PUD-684. The property is owned by the Muscogee/Creek Nation and would be used for temporary parking while the Creek Nation Casino on Riverside Drive undergoes major renovations. The request being made is for a period of two (2) years. Related to this detail site plan is minor amendment application PUD-684-1 also on the December 17, 2008 agenda of the TMAPC.

The submitted site plan meets all requirements of minor amendment PUD-684-1 as well as, other off-street parking area requirements of Chapter 13 of the Zoning Code. A six-foot (6') ornamental steel fence will be placed on the north and west perimeter of the site. Landscaping will be provided along the perimeter of the site per the Zoning Code. Tree requirements of Chapter 10 will be met and verified by detail landscape plan review. Site lighting will be provided and will not exceed a total height of 25' per PUD development standards. All site lighting will be directed down and away from the perimeter of the site, verification of which shall be through application of the Kennebunkport Formula or other accepted practice showing compliance with Section 1303-C of the Zoning Code where applicable.

Since the request is temporary in nature (for a period of two years) staff can recommend **APPROVAL** of the detail site plan for Part of Lot 1, Block 1 – Riverbend Addition as described herein. Approval of this detail site plan is contingent upon approval of minor amendment PUD-684-1, as well as the following conditions:

- Pedestrian cross-walks should be provided across 81st Street South and Riverside Drive that are clearly identifiable by oncoming traffic by using signs, contrasting paving material and/or by using high contrast striping. The use of the existing medians as pedestrian islands is greatly encouraged.
- The detail site plan and proposed access points receive approval from the City of Tulsa Traffic Engineer prior to release of the TMAPC approved site plan.
- Should the parking lot become needed on a permanent basis sidewalks would be required along 81st Street and Riverside Drive and all screening and landscape requirements of Chapter 10 would be met.

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





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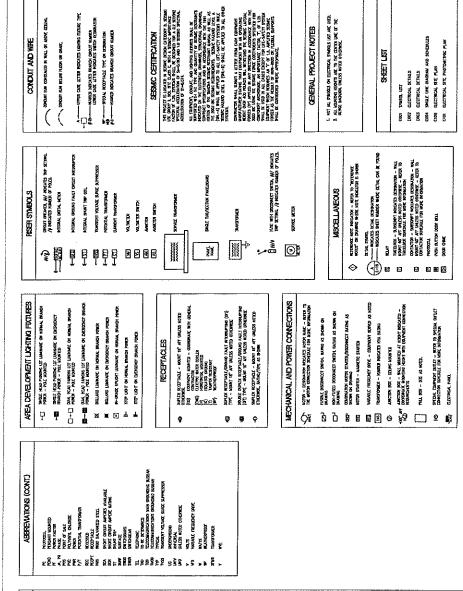
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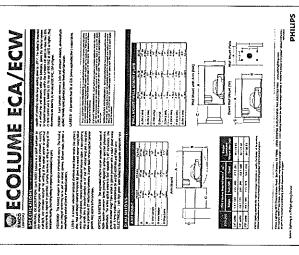
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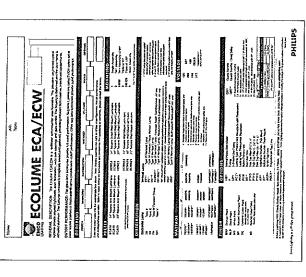
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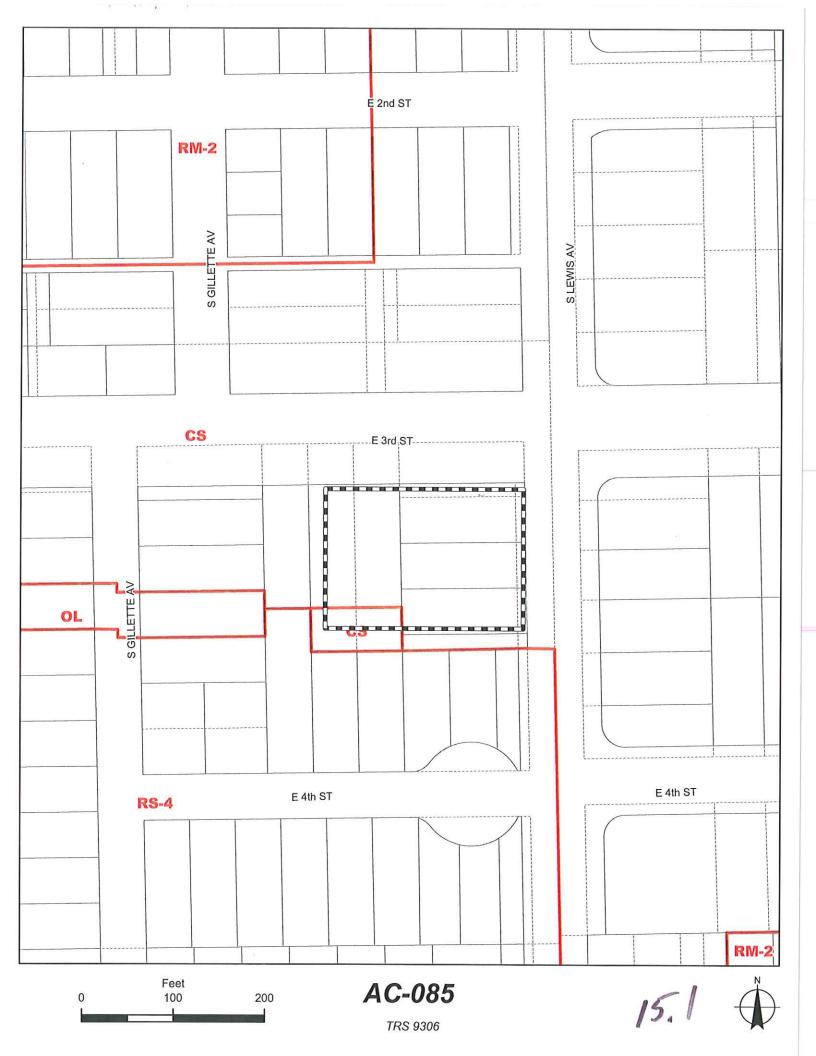
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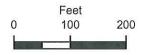
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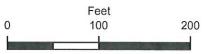


AC-085

TRS 9306







AC-085TRS 9306



STAFF RECOMMENDATION

AC-085:

Alternative Compliance Landscape Plan– Southwest corner of East 3rd Street and Lewis Avenue; 2324 E. 3rd Street; TRS 9306; CZM 54; Atlas 10; PD 4 CD 4; CS.

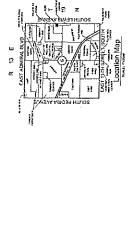
The applicant is requesting TMAPC approval of an alternative compliance landscape plan for a Med-X Drug Store to be located on the southwest corner of 3rd Street and Lewis Avenue. Specifically, the request is to allow three existing trees located along the Lewis Avenue property line within a City of Tulsa right-of-way (ROW) to remain and counted toward tree requirements and to allow five trees along Lewis Avenue instead of six trees.

Rather than remove the three trees that were planted by the Tulsa Development Authority ("the TDA trees") during the Lewis Avenue improvement project along the project boundary, the applicant is proposing to heavily landscape the Lewis frontage with bushes and shrubs and plant two more trees at the southeast corner of the site. This would bring the total number of trees along the Lewis right-of-way boundary to five including the TDA trees. The excessive landscaping is being offered in place of bunching the required trees for the lot together with the TDA trees, providing the TDA trees with sufficient room for healthy growth.

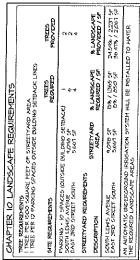
Section 1003-D of the Zoning Code states that alternative compliance landscape plans may be approved once the TMAPC determines that, although not meeting the technical requirements of the landscape chapter of the Zoning Code, the plan is equivalent to or better than the requirements of Chapter 10.

Fifteen percent of the street yard is required to be landscaped according to Chapter 10 of the Zoning Code. The applicant is offering to landscape 24.5% of the Lewis Avenue frontage (see Exhibit A). Staff finds that the excessive shrubs and bushes being offered along the Lewis Avenue frontage combined with the five trees proposed including the TDA trees can be viewed as "equivalent or better than the requirements of Chapter 10".

Therefore, staff recommends **APPROVAL** of the alternative compliance plan AC-085, allowing three trees located in the right-of-way to be counted toward meeting onsite tree requirements and allowing five trees in the street yard instead of six, in exchange for excessive shrub and bush plantings per the attached Exhibit A. Staff recommends as a continuing condition of the Certificate of Occupancy the property owner would be responsible maintaining and when applicable, replacing the three (3) trees located in the right-of-way along Lewis Avenue within the property limits.

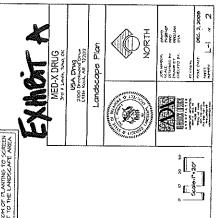


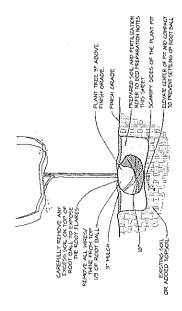
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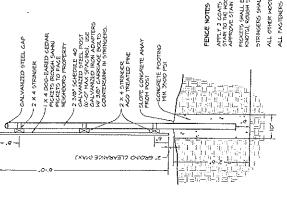
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MACALI - CCTOBER 31, AFRLY 10-20-10 FERTILIZER AT A RATE OF FIVE (S) POINDS PER 1,000 SOUNRE FEET OF LANN AREA FERTILIZER SHALL BE AFPLED PRIOR TO SODDING LANN AREA

IRRIGATION NOTES

PPR CODE, THE LANDSCAPE AREAS MILL BE MATERED BY AN MODERCROUND IRSIDATION SYSTEM THAT IS OPERATED BY A CONTROLLER. REPER TO REPORTED BRANINGS FOR DESIGN AND SPECIFICATIONS.

MED-X DRUG

Landscape Notes and Details USA Drug 2100 Brookwood Drew Little Rock, AR, 122007



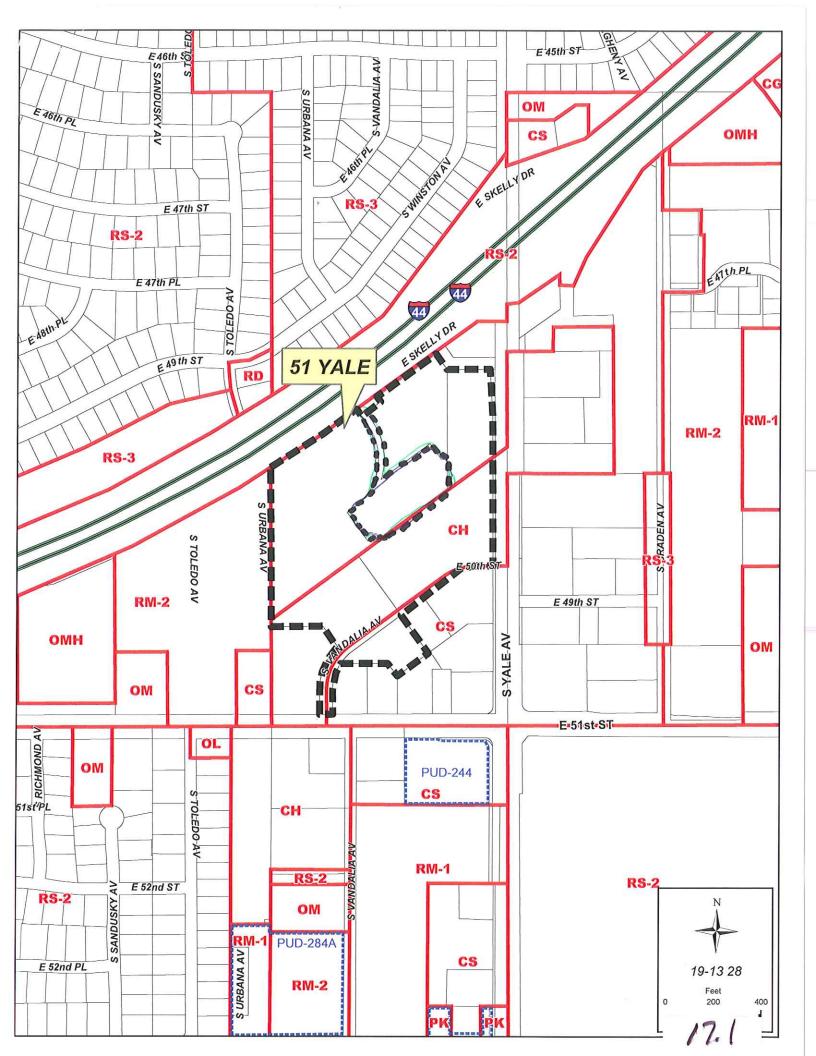




DEC. 2, 2001 7.7

2324 E. 3rd Street
Trees along Lewis Avenue planted by the Tulsa Development Authority







PRELIMINARY SUBDIVISION PLAT

<u>51 Yale - (9328) (PD 18 B) (CD 7)</u> 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.
- 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. 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:

None requested.

Special Conditions:

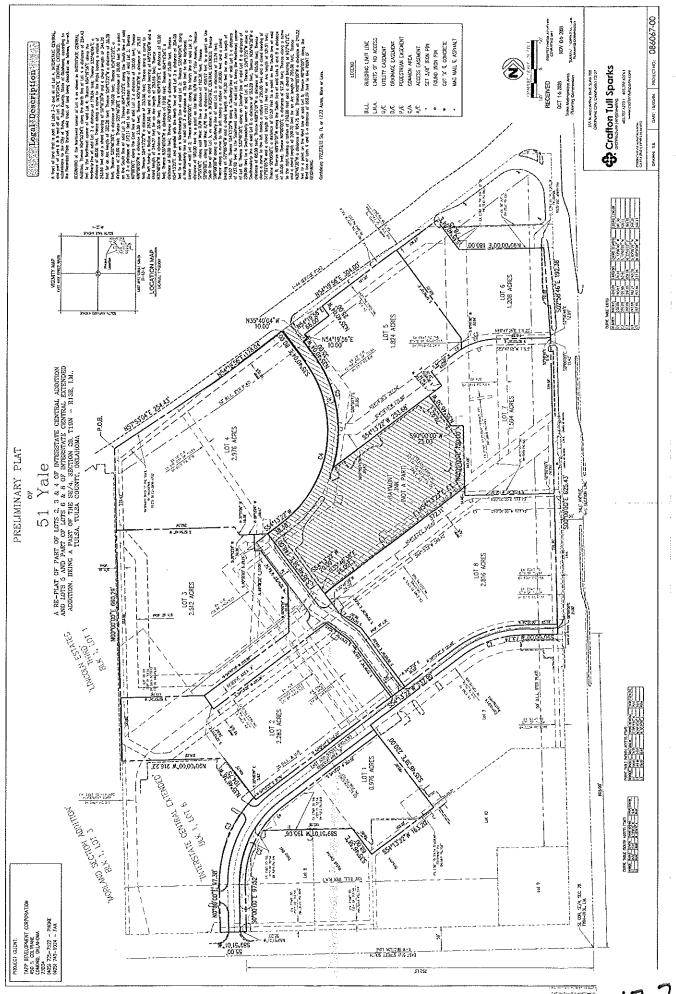
1. The concerns of the public works department staff must be taken care of to their satisfaction.

Standard Conditions:

- 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.



MINOR SUBDIVISION PLAT

Fleming Addition II - (3204) (PD 16) (CD 6)
North of East Pine Street and East of North 129th Avenue

This plat consists of 1 Lot, 1 Block, on 2.49 acres.

The following issues were discussed December 4, 2008 at the Technical Advisory Committee (TAC) meeting:

- 1. Zoning: The property is pending IL zoning.
- 2. Streets: Standard sidewalk language required. Sidewalks Sidewalks are required along streets designated by and in accordance with subdivision regulations. Required sidewalks shall be constructed in conformance with City of Tulsa engineering design standards. The owner/developer shall construct required sidewalks within reserve lots having access onto minor streets. Where sidewalks are not constructed by the owner/developer, the builder of each lot shall construct the required sidewalk.
- 3. Sewer: Add a 17.5 foot perimeter utility easement (U/E) along the west and south boundary line, adjacent to the unplatted property. Add an 11 foot perimeter U/E along the east boundary line of the proposed plat. Show the existing perimeter easement along the west boundary of Fleming Addition. In Section IC-2, omit the words "in excess of 3 feet". In Section I C-3, add sanitary sewers to the first sentence along with the water and storm sewers. The conceptual plan did not show the required sanitary sewer mainline extension to serve the platted area. This requirement was included in the TAC notes from the November 6, 2008 meeting. We can not approve a plat for a development that does not have access to a sanitary sewer main for service. The "temporary" off-site easement is not acceptable for construction of a mainline extension.
- 4. Water: No comment.
- 5. Storm Drainage: Above the Subdivision title should be the words "Minor Subdivision Plat". Please remove the contours from the face of the plat. Section I.C.1 & 2 are incorrect. Here is the correct language: 2. Within the utility easement, restrictive waterline and drainage easement areas depicted on the accompanying plat, the alteration of grade from the contours existing upon the completion of installation of a public water main, sanitary sewer main, or storm sewer or any construction activity that would interfere with public water mains, sanitary sewer mains, and storm sewers shall be prohibited. 3. The City of Tulsa, Oklahoma, or its successors, shall be

responsible for the ordinary maintenance of public water mains, sanitary sewer mains, and storm sewers but the owner shall pay for damage or relocation of such facilities caused or necessitated by acts of the owner, his agents or contractors. No drainage systems, or their easements were shown on this plan, and, therefore, they cannot be reviewed.

- 6. Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others: No comment.
- 7. Other: Fire: Where a portion of the facility or building hereafter constructed or moved into or within the jurisdiction is more than 400 feet from a hydrant on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains shall be provided where required by the fire code official. Exceptions: 1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet.

 2. For buildings equipped throughout with an approved automatic sprinkler system the distance requirement shall be 600 feet.

 GIS: Label the point of commencement (POC) and the point of beginning (POB). Remove the contour lines for the final plat. Update the CA expiration date. Add the WWTC-2 Addition name and boundary to the location map. 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 Minor Subdivision plat subject to the TAC comments and the special and standard conditions below.

Waivers of Subdivision Regulations:

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.
- 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.

COUNTY OF THE STATE AND ADDRESS OF THE STATE CORPOLATE PLATE CONTROLL CONTROLL SAFETY CONTROLL Managan an in hand danted my mento and in seal feet of a mild at term of percentile of MINING SAMES. ACC = ACCESS PONETED
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Tanner Consulting, L.L.C.
Due Consulting, L.L.C.
3223 South Levis Avenue
Plane, Oderware 74105
Phoner (1918) 745-9929
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Mosher Enterprises, inc.

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Pleming 2nd Addition Sett 1 of 2

S15.38" MPLATTED

AUTHORIZATION FOR ACCELERATED RELEASE OF A BUILDING PERMIT

Fleming Addition II – (3204) (PD 16) (CD 6) North of East Pine Street and East of North 129th East Avenue

The property is pending IL zoning. Full permits are requested. A minor subdivision plat is pending for the property on the same TMAPC agenda.

Review of this application must focus on the extraordinary or exceptional circumstances that serve as a basis for the request and must comply in all respects with the requirements of the approved preliminary plats per Section 2.5 of the Subdivision Regulations.

The applicant offers the following explanation of the extraordinary and exceptional circumstances that serve as the basis for this request: See attached explanation.

The following information was provided by the Technical Advisory Committee in its meeting July 5, 2007.

ZONING:

 TMAPC Staff: A full permit is requested. The accelerated release of the permit needs to be tied to approval of the Minor Subdivision plat.

STREETS:

- Public Works, Transportation: No comment.
- Public Works, Traffic: No comment.

SEWER:

 Public Works, Waste Water: The property does not have access to sanitary sewer service. If this request is approved, the building permit will not allow either water, or sanitary sewer connections, until the required sanitary sewer mainline extension has been constructed and accepted by the City of Tulsa.

WATER:

· Public Works, Water: No comment.

STORM DRAIN:

• Public Works, Storm Water: No comment.

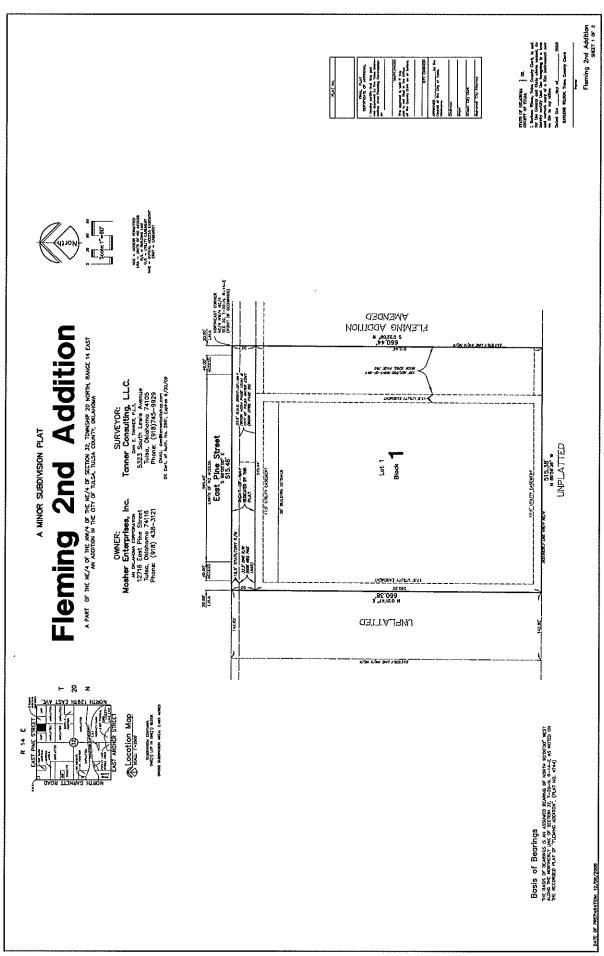
FIRE:

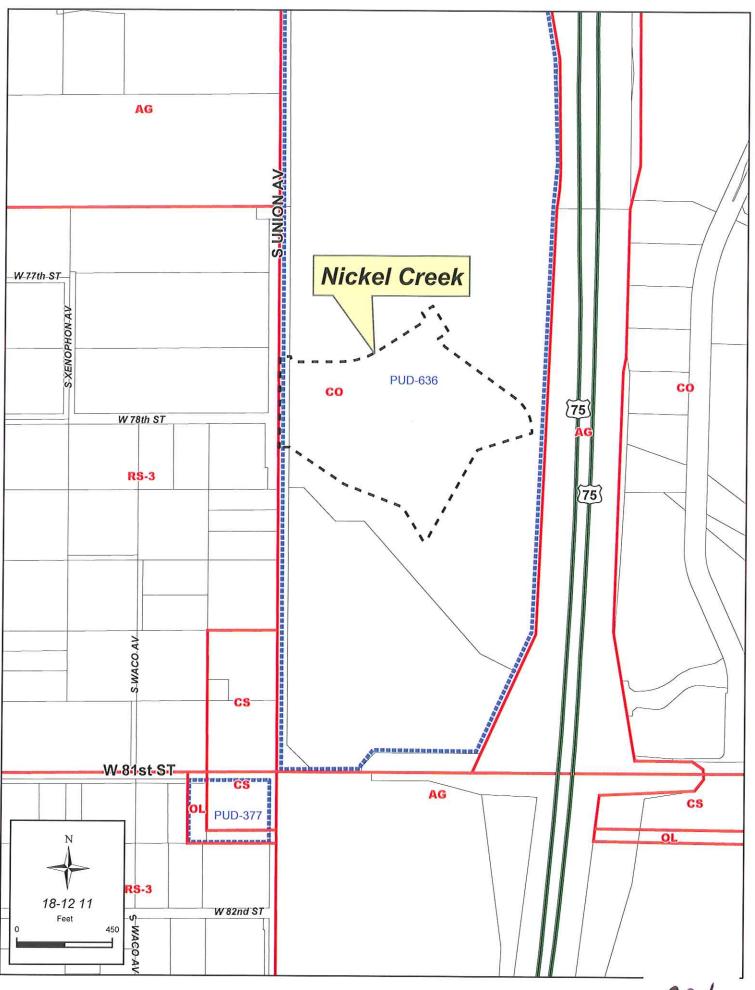
Public Works, Fire: No objection with the understanding that working fire
hydrants and all weather roads will be in place prior to construction with
combustible materials or them being delivered to the site.

UTILITIES:

• Franchise Utilities: No comment.

The accelerated building permits were originally designed to accommodate large campus style type of developments and should concentrate upon "the benefits and protections to the City that may be forfeited by releasing the building permit prior to the filing of the plat". These requested permits adhere to this ideal. Staff recommends approval of the authorization to release the accelerated permits with the conditions as commented by the Technical Advisory Committee.







AUTHORIZATION FOR ACCELERATED RELEASE OF A BUILDING PERMIT

Nickel Creek - (8211) (PD 8) (CD 2)

Northwest corner of West 81st Street and U.S. Highway 75

The property is zoned PUD 636-3. Full permits are requested. A preliminary plat has been approved for the site on September 17, 2008.

Review of this application must focus on the extraordinary or exceptional circumstances that serve as a basis for the request and must comply in all respects with the requirements of the approved preliminary plats per Section 2.5 of the Subdivision Regulations.

The applicant offers the following explanation of the extraordinary and exceptional circumstances that serve as the basis for this request: See attached explanation.

The following information was provided by the Technical Advisory Committee in its meeting December 4, 2008.

ZONING:

TMAPC Staff: Full permits are requested. Foundation permits are acceptable
to the applicant per the request of the Development Services staff.

STREETS:

- Public Works, Transportation: No comments.
- Public Works, Traffic: No comments.

SEWER:

 Public Works, Waste Water: The property does not have access to sanitary sewer service. If this request is approved, the building permit will not allow either water or sanitary sewer connections until the required sanitary sewer mainline extension has been constructed and accepted by the City of Tulsa.

WATER:

Public Works, Water: A water main line extension will be required.

STORM DRAIN:

 Public Works, Storm Water: No objection with the understanding that working fire hydrants and all weather roads will be in place prior to construction with combustible materials or them being delivered to the site.

FIRE:

Public Works, Fire: No comments.

UTILITIES:

Franchise Utilities: No comments.

The accelerated building permits were originally designed to accommodate large campus style type of developments and should concentrate upon "the benefits and protections to the City that may be forfeited by releasing the building permit prior to the filing of the plat". These requested permits adhere to this ideal. Staff recommends approval of the authorization to release the accelerated permits for foundation permits only as there are still infrastructure issues that have not yet been adequately addressed to recommend release of full building permits. Water and sanitary designs have been submitted for review but streets and stormwater have not been submitted.

TULSA METROPOLITAN AREA PLANNING COMMISSION [] PLAT WAIVER [x]* ACCELERATED RELEASE OF BUILDING PERMIT*

INCOG - 201 West 5th Street, Suite 600 - Tulsa, Oklahoma 74103 -			www.incog.org
APPLICATION INFORMATION			e 1.91 aga i e e 1.550.
APPLICATION DATE: 11-13-2008 SCHEDULED TAC REVI		-	12-17-2008
ZONING HEARING DATE IF PENDING: PROPOSED			·
*A PRELIMINARY PLAT MUST BE IN PROCESS BEFORE A REQI			
		8 *ANTICIPATED APPROVAL D	
SUBJECT PROPERTY INFORMATION			
ADDRESS OR DESCRIPTIVE LOCATION: 7847 S. Union Ave. W.	lange and		
LEGAL DESCRIPTION: See Attached Exhibit "A"	· · · · · · · · · · · · · · · · · · ·		
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REASON FOR PLAT WAIVER APPLICATION:			
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*EXTRAORDINARY OR EXCEPTIONAL CIRCUMSTANCES THAT J	USTIFY ACCELERATED R	ELEASE OF A BUILDING PERMIT:	,
Construction will take approximately 12 months. Winter is coming a			•
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*BENEFITS AND PROTECTIONS TO THE CITY IF THE BUILDING I	DEDMIT IS DELEASED OF	IOD TO CUINO THE CANAL DUAT.	Silva Casa in an
of the country's largest apartment builders. The project is financed. \			completion of the
project is assured. No certificates of occupancy will be requested prior	r to the completion, thus no	risk to the city of Tulsa.	
APPLICANT INFORMATION	PROPERTY OV	VNER INFORMATION	e e e e e e e e e e e e e e e e e e e
NAME_ Case & Associates Properties, Inc.	NAME	Case & Associates Properties, Ir	ıc.
ADDRESS 4200 E. Skelly	ADDRESS	4200 E. Skelly	-
CITY, ST, ZIP Tulsa, OK 74135	CITY, ST, ZIP	Tulsa, OK 74135	
DAYTIME PHONE 918-492-1983	DAYTIME PHONE	918-492-1983	
EMAIL	EMAIL		
FAX	FAX		
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMA	ATION ON THIS APPLICAT	ION IS TRUE AND CORRECT.	
SIGNATURE & DATE: Mile Com //	-13-08		
DOES OWNER CONSENT TO THIS APPLICATION [x]Y []N. WHA	T IS APPLICANT'S RELATI	ONSHIP TO OWNER? Same	
APPLICATION FEES			
APPLICATION FEE: \$500,00	RECEIPT NUMBER:_	218 504	
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DISPOSITION			the angles of the con-
FMAPC ACTION: [] APPROVED [] DENIED DATE:	CONDITIONS: _		

EXHIBIT "A"

LEGAL DESCRIPTION

A TRACT OF LAND LYING IN THE SW/4 OF SECTION 11, T-18-N, R-12-E OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF SAID SW/4, THENCE NORTH 01°13'05" WEST ALONG THE WEST SECTION LINE OF SAID SW/4 A DISTANCE OF 1517.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 01"13"05" WEST ALONG SAID WEST LINE A DISTANCE OF 400.50 FEET TO A POINT; THENCE NORTH 88'46' 55" EAST, A DISTANCE OF 282.48 FEET TO A POINT; THENCE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 32' 10'44", AN ARC DISTANCE OF 190.95 FEET, A RADIUS OF 340.00 FEET, AND A CHORD OF NORTH 72'41'33" EAST, A DISTANCE OF 188.45 FEET TO TO A POINT; THENCE NORTH 56'36'11" EAST, A DISTANCE OF 269.09 FEET TO A POINT; THENCE SOUTH 33'23'49" EAST, A DISTANCE OF 102.78 FEET TO A POINT; THENCE AROUND A CURVE IN A COUNTERCLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 22' 34'30", AN ARC DISTANCE OF 61.07 FEET, A RADIUS OF 155.00 FEET, AND A CHORD OF SOUTH 44'41'04" EAST, A DISTANCE OF 60.68 FEET TO TO A POINT; THENCE SOUTH 55'58'19" EAST, A DISTANCE OF 404.45 FEET TO A POINT; THENCE AROUND A CURVE IN A CLOCKWISE DIRECTION HAVING A DELTA ANGLE OF 56°54'46", AN ARC DISTANCE OF 183.76 FEET, A RADIUS OF 185.00 FEET, AND A CHORD OF SOUTH 27°30'56" EAST, A DISTANCE OF 176.30 FEET TO TO A POINT; THENCE SOUTH 0'56'27" WEST, A DISTANCE OF 3.77 FEET TO A POINT; THENCE SOUTH 71°46'30" WEST, A DISTANCE OF 269.28 FEET TO A POINT; THENCE SOUTH 28'11'20" WEST, A DISTANCE OF 480.21 FEET TO A POINT; THENCE SOUTH 56'59'32" WEST, A DISTANCE OF 20.07 FEET TO A POINT; THENCE NORTH 33°00'28" WEST, A DISTANCE OF 189.14 FEET TO A POINT; THENCE NORTH 70°27'50" WEST, A DISTANCE OF 296.61 FEET TO A POINT; THENCE NORTH 57'35'52" WEST, A DISTANCE OF 310.67 FEET TO A POINT; THENCE SOUTH 88'46'55" WEST, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING.

CONTAINING 659339 SQUARE FEET OR 15.14 ACRES.

NICKEL CREEK

Nickel Creek is an apartment project at 78th and Union Ave. Due West of the New Tulsa Hills Shopping Center.

We are requesting release of full building permits for all of the buildings in Nickel Creek. Earth change has been obtained and work is commencing. Early release of building permit will allow foundation and slabs to start. As with Mr. Case's other multifamily projects water lines, sanitary sewer lines and parking will be installed before framing begins.

Nickel Creek is being built by an entity owned and managed by Mike Case or one of his companies. It is anticipated that the project remain in Mr. Case's real estate portfolio.

Mike Case was born and raised in Tulsa. He is a lifelong resident and through his vision, leadership and business skills has become one of the Country's largest multifamily apartment owners and managers. Today Case and Associates owns and manages 25,000 apartment units throughout the Southwestern United States. Case and Associates is the largest apartment owner/manager in Oklahoma and one of the largest in the entire country.

Mr. Case is thankful for his good fortune and has shown his gratitude by being a supporter of the city of Tulsa, the BOK Center and a major contributor to the University of Tulsa.

Enclosed is a corporate brochure.

Plat No.

PRELIMINARY PLAT CREEK

A PART OF THE SW/4 OF SECTION 11, TOWNSHIP 18 NORTH, RANGE 12 EAST, TULSA COUNTY, OKLAHOMA A PART OF P.U.D. 636-3

DEVELOPER

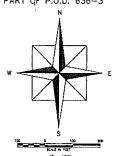
CASE VENTURES, INC

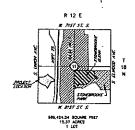
4200 E SMELLY DRIVE TULSA, OKLAHOMA 74135 PHONE: (918) 492-1983

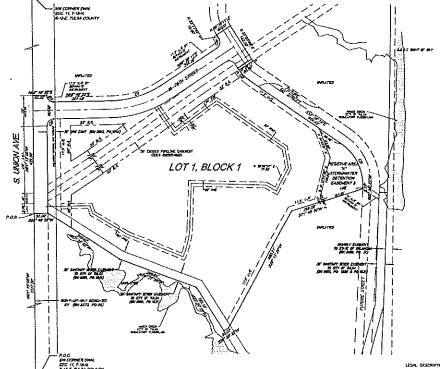
ENGINEER/SURVEYOR

TUTTLE & ASSOCIATES, INC.

9714 E. 35TH PL. TURSA, DKLAHOWA 74148 PHONE: (918) 663-5587 EMAR: tuttle-essociales@sbcg/obol.net CERTIFICATE OF AUTHORITY CA 465 EXPIRATION 6-30-09







APPROYED	City	ky t ef 7elbe	As City
Eager			

STATE OF ORTANOMA | SS

Aled the _____ day of _____ 20 2018 Habitimis, Tubes County Clork

CERTIFICATE

Tules County Treasures Deputy

LEGAL DESCRIPTION

e trock of land lying in the \$W/4 of section 11, T-18-N, R-12-E of the busine Scen and Warldon, Tules County, Chichoria, more particularly described as follows:

COMMENCES of the SM Corner of said SM/A,
THENCE More 0113/06 That sing the Mers Section Line of said SM/4 a distance of 1517.00
THENCE CONTRACT OF BECAMENCE,
THENCE CONTRACT OF THE SECTION OF MERS along bold Mers line a distance of 432.50 feet to a

POOT CO RECORDING.

THE 64 STATE CENT.

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Transport Comme

Basis of Bearings The non-estronomic bearings for said tract are based on a bearing of it 01°13°05° if sleng the West She of Section 11. T-11-N. R-12-E. Tutas County. Observance. L MA AND MAKEN MEMBER SEP 04 772 THE RESTAURT FOR SMEA

NICKEL CREEK

LEGENO FOUND RON PIN SET 3/8" RON PIN

HEREE WEEL

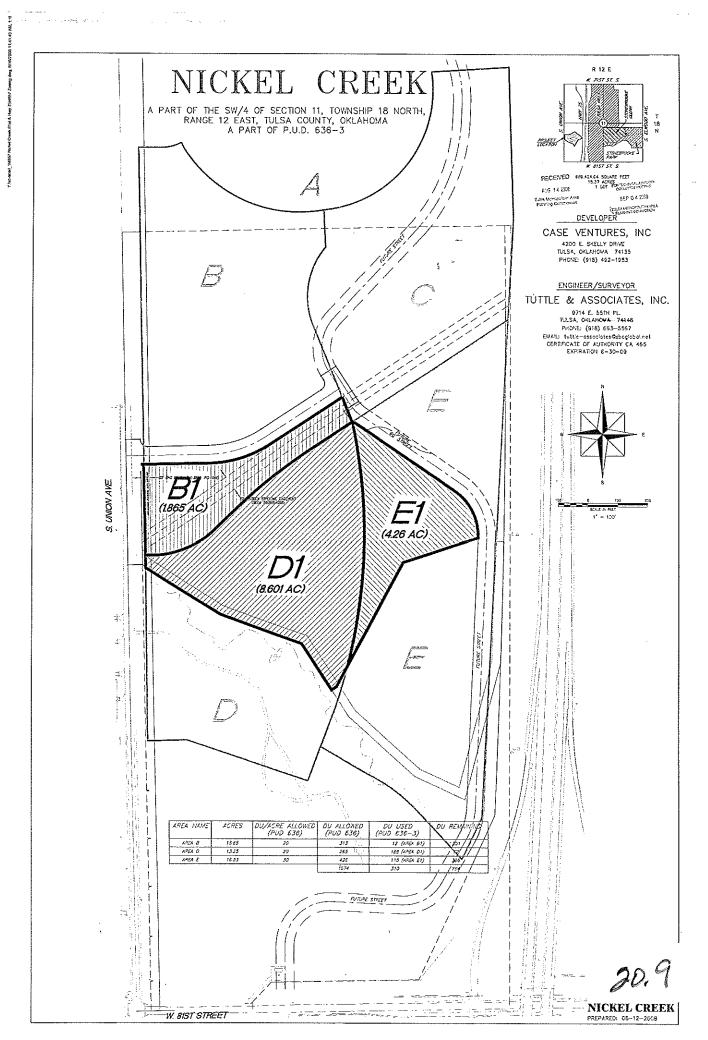
SIST STREET

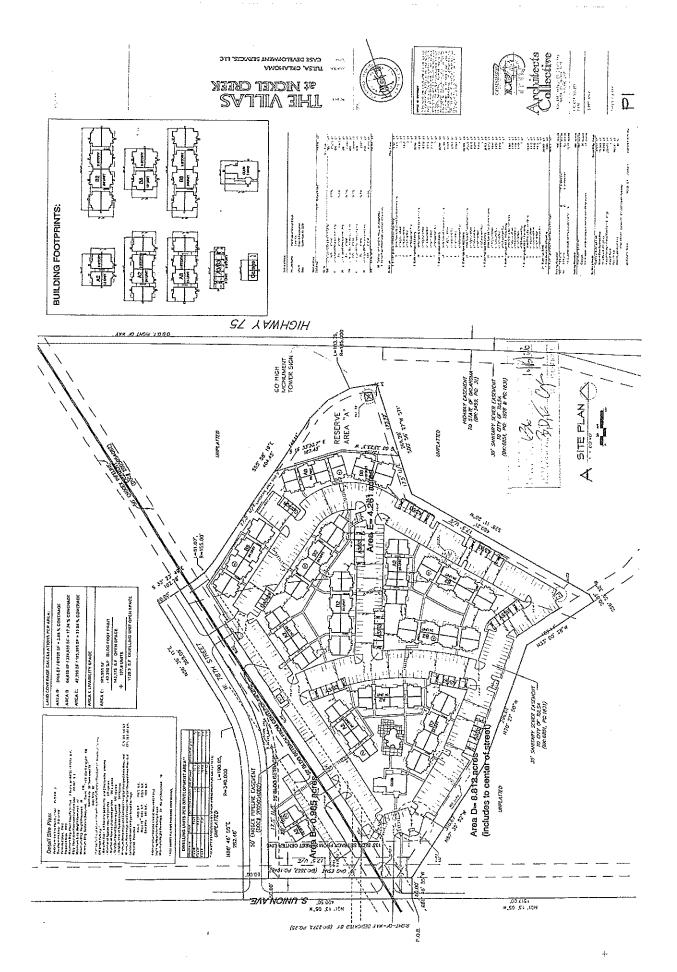
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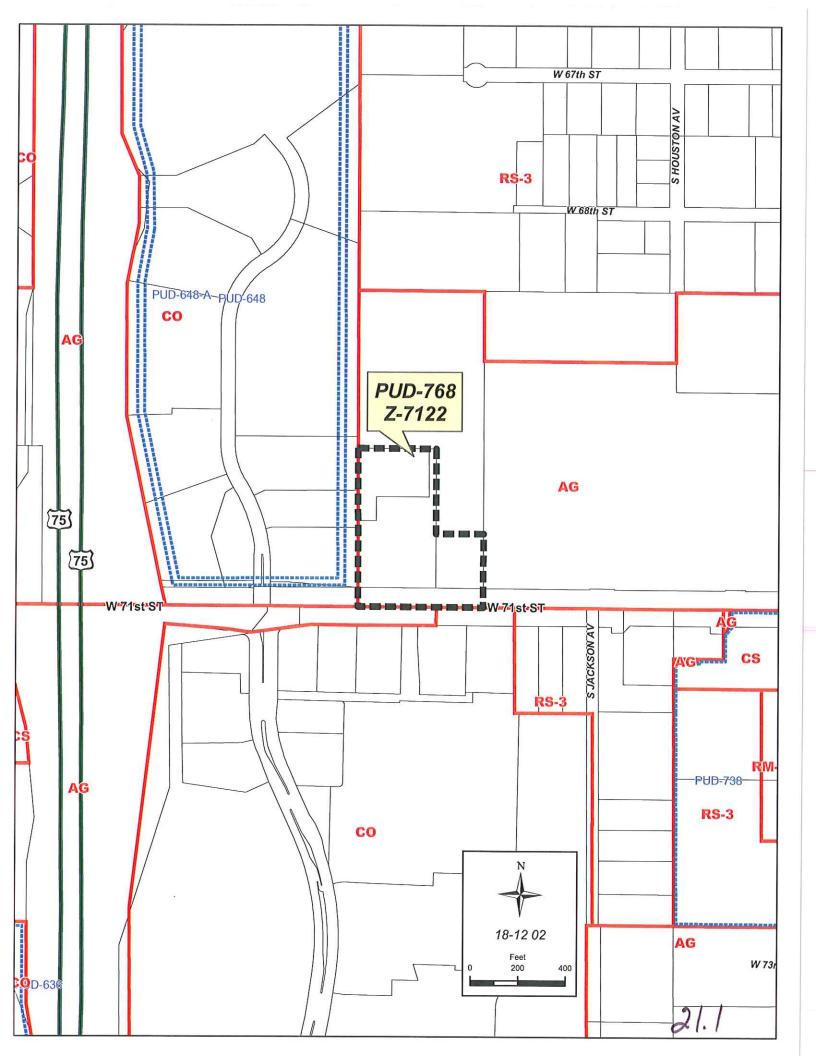
Monument Notes

All contains shewn harmons made but using a $5/8^\circ$ is 18° steel pin with a plantic cap stamped "RLS 1094° at all corners, Lot Addresses

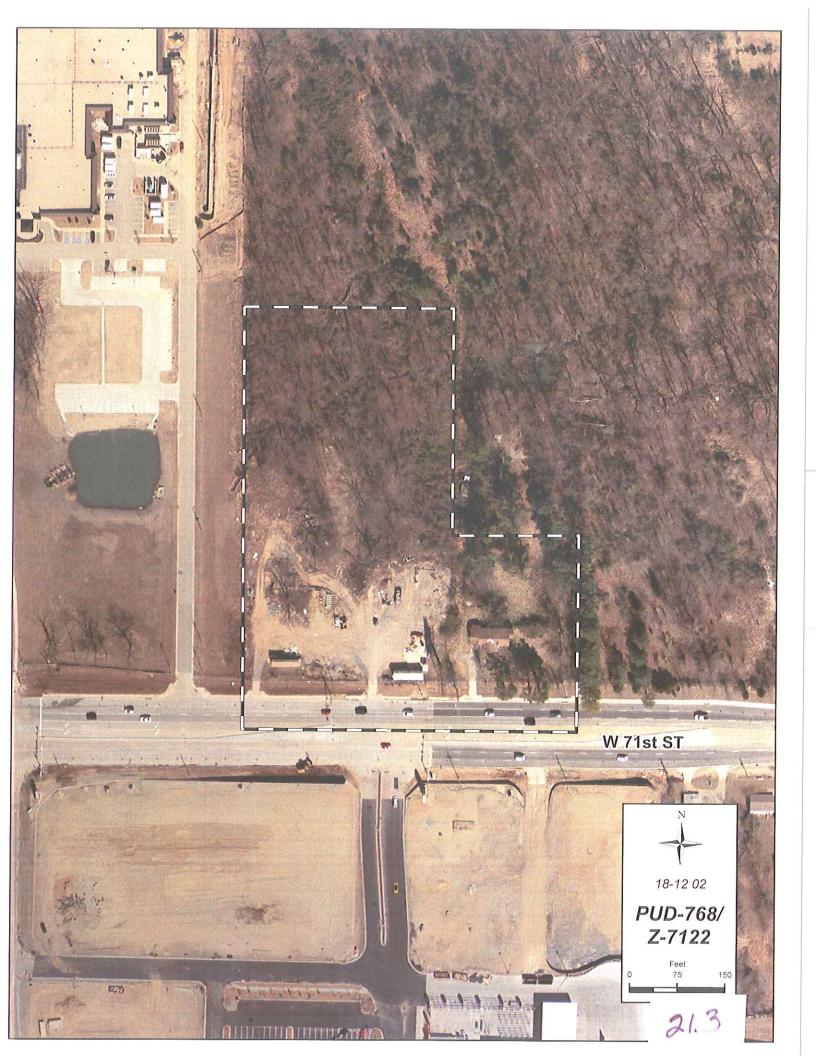
shown on this Plot provided by the City of Tuteo sportment are occurred at the time the plot soci oddresses are autient to change and should not be it place at the legal description.











TULSA METROPOLITAN AREA PLANNING COMMISSION CASE REPORT

APPLICATION: Z-7122/PUD-768

TRS 8202

Atlas

CZM 51

PD-8 CD-2

TMAPC Hearing Date: December 17, 2008

Applicant: Roy D. Johnsen

Tract Size: 6.39+ acres

ADDRESS/GENERAL LOCATION: East of the northeast corner of Highway 75 South and

West 71st Street South

EXISTING ZONING: AG

EXISTING USE: Agriculture

ZONING ORDINANCE: Ordinance number 11827 dated June 26, 1970, established zoning for

the subject property.

PROPOSED ZONING: OL/CS/PUD

PROPOSED USE: Hotel/retail/office

RELEVANT ZONING HISTORY:

Z-7120 December 2008: A request for rezoning a 5.4+ acre tract of land from AG to CS for CS Uses and Outdoor advertising sign on property located south of the southwest corner of West 71st Street South and Highway 75 South.

Z-7119 December 2008: A request for rezoning a 2.3+ acre tract of land from AG to CS for CS Uses and Outdoor advertising sign was withdrawn; on property located on 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 six 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.

<u>Z-7052/PUD-738 May 2007:</u> All concurred in approval of a request to rezone a 39.19± acre tract from AG to RS-3/RM-0/CS and a Planned Unit Development for a mixed use development on property located at the southwest corner of West 71st Street South and South Elwood Avenue.

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 71 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 from AG to CO, located on the northeast corner of West 81st Street South and U. S. Highway 75 South.

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

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.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 6.39+ acres in size and is located east of the northeast corner of Highway 75 South and West 71st Street South. The property appears to be vacant and is zoned AG.

STREETS:

MSHP Design Exist. Access MSHP R/W Exist. # Lanes Exist. Access
West 71st Street South Primary arterial 120' 6

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

SURROUNDING AREA: The subject tract is abutted on the east by vacant land, zoned AG; on the north by vacant land, zoned AG; on the south by 71st Street South and then the Tulsa Hills Regional Shopping Center, zoned CO; and on the west by the Olympia Medical Park, a mixed medical park/hotel and related use development, zoned CO/PUD-648/PUD-648-A. Tulsa Hills and other related low to high intensity uses are developing in this area.

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 (a) within the Turkey Mountain Special District; (b) within a Linear Development Area (for the southern portion); and (c) Residential (for the northern portion). According to the Zoning Matrix, the requested OL and CS zoning may be found in accord with the Plan by virtue of location within a Special District. Plan policies regarding the Linear Development Area recommend use of the PUD in order to address traffic circulation. signage and compatibility of development. Plan policies regarding the Special District also encourage use of the PUD to ensure compatibility with and sensitivity to the surrounding area. It should be noted that these provisions were developed prior to the extension of public utilities into the area.

<u>STAFF RECOMMENDATION FOR ZONING:</u>
This proposed rezoning is accompanied by a PUD application, as recommended by the District 8 Plan. Much development has begun in this area with the advent of water and sewer here. The proposal appears to be compatible with the types of development that is underway. Therefore, if the TMAPC deems the accompanying PUD or some variation of it appropriate, staff recommends APPROVAL of OL and CS zoning for Z-7122.

STAFF RECOMMENDATION FOR PUD:

PUD-768 is 6.39 gross acres (278,480 square feet) located east of the northeast corner of the intersection of U.S. Highway 75 and West 71st Street South in the City of Tulsa. The property is currently zoned AG. Concurrently rezone application Z-7122 has been filed to rezone the property to CS/OL/PUD. It is proposed that the south 330 feet of the tract be rezoned CS and that the balance be rezoned to OL. Approval of the PUD would be dependant on the approval of the aforementioned rezone application. The entire property would be platted as a 2 block, three lot subdivision.

The site is bordered on the west by the Olympia Medical Park – a corridor district (CO) and PUD which permits medical/hospital uses, hotel/motel, office, and restaurant uses; on the east and north by undeveloped land zoned AG, and on the south by W. 71st Street and then the Tulsa Hills Regional Shopping Center (see applicant's Exhibit B).

The frontage of the subject tract, extending north from the centerline of 71st Street an approximate distance of 330 feet is designated by the Comprehensive Plan as a Linear Development Area, within which medium intensity zoning including CS - Commercial Shopping may be permitted. The balance of the tract is designated by the Comprehensive Plan as low intensity, no specific land use, within which low intensity zoning including OL (Office Low Intensity), may be permitted. The requested CS and OL zoning may be permitted since the tract is also located of within a Comprehensive Plan Special District.

The subject tract would have direct access to West 71st Street from an interior collector street to a signalized intersection at W. 71st Street and an entrance to Tulsa Hills. The site is also served by a four way interchange of Highway 75 and West 71st Street.

The concept plan for PUD-768 is a mixed use commercial development, including retail, hotel, restaurant, and office uses (see applicant's Exhibit A-1). The proposed .4 floor to area ratio (FAR) for the overall development is within the limits of the OL district. If approved the underlying CS and OL zoning would permit 128,000+ sf of floor area, an average FAR of .46 (see applicant's Exhibit A). The applicant is proposing 82,355 square feet of floor area. Staff considers the submitted concept plan in accord with the existing and expected development trends of the surrounding area.

The planned unit development is submitted to achieve development flexibility pertaining to the location of permitted uses, allocation of permitted floor area, building height, and setbacks. The planned unit development is intended to establish a conceptual site plan with designation of development areas, allocation of uses and intensity of uses, bulk and area requirements and other conditions to allow for cohesive development of the area. The PUD concept plan would be followed by detailed site plans at each phase of development submitted to and approved by the TMAPC.

Given existing development trends in the area staff finds the uses and intensities of the development proposed to be in harmony with the spirit and intent of the Code. Staff finds that PUD-768: (1) may be found consistent with the District 8 Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends APPROVAL of PUD-768 subject to the following conditions:

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

Lot 1, Block 1

Net Land Area:

1.81 acres (78,843 sf)

Permitted Uses:

Uses permitted by right within Use Unit 10 - Off-Street Parking Areas; Use Unit 11 - Offices, Studios, and Support Services including drive-thru banking facilities; Use Unit 12 - Eating Establishments Other Than Drive-Ins; Use Unit 13 - Convenience Goods and Services; Use Unit 14 - Shopping Goods and Services; Use Unit 19 - Hotel, Motel and Recreation Facilities; and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area (.30 FAR): 23,653 sf

Minimum Building Setbacks:

From the 71st St. ROW 25 ft From collector street 25 ft From west boundary 11 ft From other boundaries 10 ft

Maximum Building Height: 40 ft.

Off-street Parking: As required by the

applicable use unit.

Minimum Landscaped Area: 10% of net lot area

Lighting:

Exterior area lighting shall be limited to shielded fixtures designed to direct light downward and away from residential properties. Lighting shall be so designed that the light producing elements and the polished light reflecting elements of exterior lighting fixtures shall not be visible to a person standing within an adjacent residential area. Compliance with section 1303-C of the Code shall be verified by application of the Kennebunkport Formula or by submission of a photometric plan certifying compliance where applicable. No light standard shall exceed 30 feet in total height. Consideration must be given to topography.

Signs:

Signs shall be limited to:

- (a) Wall or canopy signs not exceeding 2 square feet of display surface area per lineal foot of the main building wall to which affixed, provided however, the aggregate length of wall signs shall not exceed 75% of the wall or canopy to which affixed.
- (b) One monument sign not exceeding 8 feet in height and 64 square feet of display surface area.
- (c) One project identification sign, which may include designation of tenants located within other lots, and shall be located along the 71st St. frontage and shall not exceed 25 feet in height and 250 square feet of display surface area. The project identification sign, may alternatively, be located within Lot 1, Block 2.

Lot 2, Block 1

Net Land Area:

1.60 acres (69,696 sf)

Permitted Uses:

Uses permitted by right within Use Unit 10 - Off-Street Parking Areas; Use Unit 11 - Offices, Studios, and Support Services including drive-thru banking facilities; Use Unit 12 - Eating Establishments Other Than Drive-Ins; Use Unit 13 - Convenience Goods and Services; Use Unit 14. -Shopping Goods and Services; Use Unit 19 - Hotel, Motel and Recreation Facilities; and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area (.78 FAR): 54,362 sf

Minimum Building Setbacks:

25 ft
11 ft
17.5 ft
10 ft

Maximum Building Height:

80 ft, provided that, within 50 ft. of the north boundary line, building height shall not exceed 35 ft.

Off-street Parking:	As required by the
	applicable use unit.

Minimum Landscaped Area: 10% of net lot area

Lighting:

Exterior area lighting shall be limited to shielded fixtures designed to direct light downward and away from residential properties. Lighting shall be so designed that the light producing elements and the polished light reflecting elements of exterior lighting fixtures shall not be visible to a person standing within an adjacent residential area. Compliance with section 1303-C of the Code shall be verified by application of the Kennebunkport Formula or by submission of a photometric plan certifying compliance where applicable. No light standard shall exceed 30 feet, provided that within 50 ft. of the north boundary line no light standard shall exceed 15 feet in total height. Consideration must be given to topography.

Signs:

Signs shall be limited to:

- (a) wall or canopy signs not exceeding 2 square feet of display surface area per lineal foot of the main building wall to which affixed, provided however, the aggregate length of wall signs shall not exceed 75% of the wall or canopy to which affixed.
- (b) one monument sign not exceeding 8 feet in height and 64 square feet of display surface area.
- (c) tenant identification may be included within the project identification sign as permitted at the perimeter entry from 71st St.

Lot 1, Block 2

Net Land Area:

.83 acres (36,154 sf)

Permitted Uses:

Uses permitted by right within: Use Unit 10 - Off-Street Parking Areas; Use Unit 11 - Offices, Studios, and Support Services including drive-thru banking facilities; Use Unit 12 - Eating Establishments Other Than Drive-Ins; Use Unit 13 - Convenience Goods and Services; Use Unit 14 - Shopping Goods and Services; Use Unit 18 - Drive-In Restaurant; Use Unit 19 - Hotel, Motel and Recreation Facilities; and uses customarily accessory to permitted principal uses.

Maximum Building Floor Area (.12 FAR)	4,338 sf	
Minimum Building Setbacks:		
From 71 st St. ROW	25 ft	
From collector street	25 ft	
From east boundary	17.5 ft	
From other boundaries	10 ft	

Maximum Building Height: 40 ft

Off-street Parking:

As required by the

applicable use unit.

Minimum Landscaped Area: 10% of net lot area

Lighting:

Exterior area lighting shall be limited to shielded fixtures designed to direct light downward and away from residential properties. Lighting shall be so designed that the light producing elements and the polished light reflecting elements of exterior lighting fixtures shall not be visible to a person standing within an adjacent residential area. Compliance with section 1303-C of the Code shall be verified by application of the Kennebunkport Formula or by submission of a photometric plan certifying compliance where applicable. No light standard shall exceed 30 feet, provided that within 50 ft. of the east boundary line, no light standard shall exceed 15 feet in height. Consideration must be given to topography.

Signs:

Signs shall be limited to:

- (a) Wall or canopy signs not exceeding 2 square feet of display surface area per lineal foot of the main building wall to which affixed, provided however, the aggregate length of wall signs shall not exceed 75% of the wall or canopy to which affixed.
- (b) One monument sign not exceeding 8 feet in height and 64 square feet of display surface area.
- (c) One project identification sign, which may include designation of tenants located within other lots, and shall be located along the 71st St. frontage and shall not exceed 25 feet in height and 250 square feet of display surface area. The project identification sign, may alternatively, be located within Lot 1, Block 1.

Reserve Area A (depicted on conceptual site plan, Exhibit A-1, as "C/A&D/E")

Net Land Area: .46 acres/20,037 sf

Permitted Uses:

The area depicted on the Conceptual Site Plan as C/A & D/E will be platted as Reserve Area A and shall be limited to use for open space, recreation, landscaping, and storm water detention.

General Provisions

Landscaping and Screening

Landscaping shall meet the requirements of the Landscape Chapter of the Tulsa Zoning Code. For the purposes of determining the street yard as defined by the Landscape Chapter, the minimum setback from 71st Street shall be deemed to be 50 feet. In addition to the requirements of the Landscape Chapter, a minimum landscape perimeter of not less than 10 feet shall be maintained along the 71st Street frontage. The required perimeter landscaping shall include plant materials designed to achieve an attractive street view. A solid screening fence not less than 6 feet in height and a landscaped area of not less than 5 feet shall be maintained along the north boundary of Lot 2, Block 1.

Access and Pedestrian Circulation

Access is to be derived from 71st Street and the connecting interior public street which shall have 60 feet of right of way width and 30 feet of paving width.

Sidewalks will be provided, if not currently existing, along 71st Street and along both sides of the interior public street. Additional internal pedestrian circulation will be subject to detail site plan review at each phase of development.

Parcelization

After initial platting setting forth the allocation of floor area, division of lots may occur by approved lot split application and subject to the further approval of a minor amendment by the TMAPC reflecting such lot split and floor area re-allocation and confirmation of the existence of any necessary cross parking and mutual access easements.

Transfer of Allocated Floor Area

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

Site Plan Review

Development may be phased. No building permit shall issue until a detailed site plan (including landscaping) of the proposed improvements has been submitted to the Tulsa Metropolitan Area Planning Commission and approved as being in compliance with the development concept and the development standards. No certificate of occupancy shall issue for a building until the landscaping of the applicable building site has been installed in accordance with a landscaping plan and phasing schedule submitted to and approved by the Tulsa Metropolitan Area Planning Commission.

Platting Requirement

Development may be phased. No building permit shall be issued until the development phase for which a permit is sought has been included within a subdivision plat submitted to and approved by the Tulsa Metropolitan Area Planning Commission and the Council of the City of Tulsa, and duly filed of record. The required subdivision plat shall include covenants of record implementing the development standards of the approved corridor district conceptual site plan and the City of Tulsa shall be a beneficiary thereof.

- 3. No zoning clearance permit shall be issued for a lot within the PUD until a detail site plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
- 4. A detail landscape plan for each lot shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect, architect or engineer registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences will be installed by a specific date in accordance with the approved landscape plan for the lot, prior to issuance of an occupancy permit. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.
- 5. No sign permits shall be issued for erection of a sign on a lot within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
- 6. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.
- 7. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.
- 8. All roadways shall have a minimum right-of-way of 60' and be a minimum of 30' in width for two-way roads and 18' for one-way loop roads, measured face-to-face of curb. All curbs, gutters, base and paving materials used shall be of a quality and thickness which meets the City of Tulsa standards for a minor public street. The maximum vertical grade of streets shall be ten percent.
- 9. All mechanical, electrical, HVAC and other equipment areas (not including those owned by public utilities), including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by a person standing at ground level at the periphery of the property.
- 10. There shall be no outside storage of recyclable material, trash or similar material

outside a screened receptacle. Receptacle screening shall be constructed of materials having an appearance similar to the buildings themselves and be of complementary color. Trucks or truck trailers may not be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the PUD.

- 11. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
- 12. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.

TAC Comments:

General: The fifth paragraph of section I, Development Concept, is unclear and should be rewritten.

Water: The extension of a water main line will be required.

Fire: No comments.

Stormwater: Use of Reserve Area 'A', "Stormwater Detention Easement", is limited by the Plat Covenants.

<u>Wastewater</u>: Sanitary Sewer access must be provided for all lots within the proposed development.

<u>Transportation</u>: L1 and L5 should be 39.59' in length. Cul-de-Sac must have a minimum radius of 40'. Cul-de-Sac cannot be removed until the street is extended at the later date. General Provisions and Development Standards Page 7 Section IV. B. Mention Cul-de-Sac at end of the interior street.

INCOG Transportation:

- MSHP: 71st St. S., between S. Elwood Ave and US-75, is designated primary arterial.
- LRTP: 71st St. S., between S. Elwood Ave and US-75, planned 6 lanes. Sidewalks should be constructed if non-existing or maintained if existing.
- TMP: No comments.
- Transit: Currently, Tulsa Transit operates services on this location. According to MTTA future plans this location will continue to be served by a transit route. Therefore, consideration for access to public transportation should be included in the development.

<u>Traffic</u>: Modification to the proposed center median island may be necessary to accomplish proper geometric alignment of the lane movements through the intersection. Public works, traffic operations needs to review the developer's proposed traffic signal modification plan to offer proper review of the street return.

GIS: No comments.

<u>Street Addressing</u>: The street name should be Maybelle instead of Riverview West.

County Engineer:

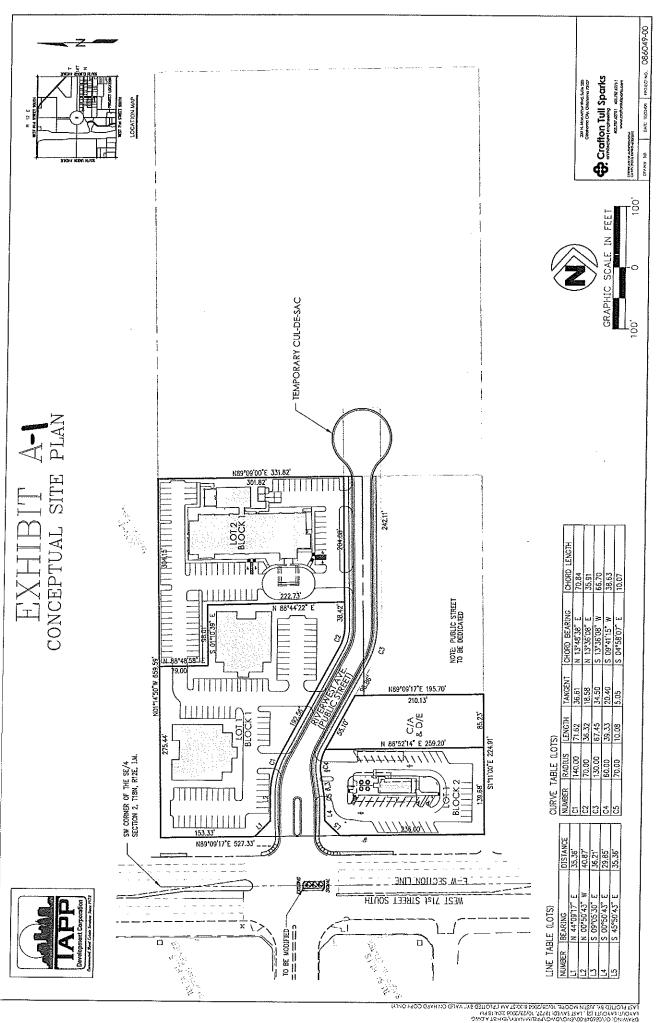
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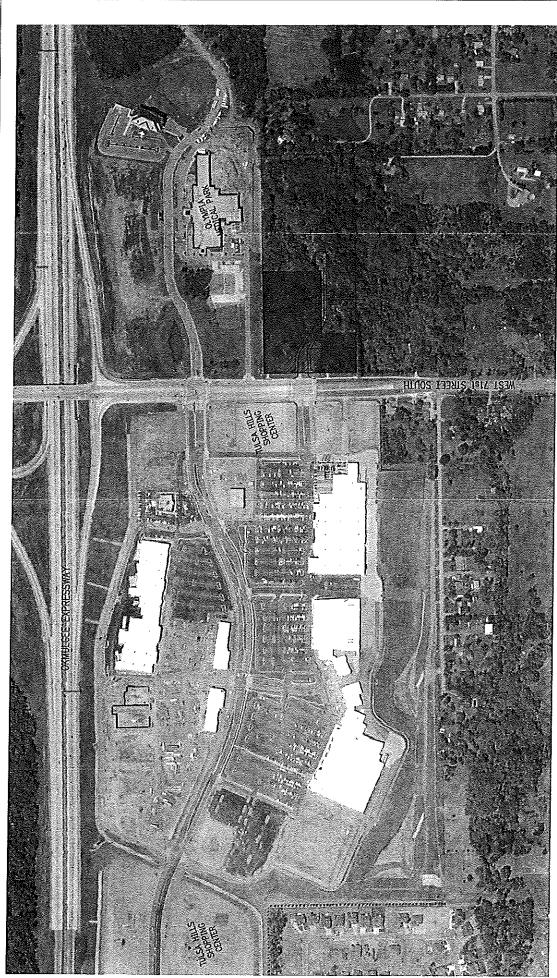
Zoning Intensity Analysis

Proposed Zoning	5	<u>Acres</u>	Sq.Ft.	<u>F.A.R.</u> *	Permitted Floor Area
CS - gross		3.88	169,116	.50	84,558 sq.ft.
OL - gross		2.51	109,364	<u>.40</u>	43,745 sq.ft.
	Total	6.39	278,480	.46	128,303 sq.ft.
Proposed Lots		Acres	Sq.Ft.	<u>F.A.R.</u> *	Allocated Floor Area
Lot 1, Blk1		1.81	78,844	.30	23,653 sq.ft.
Lot 2, Blk 1		1.60	69,695	.78	54,385 sq.ft.
Lot 1, Blk 2		0.83	36,154	.12	4,340 sq.ft.
Common Area		46	20,037	_00	00
	Total	4.70	204,730	.40	82,378 sq.ft.

^{*}F.A.R. is the floor area ratio, determined by dividing the floor area by the net lot area.







AERIAL PROXIMITY

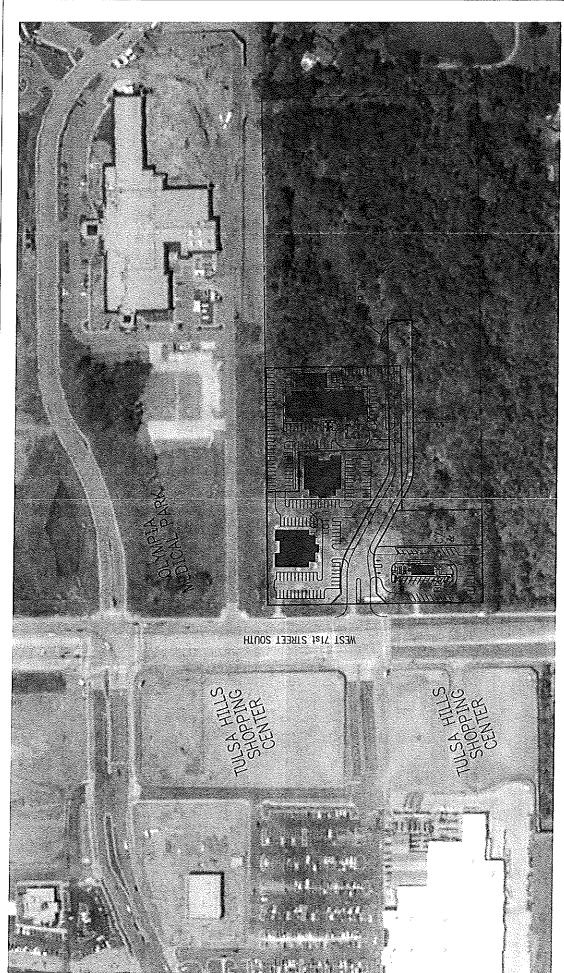
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DRAINAGE EASEMENT COMMON AREA

D/E C/A

LEGEND:

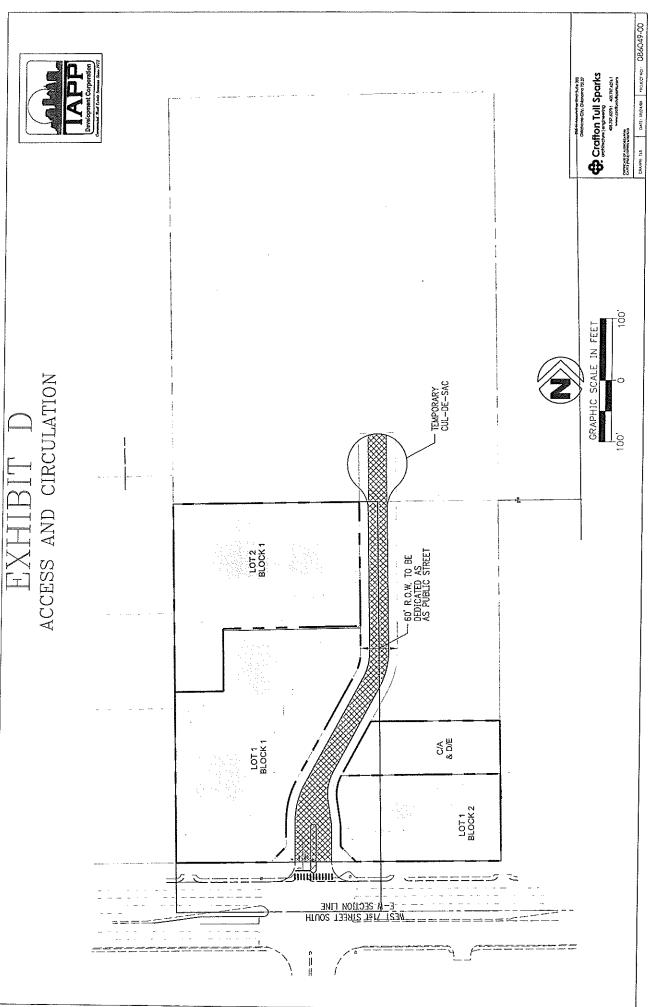
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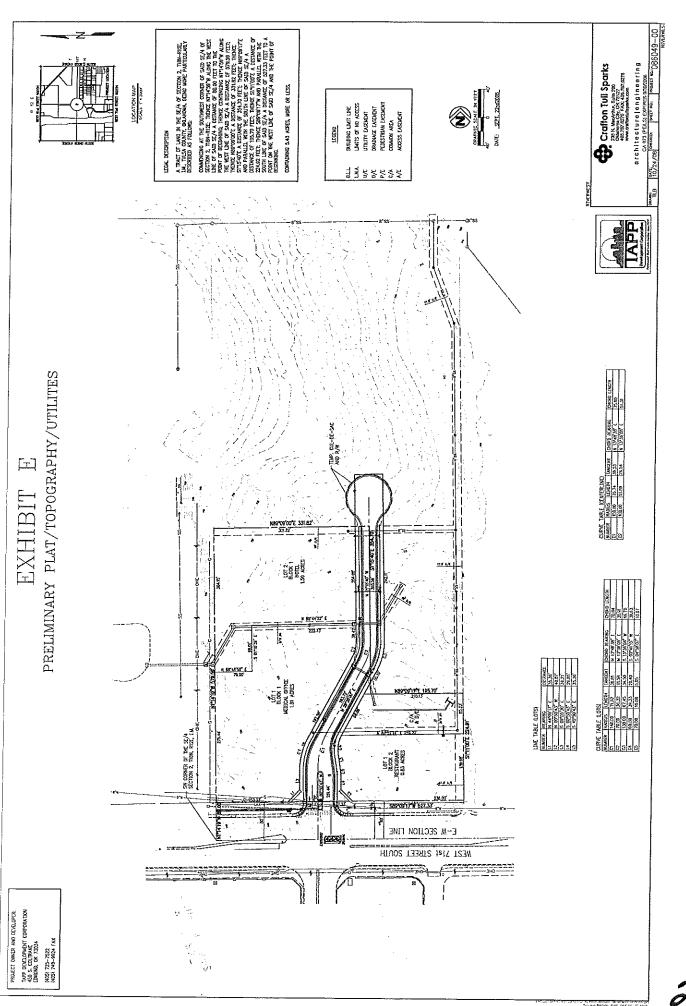


SITE AERIAL PHOTO/SITE

DRAINAGE EASEMENT COMMON AREA LEGEND:

D/E C/A





XHIBI'I' F



Crafton Tuil Sparks

SUBJECT PROPERTY

CURRENT ZONING - AG

CURRENT ZONING - CO

CURRENT ZONING - RS-3



Fernandez, Diane

From:

Cuthbertson, Duane

Sent:

Sunday, November 30, 2008 12:31 PM

To:

Fernandez, Diane

Cc:

David Qualls

Subject: FW: Case Number: CBOA-02307

Diane.

Can you help David with this request?

Thanks.

Duane

From: David Qualls [mailto:deq7@toast.net] Sent: Sunday, November 30, 2008 12:24 PM

To: Cuthbertson, Duane

Subject: RE: Case Number: CBOA-02307

Duane,

What is the procedure for us getting reimbursed for a Plat Waiver application fee that it turned out we never needed? We ended up not filing for the application.

We have a receipt (Receipt No. 218211, dated: 9/8/2008) from INCOG showing that we paid \$250 for "Plat – Waiver".

The check was written from my personal checking account.

Thanks, David

From: Cuthbertson, Duane [mailto:DCuthbertson@incog.org]

Sent: Friday, September 26, 2008 12:57 PM

To: David Qualls Cc: 'Terri Swan'

Subject: RE: Case Number: CBOA-02307

David,

Apologies for the delay in response.

- 1. The applicant is our way of identifying with a project. The applicant can be representative of the owner.
- 2. Because you are surrounded by AG agriculturally zoned properties the Planning Commission would be very reluctant to rezone the church property to a classification that would allow the church by right.

Duane Cuthbertson Board of Adjustment Planner, INCOG 201 W. 5th St. Ste. 600 Tulsa, OK 74103

918.579.9437

From: David Qualls [mailto:deq7@toast.net]
Sent: Tuesday, September 23, 2008 1:48 PM

To: Cuthbertson, Duane

Cc: 'Terri Swan'

Subject: Case Number: CBOA-02307

Duane,

Regarding the upcoming Case #: CBOA-02307, the owners of our church property have two questions for you:

- 1. Should the Oklahoma Conference of Seventh-day Adventists be shown as the applicant as the corporation is the entity holding the title to the real property?
- 2. Would it be to our advantage to apply for a zoning change for this and possible future building projects so as to avoid going before the BOA for every building project?

Thanks, David Qualls Three Angels Seventh-day Adventist Church-Owasso

This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal. Unless otherwise stated, opinions expressed in this email are those of the author and are not endorsed by the author's employer.

Tanner Consulting, L.L.C.

Architecture • Land Planning • Civil Engineering • Surveying • Landscape Architecture

5323 S. Lewis Ave. Tulsa, Oklahoma 74105 Phone: (918) 745-9929 Fax: (918) 745-9969

December 2, 2008

Chris Sansone
PUD Review
INCOG
Planning Department
201 West 5th Street
Tulsa OK 74103

Phone: 584-7526 FAX: 579-9482

RE: #28239 Thompson - Kensington

Dear Chris,

On behalf of our client, Ruffin Properties, we respectfully request a refund of the \$150.00 Alternative Compliance application fee as TMAPC staff determined that a different process for review and approval was required for the client's proposed development.

Thank you,

Delise Tomlinson

Tanner Consulting, L.L.C.

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