

TULSA METROPOLITAN AREA PLANNING COMMISSION

For Meeting No. 2542

March 18, 2009, 1:30 PM

175 East 2nd Street, 2nd Level, One Technology Center

Tulsa 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 February 18, 2009, Meeting No. 2539
Minutes of February 25, 2009, Meeting No. 2540

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. Shwiyat Estates – (8419) Reinstatement of Plat (PD 5) (CD 5)
North of 21st Street South, West of South Memorial Drive
3. PUD-625 – Douglas Huber (PD-18) (CD-8)
South side of 81st Street, approximately ¼ mile east of Mingo Road
(Detail Site Plan and landscape plan for a 14,835 square foot office building.)
4. PUD-764-1 – Bill Lewis (PD-18) (CD-7)
South of the southwest corner of Vandalia Avenue and Yale Avenue
(Minor Amendment to waive the five-foot landscape buffer along the western and northern portion of the site which was inadvertently made a part of the approval of PUD-764.)
5. PUD-312-A-10 – Pamela Deatherage, McFarland (PD-18) (CD-6)
Northwest of the northwest corner of 51st Street and Garnett Road
(Minor Amendment to divide an existing development area into two new development areas, reallocating the existing floor area and reestablishing existing development standards.) (Related to)
6. PUD-312-A – Pamela Deatherage, McFarland (PD-18) (CD-6)
Northwest of the northwest corner of 51st Street and Garnett Road
(Detail Site Plan for construction of a 46,500 SF medical office building.) (Related to)

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA

PUBLIC HEARINGS

7. **Tom's Kids** – (8333) Preliminary Plat (PD 26) (CD 8)
Southwest corner of 116th alignment and South Yale Avenue (Continued from 3/4/09)
8. **BOA – 20874** – (0226) Plat Waiver (PD 2) (CD 1)
North of the northeast corner of North Boston Place and East Queen Street (continued from 3/4/09)
9. **CZ-398** – (0405) Plat Waiver (County)
Southeast corner of North 115th Avenue and East 66th Street North (Applicant has withdrawn request.) (Related to Item 15.)
10. **Heritage Landing** – (0329) Preliminary Plat (PD 3) (CD 3)
West of the Southwest corner of Apache and North Harvard Avenue (Related to Item 11.)-----
11. **Heritage Landing** – (0329) Authorization for Accelerated Release of Building Permit (PD 3) (CD 3)
West of the Southwest corner of Apache and North Harvard Avenue (Continuance requested to the 4/1/09 agenda for further review of floodplain on site.) (Related to Item 10.)
12. **PUD-769 – Hunter Construction MGT, Inc.** OL to OL/PUD
East of the northeast corner of East 81st Street and South Yale Avenue (PD-18) (CD-8)
(PUD to divide the subject property into four or five pad sites for Use Unit 11 – Office, Studio and Support Services only.)
13. **Z-7124 – DeShazo, Tang & Associates** RS-3/RM-2 to CS
Southwest corner of East 15th Street and South Indianapolis Avenue (west 36 feet of Lots 18, 19 and 20.) (Related to Item 15.) (Continued from 1/21/09) (Applicant is requesting a continuance to April 1, 2009 in order to submit a PUD.) (PD-4) (CD-4)
14. **Z-7125 – DeShazo, Tang & Associates** RS-3 to RM-2
South of southwest corner of East 15th Street and South Indianapolis Avenue (Related to Item 14.) (Continued from 1/21/09) (Applicant is requesting a continuance to April 1, 2009 in order to submit a PUD.) (PD-4) (CD-4)
15. **CZ-398 – E. Robert Buss** AG to IL
Southeast corner East 66th Street North and Highway 169 North (Related to Item 9.) (County)
16. **Z-7127 – Brenda Gregg** AG to IL
South of southeast corner East Pine Street and North Mingo Road (PD-16) (CD-6)

OTHER BUSINESS

17. **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.

Ringingsound 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



BREISCH & ASSOCIATES, INC.

CIVIL ENGINEERS AND LAND SURVEYORS

501 E. ALLIANCE BLVD. – SAND SPRINGS, OKLAHOMA 74063 — (918) 245-9533 — FAX (918) 245-9563 — Website: www.breischcs.com

February 25, 2009

Ms. Diane Fernandez
Indian Nations Council of Government
201 Executive Center, Suite 600
201 West 5th Street
Tulsa, Oklahoma 74103

Dear Ms. Fernandez

Re: Shwiyat Estates Minor Subdivision Plat

We are requesting the above referenced plat be reinstated. The plat was not filed within the required time frame due to the necessity of obtaining a drainage easement from the owner of the property directly north of the subject plat. That easement has now been obtained and we are resubmitting the plat for approval. I am enclosing one set of 11x17 prints for your use.

If you have any questions give me a call.

Yours truly,

J. Allen Bates, Jr., P.E.
Project Manager

Enclosure

Cc: Calvin Shwiyat w/ enclosure

SHWIYAT ESTATES

A SUBDIVISION OF A PART OF THE SE/4 OF SECTION 11, TOWNSHIP 19 NORTH, RANGE 13 EAST, TULSA COUNTY

1 LOT
1 BLOCK
1.89 ACRES

SITE ADDRESS
1130 SOUTH MEMORIAL DRIVE
TULSA, OKLAHOMA 74114

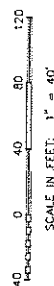
CAVEAT/DISCLAIMER

ADDRESSES SHOWN ON THIS PLAT ARE APPROXIMATE
AND SHOULD NOT BE USED FOR MAILING PURPOSES.
THEY ARE SUBJECT TO CHANGE AND SHOULD NEVER BE
RELIED ON IN PLACE OF THE LEGAL DESCRIPTION



BASIS OF BEARINGS

THE EAST LINE OF THE SE/4 OF
SECTION 11 T19N R13E - S0111°36'E



FLOOD INFORMATION

THIS PROPERTY IS LOCATED OUTSIDE THE REGULATORY
FLOODPLAIN AS SHOWN ON PANEL 11 OF THE 2005 TULSA
REGULATORY FLOODPLAIN MAP ATLAS, DATED JANUARY, 2005.

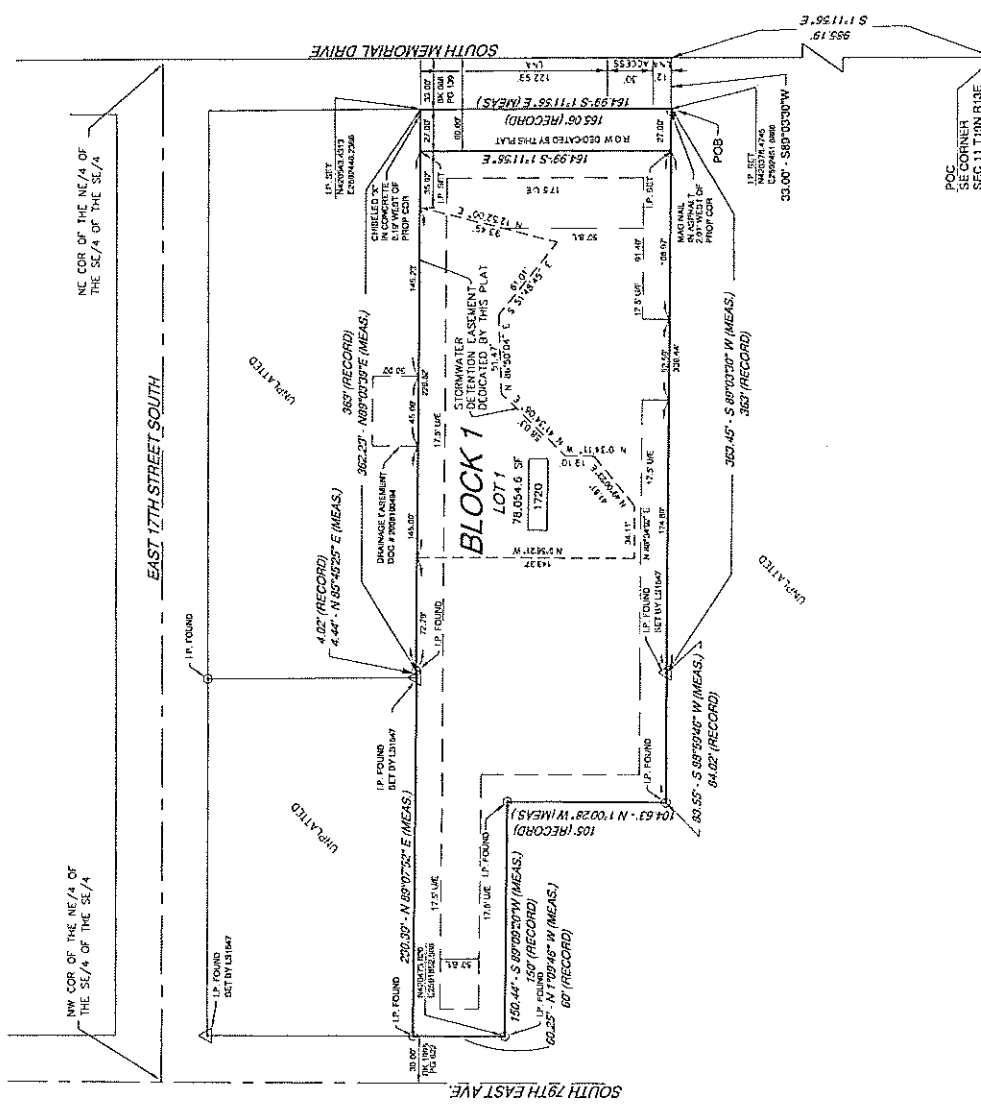
LEGEND

- LINE EASEMENT
- P/W RIGHT-OF-WAY
- D/L BUILDING LINE
- LMA LIMITS OF NO ACCESS
- IP IRON PIN FOUND
- SET BY L15047
- IP FOUND
- P.K. NAIL FOUND
- X CHISELLED "X" IN CONCRETE

NOTE

THE STORMWATER DETENTION FACILITY IS LOCATED ON A
PAVED PARKING LOT

THIS MAP OR PLAT MEETS THE CRITERIA FOR THE
PRACTICE OF LAND SURVEYING, ADOPTED SEPTEMBER 21, 2001



NW COR OF THE NE/4 OF
THE SE/4 OF THE SE/4

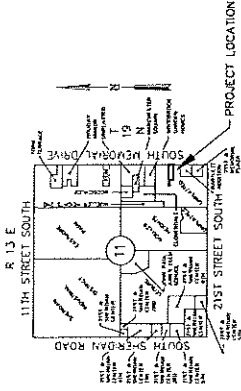
EAST 17TH STREET SOUTH

SOUTH MEMORIAL DRIVE

BLOCK 1
LOT 1

SOUTH 79TH EAST AVE

POC
SECCORNER
SECTION 11 T19N R13E



LOCATION MAP

CITY OF TULSA
TULSA COUNTY, OKLAHOMA
SCALE: 1"=2000'

OWNER
CALVIN SHWIYAT
RANA AL-SHWIYAT
1720 SOUTH MEMORIAL
TULSA, OKLAHOMA 74112
PHONE: (918) 628-0919

ENGINEER/LAND SURVEYOR
BREISCH AND ASSOCIATES, INC.
501 ALLIANCE BLVD.
SAND SPRINGS, OK 74063
PH (918) 245-9533
email address: oad@breisch.com
CA #6 (EXPIRES 06-30-10)

PLAT NO	FINAL PLAT CERTIFICATE OF APPROVAL I hereby certify that this plat was approved by the Tulsa Metropolitan Area Planning Commission on _____
NAME/INOC OFFICIAL	This approval is void if this plat is not filed in the Office of the County Clerk on or before _____
CITY COUNCIL	APPROVED _____ By the Council of the City of Tulsa, Oklahoma. Chairman _____ Mayor _____
Allyett City Clerk	Approved City Attorney _____

SHWIYAT ESTATES

SHEET 1 OF 2

DATE OF PREPARATION: FEBRUARY 11, 2009

2.2

SHWIYAT ESTATES

A SUBDIVISION OF A PART OF THE SE/4 OF THE SE/4 OF SECTION 11, TOWNSHIP 19 NORTH, RANGE 13 EAST, TULSA COUNTY

SITE ADDRESS
1720 SOUTH MEMORIAL
TULSA, OKLAHOMA 74114

CAVEAT/DISCLAIMER

ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE
AT THE TIME THE PLAT WAS FILED. ADDRESSES
MAY BE CHANGED WITHOUT NOTICE AND THE
PLATTEE IS NOT RESPONSIBLE FOR THE
CORRECTNESS OF THE LEGAL DESCRIPTION.



BASIS OF BEARINGS

THE EAST LINE OF THE SE/4 OF
SECTION 11 T19N R13E S0111361E



FLOOD INFORMATION

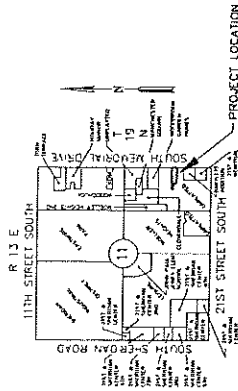
THIS PROPERTY IS LOCATED OUTSIDE THE REGULATORY
FLOOD HAZARD ZONE AND IS NOT SUBJECT TO
REGULATORY FLOODPLAIN MAP ACTS DATED JANUARY, 2005.

LEGEND

- U/E UTILITY EASEMENT
- W/E WALKWAY
- B/A BOUNDARY
- LVA LIMITS OF NO ACCESS
- I.P. IRON PIPE FOUND
- P.N. PNEUMATIC NAIL FOUND
- P.K. P.K. NAIL FOUND
- CHEISEL "X" IN CONCRETE
- SANITARY JEWEL MANHOLE
- HYDRANT
- 15" REINFORCED CONCRETE PIPE

THIS MAP OR PLAT WITHIN OR EXCEEDS THE
TULSA COUNTY RECORDS AND IS NOT
SUBJECT TO THE TULSA COUNTY RECORDS.

2.4



LOCATION MAP

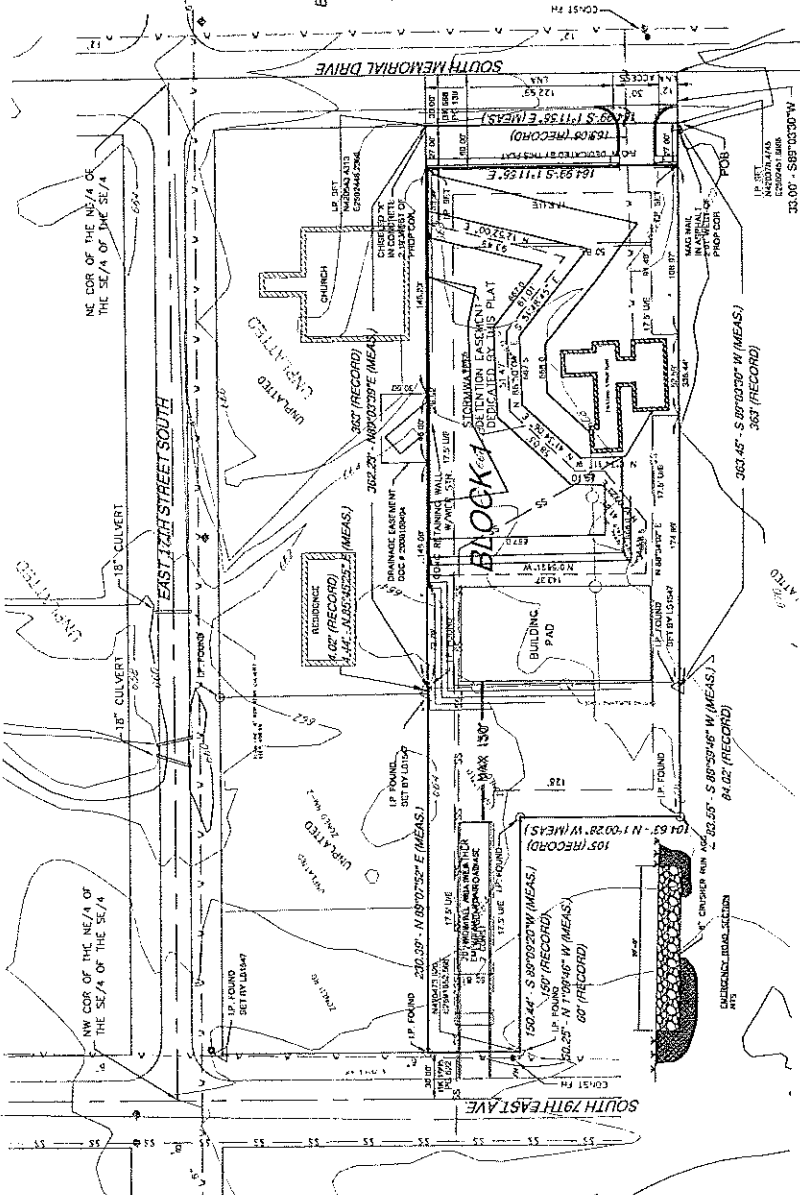
CITY OF TULSA
TULSA COUNTY, OKLAHOMA
SCALE: 1"=2000'

OWNER

CALVIN SHWIYAT
RANA AL-SHWIYAT
1720 SOUTH MEMORIAL
TULSA, OKLAHOMA 74112
PHONE: (918) 628-0919

ENGINEER AND SURVEYOR

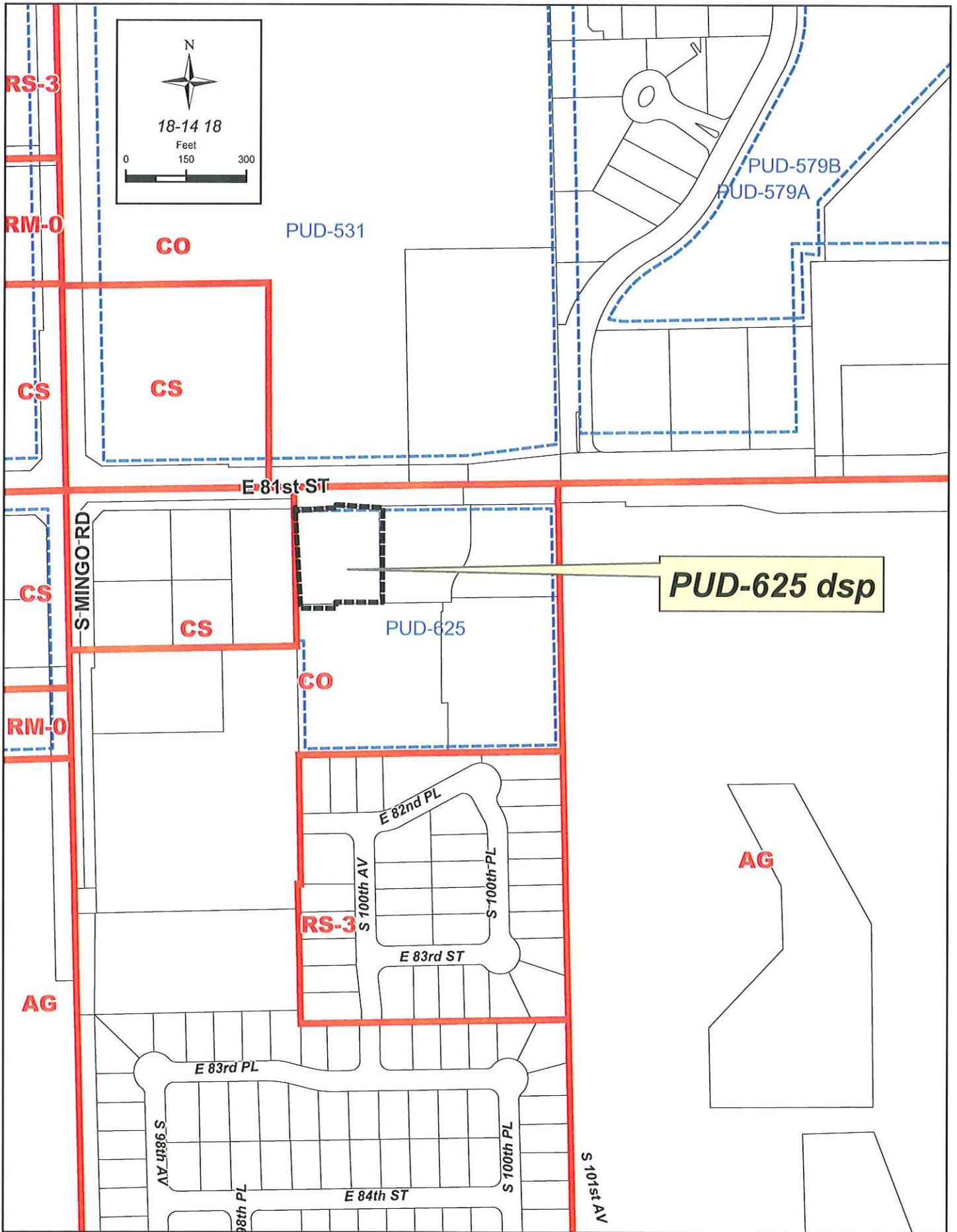
BREISCH AND ASSOCIATES, INC.
501 ALLIANCE BLVD.
SAND SPRINGS, OK. 74063
PH (918) 243-9533
email address: obreisch@breisch.com
CA #6 (EXPIRES 06-30-10)




SHWIYAT ESTATES CONCEPTUAL IMPROVEMENT PLAN

SHEET 1 OF 1

DATE OF PREPARATION: FEBRUARY 11, 2009



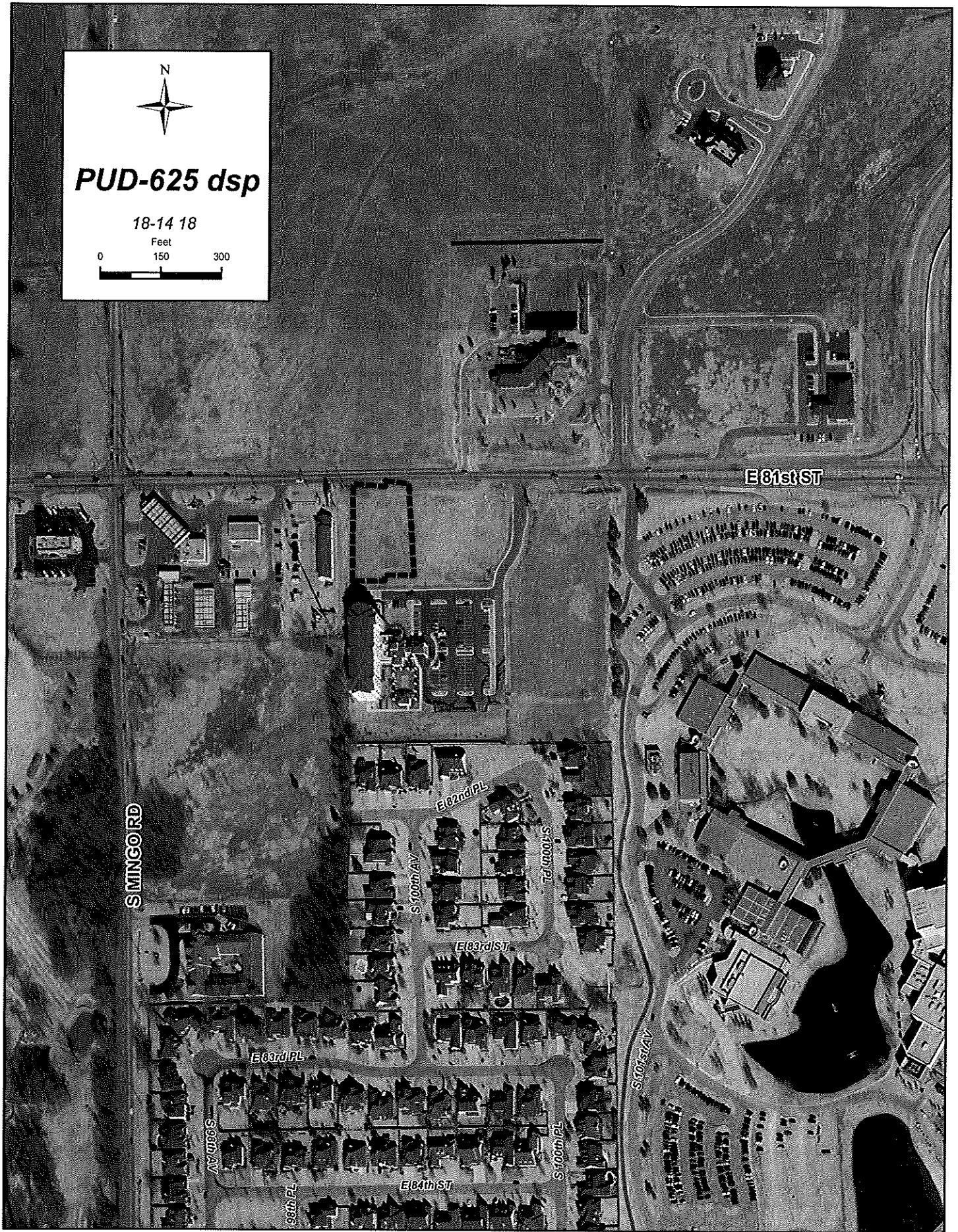

N



PUD-625 dsp

18-14 18

Feet
0 150 300





N

PUD-625 dsp

Feet
0 75 150

SUBJECT
TRACT

E 81st ST

E 82nd PL

S 100th AV

S 100th PL

March 18, 2008

STAFF RECOMMENDATION

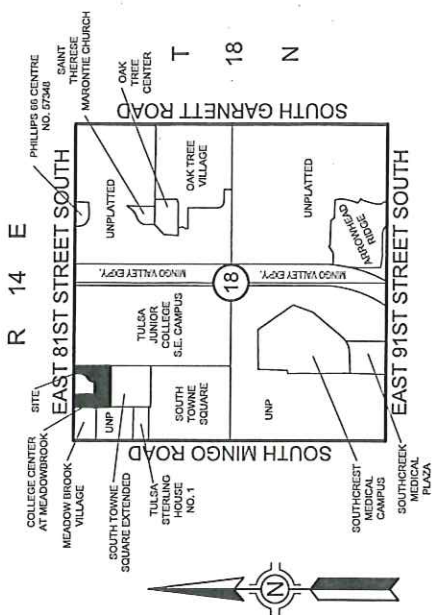
PUD-625: Detail Site Plan – South side of 81st Street, approximately ¼ mile east of Mingo Road; Lot 1, Block 1 – College Center at Meadowbrook; TRS 1818; CZM 54; Atlas 1413; PD 18; CD 8; CO/PUD.

The applicant is requesting approval of a detail site and landscape plan for a 14,835 square foot office building. The proposed use, Use Unit 11 – Office, Studios, and Support Services is a permitted use within PUD-625.

The submitted site plan meets all applicable building floor area, open space, building height and setback limitations. Parking has been provided per the applicable Use Unit within the Zoning Code. Landscaping is provided per the landscape chapter of the Zoning Code and adopted PUD development standards. On the north side of this lot is a 50-foot green belt which is within the dedicated ROW for the future widening of 81st Street. The existing 50-foot area is providing a green buffer between this parcel and the paved surface of 81st Street (see attached case map aerial photograph and Exhibit A). Landscaping will be provided in this area along 81st Street for this proposal. It is anticipated that at the time of the expansion of 81st Street, a five-foot landscaping strip and sidewalks will be addressed for the entire development area/PUD along 81st Street. Site lighting has been provided and will be limited to 12' in total height. All lighting will be directed down and away from adjoining properties so as to not create a nuisance to any abutting residential properties and has been verified by application of the Kennebunkport Formula. A trash enclosure has been provided per adopted PUD development standards.

Staff recommends **APPROVAL** of the detail site plan for Lot 1, Block 1 – College Center at Meadowbrook, Development Area "1", PUD-625.

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



Location Map
SCALE: 1"=2000'

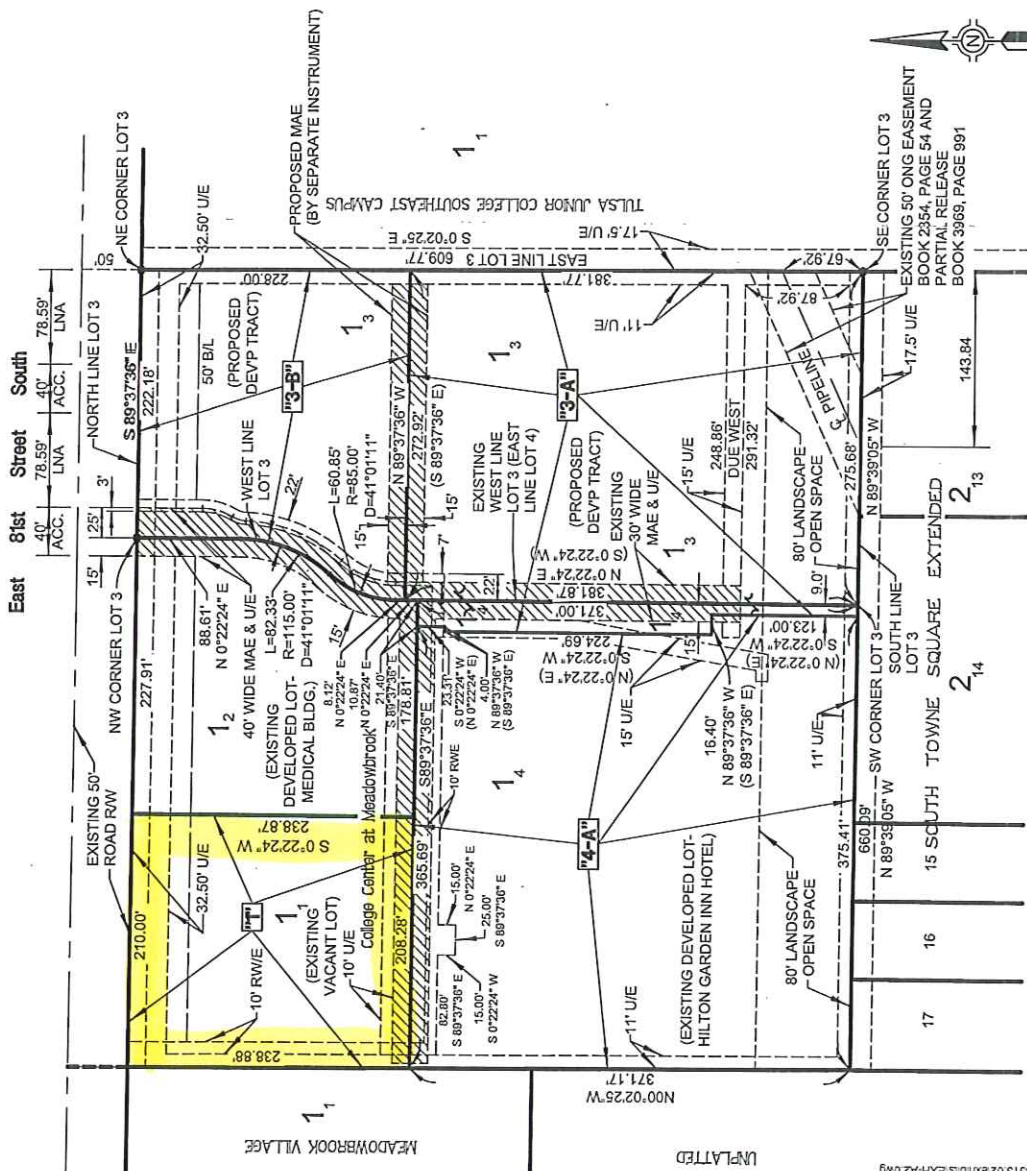
Legend

- B/L = BUILDING SETBACK LINE
- MAE = MUTUAL ACCESS EASEMENT
- U/E = UTILITY EASEMENT
- R/W = RESTRICTED WATERLINE EASEMENT
- ACC = RIGHT-OF-WAY
- LNA = ACCESS
- LNA = LIMITS OF NO ACCESS
- P.O.B. = POINT OF BEGINNING

College Center at Meadowbrook

PUD 625-5 Development Lot "1" &
Dev'p Sub-Areas "3-A", "3-B" & "4-A"

Exhibit "A"



Scale: 1"=100'

DATE PREPARED: August 24, 2007

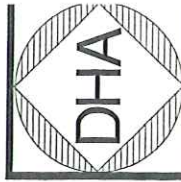
Sisemore Welsch & Associates, Inc.
811 EAST 30th PLACE
TULSA, OKLAHOMA 74106
CA. NO. 2421
PHONE (918) 696-3000
FAX (918) 696-3000
E-MAIL DATE 07/30/06

EXHIBIT A 1.I.11 3.5



THOMPSON II
COLLEGE CENTER AT MEADOWBROOK
TULSA, OKLAHOMA
ELEVATIONS

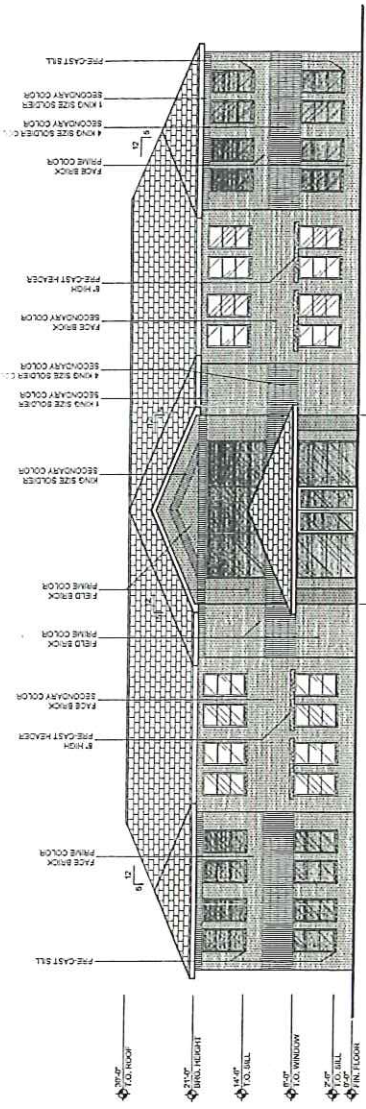
DHA, LLC



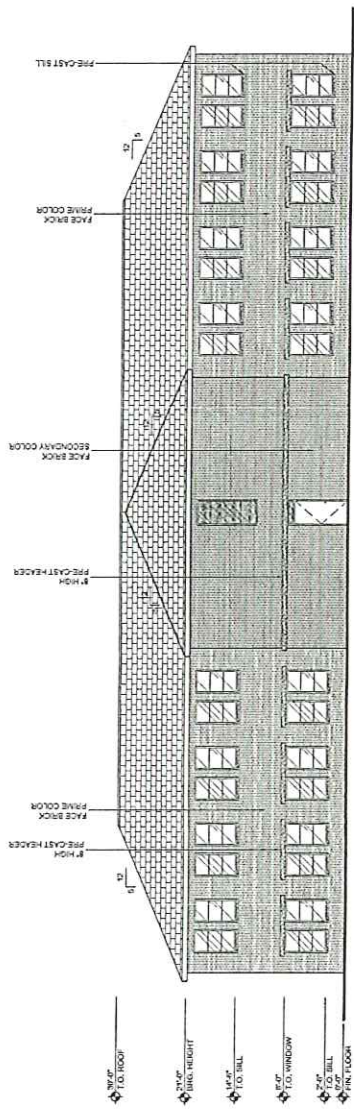
10129 S. JOPLIN AVE.
TULSA, OK
74137
(918) 906-7105

PROJECT NO.: D180-002
DATE: 23 JAN 2009
REVISED:
SHEET:

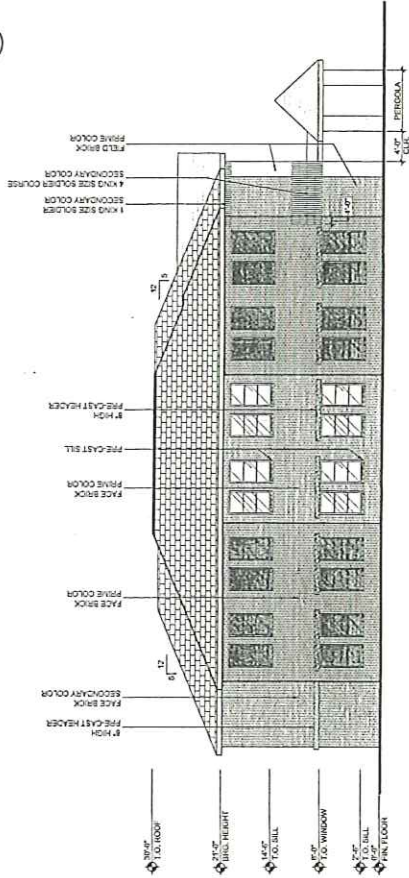
A-104
OF 4



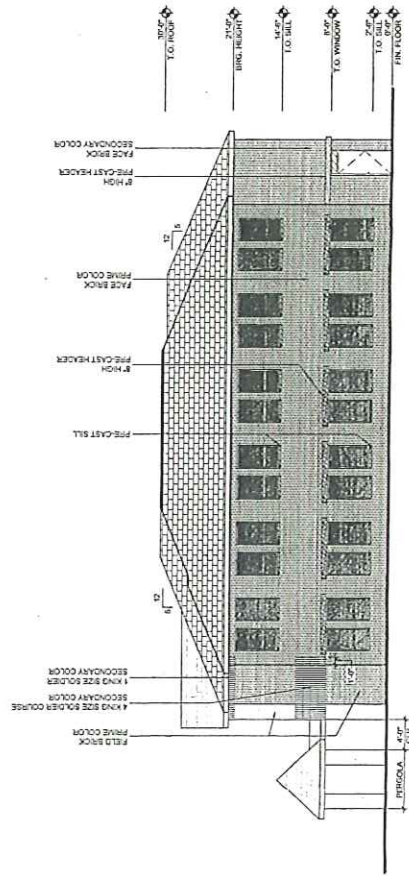
1 North Elevation
SCALE: 1/8"=1'-0"



2 South Elevation
SCALE: 1/8"=1'-0"

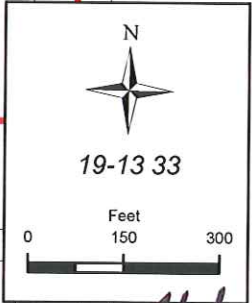
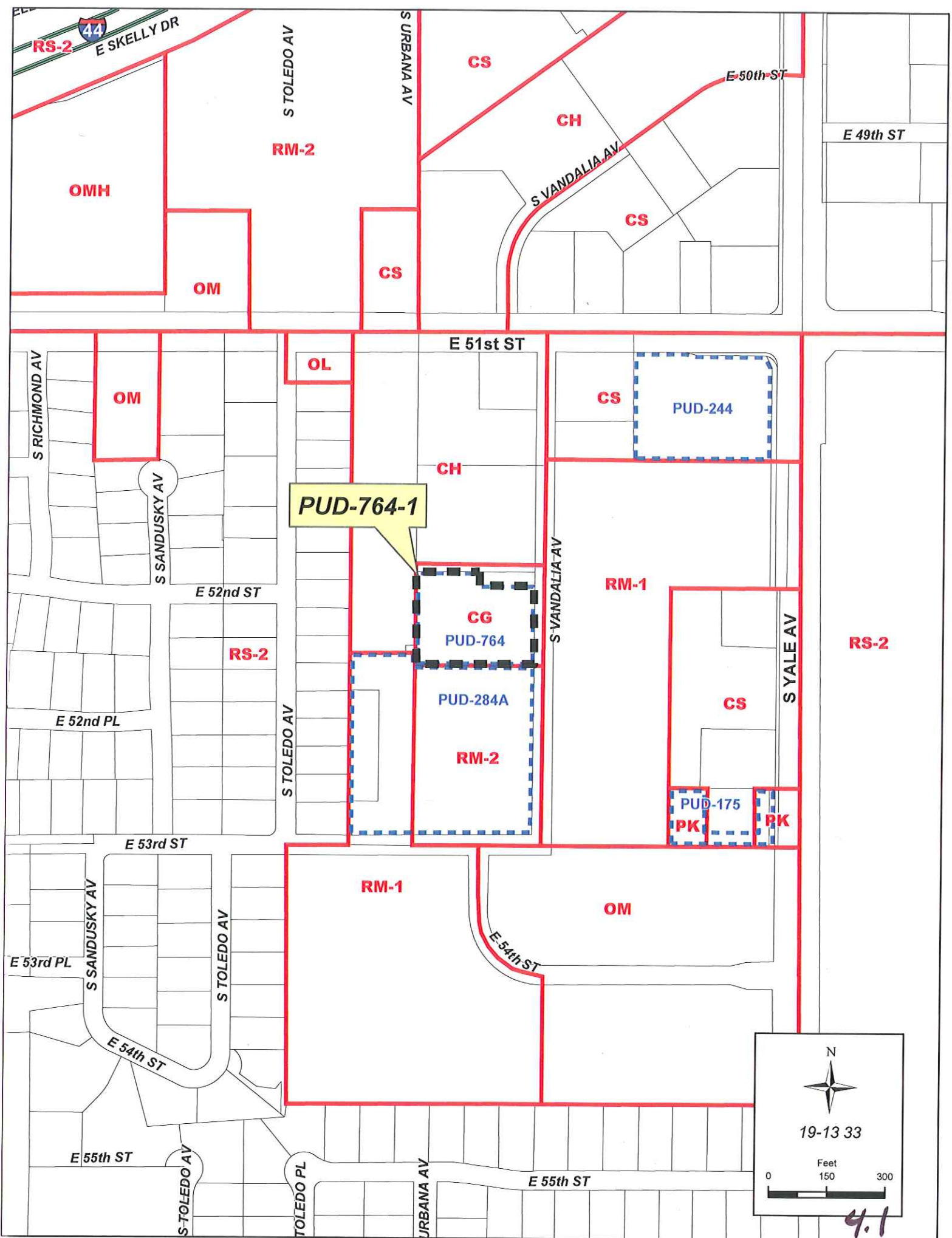


3 East Elevation
SCALE: 1/8"=1'-0"

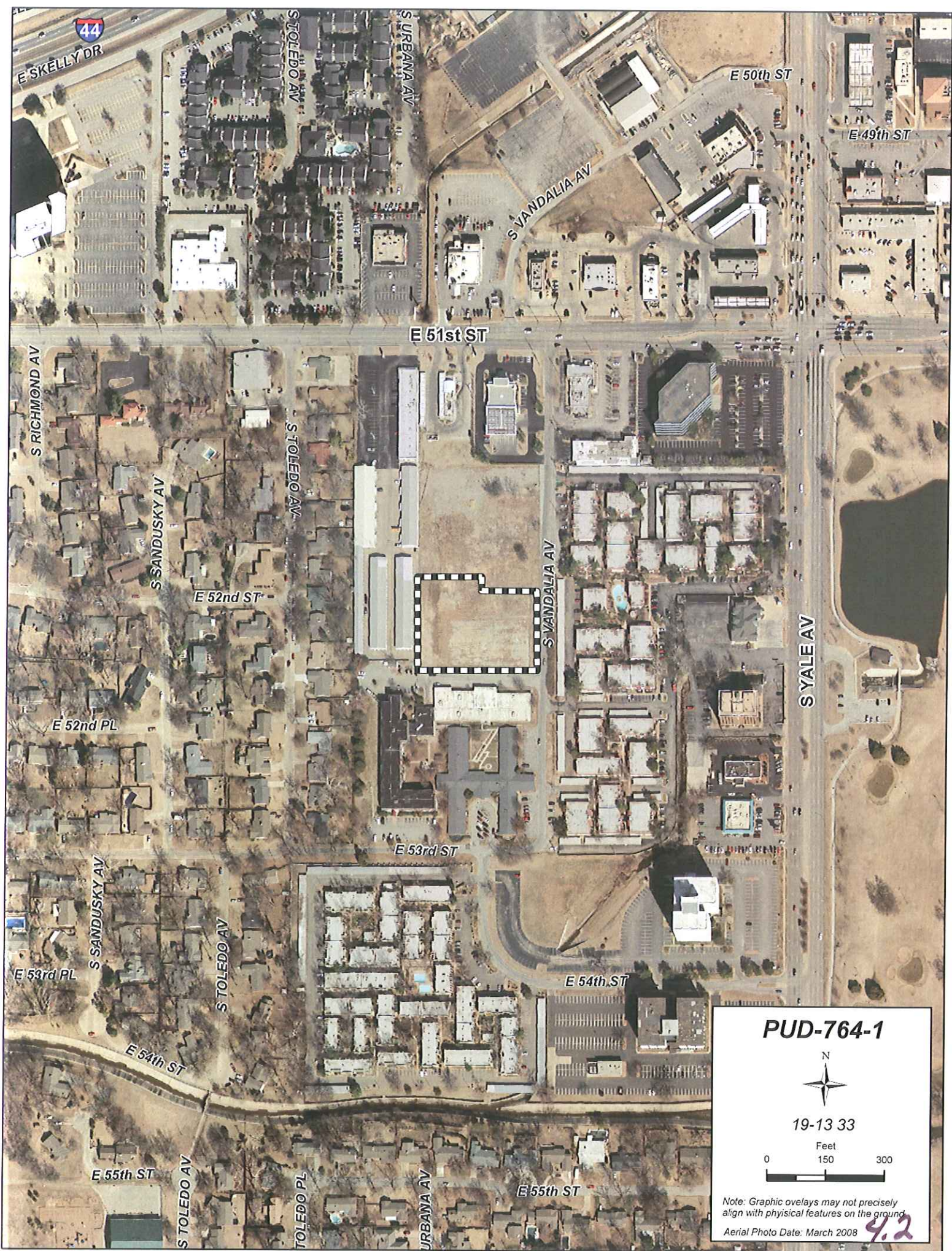


4 West Elevation
SCALE: 1/8"=1'-0"

3.8



4.1



PUD-764-1

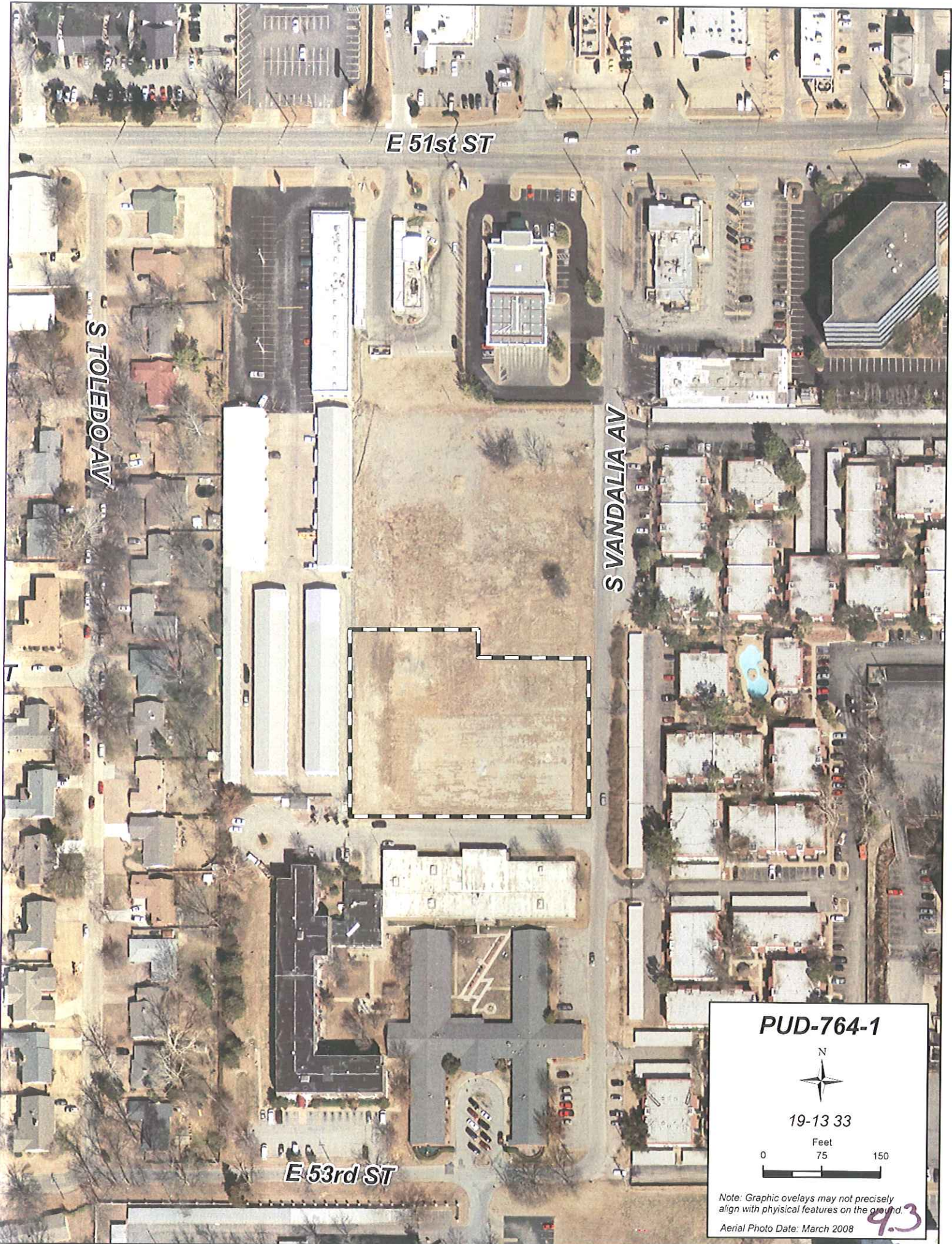


19-13 33

Feet
0 150 300

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2008

4.2



E 51st ST

S TOLEDO AV

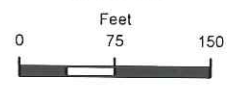
S VANDALIA AV

E 53rd ST

PUD-764-1



19-13 33



Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: March 2008

4.3

March 18, 2009

STAFF RECOMMENDATION

PUD-764-1: Minor Amendment – South of the southwest corner of Vandalia Ave. and Yale Ave.; TRS 9333; CZM 47; Atlas 468/559; PD 18; CD 7; 5140 S. Vandalia Ave.; CG/PUD.

The applicant is requesting a minor amendment to waive the five-foot landscape buffer along the western and northern portion of the site which was inadvertently made part of the approval of PUD-764.

The landscape requirement for PUD-764 currently reads:

The street yard along Vandalia Avenue shall be landscaped according to the landscape chapter of the Zoning Code with the exception of access points from Vandalia Avenue. A six-foot wrought iron fence will be erected along the southern boundary of the PUD. In addition to the six-foot wrought iron fence along the southern boundary, a minimum five-foot landscape buffer will be installed inside the fence, with excessive, mature landscaping at the time of planting to ensure that the fence may not be seen through. The five-foot landscape buffer shall be extended around the perimeter of the site.

Section 1002, A-3 of the Zoning Code reads, "...within the lot, off-street parking areas shall be separated from an abutting residential district or residential development area in a PUD, by a landscaped area which is not less than five feet in width".

Referring to the attached case report zoning map and aerial photographs, as well as Exhibit A, the western boundary of PUD-764 is directly adjacent to a CH zoned district which is the site of a mini-storage complex. By Code, when a straight CG zone abuts a CH zoned district, there is no perimeter landscape requirement along the common boundary line.

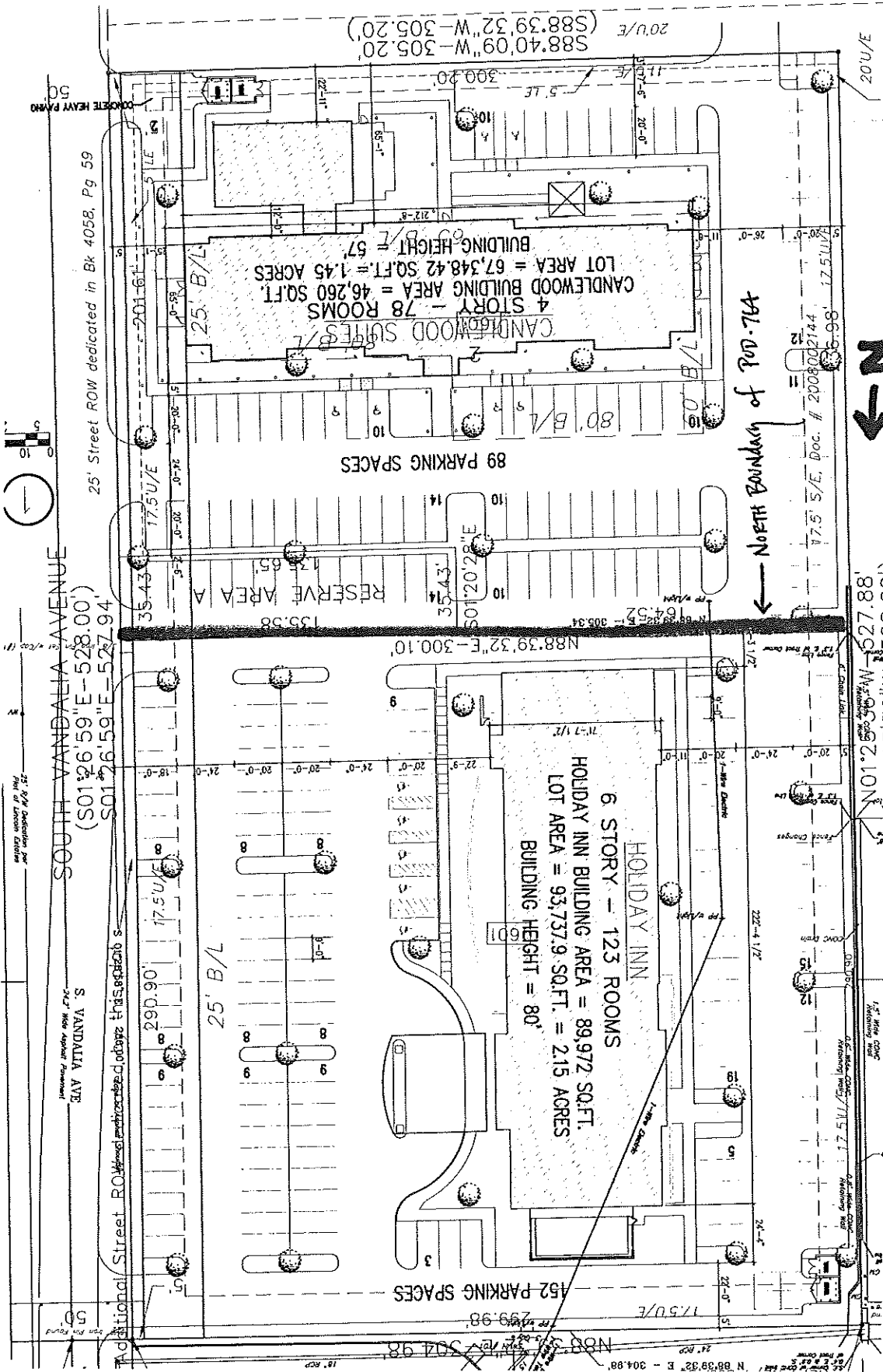
Referring again to the aforementioned exhibits, the north boundary of PUD-764 will be in the middle of what will be a mutual access easement for a commonly shared parking lot with the future development on the CH zoned property immediately to the north. This is also a CG/PUD district abutting directly to a CH zoned district.

Therefore, staff recommends **APPROVAL** of minor amendment PUD-764-1 on the property described in Exhibit B, amending the landscape and screening requirement for PUD-764 to read:

"The street yard along Vandalia Avenue shall be landscaped according to the landscape chapter of the Zoning Code with the exception of access points from Vandalia Avenue. A six-foot wrought iron fence will be erected along the southern boundary of the PUD. In addition to the six-foot wrought iron fence along the southern boundary, a minimum five-foot landscape buffer will be installed inside the fence, with excessive, mature landscaping at the time of planting to ensure that the fence may not be seen through. A minimum five-foot landscape buffer shall be extended along the south and eastern boundary of the site except at access points along Vandalia Ave."

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

4.4



4.5

PUD LEGAL DESCRIPTION

Part of the SE/4 NW/4 NE/4 NE/4 and of the NE/4 SW/4 NE/4 NE/4 of Section 33, T19N, R13E of the Indian Base and Meridian, City of Tulsa, Tulsa County, State of Oklahoma, according to the U.S. Government survey thereof, being more particularly described as follows:

Commencing at the Northwest corner of said SE/4 NW/4 NE/4 NE/4; thence S01°25'36"E along the west line of said SE/4 NW/4 NE/4 NE/4 290.90 feet; thence N88°39'32"E 164.52 feet; thence S01°20'28"E 35.43 feet; thence N88°39'32"E 140.65 feet to a point on the east line of said SE/4 NW/4 NE/4 NE/4; thence S01°25'36"E along said west line 201.61 feet; thence S89°40'09"W 305.20 feet to a point on the west line of said NE/4 SW/4 NE/4 NE/4; thence N01°25'36"W along the west line of said SE/4 NW/4 NE/4 NE/4 and NE/4 SW/4 NE/4 NE/4 236.98 feet to the point of beginning; LESS and EXCEPT the East 25.00 feet thereof; containing 1.55 acres, more or less.

EXHIBIT B 4.6



Address **5140 S Vandalia Ave**

Address is approximate

View of Mini-storage units to the west



4.7



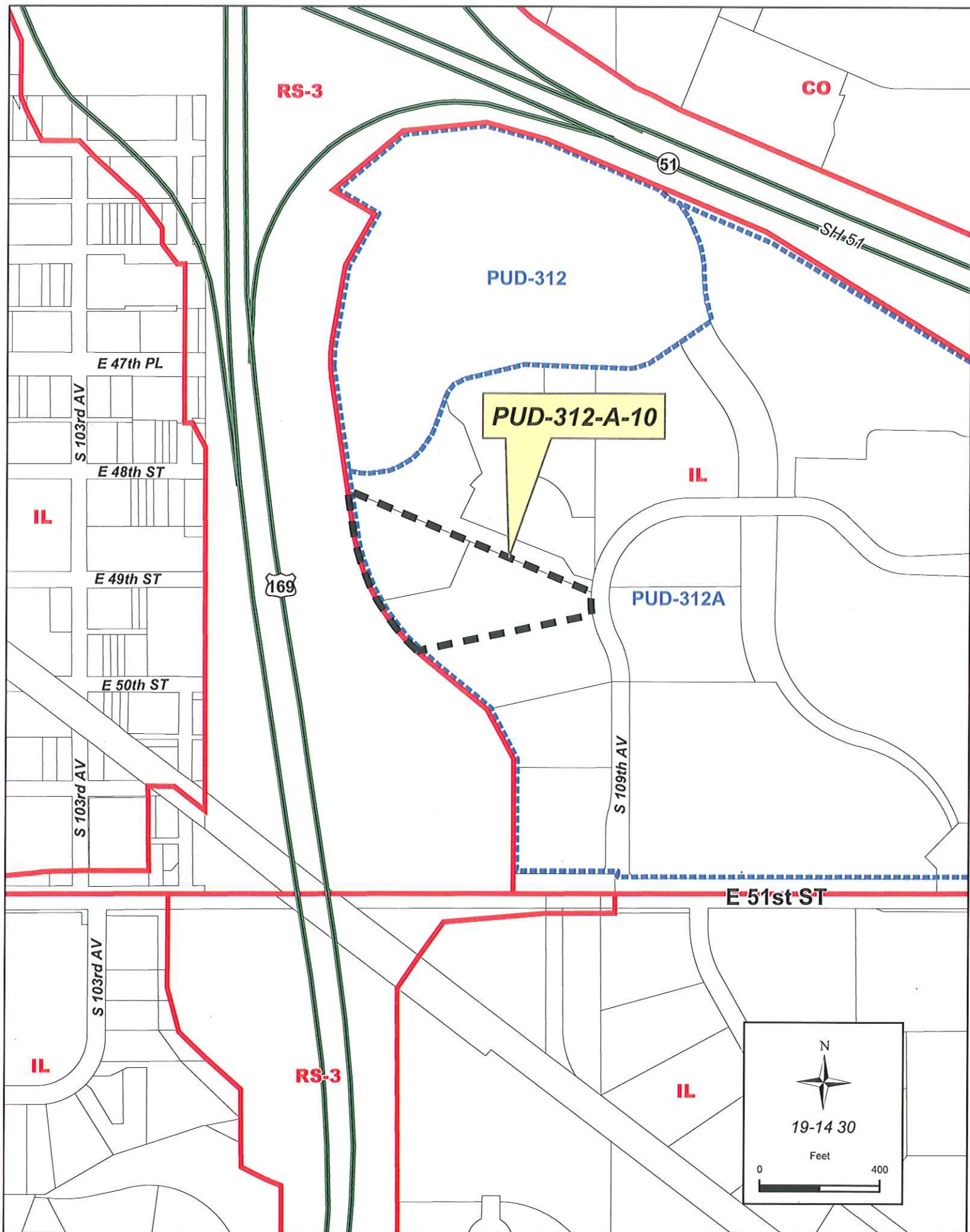
Address **5142 S Vandalia Ave**

Address is approximate

View of natural screening for apartments accross Vandalia to the east.



4.8



5.1



PUD-312-A-10



19-14 30

Feet
0 400

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: March 2008

5.2



March 18, 2009

STAFF RECOMMENDATION

PUD-312-A-10: Minor Amendment – Northwest of the northwest corner of 51st Street and Garnett Road; Part of Lot 1, Block 1 – Tulsa Bone and Joint; TRS 9430; CZM 84; Atlas 753/754; PD 18; CD 6; IL/PUD.

PUD-312-A-10 is a minor amendment request to divide an existing development area into two new development areas, reallocate the existing floor area between the two new development areas and re-establish existing development standards. With this application there is no request to increase permitted floor area, change existing permitted uses or amend development standards in any way.

Approval of minor amendment PUD-312-A-5 in August 2004 established the existing Development Area B-1-C and carried over all the original development standards as established by PUD-312-A to Development Area B-1-C. As stated above, PUD-312-A-10 will create two new development areas (B-1-C-1 and B-1-C-2) as depicted on Exhibit A and establish development standards for each Development Area. The minor amendment will allow for the expansion of the Tulsa Bone and Joint Campus Facilities, the detail site plan for which is concurrently on the 3/18/09 agenda of the TMAPC and is attached herein as Exhibit B for reference.

Since there is no requested changes in permitted floor area, changes in permitted uses or modifications to any development standards of for development area B-1-C of PUD-312-A staff recommends **APPROVAL** of minor amendment PUD-312-A-10 for the property described in Exhibit C, subject to the following development standards:

Development Area B-1-C-1:

Permitted Uses: Use Unit 11 – Offices Studios and Support Services; 12 – Eating Establishments, other than Dive-ins; 13 – Convenience Goods and Services; 14 – Shopping Goods and Services; 17 (Vehicle Repair and Service Only); 19 – Hotel, Motel and Recreation; Use Unit 21 – Business Signs and Outdoor Advertising (including outdoor advertising); and 22 – Scientific Research and Development.

Maximum Permitted Floor Area:

Use Units 12, 13, 14, 16, and 17:	46,120 sf
Use Units 11, 19, and 22:	72,000 sf

Off-street Parking:

As required by the applicable Use Unit within the Tulsa Zoning Code.

Maximum Building Height:

None.

5.4

Minimum Building Setbacks:

From the centerline of 109 th east Ave.:	55'
From the west property line:	10'
From all other PUD area boundaries:	10'

Minimum Landscaped Open Space:

As required by section 1104-E and Chapter 10 of the Tulsa Zoning Code.

Signs:

Per section 1103-B-2 of the Tulsa Zoning Code.

Development Area B-1-C-2:

Permitted Uses: Use Unit 11 – Offices Studios and Support Services; 12 – Eating Establishments, other than Dive-ins; 13 – Convenience Goods and Services; 14 – Shopping Goods and Services; 17 (Vehicle Repair and Service Only); 19 – Hotel, Motel and Recreation; Use Unit 21 – Business Signs and Outdoor Advertising (including outdoor advertising); and 22 – Scientific Research and Development.

Maximum Permitted Floor Area:

Use Units 12, 13, 14, 16, and 17:	46,120 sf
Use Units 11, 19, and 22:	274,821 sf

Off-street Parking:

As required by the applicable Use Unit within the Tulsa Zoning Code.

Maximum Building Height:

None.

Minimum Building Setbacks:

From the centerline of 109 th east Ave.:	55'
From the west property line:	10'
From all other PUD area boundaries:	10'

Minimum Landscaped Open Space:

As required by section 1104-E and Chapter 10 of the Tulsa Zoning Code.

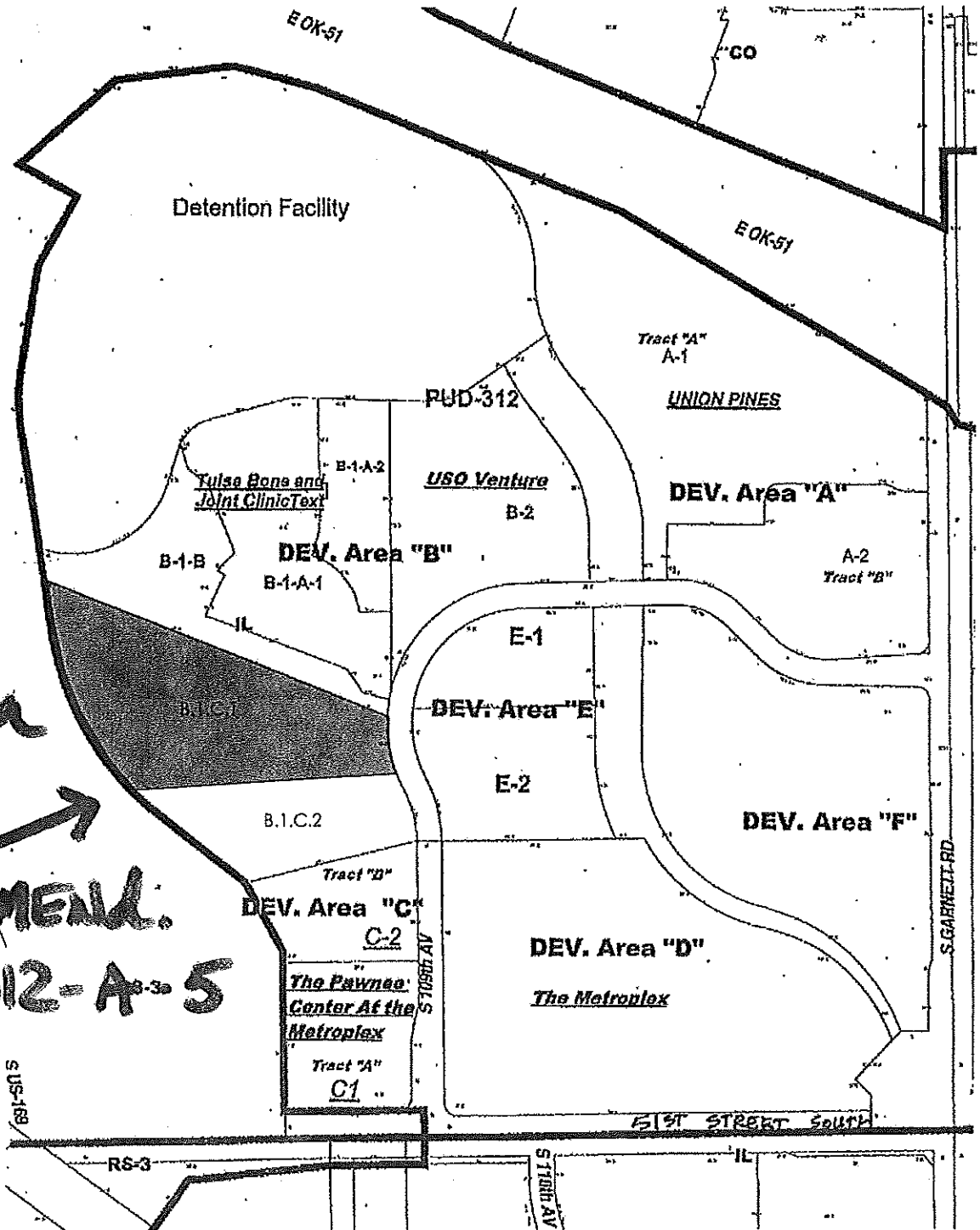
Signs:

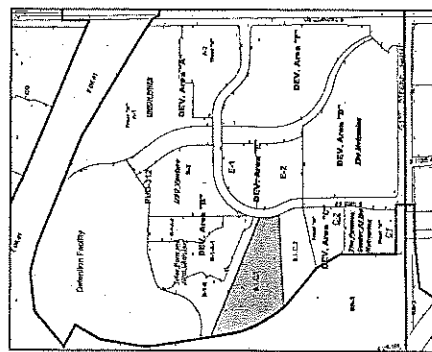
Per section 1103-B-2 of the Tulsa Zoning Code.

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

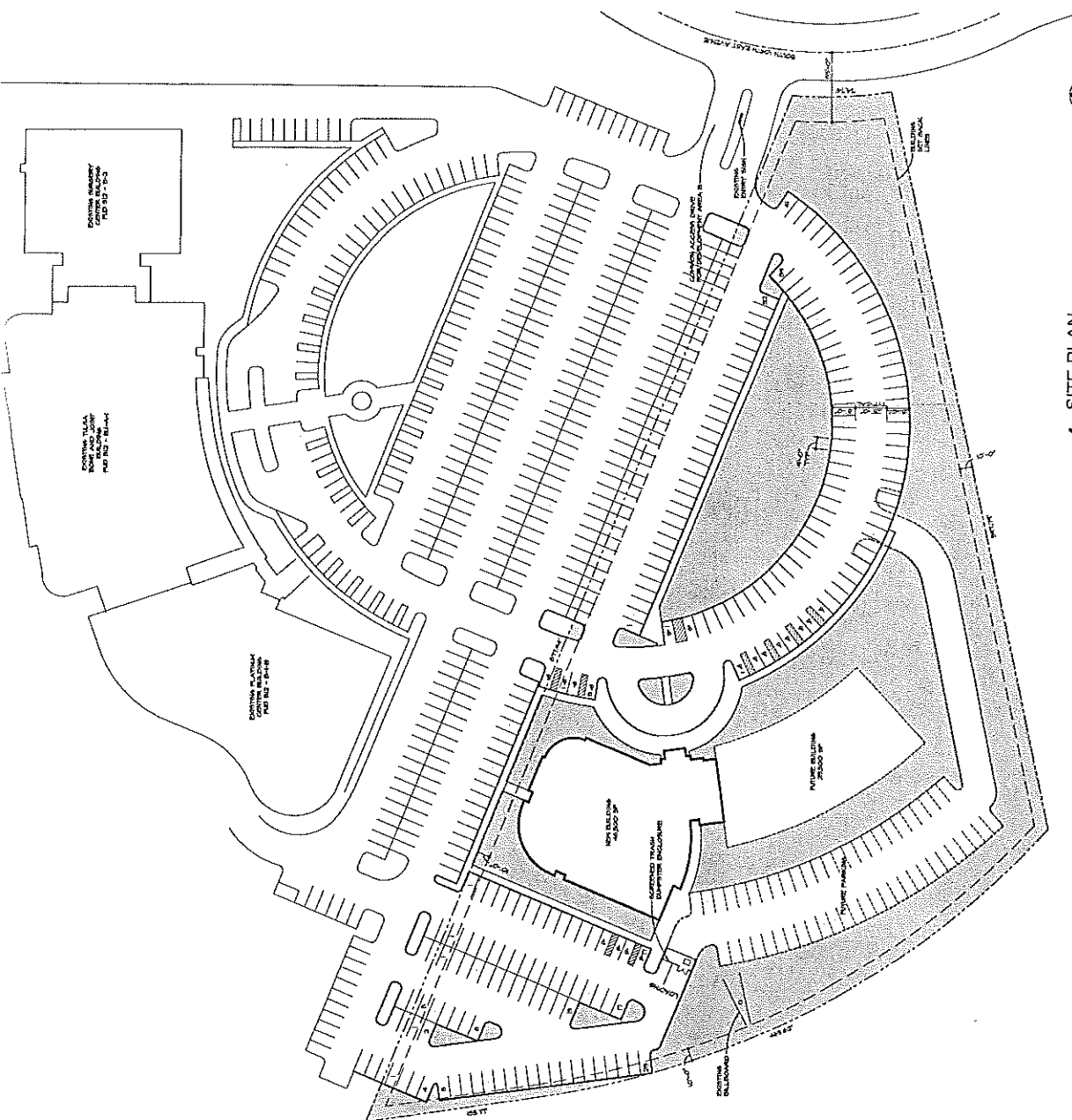
5.5

DEV. AREA
B-1-C
PER
MINOR AMEND.
→
PUD-312-A-5





EXTENT



SITE PLAN

SITE PLAN



LEGAL DESCRIPTION
(TOTAL TRACT)

A TRACT OF LAND THAT IS PART OF LOT 1 IN BLOCK 1 OF "TULSA BONE & JOINT CLINIC" AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA ACCORDING TO THE RECORDED PLAT THEREOF, SAID TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO WIT:

COMMENCING AT THE SOUTHWESTERLY CORNER OF SAID LOT 1; THENCE N 50°36'05" W ALONG THE WESTERLY LINE OF LOT 1 FOR 268.77' TO A POINT OF CURVE; THENCE NORTHWESTERLY ALONG SAID WESTERLY LINE ON A CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 2°52'44" AND A RADIUS OF 681.94' FOR AN ARC LENGTH OF 34.26', WITH A CHORD BEARING OF N 49°09'42" W FOR A CHORD DISTANCE OF 34.26' TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND; THENCE CONTINUING NORTHWESTERLY ALONG THE WESTERLY LINE ON A CURVE TO THE RIGHT WITH A CENTRAL ANGLE OF 39°07'16" AND A RADIUS OF 681.94' FOR AN ARC LENGTH OF 465.62', WITH A CHORD BEARING OF N 28°09'43" W FOR A CHORD DISTANCE OF 456.63' TO A POINT OF TANGENCY; THENCE N 08°36'05" W ALONG SAID TANGENCY FOR 135.77'; THENCE S 67°51'43" E FOR 877.94' TO A POINT ON THE EASTERLY LINE OF LOT 1; THENCE SOUTHERLY ALONG SAID EASTERLY LINE ON A CURVE TO THE LEFT WITH A CENTRAL ANGLE OF 13°00'18" AND A RADIUS OF 330.00' FOR AN ARC LENGTH OF 74.90', WITH A CHORD BEARING OF S 02°51'50" E FOR A CHORD DISTANCE OF 74.74'; THENCE S 77°15'58" W AND PARALLEL WITH THE SOUTHERLY LINE OF LOT 1 FOR 595.79' TO THE "POINT OF BEGINNING" OF SAID TRACT OF LAND.

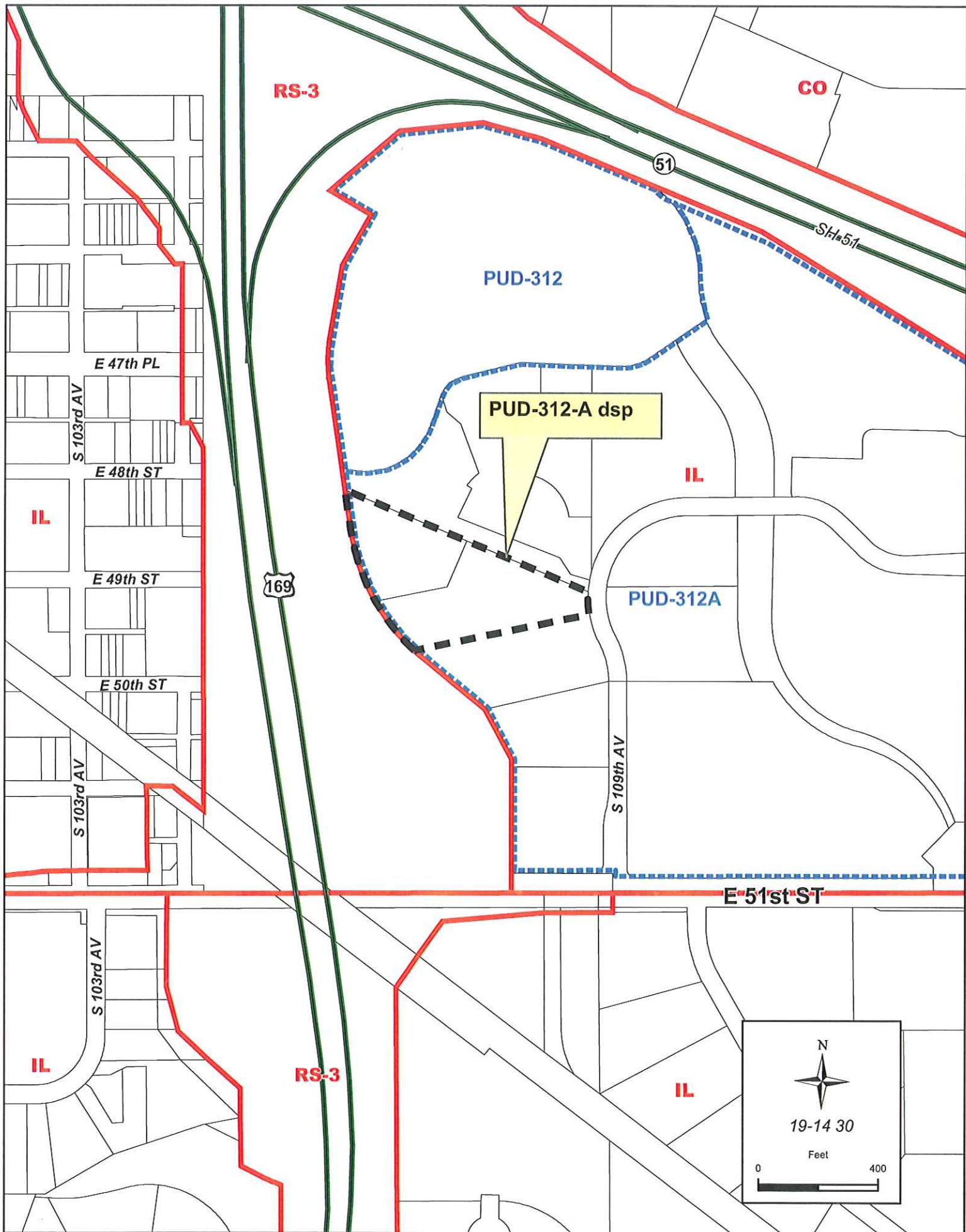
THE PROPERTY DESCRIBED HEREON CONTAINS 223,526 SQUARE FEET OR 5.1315 ACRES.

THE BEARINGS USED IN THE ABOVE LEGAL DESCRIPTION ARE BASED ON THE RECORDED PLAT NUMBER 5729 OF "TULSA BONE & JOINT CLINIC".

THE ABOVE LEGAL DESCRIPTION WAS PREPARED BY RONNIE LEE MARTIN, OKLAHOMA PROFESSIONAL LAND SURVEYOR NO. 1203, ON FEBRUARY 26, 2009. (CA NO. 1783, EXP. JUNE 30, 2009)

F275B(17)
2/26/09:RLM:sky
1914.30 Tulsa Bone & Joint Clinic Tract B.doc

EXHIBIT C 5.8



6.1



PUD-312-A dsp

N

19-14 30

Feet

0 400

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: March 2008

6.2



169

PUD-312-A dsp



19-14 30

Feet



Aerial Photo Date: March 2008

6.3

March 18, 2009

STAFF RECOMMENDATION

PUD-312-A: Detail Site Plan – Northwest of the northwest corner of 51st Street and Garnett Road; Part of Lot 1, Block 1 – Tulsa Bone and Joint; TRS 9430; CZM 84; Atlas 753/754; PD 18; CD 6; IL/PUD.

The applicant is requesting approval of a detail site plan for construction of a 46,500 square foot (sf) medical office building. The proposed use, Use Unit 11 – Offices, Studios and Support Services is a permitted use by PUD-312-A.

The submitted site plan meets all applicable building floor area, open space, and setback limitations as established by PUD-312-A as amended, and concurrent minor amendment application PUD-312-A-10 also on the 3/18/09 agenda of the TMAPC. Parking has been provided per the applicable Use Unit of the Zoning Code. Landscaping is provided per the landscape chapter of the Zoning Code. All sight lighting is limited to a maximum of 32' in total height and will be directed down and away from adjoining properties. A trash enclosure has been provided as required by the PUD.

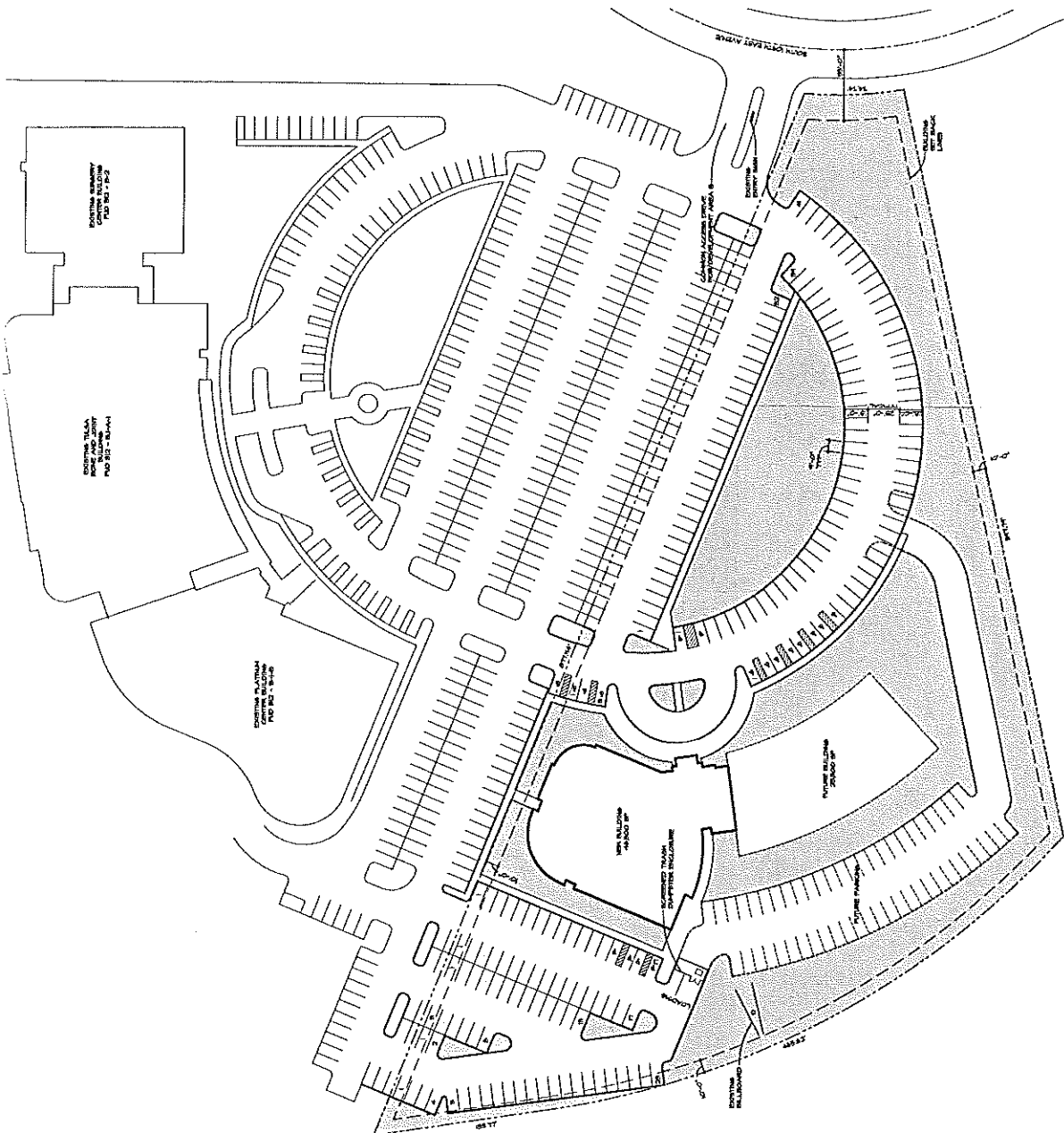
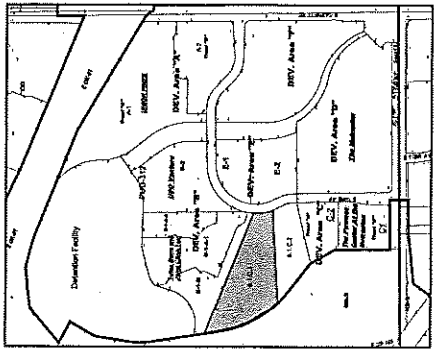
Staff recommends **APPROVAL** of the detail site plan for the 46,500 sf medical office building in PUD-312-A subject to the parallel approval of minor amendment PUD-312-A-10.

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

6.4

ZONING CODE COMPLIANCE ANALYSIS

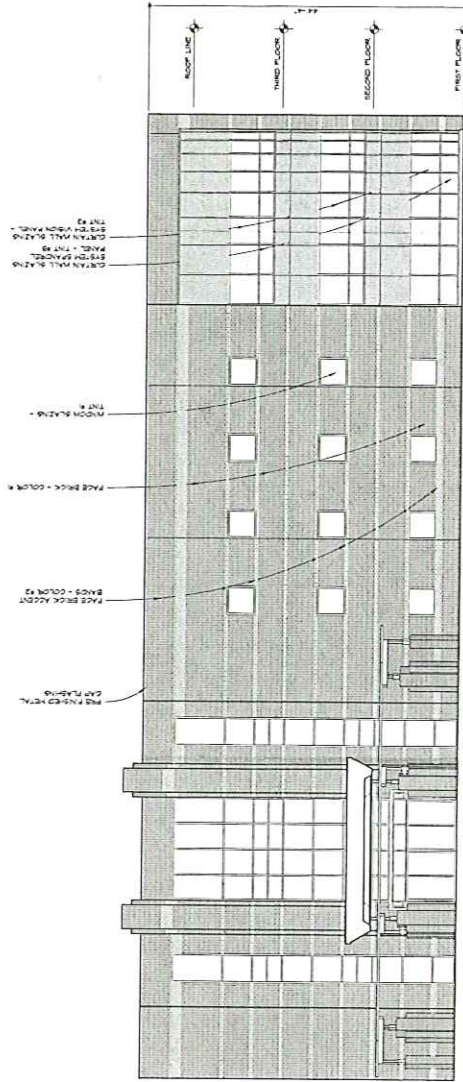
Code	Description	Notes
PD-10-A	Professional Office	Complies with PD-10-A
PD-10-B	Professional Office	Complies with PD-10-B
PD-10-C	Professional Office	Complies with PD-10-C
PD-10-D	Professional Office	Complies with PD-10-D
PD-10-E	Professional Office	Complies with PD-10-E
PD-10-F	Professional Office	Complies with PD-10-F
PD-10-G	Professional Office	Complies with PD-10-G
PD-10-H	Professional Office	Complies with PD-10-H
PD-10-I	Professional Office	Complies with PD-10-I
PD-10-J	Professional Office	Complies with PD-10-J
PD-10-K	Professional Office	Complies with PD-10-K
PD-10-L	Professional Office	Complies with PD-10-L
PD-10-M	Professional Office	Complies with PD-10-M
PD-10-N	Professional Office	Complies with PD-10-N
PD-10-O	Professional Office	Complies with PD-10-O
PD-10-P	Professional Office	Complies with PD-10-P
PD-10-Q	Professional Office	Complies with PD-10-Q
PD-10-R	Professional Office	Complies with PD-10-R
PD-10-S	Professional Office	Complies with PD-10-S
PD-10-T	Professional Office	Complies with PD-10-T
PD-10-U	Professional Office	Complies with PD-10-U
PD-10-V	Professional Office	Complies with PD-10-V
PD-10-W	Professional Office	Complies with PD-10-W
PD-10-X	Professional Office	Complies with PD-10-X
PD-10-Y	Professional Office	Complies with PD-10-Y
PD-10-Z	Professional Office	Complies with PD-10-Z



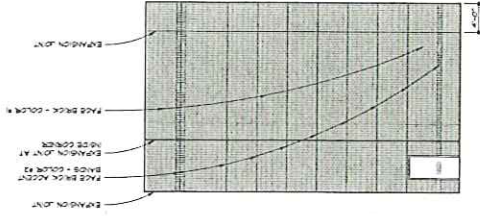
1 SITE PLAN

6.5

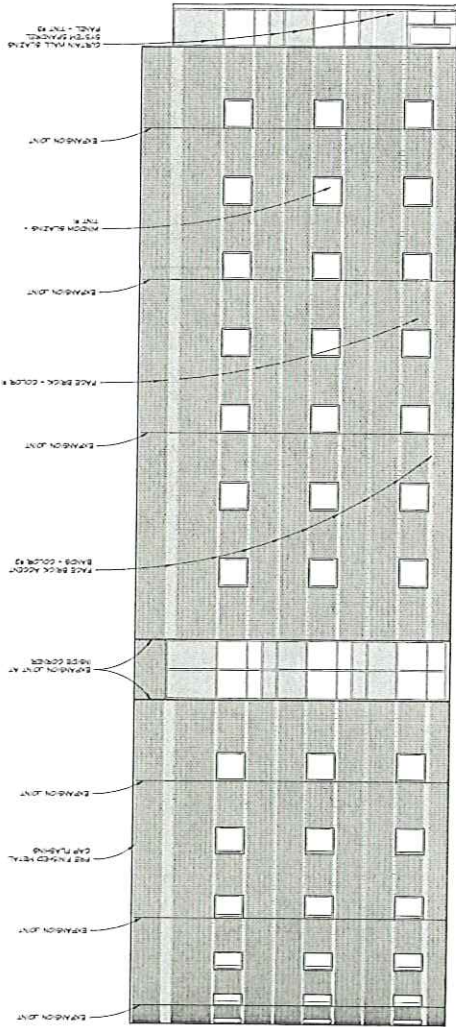
1 EAST ELEVATION 1/8"



2 PARTIAL WEST ELEVATION



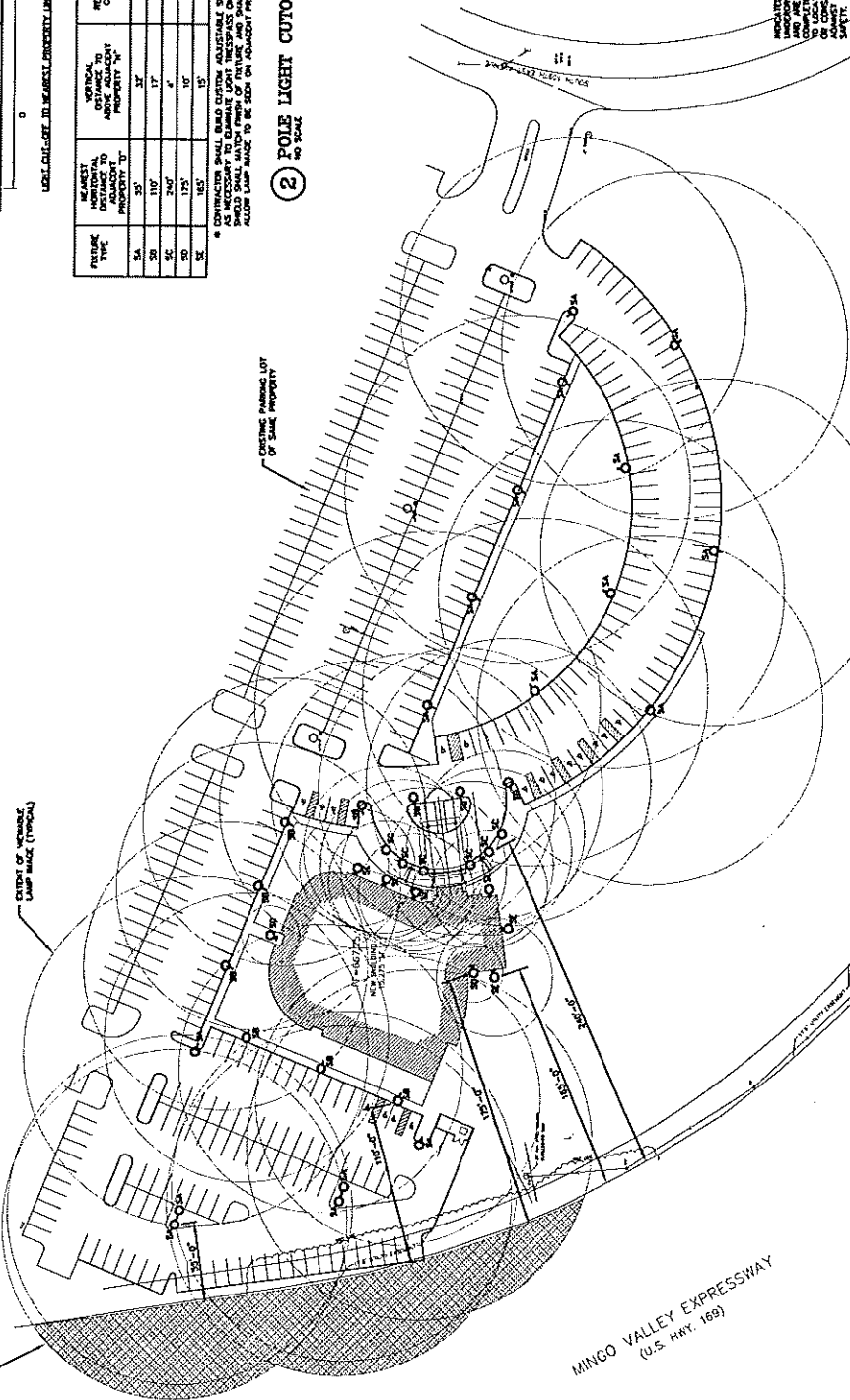
3 WEST ELEVATION



6.6

SITE LIGHT FIXTURE SCHEDULE			
MANUFACTURER AND MODEL	LAMP	FOOTCANDLING	REMARKS
SA EXP-350-31-01-5-12-100-08	(1) 150W PLE	12	MATCH EXISTING PARKING LOT FIXTURES AND POLE INCLUDING ACCESSORIES.
SB OP2-AJ-43-9-0-175W-41	(1) 175W PLE	17	MATCH EXISTING PARKING LOT FIXTURES AND POLE INCLUDING ACCESSORIES. POLE SHALL BE FACTORY FINISHED TO MATCH FINISH.
SC BRN200-42-70W-277-00-F	(1) 70W BULB	27	REEL CONCRETE TUGS WITH FINISHED CONCRETE.
SD BRN200-42-70W-277-00-F	(1) 70W BULB	27	REEL CONCRETE TUGS WITH FINISHED CONCRETE.
SE BRN200-42-70W-277-00-F	(1) 70W BULB	27	REEL CONCRETE TUGS WITH FINISHED CONCRETE.
SE BRN200-42-70W-277-00-F	(1) 70W BULB	27	REEL CONCRETE TUGS WITH FINISHED CONCRETE.
SE BRN200-42-70W-277-00-F	(1) 70W BULB	27	REEL CONCRETE TUGS WITH FINISHED CONCRETE.
SE BRN200-42-70W-277-00-F	(1) 70W BULB	27	REEL CONCRETE TUGS WITH FINISHED CONCRETE.
SE BRN200-42-70W-277-00-F	(1) 70W BULB	27	REEL CONCRETE TUGS WITH FINISHED CONCRETE.
SE BRN200-42-70W-277-00-F	(1) 70W BULB	27	REEL CONCRETE TUGS WITH FINISHED CONCRETE.

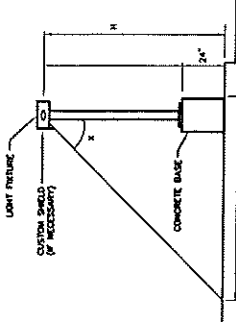
CONTRACTOR SHALL BUILD CUSTOM SHIELD TO PROTECT LAMP FROM VANDALISM AND TO PROTECT FROM PROPERTY LINE (TYPICAL OF 3 FIXTURES)



1 SITE - ELECTRICAL PLAN



RECOMMENDED LUMINA



LOOK OFF TO NEAREST PROPERTY LINE

FIXTURE TYPE	MINIMUM DISTANCE TO PROPERTY LINE	VERTICAL DISTANCE ABOVE PROPERTY LINE	REQUIRED CUTOFF	POLISHED CUTOFF	DISTANCE TO LAMP FROM PROPERTY LINE
SA	30'	32'	35'	34.5'	6'
SB	110'	17'	81'	80'	10'
SC	240'	4'	89'	88'	15'
SD	175'	10'	87'	86'	20'
SE	165'	15'	85'	84'	40'

* CONTRACTOR SHALL BUILD CUSTOM ADJUSTABLE SHIELD ON SIDE OF FIXTURE AS NECESSARY TO ELIMINATE LIGHT TRESPASS ON ADJACENT PROPERTIES. ALLOW LAMP MADE TO BE SLOTTED AND ADJUSTABLE TO NOT ALLOW LIGHT TRESPASS ON ADJACENT PROPERTY.

2 POLE LIGHT CUTOFF DETAILS

INDICATE LOCATION OF EXISTING UTILITY LINES. CONTRACTOR SHALL BE RESPONSIBLE FOR LOCATING AND MARKING ALL EXISTING UTILITY LINES. ALL UTILITY LINES SHALL BE LOCATED AND MARKED PRIOR TO CONSTRUCTION. ALL UTILITY LINES SHALL BE PROTECTED BY A CONCRETE CURB AND TO PROTECT ALL UTILITY LINES IN THE AREA AND PROVIDE FOR SAFETY.

BEFORE YOU DIG
1-800-822-6843
CALL OKIE

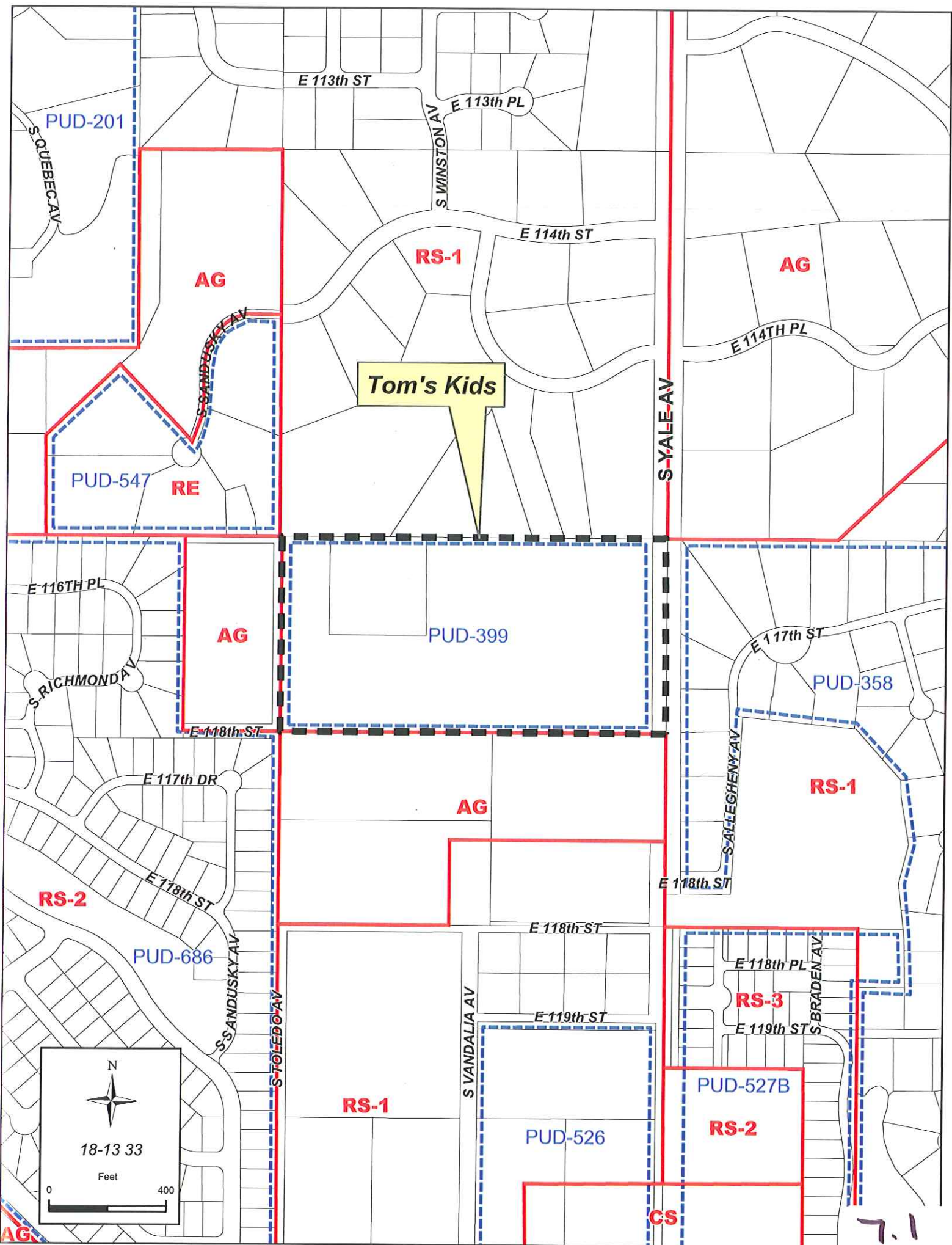


Tulsa Bone and Joint
2009 Campus Expansion
4802 South 109th East Avenue Tulsa, Oklahoma

THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT TO BE USED FOR CONSTRUCTION PURPOSES.

DATE: MARCH 4, 2009
SHEET: 10 OF 10
DRAWN: J. BROWN

ES-1



7.1



E 113th ST

E 113th PL

S WINSTON AV

E 114th ST

E 114TH PL

S YALE AV

S QUEBEC AV

S SANDUSKY AV

E 116TH PL

S RICHMOND AV

E 118th ST

E 117th DR

E 118th ST

S SANDUSKY AV

S TOLEDO AV

E 118th ST

E 119th ST

S VANDALIA AV

S ALLEGHENY AV

E 118th ST

E 118th PL

E 119th ST S

S BRADEN AV

Tom's Kids

N



18-13 33

Feet

0 400

Photo Date: March 2008

7.2

PRELIMINARY SUBDIVISION PLAT

Tom's Kids - (8333) (PD 26) (CD 8)

Southwest corner at 116th alignment and South Yale Avenue

This plat consists of two lots, one block, on 40 acres.

The following issues were discussed February 19, 2009 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD 399 with RS-1 underlying zoning. All PUD standards must be followed and shown in the covenants.
2. **Streets:** Include standard sidewalk language. Show sidewalk along Yale.
3. **Sewer:** Additional easement may be necessary along the east boundary of the plat. The proposed 8 inch line along the south boundary of the plat is okay in order to provide service for both proposed lots. However, Engineering Wastewater Design has determined that section of "dry" 12 inch diameter sanitary sewer pipe must be installed along the east boundary of the plat. This is required in order to provide for future connection to a sanitary sewer main that will serve the basin to the northeast of your project. Contact Matt Vaughan (596-9564) or Gary McColpin (596-9573) for details concerning this requirement.
4. **Water:** The south 10 feet of the north 27.5 foot utility easement (u/e) on lots 1 and 2 should be labeled as a 10 foot restrictive waterline easement. All waterline easements not adjacent to other utility easements will need to be 20 feet in size. Add language to the covenants for the restrictive waterline easement. A water mainline extension will be needed to serve each lot.
5. **Storm Drainage:** The northwest corner has a drainageway conveying public drainage across Lot 1. This drainageway must be placed in an overland drainage easement for the conveyance of runoff from 100 year (1% probability rainfall event). Lot 2 may have to provide on-site detention and overland drainage easements when it is developed, but they may be added by separate instrument. Section IA: Remove the word "General" from the title. Section IC3: After the words "ordinary maintenance of public", please change the sentence to say, "water mains, sanitary sewers, and storm sewers"... Section IF3: Beginning in the third line from the bottom, please remove the non-standard language, which says "or single trunk trees having a caliper of not less than two and one half (2 1/2) inches". Please show the planned paving within the mutual access easement. There are two locations where the overland drainage easements cross the conceptually paved

roadway. Are these low water crossings or will there be roadway culverts to convey the public drainage under the roadway? Conceptual locations and square footage of buildings, parking lots, and their appurtenances should be shown.

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** An additional hydrant may be needed. The standard Fire Department comments concerning fire apparatus roads, cul-de-sacs, radius turns, and hydrant spacing and requirements apply. **GIS:** Fix the inconsistencies between the metes and bounds legal description and what is shown on the face of the plat. Label the point of beginning (POB). The adjacent subdivision, north of this site, should be labeled as "Country", not "County", Squire Estates. Please label the point of beginning and remove the contours from the face of plat. Please provide a basis of bearing, identification of monuments, square footage of each lot and its address. Title the Preliminary 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.



Scale: 1"=50'



Benchmark
NGS 1523 BENCHMARK (AD 50) ELEV = 609.03
IN CONCRETE-SET 20' SET CORNER 20' SET
OF 121ST ST. AND BRAWNE.

Basis of Bearings

ASSUMED IN PARALLEL TO LONG SOUTH LINE OF
THE SW 1/4 OF SECTION 15, T18N, R13E

Monumentation

ALL CORNERS SHOWN HEREON WERE SET USING A 3/8" X
1/2" ALUMINUM PLASTIC CAP STAMPED T&S 1983
AT ALL CORNERS.

PLANNED UNIT DEVELOPMENT NO. 399

Tom's Kids

A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA BEING A PART
OF THE SOUTHEAST QUARTER OF SECTION THIRTY-THREE (33), TOWNSHIP EIGHTEEN
(18) NORTH, RANGE THIRTEEN (13) EAST, OF THE INDIAN BASE AND MERIDIAN.

Owner/Developer

1913 WEST WYOMING AVE. SUITE-A
BROKEN ARROW, OKLAHOMA 74012
PHONE (918) 258-3337
FAX (918) 258-3337
WWW.HARRIS.COM

Engineer/Surveyor

1913 WEST WYOMING AVE. SUITE-A
BROKEN ARROW, OKLAHOMA 74012
PHONE (918) 258-3337
FAX (918) 258-3337
WWW.HARRIS.COM
C.A.#3643 EXPIRES JUNE 30, 2009

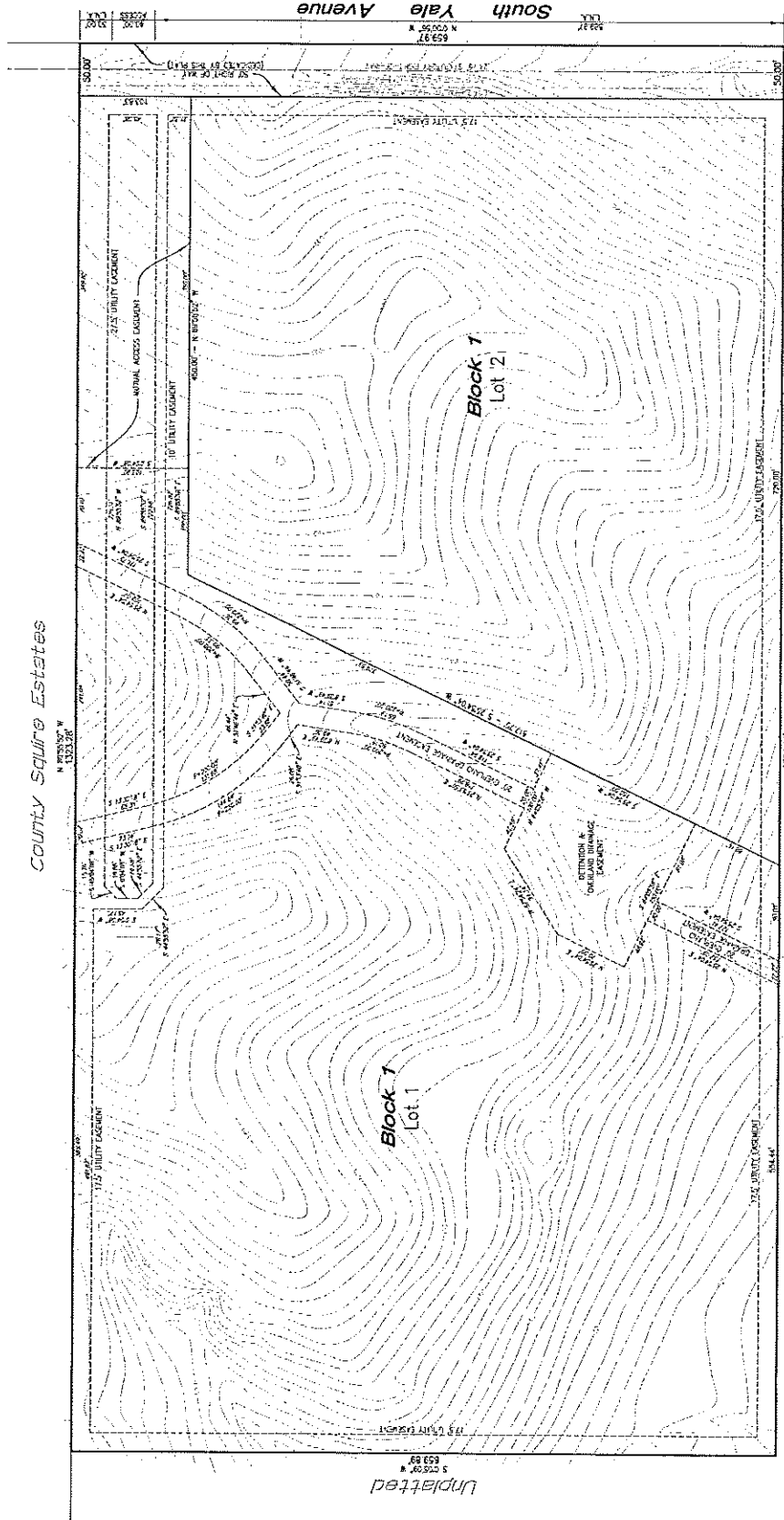
Legend

B/L BUILDING LINE
U/L LIMITS OF NO ACCESS
U/C UTILITY EASEMENT

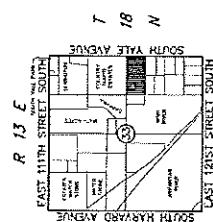
Notes

ALL STREET RIGHT-OF-WAY SHALL BE DEDICATED
AND THESE SERVICES AT THIS POINT.
ALL UTILITIES SHOWN WERE LOCATED
AT THE TIME THIS PLAN WAS PREPARED AND
SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED
ON IN PLACE OF LOCAL DESCRIPTION.
ALL WATER AND SANITARY SERVICE SERVICES WILL
BE SUPPLIED AND MAINTAINED BY THE CITY OF TULSA.

County Square Estates



Unplatted



Location Map
Scale: 1"=500'

Subdivision Contains Two
(2) Lots in One (1) Block
20.00 Acres

Plot Number	FINAL PLAT
CERTIFICATE OF APPROVAL	I hereby certify that this plat was approved by the Tulsa Metropolitan Area Planning Commission on
This approval is void if this plat is not filed in the Office of the County Clerk on or before	TULSA/ANCSG
COUNTY OF CITY ENGINEER	APPROVED by the City of Tulsa, Oklahoma
Chairman	Mayer
Alameda City Clerk	Approved: City Attorney

State Of Oklahoma) ss
County Of Tulsa)

I, ERLINE WALTON, TULSA COUNTY CLERK, IN DO HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF A PLAT INSTRUMENT FILED IN THE CLERK'S OFFICE OF TULSA COUNTY, OKLAHOMA, TULSA COUNTY CLERK.

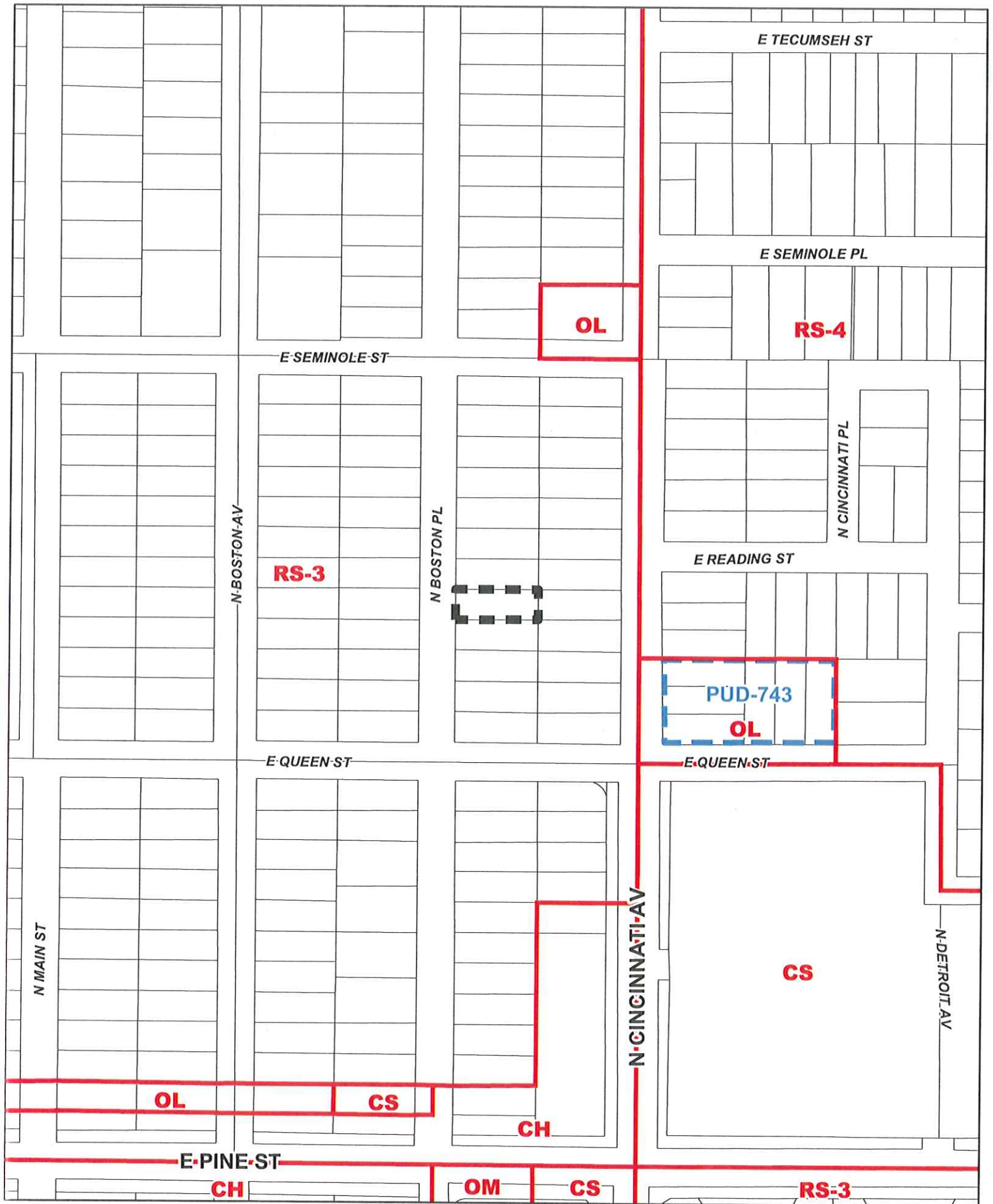
County Treasurer Stamp

RECEIVED
FEB 02 2009
Tulsa Metropolitan Area Planning Commission

RECEIVED
FEB 17 2009
Tulsa Metropolitan Area Planning Commission

RECEIVED
FEB 17 2009
Tulsa Metropolitan Area Planning Commission

RECEIVED
FEB 17 2009
Tulsa Metropolitan Area Planning Commission

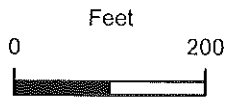


BOA-20874

20-12 26

8.1





BOA-20874

20-12 26

8.2

Photo Date: March 2008

PLAT WAIVER

March 4, 2009

BOA-20874 - (0226) (PD 2) (CD 1)

North of the northeast corner of North Boston Place and East Queen Street

The platting requirement is being triggered by a Board of Adjustment case to allow a day care center in an RS-3 zone.

Staff provides the following information from TAC at their February 19, 2009 meeting:

ZONING:

- TMAPC Staff: The property has been previously platted.

STREETS:

- No comment.

SEWER:

- No comment.

WATER:

- No comment.

STORM DRAIN:

- No comment.

FIRE:

- No comment.

UTILITIES:

- No comment.

Staff recommends **APPROVAL** of the plat waiver of the previously platted property.

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 | |

8.3

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

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

Fernandez, Diane

From: Robert Buss [rbuss@cbwok.com]
Sent: Tuesday, March 10, 2009 4:00 PM
To: Fernandez, Diane
Subject: RE: plat waiver C2-398

Please withdraw our plat waiver application. We want to proceed with the rezoning though. Thank you,

E. Robert Buss

Charney, Buss & Williams, P.C.
8551 N. 125th East Ave., Suite 200
Owasso, OK 74055
(918) 272-5338
(918) 272-5339 Fax

CONFIDENTIALITY NOTE:

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From: Fernandez, Diane [mailto:dfernandez@incog.org]
Sent: Tuesday, March 10, 2009 3:51 PM
To: Robert Buss
Subject: plat waiver

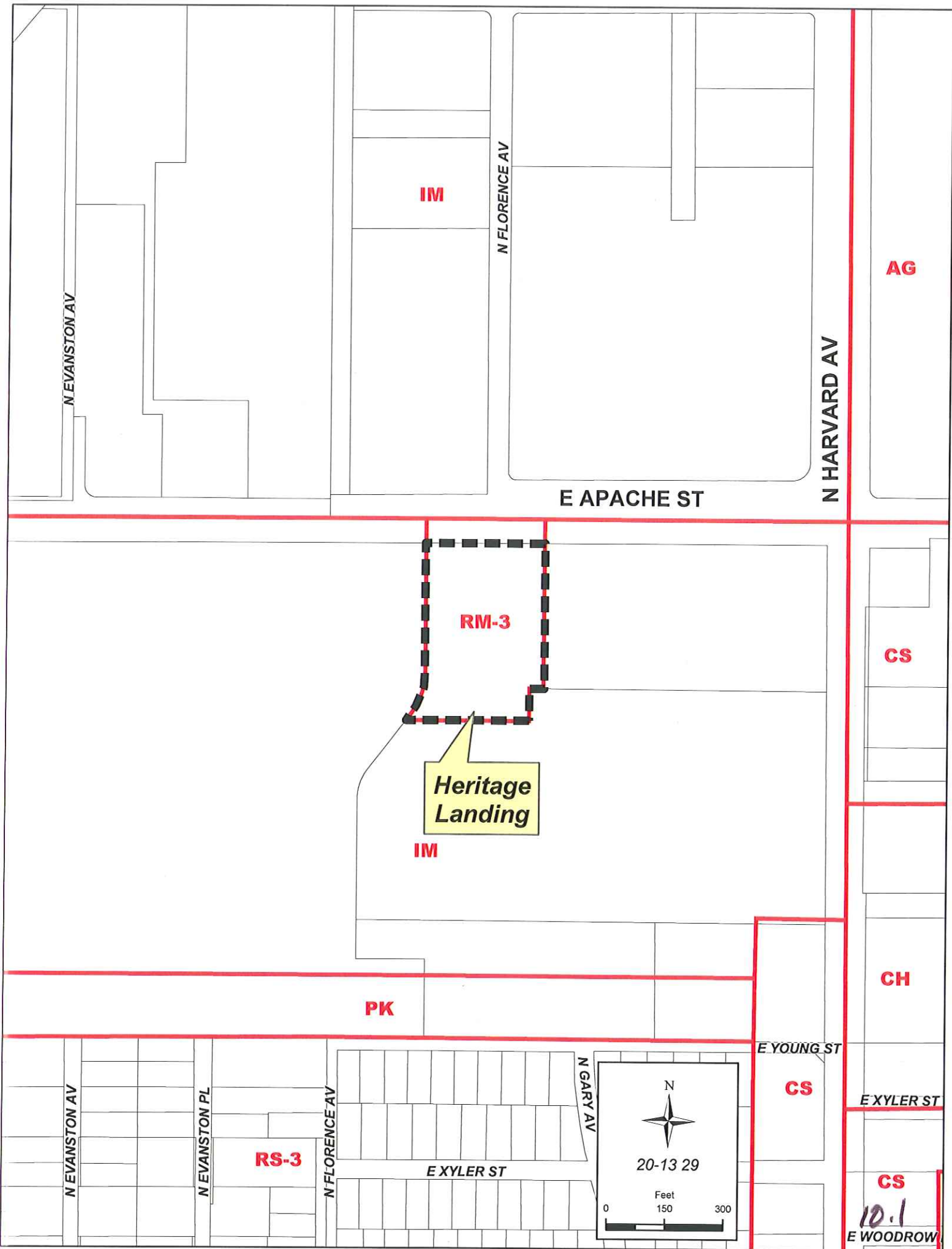
Bob – have you decided to withdraw this or request a continuance?

Diane S. Fernandez
Senior Planner
INCOG
201 West 5th Street
Tulsa, Oklahoma 74103
Telephone: 918-584-7526
E-mail: dfernandez@incog.org
Facsimile: 579-9581

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3/10/2009

9.1



N EVANSTON AV

IM

N FLORENCE AV

AG

N HARVARD AV

E APACHE ST

RM-3

Heritage
Landing

IM

CS

PK

CH

N EVANSTON AV

N EVANSTON PL

RS-3

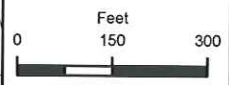
N FLORENCE AV

E XYLER ST

N GARY AV



20-13 29



E YOUNG ST

CS

E XYLER ST

CS

10.1
E WOODROW



N

29 20-13

**Heritage
Landing**

Feet
0 150 300

Aerial Date: MARCH 2008

10.2

PRELIMINARY SUBDIVISION PLAT

Heritage Landing - (0329) (PD 3) (CD 3)

West of the Southwest corner of Apache and North Harvard Avenue

This plat consists of 1 Lot, 1 Block, on 3.03 acres.

The following issues were discussed February 19, 2009 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned RM-3. A Senior Living Center is planned for the site.
2. **Streets:** Plat number 1786 was vacated. Confirm that right-of-way dedicated by the plat was not vacated.
3. **Sewer:** Use the standard language in Section I C. There is also an existing sanitary sewer line along the north side of East Apache Street that would be available for a mainline extension, if you have adequate depth to serve your property.
4. **Water:** Add off-site restrictive waterline easement filed document number.
5. **Storm Drainage:** Flat Rock Creek of Tulsa Regulatory Floodplain covers 2/3rds of the site. No construction or fill activities are allowed in the floodplain until the compensatory storage facility is completed. Show and label the compensatory storage easement on the face of the plat. Show the boundary line distances on all 4 sides of the stormwater detention easement. Show and label both the existing and the proposed Flat Rock Creek Regulatory Floodplain. Add a required minimum finished floor elevation to the face of plat. Please remove contours from the face of the plat. Add an overland drainage easement for the public drainage flowing onto the site from the southeast, or collect the drainage flowing onto the site at the property line, and pipe it across the property in a utility or a storm sewer easement; or do a combination thereof. Please use City of Tulsa standard language for Section I C&H. Add compensatory storage easement and overland drainage easement, City of Tulsa standard language, to Section I. Show and label the compensatory storage easement, both existing and proposed Flat Rock Creek City of Tulsa Regulatory Floodplain, and all overland drainage easements. All storm drainage systems that receive and convey offsite drainage across this site are public drainage systems, and must be placed in an easement.

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** Move the proposed fire hydrant to the north, in line with the center of the parking lot. **GIS:** Fix the inconsistencies between the metes and bounds legal description and what is shown on the face of the plat. Please show a tie, on the face of the plat with monumentation, into the state plane coordinate system (NAD 83). Submit a subdivision control data form (Appendix D), last page of the subdivision regulations for the Tulsa Metropolitan area. **Airport:** Structure height as described should not cause air space permits to be required. Please provide a graphic scale bar.

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:

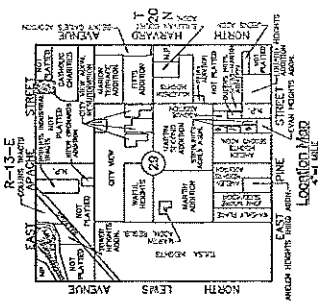
1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved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

A SUBDIVISION OF PART OF THE
NE/4 of SECTION 29, T-20-N, R-13-E
CITY OF TULSA, TULSA COUNTY, OKLAHOMA

A SUBDIVISION OF PART OF THE
NE/4 of SECTION 29, T-20-N, R-13-E
CITY OF TULSA, TULSA COUNTY, OKLAHOMA



Owner

HERITAGE LANDING LP
ATTN: BILL MAJOR
3050 EAST 31ST STREET
TULSA, OKLAHOMA 74130
PHONE: (918) 604-9002

Engineer / Supervisor

SACK AND ASSOCIATES, INC.
SANTA FE DEPOT
111 SOUTH ELGIN AVENUE
TULSA, OKLAHOMA 74120-1811
PHONE: (918) 592-4111
TULSA SACK AND ASSOCIATES
No. 1783 (EXP. JUNE 30, 2000)

Basics of Boards:

THE BEARINGS SHOWN HEREON ARE BASED ON THE NORTHERLY LINE OF THE N¹/₄ OF SECTION 20, T-20-N, R-13-E, HAVING AN ASSUMED NON-ASTRONOMICAL BEARING OF DUE EAST.

Monumentation

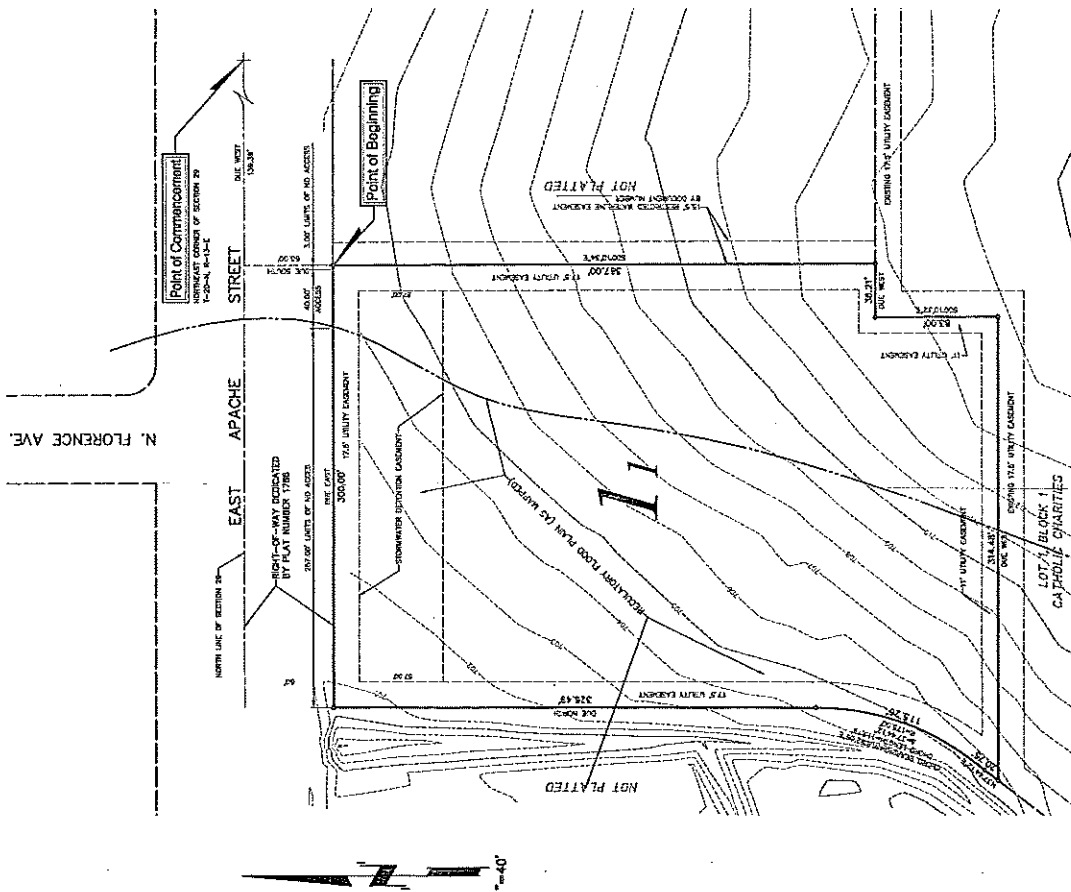
ALL CORNERS TO BE SET USING A 3/0"x10" IRON PIN WITH A YELLOW CAP STAMPED "SACK LS 1139" UNLESS OTHERWISE NOTED.


Subdivision Statistics

SUBDIVISION CONTAINS 1 LOT IN 1 BLOCK
BLOCK 1 CONTAINS 3.0021 ACRES (134,287 S.F.)

RECEIVED
FEB 13 2009
Las Metropolitan Area
Sanitary Commission
1000 N. 1st Avenue, Suite 100
Phoenix, AZ 85004
Tel: 602.258.1234
Fax: 602.258.1235
www.lasmetropolitanarea.org

HERITAGE LANDING
SHEET 1 of 1

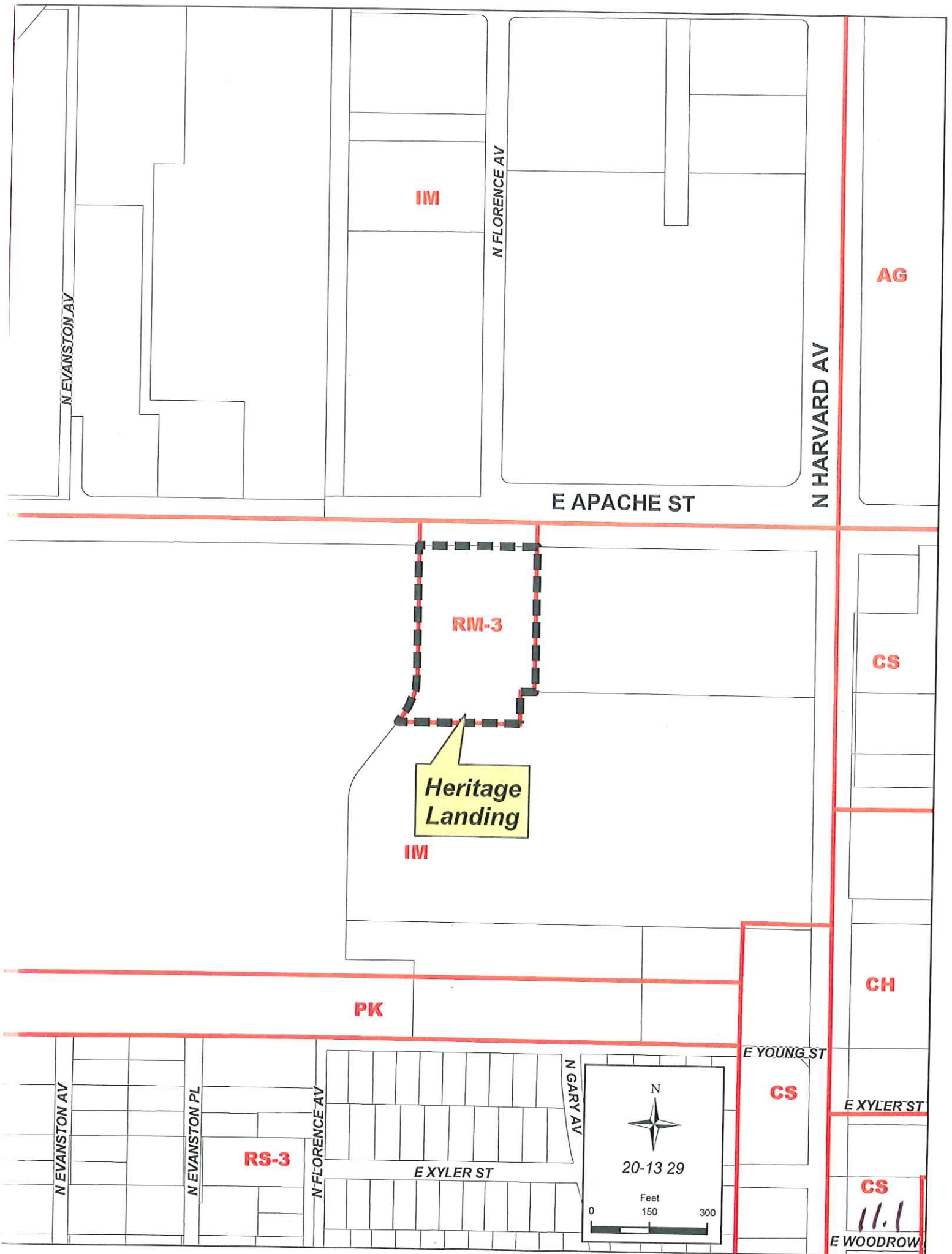


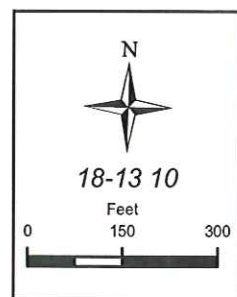
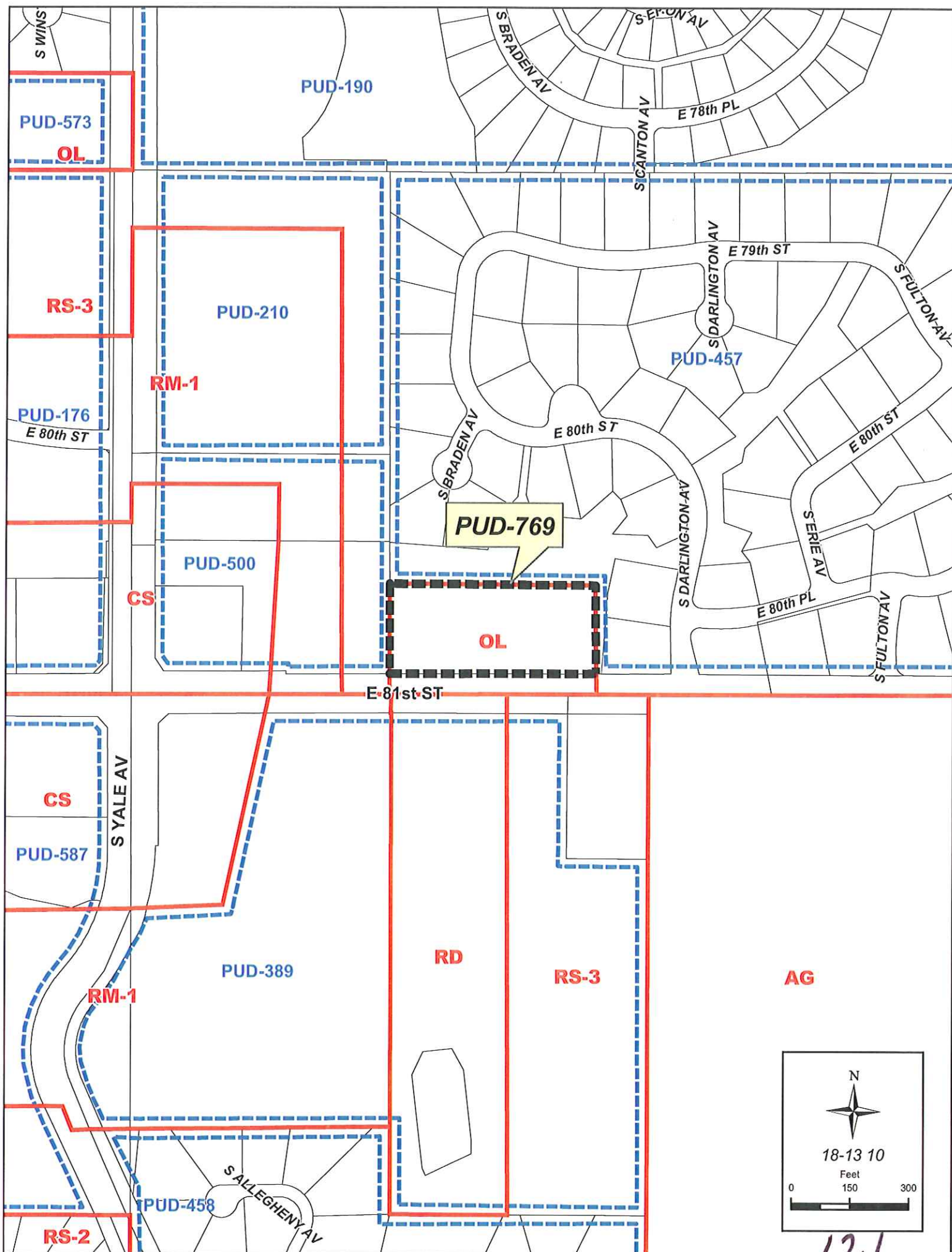

 TREASURER'S STAMP
DO NOT USE THIS SPACE

COUNTY CLERK STAMP
DO NOT USE THIS SPACE

<p>STATE OF TEXAS CERTIFICATE OF RESOLUTION The undersigned, County Clerk of the County of _____, State of Texas, hereby certify that the following resolution was duly adopted by the Texas Metropolitan Area Planning Commission on _____ day of _____, 19____.</p>	<p>19____/____/____</p>
<p>This approval is valid if the seal is placed in the blank space below and filed in the Office of the County Clerk on or before _____.</p>	<p>_____ CITY ENGINEER</p>
<p>APPROVED _____ By _____ the _____ of the City of _____, _____.</p>	<p>_____ Chairman</p>
<p>_____ Mayor</p>	<p>_____ African City Clerk</p>
<p>_____ Approved City Attorney</p>	

10.7





18-13 10

Feet
0 150 300

12.1



N

18-13 10

PUD-769

0 Feet 150 300

12.2



S BRADEN AV

E 80th ST

S DARLINGTON AV

E 80th P

E'81st ST



18-13 10

PUD-769



12.3

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: PUD-769

TRS 8310

Atlas 1419

CZM 53

PD-18 CD-8

TMAPC Hearing Date: March 18, 2009

Continued from 3/4/09

Applicant: Hunter Construction Mgt. Inc.

Tract Size: 3.31± acres

ADDRESS/GENERAL LOCATION: East of northeast corner of East 81st Street and South Yale Avenue

EXISTING ZONING: OL

EXISTING USE: Vacant

ZONING ORDINANCE: Ordinance number 17231 dated October 17, 1989, established zoning for the subject property.

PROPOSED ZONING: OL/PUD

PROPOSED USE: Office

RELEVANT ZONING HISTORY:

PUD-500 June 1993: All concurred in approval of a propose Planned Unit Development a 7.6± acre tract of land for a commercial shopping center on property located on the northeast corner of East 81st Street and South Yale Avenue and abutting the subject property to the west.

PUD-457 March 1990: All concurred in approval of a propose Planned Unit Development a 76.7± acre tract of land for residential development, subject to conditions on property located north and east of the northeast corner of East 81st Street South and South Yale Avenue and abutting north and east of subject property.

Z-6256 October 1989: All concurred in approval of a request for rezoning a 80± acre tract of land from AG to RS-3/OL on property located east of northeast corner of East 81st Street and South Yale Avenue and a part of the subject property

Z-6026/PUD-389 February 1985: All concurred in approval of a request for rezoning a 32± acre tract of land from RS-3 to RM-0/OL and a propose Planned Unit Development for multi-family use on property located on the southeast corner of 81st Street and South Yale Avenue and abutting south, across 81st Street, of subject property.

PUD-210 June 1978: All concurred in approval of a propose Planned Unit Development a 10.77± acre tract of land for single-family development on property located north of the northeast corner of East 81st Street and South Yale Avenue.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 3.31± acres in size and is located east of northeast corner of East 81st Street and South Yale Avenue. The property appears to be vacant and is zoned OL.

12.4

STREETS:**Exist. Access**East 81st Street South**MSHP Design**

Secondary Arterial

MSHP R/W

100'

Exist. # Lanes

3

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

SURROUNDING AREA: The subject tract is abutted on the north and east by Holland Lakes, zoned RS-3/PUD; on the south by 81st Street and then The Vintage on Yale, zoned RD/RS-3/PUD; and on the west by Holland Center, zoned CS/RM-1/RS-3/PUD.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 18 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being Low Intensity – No Specific Land Use. According to the Zoning Matrix, the existing OL zoning **may be found** in accord with the Plan. In 1989, the OL zoning was found to be in accord with the Plan.

STAFF RECOMMENDATION:

The subject property is a 2.71 acre (118,125 sf) tract located east of the northeast corner of 81st Street South and South Yale Avenue. As stated above, the subject tract is abutted on the north and east by a heavily wooded reserve area for Holland Lakes and then Holland Lakes, a single family residential development zoned RS-3/PUD; on the south by 81st Street and then The Vintage on Yale, zoned RD/RS-3/PUD; and on the west by Holland Center, zoned CS/RM-1/RS-3/PUD.

The subject property is zoned OL, the land area of which would permit 43,312 sf of floor area at a .3 floor-to-area (FAR) ratio. PUD-769 proposes to divide the site into four or five pad sites allowing a total 40,000 sf of floor area, limited to Use Unit 11 – Office, Studio and Support Services only (see Exhibits A-1 and A-2).

Please refer to Exhibit B, the topographic map of the site showing an approximate 15'-foot (+/-) decline in topography from the 81st Street right-of-way (ROW) to the south edge of the Holland Lake (see also site photographs attached hereto by staff). Rather than level the site and raise grade 15' (+/-) with retaining walls, the applicant is proposing the PUD over-lay to take advantage of the site topography and allow construction of split-level buildings with basements and parking under the first floor in the rear (see Exhibit C, C-1 and C-2 - Elevations). Single-story elevations will front 81st Street with the two-story rear of the buildings screened from view with a six-foot solid wall or fence in addition to utilizing the heavily wooded south boundary of the abutting reserve area to provide additional natural screening. The inside of the screening wall or fence will also be heavily landscaped to further aid in screening.

Access to the site will be from one primary access point off 81st Street, and from a mutual access easement from Holland Center - the abutting property to the west. Sidewalks will be constructed along 81st Street.

Please refer to the attached Technical Advisory Committee (TAC) comments. Fees-in-lieu of on-site stormwater detention will be allowed for this site since there is a 100-year public drainage system along the west boundary of the site to which the stormwater will be directed. No stormwater will be allowed to drain into the reserve area for the adjacent Holland Lakes development.

The applicant notes subdivision platting is planned for the spring of 2009. The applicant anticipates the first building will break ground by fall 2009. The balance of the lots will be developed as the marketing of the individually owned buildings are sold.

With additional buffering and screening along the north and east boundaries of the site in addition to the naturally heavy vegetation in the reserve area of Holland Lakes and drainage diverted away from the aforementioned reserve area, staff can support the proposal.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Staff finds PUD-769 to be: (1) consistent with the Comprehensive Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of PUD-769 subject to the following conditions as amended by staff:

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

AREA:

GROSS:	3.31 ACRES	144,375 SF.
NET:	2.71 ACRES	118,125 SF.

PERMITTED USES:

Those uses permitted as a matter of right in Use Unit 10 - Off-Street Parking Areas and Unit 11 - Offices, Studios and Support Services only.

MAXIMUM BUILDING FLOOR AREA: 40,000 SF.

MAXIMUM BUILDING HEIGHT:

One story, not to exceed 20 feet facing 81st St. frontage and two stories, not to exceed 40 feet on the north elevation, with the lower level being covered parking, storage or day light basements for general office and mechanical equipment space.

Off-STREET PARKING:

As required by the applicable Use Unit of the Tulsa Zoning Code. Covenants and cross easements between lots in the subdivision will allow some shared parking.

MINIMUM BUILDING SETBACKS:

From centerline of 81 st St.:	100 FT
From the east boundary of the PUD:	10 FT
From the north boundary of the PUD:	40 FT

12.6

From the west boundary of the PU:

40 FT

From internal lot lines:

0 FT*

** A 10 foot building separation is required*

MINIMUM LANDSCAPED AREA:

A minimum of 15% of land area shall be improved as internal landscaped open space in accord with the Landscape Chapter of the Zoning code, as well as perimeter landscaping as required by the Zoning Code which may be included in open space calculations.

SITE SCREENING:

A minimum of a six-foot (6') solid screened wall or fence shall be constructed along the entirety of the north and east boundaries of the PUD in conformance with §1211, C-1 of the Tulsa Zoning Code.

LIGHTING:

All parking area light standards shall not exceed 16 feet in height. All parking lot lighting and shall be directed downward and away from the north and east boundary of the property in compliance with §1303-C of the Tulsa Zoning Code. Verification of compliance shall be through application of the Kennebunkport formula and submission of a photometric plan.

No lighting on the north and east facing walls of the office buildings shall be permitted other than accent and security lighting which shall also comply with §1303-C of the Code. Verification of compliance shall also be through application of the Kennebunkport formula and submission of a photometric plan.

SIDEWALKS:

Sidewalks will be provided along 81st Street South per subdivision regulations.

TRASH CONTAINERS:

Trash receptacles shall be completely screened from view of a person standing at ground level within an abutting residential district. Trash collection will be restricted to 9:00 am to 6:00 pm.

SIGNS:

One tenant identification sign is permitted along the 81st Street frontage identifying the office park not to exceed 8' in total height nor 64 square feet of display surface area. Each building will be permitted one south facing wall sign not to exceed 1 square foot of display surface area per lineal foot of wall to which the sign is affixed.

3. No zoning clearance permit shall be issued until a detail site plan for the lot, which includes all buildings, parking and landscaping areas, has been submitted to the

TMAPC and approved as being in compliance with the approved PUD development standards. Cross parking arrangements shall be reflected on each site plan.

4. A detail landscape plan for the development area shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect, architect or engineer registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening will be installed by a specific date in accordance with the approved landscape plan, prior to issuance of an occupancy permit. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.
5. No sign permits shall be issued for erection of a sign within the PUD until a detail sign plan for that lot has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
6. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.
7. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures or existing stormwater drainage structures and detention areas serving the development area have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.
8. No building permit shall be issued until the platting requirements of Section 1107-F of the Zoning Code have been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants that relate to PUD conditions.
9. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting process which are approved by TMAPC.
10. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
11. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle. Receptacle screening shall be constructed of materials having an appearance similar to the buildings themselves and be of complementary color. Trucks or truck trailers may not be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the PUD.

TAC Comments:

General: No Comments.

Water: A 12-inch water mainline exists along the south side of E. 81st St. South.

Fire: The required turning radius of a fire apparatus access road shall be determined by the fire code official. Fire apparatus roads shall be designed with a minimum of 28 feet inside radius and a minimum of 48 feet' outside radius.

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

Exceptions:

1. For Group R-3 and Group U occupancies, the distance requirement shall be 600 feet (183 m).
2. For buildings equipped throughout with an approved automatic sprinkler system the distance requirement shall be 600 feet.

Stormwater: Stormwater notes from the Pre-Development Conference state the following: A Stormwater Pollution Prevention Plan (SP3) will be required for this site. There is a 100-Year Public Drainage System along the west boundary of this site, therefore, Fees-In-Lieu of providing On-site Detention will be allowed. Additional drainage is not allowed to flow to the existing Reserve Area. Fill materials and spoils cannot be placed in the floodplain. It is recommended that a location specific Flood Zone Determination be requested for all buildings constructed on this site. A Infrastructure Development Process (IDP) project, previously known as Privately Financed Public Improvement (PFPI), will be required to connect to the Public Drainage System, and to construct Public Drainage Systems on this site.

Wastewater: Access to sanitary sewer service must be provided to all lots within the proposed development.

Transportation: Sidewalk required along 81st St. Include sidewalks in Access and Circulation section on Page 4.

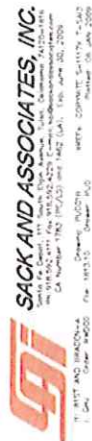
INCOG Transportation comments:

- MSHP: 81st St. S., between S. Sheridan Rd and S. Yale Ave., is designated secondary arterial.
- LRTP: 81st St. S., between S. Sheridan Rd and S. Yale Ave., planned 4 lanes.
- TMP: No comments.
- Transit: No existing or future plans for this location.

GIS: No comments.

Street Addressing: No comments.

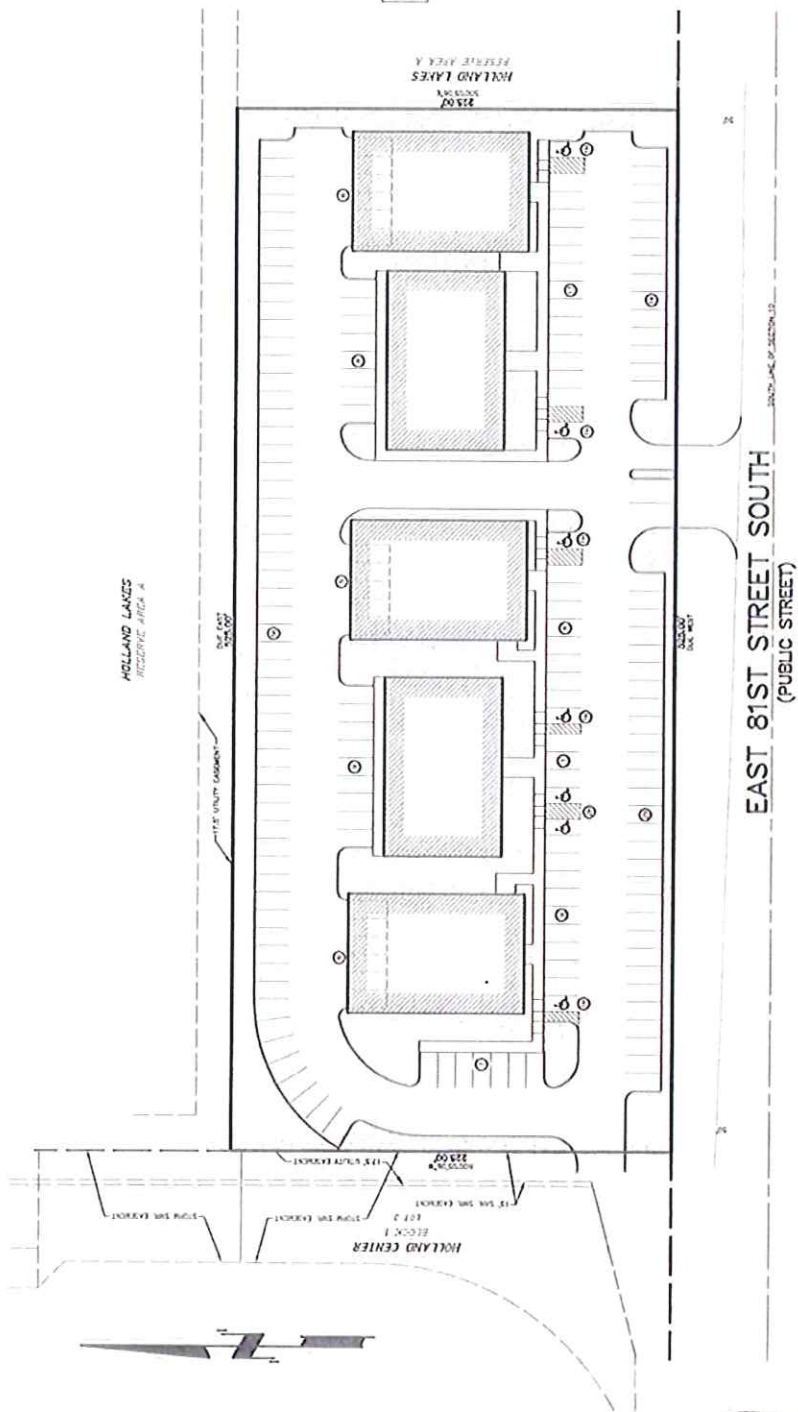
03/04/09



SACK AND ASSOCIATES, INC.
Sack's Gas Co., 100 South Elm Avenue, Tulsa, Oklahoma 74106
Tel: 918-562-4271 Fax: 918-562-4272 E-mail: sales@sacksinc.com
CA Number: 190 (P) 2/23 and 1422 (SA), Exp. June 30, 2009

T-RIST AND HAZOVNA
I. Day Order #WZ004
Phone: 922281 Fax: 922280
E-Mail: info@t-h.com Web: www.t-h.com

MITE'S CORP
MITE'S CORP, 1511 N. 10TH ST.
TULSA, OKLAHOMA 74103
TEL: 918-438-1111 FAX: 918-438-1112
WWW.MITESCORP.COM



Legend

LANDSCAPED AREA

NUMBER OF STANDARD PARKING SPACES	NUMBER OF HANDICAP PARKING SPACES
1	1
2-5	2
6-25	3
26-50	5
51-75	6
76-100	8
101-150	10
151-200	12
201-250	15
251-300	18
301-350	20
351-400	22
401-450	25
451-500	28
501-550	30
551-600	32
601-650	35
651-700	38
701-750	40
751-800	42
801-850	45
851-900	48
901-950	50
951-1000	52
1001-1050	55
1051-1100	58
1101-1150	60
1151-1200	62
1201-1250	65
1251-1300	68
1301-1350	70
1351-1400	72
1401-1450	75
1451-1500	78
1501-1550	80
1551-1600	82
1601-1650	85
1651-1700	88
1701-1750	90
1751-1800	92
1801-1850	95
1851-1900	98
1901-1950	100
1951-2000	102
2001-2050	105
2051-2100	108
2101-2150	110
2151-2200	112
2201-2250	115
2251-2300	118
2301-2350	120
2351-2400	122
2401-2450	125
2451-2500	128
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2951-3000	152
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3051-3100	158
3101-3150	160
3151-3200	162
3201-3250	165
3251-3300	168
3301-3350	170
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3901-3950	200
3951-4000	202
4001-4050	205
4051-4100	208
4101-4150	210
4151-4200	212
4201-4250	215
4251-4300	218
4301-4350	220
4351-4400	222
4401-4450	225
4451-4500	228
4501-4550	230
4551-4600	232
4601-4650	235
4651-4700	238
4701-4750	240
4751-4800	242
4801-4850	245
4851-4900	248
4901-4950	250
4951-5000	252
5001-5050	255
5051-5100	258
5101-5150	260
5151-5200	262
5201-5250	265
5251-5300	268
5301-5350	270
5351-5400	272
5401-5450	275
5451-5500	278
5501-5550	280
5551-5600	282
5601-5650	285
5651-5700	288
5701-5750	290
5751-5800	292
5801-5850	295
5851-5900	298
5901-5950	300
5951-6000	302
6001-6050	305
6051-6100	308
6101-6150	310
6151-6200	312
6201-6250	315
6251-6300	318
6301-6350	320
6351-6400	322
6401-6450	325
6451-6500	328

Parking Statistics

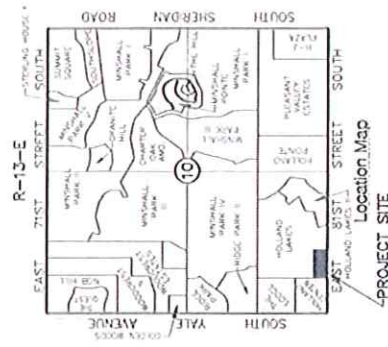
TOTAL FLOOR AREA:	40,000 S.F.
REQUIRED PARKING RATIO:	1 PER 350 S.F.



The Offices at
Holland Lake

Conceptual Site Plan

Platform Development Number -



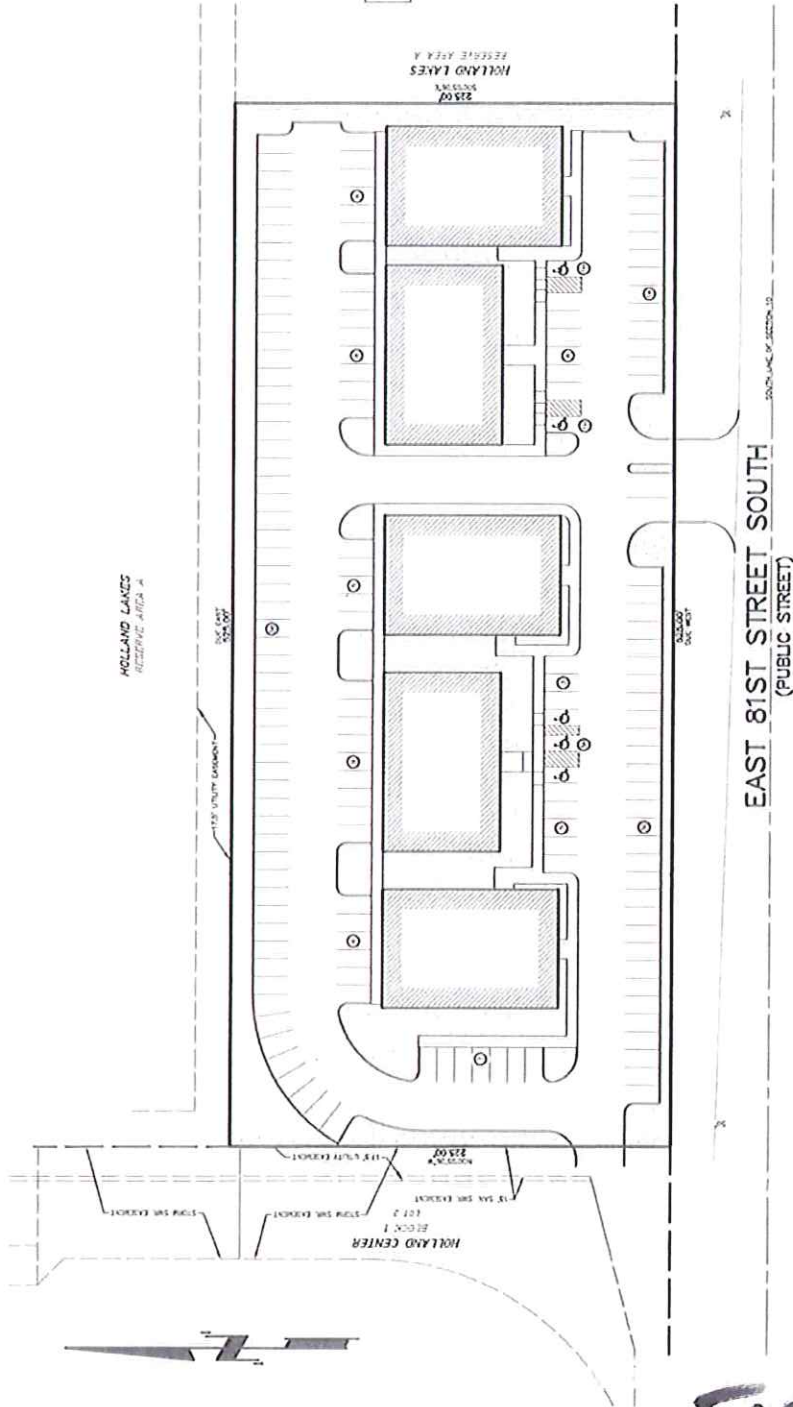
Legend

LANDSCAPED AREA

NUMBER OF STANDARD PARKING SPACES
NUMBER OF HANDICAP PARKING SPACES

Parking Statistics

TOTAL FLOOR AREA: 40,000 S.F.
REQUIRED PARKING RATIO: 1 PER 250 S.F.



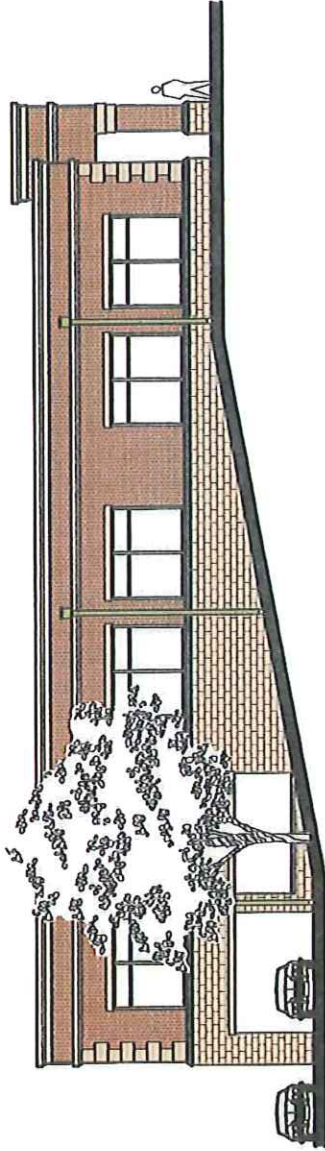
The Offices at
Holland Lake

Conceptual Site Plan

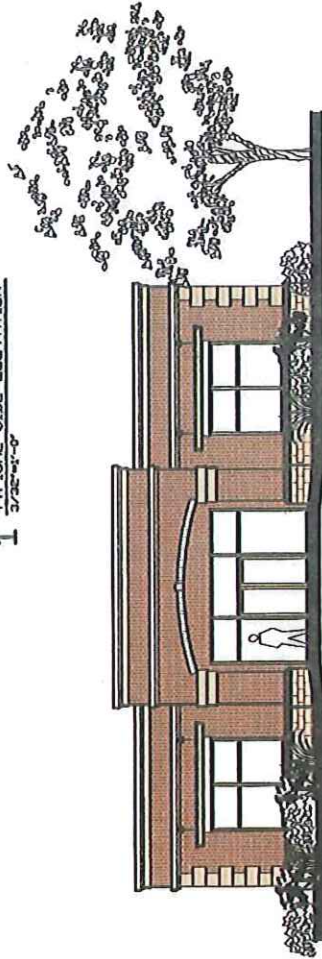
Planned Unit Development Number

SACK AND ASSOCIATES, INC.
1111 South 1st Street, Suite 100, San Jose, CA 95128-1111
Phone: (408) 281-1111 Fax: (408) 281-1112
www.sackandassociates.com
Sack and Associates, Inc. is an Equal Opportunity Employer.
Project: 81ST AND 1ST ST. S. S. 11/11/07
Author: Ray Date: 11/11/07
Scale: 1/8" = 1'-0" Printed: 08/11/2008

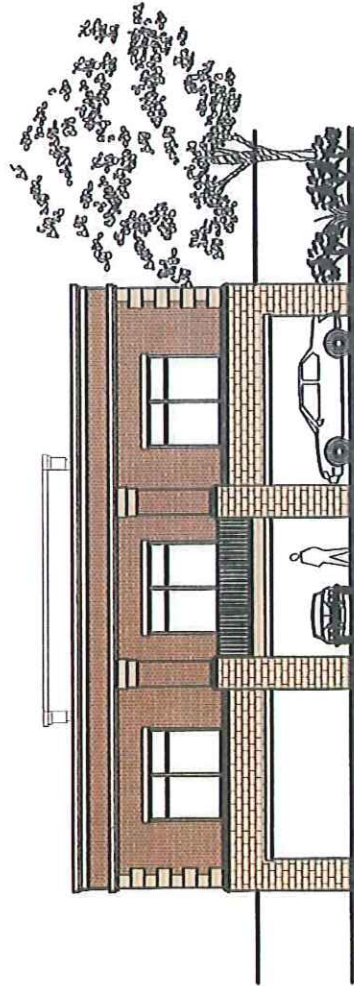
EXHIBIT A-2.12.11



1 TYPICAL SIDE ELEVATION
3/25/12-12-12



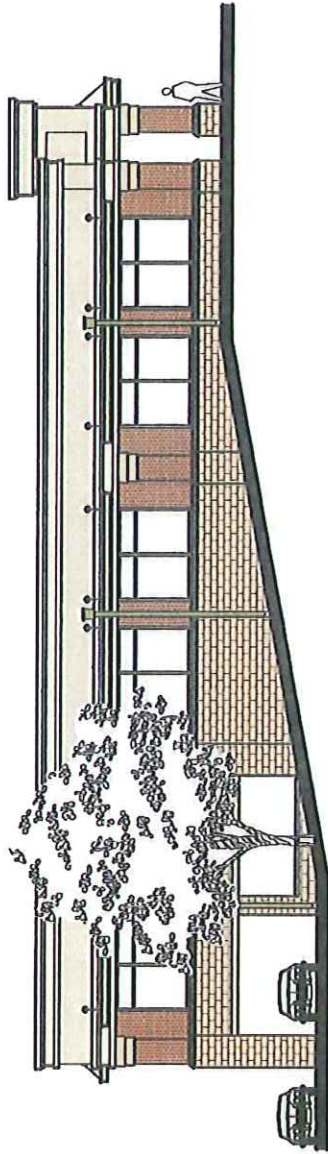
2 TYPICAL FRONT ELEVATION
3/25/12-12-12



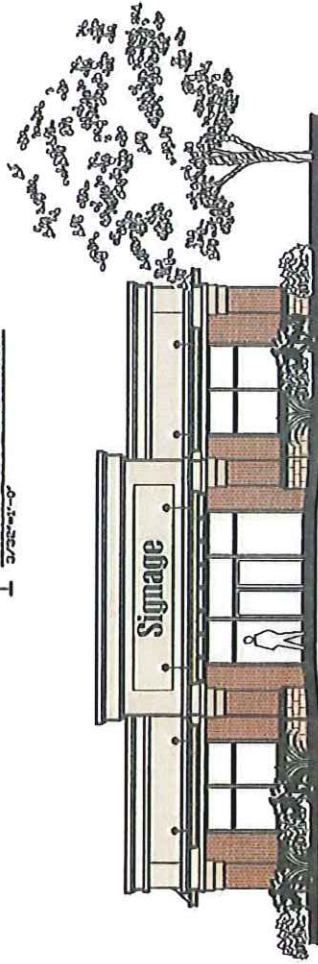
3 TYPICAL REAR ELEVATION
3/25/12-12-12



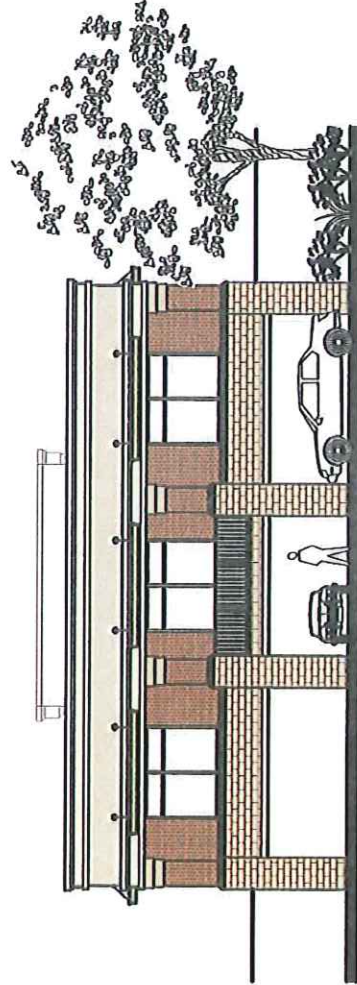
Exhibit C 12.13



1 TYPICAL SIDE ELEVATION



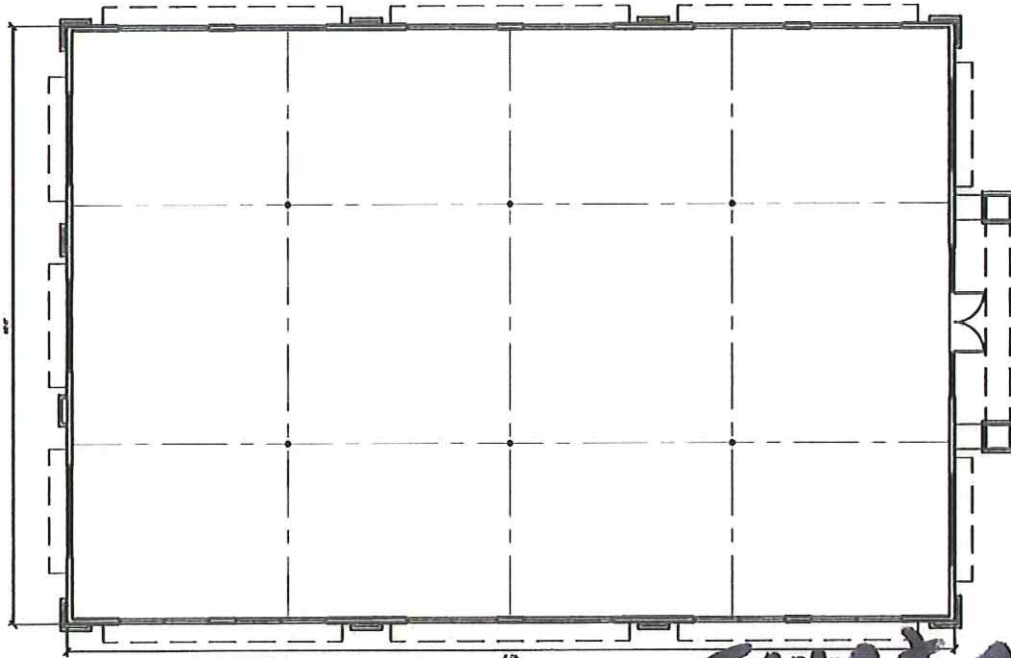
2 TYPICAL FRONT ELEVATION



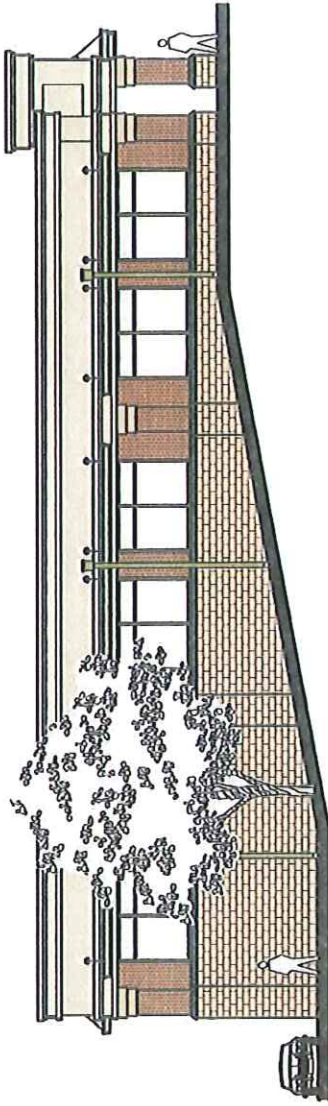
3 TYPICAL REAR ELEVATION



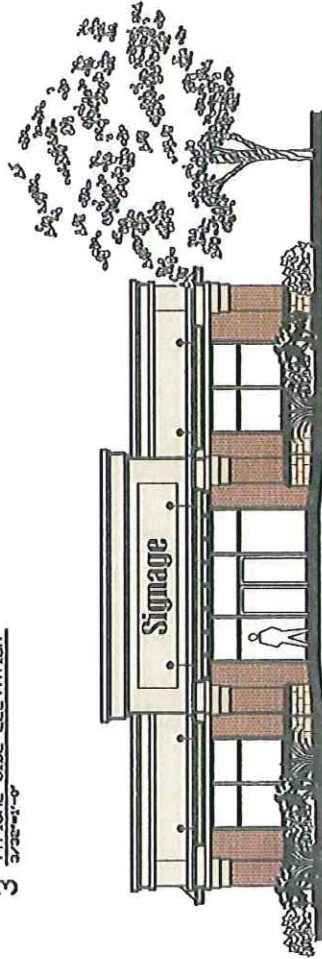
Exhibit C-1 12.14



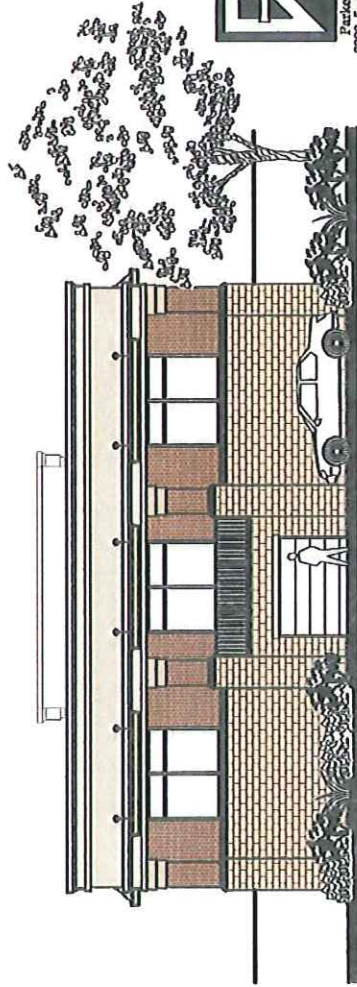
1 TYPICAL BLDG PLAN
3/32"=1'-0"



3 TYPICAL SIDE ELEVATION
3/32"=1'-0"



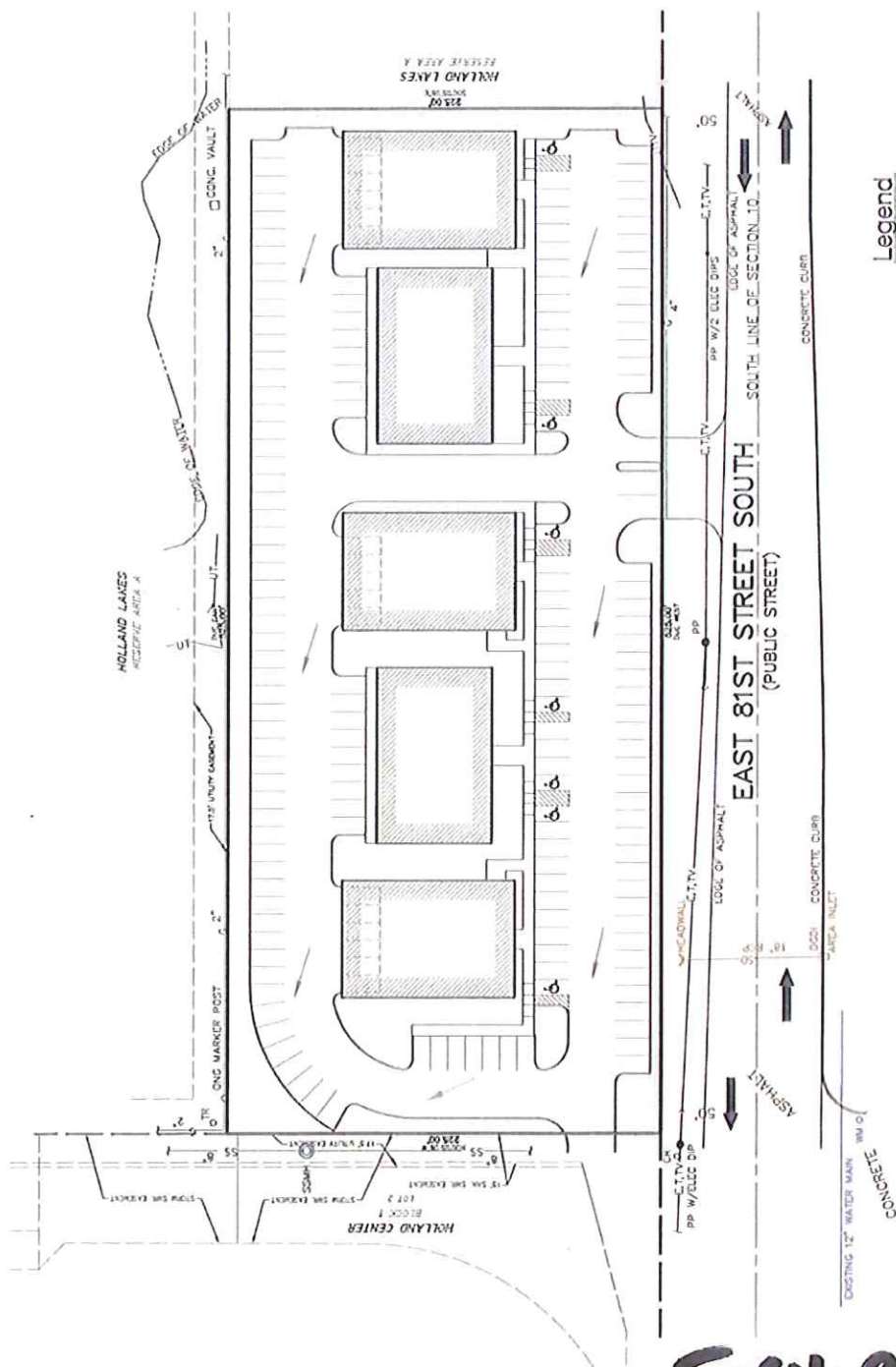
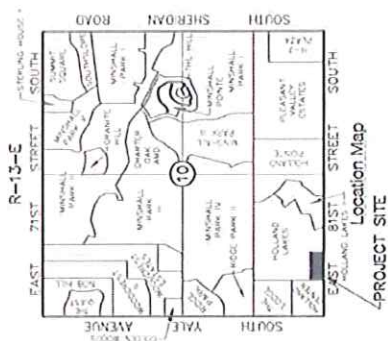
2 TYPICAL FRONT ELEVATION
3/32"=1'-0"



4 TYPICAL REAR ELEVATION
3/32"=1'-0"



EXHIBIT C-2 12.15



Legend

- SS—EXISTING SANITARY SEWER LINE
- SD—EXISTING STORM SEWER LINE
- W—EXISTING WATERLINE
- >—DIRECTION OF DRAINAGE FLOW

SACK AND ASSOCIATES, INC.
 1915 S. 10th Street, Suite 100
 Anchorage, Alaska 99503
 Phone: (907) 562-1111 Fax: (907) 562-1112
 Email: info@sackandassociates.com
 Project: 1915 S. 10th Street, Suite 100
 Date: 12/16/2008

EXHIBIT D 12.16



Two views of PUD-769 site from the south—across 81st Street



12.17



Two views of PUD-769 site from the west—looking NE and SE



12.18



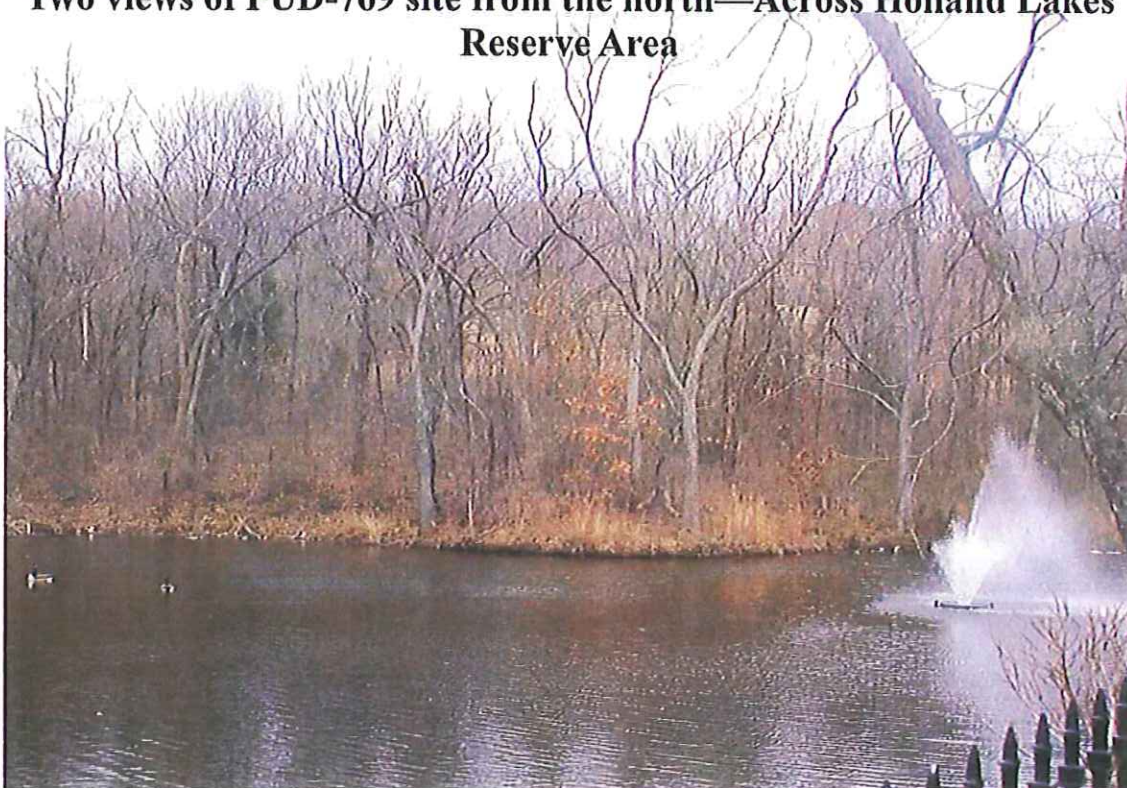
Two views of PUD-769 site from the southeast (81st) —looking NW



12.19



Two views of PUD-769 site from the north—Across Holland Lakes Reserve Area



12.20

**View of PUD-769 site from the north—Across Holland Lakes
Reserve Area looking southwest @ west boundary**



**View of PUD-769 site from the north looking south @ east
boundary**



12.21



View of PUD-769 site from the west looking east along 81st Street



View of PUD-769 site from the north looking southeast at closest houses in Holland Lakes

12.22



Varying topography of neighborhood

Sansone, Christopher

From: Brett Biery [brett@huntercompaniesinc.com]
Sent: Wednesday, March 11, 2009 5:16 PM
To: Sansone, Christopher; Ted Sack; perryrdunham@sbcglobal.net; Paul Tims; Brad McMains; Bryan Nunneley
Subject: East Bldg. Perspective view
Attachments: OHL Perspective.jpeg

Gentlemen,

Attached please find a perspective line drawing of the Eastern Building proposed for The Offices @ Holland Lakes.

Hope this aids in everyone ability to visualize the 3D reality of the office building along the East Property Line. Ted Sack is working on a sightline drawing of this building with an 8' screening fence on the East and North Property Line.

Please let me know your questions or comments.

Thanks,

Brett Biery



Hunter Construction (918) 299-5544
10051 South Yale Suite 200
Tulsa, Oklahoma 74137 Fax (918) 299-7109

NOTE: (A) Below = 744.07-
(B) Below = 745.5

EAST BLDG.

PARKING & DE

FF 757.03

(B)

FIN. GRADE

PROP. LINE

WOODED

RESERVE AREA

Lot 1 PROP. LINES

Lot 2

(A)

POOL

12.25

Sansone, Christopher

From: Brett Biery [brett@huntercompaniesinc.com]
Sent: Thursday, March 05, 2009 4:53 PM
To: Sansone, Christopher
Cc: Brad McMains; Bryan Nunneley
Subject: Offices @ Holland Lakes 3D Exhibit
Attachments: 100_0948.JPG; 100_0952.JPG; Combined cons1&2.pdf

Chris,

As we discussed this morning, we erected a pole at the Northeast corner of the East building shown on our site plan Exhibit A-1.

The pole is set to the finish floor elevation of approx. 757.3' msl. Finish Floor is indicated by Black Tape. 3' AFF is the bottom of a 5' window indicated by Red Tape.

2' above the window is Black Tape indicating the finished ceiling height which is 10' AFF (767.3' msl). 5' above ceiling height is Red Tape indicating top of roof.

4' above top of roof is the end of the pole which represents the height of the parapet wall above roof for screening the RTU's, vents and any other mechanical equipment.

It was difficult to photograph the pole from multiple vantage points due to the the number of trees which exist not only on the office property but in the reserve areas surrounding the property to the East & North. From our observation, one would have difficulty finding a sightline through these trees once the have fully foliated. Any "holes" could be filled with strategically planted trees.

Please pass this information along to the TMAPC Commissioners so that they are aware of this "3D" representation when they visit the site.

Also as we discussed, please ask the commissioners to review the screening fence recently installed at the Offices of Walnut Creek just West of Harvard on 81st Street.

Caution to those who go out and want to cross the spillway bridge. The West guardrail is gone and there are several weak and walk missing boards.

Attached is a photo showing the current water drainage course on the East property line that flows into the pond. As discussed, this will need to be re-graded to keep the water within the reserve drainage easement. The existing wall is built across the easement and directing the water further to the West. Since the wall is a precast concrete panel supported on spot footings at the columns, the water should be able to flow under the wall by excavating a new channel within the 10' drainage easement and flow North into the pond.

Please let me know if you have any question and I look forward to receiving a copy of the Holland Lakes HOA petition.

Thank you for your good work.

Brett Biery



Hunter Construction (918) 299-5544
10051 South Yale Suite 200
Tulsa, Oklahoma 74137 Fax (918) 299-7109

3/6/2009

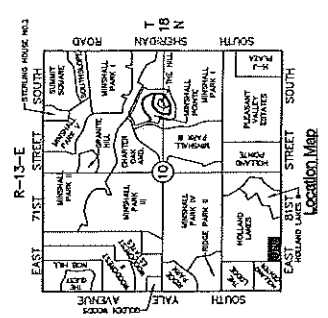
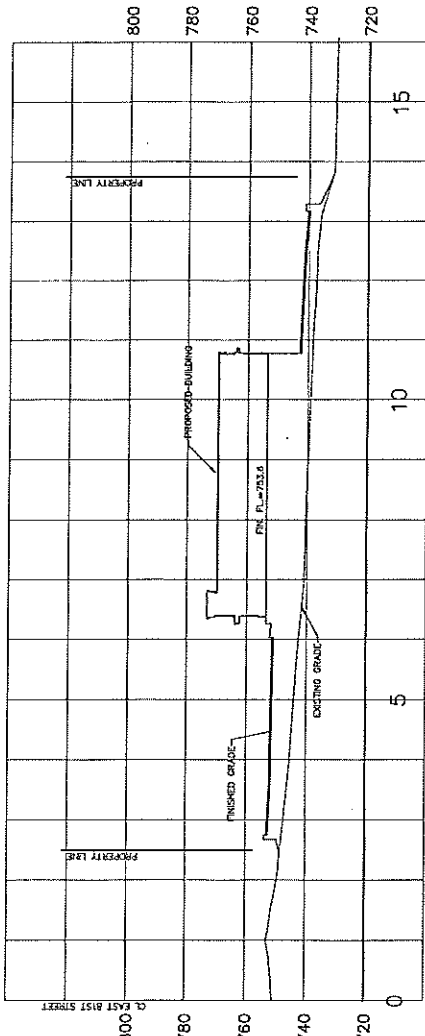
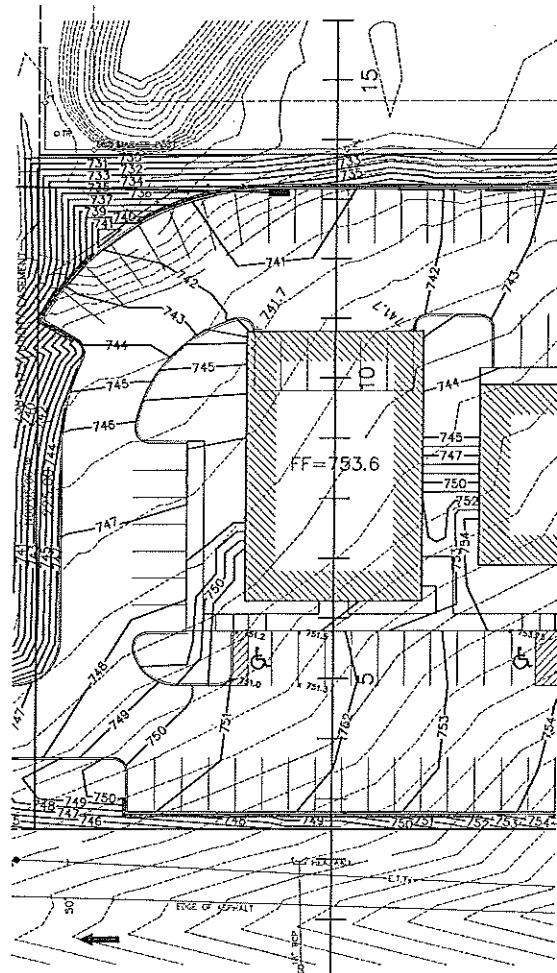
12.26
APPLICANT "3-D"
EXHIBIT AND EXPLANATION



12.27



12.28



HOLLAND LAKES	
CROSS SECTION - WEST END	
CITY OF TULSA, OKLAHOMA	
SACK AND ASSOCIATES, INC.	
1000 WEST 10TH STREET, SUITE 100 TULSA, OKLAHOMA 74106 PHONE: (918) 438-1111 FAX: (918) 438-1112 WWW.SACKANDASSOCIATES.COM	
DATE: 12/29/09	BY: [Signature]
REVISION: 1	DATE: 12/29/09
REVISION: 2	DATE: 12/29/09
REVISION: 3	DATE: 12/29/09
REVISION: 4	DATE: 12/29/09
REVISION: 5	DATE: 12/29/09
REVISION: 6	DATE: 12/29/09
REVISION: 7	DATE: 12/29/09
REVISION: 8	DATE: 12/29/09
REVISION: 9	DATE: 12/29/09
REVISION: 10	DATE: 12/29/09
REVISION: 11	DATE: 12/29/09
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REVISION: 97	DATE: 12/29/09
REVISION: 98	DATE: 12/29/09
REVISION: 99	DATE: 12/29/09
REVISION: 100	DATE: 12/29/09

We, the Home Owners of Holland Lakes Subdivision, adjoin a 3.31-acre *tract* (Tract) that is subject to a proposed PUD-769 that has been brought before the *Tulsa Metropolitan Area Planning Commission* (TMAPC) for approval by applicant *Hunter Construction Management, Inc.* (Hunter). On this third day of March 2009, we wish to petition the TMAPC to:

1. Maintain the existing *Office Low Density District* (OL) zoning requirements for that Tract that allows for the construction of a 1-story office building(s) with a maximum *floor area ratio* (FAR) of 0.25. We collectively agree that the five 2-story buildings that Hunter proposes, with a FAR of greater than 0.25 (0.28 proposed), will be highly intrusive, will severely impact the privacy and day-to-day lives of those who live on or near our Subdivision's West Lake, will be a substantial detriment to our enjoyment of our properties, will devalue our homes, and disrupts the natural beauty of our neighborhood.
2. Protect the privacy and security of our homes by requiring a barrier of an 8-foot tall masonry wall combined with sufficient trees and landscaping along the east and north boundaries of the subject Tract. We collectively agree that the screening proposed by Hunter is entirely insufficient, considering the substantial slope of the Tract, to block parking lot headlights, noise, etc. Such a masonry wall would assure compatibility with our addition's existing masonry wall that bounds our neighborhood along 81st Street and would allow us to maintain a high level of security within our gated community.
3. Protect our Subdivision's West Lake from silt and debris during construction, protect our greenbelt area, and provide security by building the masonry wall barrier before construction on the Tract begins. The Subdivision's West Lake is part of the City of Tulsa's storm water detention system, but is owned and primarily maintained by the *Holland Lakes Property Owners' Association* (HLPOA). Past development of the Minshall Park Addition, located immediately east and upslope of Holland Lakes

Addition, caused significant siltation problems within our drainage system that led to the dredging of our Lakes eight years ago at great expense to both HLPOA and the City. These expenses included the costs of the dredging and the City provided trucks to haul and dispose of the debris. HLPOA spent tens of thousands of dollars for that work and has since borne all the cost of maintaining the Lakes. It is our great concern that while developing this Tract that silt and debris may again be allowed to flow into our Lake and cause these problems to be repeated. While Hunter's proposed silt fencing may satisfy the regulatory requirements regarding stormwater pollution prevention we are aware that these structures are often ineffective in stopping the runoff and inflow of debris that could be swept into our West Lake.

The HLPOA collectively owns a strip of undeveloped land that bounds the east and north sides of the proposed development Tract. Currently, this strip is a wooded area with trees that have taken years to establish. It is our concern, and our expectation, that this property and vegetation be completely protected from any development activities. Several years ago when the Borders Book Store was constructed immediately west of our addition, we were assured that our greenbelt area separating our addition from Borders would remain intact. However, every tree was cut. After much effort our established trees were replaced, but with small new trees that at least for now offer little screening. We want to avoid repeating this unfortunate scenario by having the barrier wall, in addition to the silt fencing, in place before construction begins to protect our West Lake and greenbelt, and insure that the privacy and security of our neighborhood are maintained.

4. Reconsider the setback requirements along the east boundary of the proposed development Tract. Currently, Hunter is proposing a 10-foot separation between their east property line and the wall of their closest office building. Along the north and portions of the east property lines of the development Tract Hunter is proposing a building height of up to 40 feet. Consider the privacy of the Holland Lakes homeowners who adjoin

the proposed development on the east. A 40-foot office structure would tower over the backyards and homes of those residents.

5. Allow the residents of the Holland Lakes Addition to review the detailed site plan once it is presented, come to the hearing, and have input to assure that the perimeter requirements for screening, landscaping, and setbacks are compatible with the development of our neighborhood as required under Tulsa County Zoning Code Section 1150.

PUD-769
 OFFICIAL RECORD EXHIBIT "A-2"
 ENTERED IN THE 3-4-09
 MINUTES OF THE TULSA METROPOLITAN
 AREA PLANNING COMMISSION.

Name

Address

Dr. and Mrs. Seaford Pierce	8056 S. Fulton Ave.
Mr. & Mrs. John Fisher	8004 S. Darlington Ave.
Dorinda Nicksch	5409 E 80th Pl.
Rita Shettl	5308 E. 80th place.
BEVERLY TUTTLE	8006 S. Darlington Ave
SAM YOST	8006 S. Darlington Ave
Laura Golay	7907 9907 S. Braden Ave
Kirrie Bailey	5120 E. 79th St.
Anna Milligan	5114 E. 79th St
Marshall Milligan	5114 E. 79th St.
Phyllis Duffin	7915 South Fulton Ave.
Carol V. Hines + Sam Hines	7929 S. Fulton Ave.
Marcia + Laurie Jurgens	8008 S. Fulton Ave.
Norma S. Bugh	8040 S. FULTON

John Woodward	8059 So Fulton, 74136
Carolyn D. Woodard	8059 So Fulton, 74136
Fred Gibson	8008 S. Erie Ave, 74136
Robert Kent	5411 E. 80th St
Christa Knapp	8021 S. Fulton Ave
Ray M. Jelf Jr	7901 S. Fulton Ave
Jimmy H. H.	3315 E. 79th
Manha Hannah	5137 E 79th
Sandy Scheer	5119 E. 79th
Steve Aron	7910 S Braden
Harry Black	5309 E 79th Street
ANTOINETTE JABBOUK, M.D.	5304 E. 79 STREET
Jill Fryer	7919 S. Braden Ave.
Karl H.	7919 S. Braden Ave.
John McNeely	5123 E. 80th Street
Steve M. H.	5123 E. 80th St Tulsa 74136
John & Cindy Thompson	8016 S. Darlington Ave, 74136
Chad & Cathy Fink	5307 EAST 80TH PLACE
Arnie El-Rahel	5118 E. 80th St., Tulsa 74136
Mamad El-Rahel	5118 E. 80th St, Tulsa 74136
Alex El-Rahel	5118 E 80th St, Tulsa

Doni	8024 S Darlington Ave.
Doni	5318 E. 80 th PL.
Debbie	5318 E. 80 th PL
Debbie	5966 E 80 th STR.
Barbara Coughlin	5417 E. 80th St.
Patricia L. Coates	5417 E. 80th St.
Jana S. Kuchan	8005 South Fulton Ave.
Reed C. Coughlin	8029 S. Fulton
Will Oppen	8029 S. Fulton
William J. Kohn	8051 S Fulton
Jim Kohn	7908 S. FULTON AVE
Mike Fisher	7908 S. Fulton Ave.
Mike	7909 S. Fulton Ave.
Tom	7909 S Fulton Ave
Mike Davies	5316 E 79 th ST
Cliff Starkey	7912 S. Darlington Ave
Bob Starkey	7912 S Darlington Ave
Jana Steal	7920 S. Darlington Ave.
Mike Steal	7920 S. Darlington Ave.
Mike Steal	7917 S. Darlington Ave.
Mike Steal	7917 S. DARLINGTON AVE

~~Ther~~

5105 E. 80th St Tulsa, OK 74136

~~Dani Ebur~~

7904 S Braden Ave Tulsa OK 74136

~~Nisa Pote~~

7904 S Braden Ave Tulsa OK 74136

~~K.D.N.~~

5125 E. 79th St. Tulsa OK 74136

~~Klein~~

5125 E 79th St. Tulsa OK 74136

~~Paul Emery~~

5131 E 79th St Tulsa OK 74136

Afsar Emery D.O.

5131 E. 79th St. Tulsa OK 74136

JULIA WARNOCK

5117 E 80th St Tulsa OK 74136

~~James Leim~~

5117 E 80th St

~~Sal & Diane G. Gentry~~

5129 E. 80th St Tulsa OK 74136

~~Diana Choe~~

5112 E. 80th St.

~~Jeff P.~~

5112 E. 80th St.

Kay Payton

5303 E. 79th St.

Judy + Richard Edmonson

7924 S. Braden 74136

~~Al Tally~~

5410 E 80th St 74136

~~S. B. Tally~~

5410 E. 80th St 74136

~~Paul M. Jones~~

5120 E 79th 74136

~~Brian G. Gentry~~

8008 South Braden Ave 74136

OL

E 14th ST

RS-3

S GARY PL

CH

Z-7124

RM-1

E 15th ST

E 15th ST

CH

RM-2

RS-3

S HARVARD AV

S INDIANAPOLIS AV

S JAMESTOWN AV

CS

E 16th ST

RS-3

CS



19-13 09

Feet

0 100 200

13.1



DeShazo, Tang & Associates, Inc.

ENGINEERS - PLANNERS

10830 E. 45TH Street, Suite 302 • Tulsa, Oklahoma 74146 • (918) 627-0046 • FAX: (918) 628-0091

March 11, 2009

Dane Matthews
INCOG
201 West 5th Street
Suite 600
Tulsa, Oklahoma 74103

Re: Z-7124 & Z-7125

Dear Ms. Matthews,

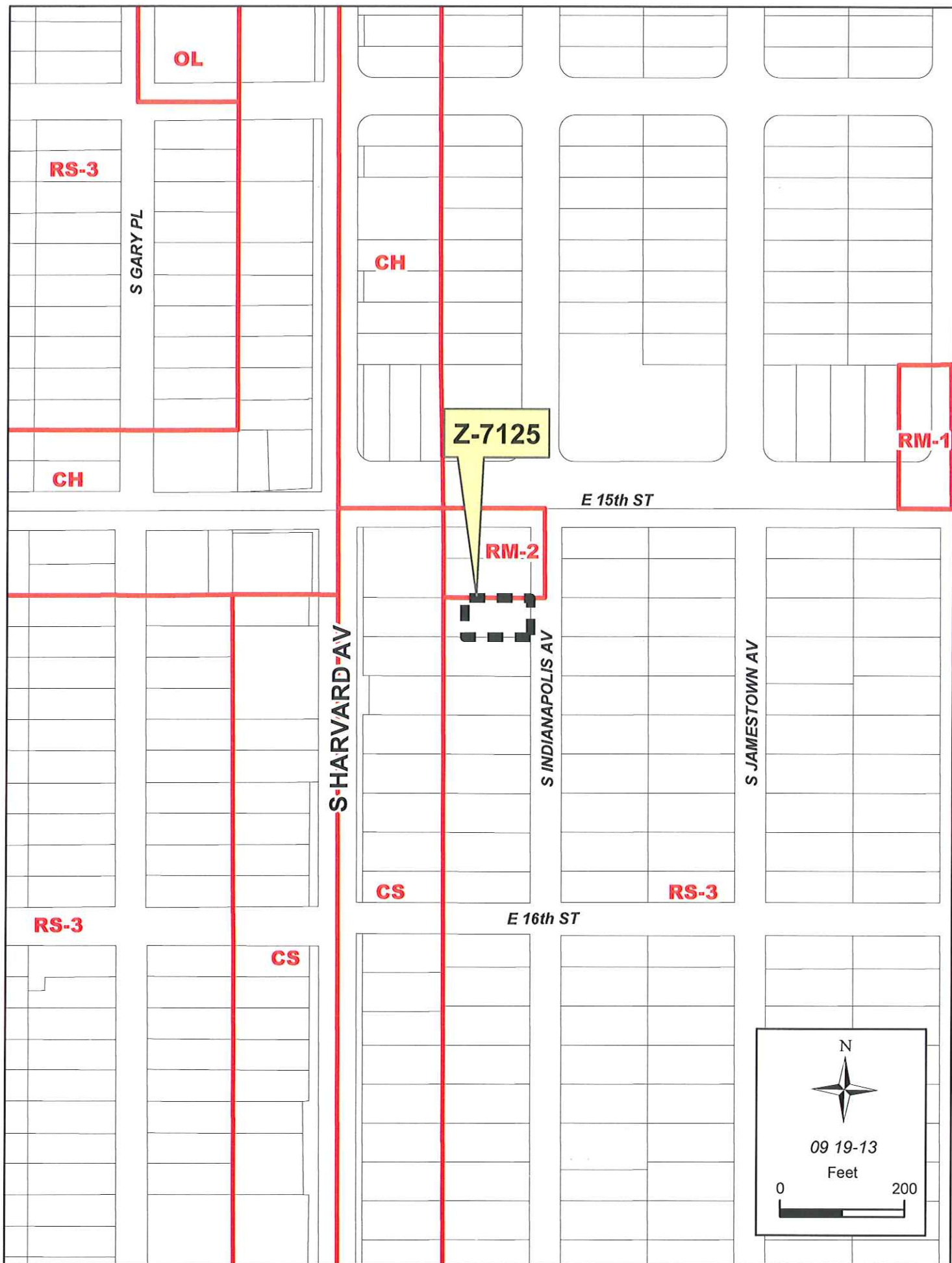
We are requesting that the above two (2) referenced cases be continued until we are able to submit the PUD packet that will be heard in conjunction with these cases. We are working on the PUD at this time and should have it into INCOG and TMAPC in about two weeks.

If you have any further comments or questions, please call. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read "Nicole Watts", is written over the typed name.

Nicole Watts, P.E.
Associate / Project Manager





DeShazo, Tang & Associates, Inc.

ENGINEERS - PLANNERS

10830 E. 45th Street, Suite 302 • Tulsa, Oklahoma 74146 • (918) 627-0046 • FAX: (918) 628-0091

March 11, 2009

Dane Matthews
INCOG
201 West 5th Street
Suite 600
Tulsa, Oklahoma 74103

Re: Z-7124 & Z-7125

Dear Ms. Matthews,

We are requesting that they above two (2) referenced cases be continued until we are able to submit the PUD packet that will be heard in conjunction with these cases. We are working on the PUD at this time and should have it into INCOG and TMAPC in about two weeks.

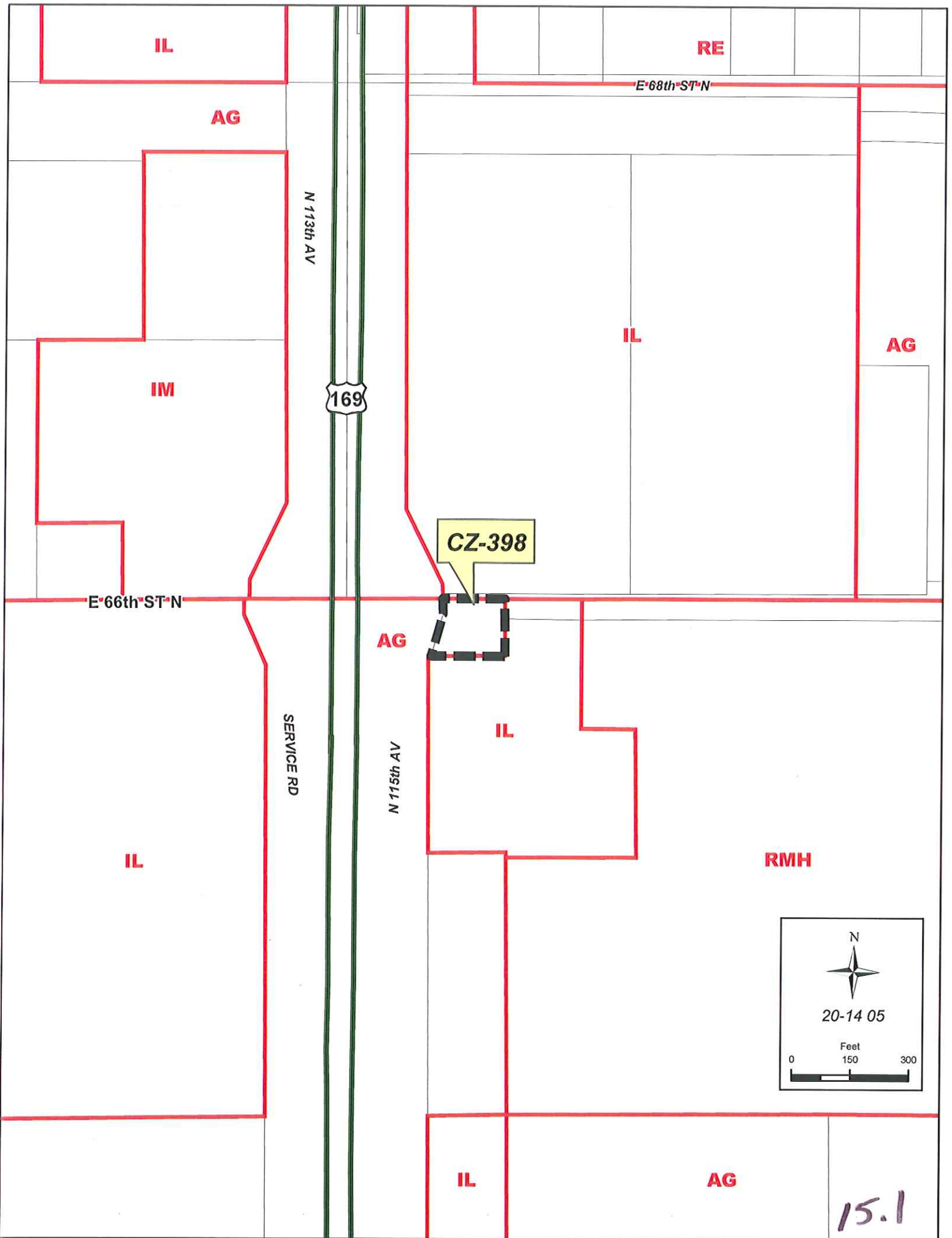
If you have any further comments or questions, please call. Thank you.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Nicole Watts', is located below the 'Sincerely,' text.

Nicole Watts, P.E.
Associate / Project Manager

14.2





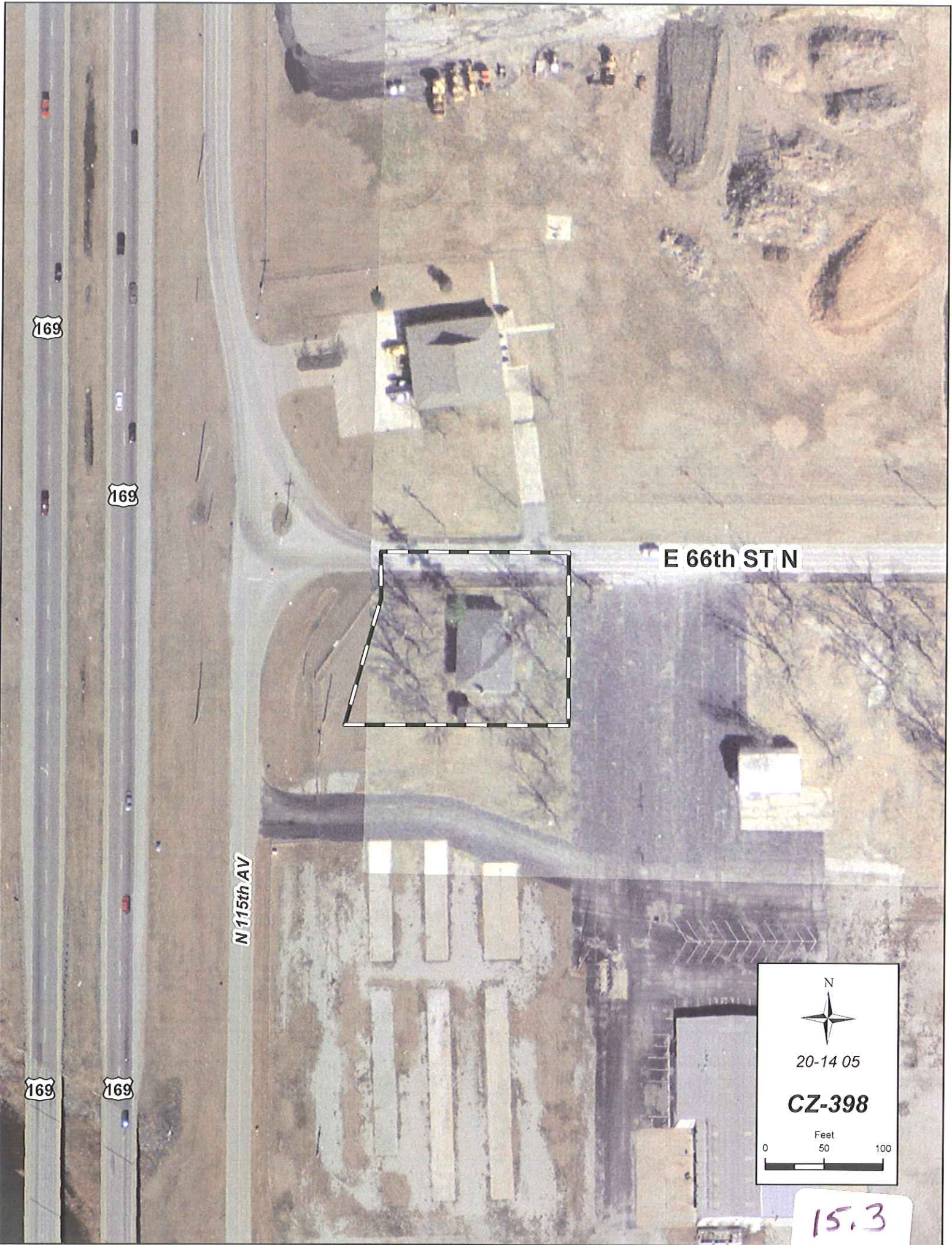
N

20-14 05

CZ-398

Feet
0 150 300

15.2



169

169

E 66th ST N

N 115th AV

169

169

N



20-14 05

CZ-398

Feet

0 50 100



15.3

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: CZ-398

TRS 0405

Atlas 0

CZM 24

PD- County

TMAPC Hearing Date: March 18, 2009

Applicant: Robert Buss

Tract Size: .57± acres
24,829.2 ± square feet

ADDRESS/GENERAL LOCATION: Southeast corner of East 66th Street North and Highway 169 North

EXISTING ZONING: AG

EXISTING USE: Agriculture

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

PROPOSED ZONING: IL

PROPOSED USE: John Deere equipment sales (expansion of existing John Deere facility adjacent to it.)

RELEVANT ZONING HISTORY:

CZ-361 January 2006: All concurred in approval of a request for rezoning a 88.1± acre tract of land from AG to IL on property located west side of U.S. Highway 169 North between 56th Street North and 66th Street North.

CZ-266 June 2000: A request to rezone a 16± acre tract of land from RMH to IL located east of the southeast corner of East 66th Street North and U. S. Highway 169, all concurred in approval of the IL zoning on only that portion of the site outside of the regulatory floodway. The applicant has not provided a legal description of the property approved for IL zoning and no Resolution has been published.

CZ-234 May 1997: All concurred in approval of a request to rezone a 5± acre tract of land from AG to IL located in the southwest corner of East 66th Street and North Mingo Valley Expressway.

CZ-225 July 1996: A request to rezone a 6± acre tract of land from AG to CS or IL fronting along the east side of U. S. Highway 169 North,. Staff recommended denial of CS or IL and recommended the tract remain AG and undeveloped due to the development sensitive nature of the property (flood prone). The applicant requested for IL zoning stating that it was consistent with the existing zoning and development. TMAPC and County Commission concurred in approval of IL zoning.

CZ-224 April 1996: A request to rezone a 21± acre tract of land from AG to CS or IL located on the southwest corner of East 66th Street North and North Mingo Valley Expressway, was recommended by staff for denial. TMAPC recommended approval of IL zoning of the north

15.4

550' approximately 330' from the eastern boundary, with the balance of the tract to remain AG.

CZ-223 February 1996: All concurred in approval of a request to rezone a 4± acre tract from AG to IM located north of the northwest corner of East 66th Street North and North Mingo Valley Expressway.

CZ-182 April 1990: A request to rezone two tracts, one located in the southeast corner of East 66th Street North and North Mingo Valley Expressway and the other tract located south of the southeast corner of East 66th Street North and North Mingo Valley Expressway. All concurred in approval of IL zoning for the northern lot and denial of the remainder.

CZ-146 June 1986: A request to rezone 3+ acre tract of land abutting the subject tract to the east and southeast from RMH to CG. All concurred in recommending denial of CG and approval of IL for recreational vehicle sales.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately .57± acres in size and is located southeast corner of East 66th Street North and Highway 169 North/North 115th East Avenue. The property appears to be vacant and is zoned AG.

STREETS:

Exist. Access	MSHP Design	MSHP R/W	Exist. # Lanes
East 66 th Street North	Secondary arterial	100'	2
North 115 th East Avenue/Highway 169 North	Highway/access road	Varies	4 for highway; 2 for North 115 th East Avenue

UTILITIES: The subject tract has water and no sewer available.

SURROUNDING AREA: The subject tract is abutted on the east by vacant land/large lot single-family residential, zoned IL; on the north by the Tulsa County Sign Shop, zoned IL; on the south by a John Deere dealership, zoned IL; and on the west by North 115th East Avenue and US 169, zoned AG.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

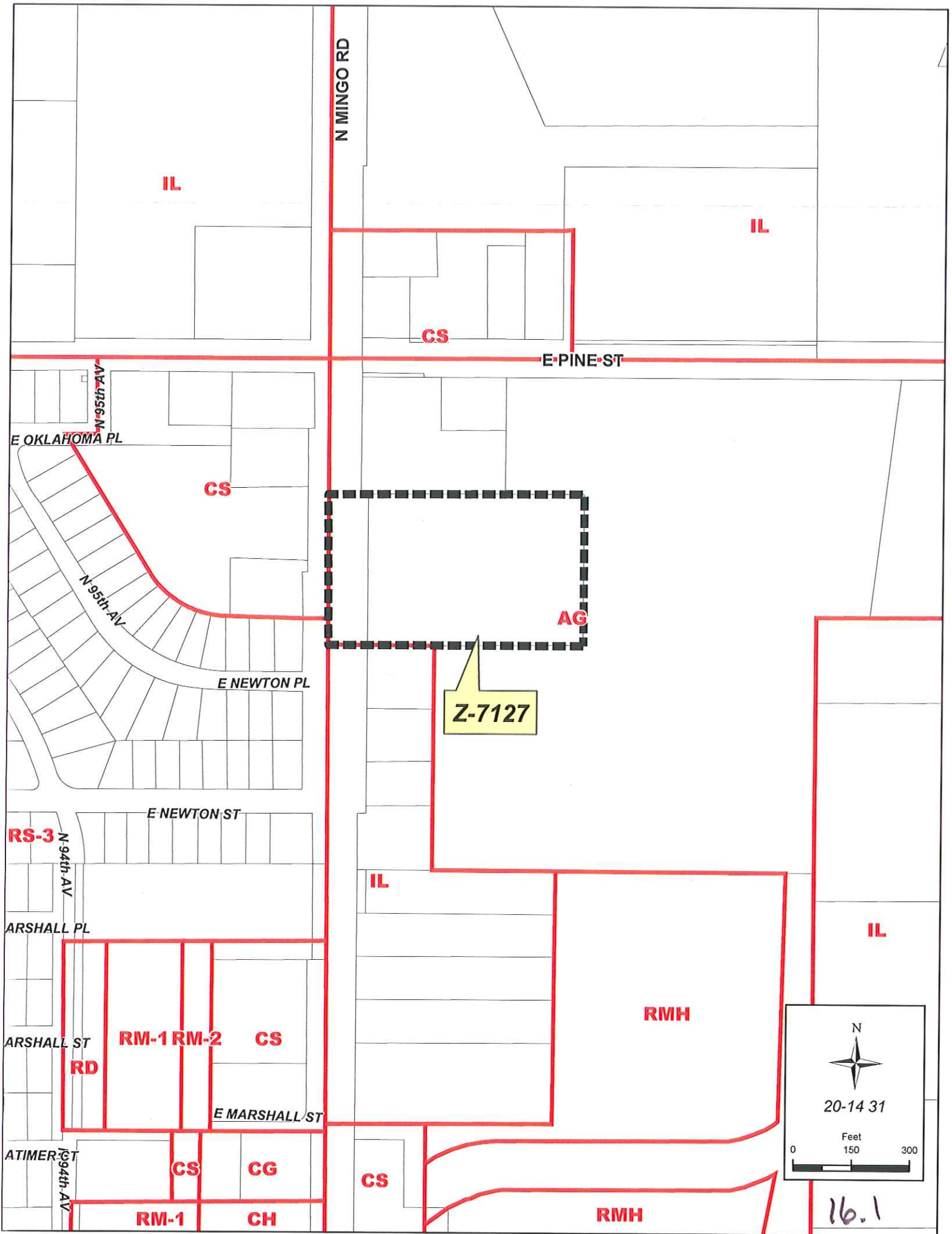
The North Tulsa County Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being Development Sensitive Area 3. According to the Zoning Matrix, the requested IL zoning **may be found** in accord with the Plan. Plan provisions call for future development to be carefully planned to take the development sensitive nature of the site into consideration. Staff note: this is always a consideration during the platting and permitting phases.

STAFF RECOMMENDATION:

The proposal is to expand the existing John Deere facility onto this site. The location is good, due to proximity of the secondary arterial (East 66th Street North) and Highway 169, both of which will facilitate movement of farm and other heavy vehicles. Therefore, staff recommends **APPROVAL** of IL zoning for CZ-398.

03/18/09

15.5



IL

IL

CS

E PINE ST

N 95th AV

E OKLAHOMA PL

CS

N 95th AV

E NEWTON PL

AG

Z-7127

E NEWTON ST

RS-3

N 94th AV

ARSHALL PL

IL

IL

RMH

RM-1 RM-2

CS

ARSHALL ST

RD

E MARSHALL ST

ATIMER ST

N 94th AV

CS

CG

CS

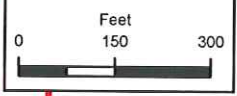
RM-1

CH

RMH



20-14 31



16.1



E PINE ST

E NEWTON PL

N MINGO RD

E NEWTON ST

N

20-14 31

Z-7127

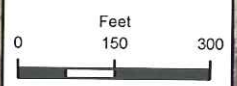
Feet
0 75 150

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20-14 31

Z-7127



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**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7127

TRS 0431

Atlas 633

CZM 31

PD-16 CD-6

TMAPC Hearing Date: March 18, 2009

Applicant: Brenda Gregg

Tract Size: 5.89± acres

ADDRESS/GENERAL LOCATION: South of southeast corner East Pine Street and North Mingo Road

EXISTING ZONING: AG

EXISTING USE: Agriculture/single-family residential with an outbuilding

ZONING ORDINANCE: Ordinance number 11811, dated June 26, 1970, established zoning for the subject property.

PROPOSED ZONING: IL

PROPOSED USE: Light Manufacturing

RELEVANT ZONING HISTORY:

Z-6998 September 2005: All concurred in approval of a request for rezoning a 38.03± acre tract of land from RM-2 to IL for light industrial park use, on property located south and west of southwest corner of East Pine Street North and Highway 169 North and east of subject property.

Z-6946 July 2004: All concurred in approval of a request for rezoning a 5± acre tract of land from OL to IL for light manufacturing and warehouse use, on property located east of northeast corner of East Pine Street and North Mingo Road and northeast of subject property.

BOA-18238 November 24, 1998: The Board of Adjustment approved a Special Exception to permit a convenience store (QuikTrip) in an IL district, on property located at the northwest corner of East Pine Street and North Mingo Road.

BOA-17428 July 9, 1996: The Board of Adjustment approved a Special Exception to permit a church and church uses, per plan submitted; subject to the installation of a screening fence on all boundaries abutting R district, on property located south and west of southwest corner of East Pine Street and North Mingo Road.

BOA-17307 February 27, 1996: The Board of Adjustment approved a Special Exception to permit Use Unit 17 automotive repair shop in a CS district; per plan submitted; subject to no vehicles stored on the property for more than 30 days; no outside storage of parts or merchandise; and a six foot privacy fence, as depicted on the plot plan, on property located at the southwest corner of East Pine Street and North Mingo Road.

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AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 5.89± acres in size and is located south of southeast corner East Pine Street and North Mingo Road. The property appears to be in single-family residential use with out-buildings and is zoned AG. A large pond is on the west part of the property. The subject property does not currently have municipal sewer (it does have water), mains have been extended nearby that any new development can be connected with if the developer so desires and if so required.

Although major stormwater management improvements in conjunction with Mingo Creek have been done just east of the subject property, approximately 80% of the site remains within the Regulatory and FEMA Zone-A floodplains.

STREETS:

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

UTILITIES: The subject tract has municipal water but no sewer available currently. A sewer main extension will be required to service any future development here.

SURROUNDING AREA: The subject tract is abutted on the east by vacant/agricultural land, zoned AG and farther east by industrial type uses and the Mingo Creek drainage way; on the north by vacant land and single-family residential uses-, zoned AG; on the south by an automotive use, zoned IL; and on the west by North Mingo Road and Hwy. 169, zoned IL and AG. Directly west of Mingo Road and Hwy. 169 are single-family residential uses, zoned RS-3, an automotive parts store, zoned CS and a restaurant, also zoned CS. Much of the surrounding area is within the Regulatory and FEMA floodplain.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The District 16 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being Development Sensitive-No Specific Intensity. According to the Zoning Matrix, the requested IL zoning **may be found** in accord with the Plan, provided that development takes into account the sensitive nature of the area. Staff notes that this area lies between two Special Districts: Special District 1-Airport Special District, and Special District 2, Industrial and Airport-Related Uses. This area has been in transition to industrial uses for many years, due to growth needs of the airport, incompatibility of adjacent older single-family land uses and improved transportation routes in the area.

STAFF RECOMMENDATION:

Based on this site's location within a floodplain, staff cannot support the requested rezoning at this time and therefore recommends **DENIAL** of IL zoning for Z-7127. Its location in the Regulatory and FEMA floodplains requires that any development or redevelopment here must meet all floodplain regulations, specifically:

- Finished floor must be elevated at least one foot above Base Flood Elevation;
- No fill in the floodplain without compensatory storage;
- No increase in runoff from the site onto adjacent properties;
- Detention or fees-in-lieu of detention.

Were it not for the location within the floodplain, this site would be ideal for light industrial development. As previously noted, the area appears to be in transition to industrial and

16.5

related uses and industrial and commercial zoning are nearby. The site may be appropriate for industrial rezoning and use if at some point a developer is able to either remove the property from the floodplain zone or ameliorate the potential for future flooding.

03/18/09

Matthews, Dane

From: G David Steele [dsteele@ci.tulsa.ok.us]
Sent: Tuesday, March 10, 2009 8:27 AM
To: Matthews, Dane
Cc: Harold Tohlen
Subject: Re: floodplain property

Dane,

About 80% of this site is located in the FEMA Zone AE floodplain. This means that all the floodplain requirements will be enforced. This does not mean that the site cannot be developed, but that floodplain ordinances will be followed in the development plans. This includes elevating the finished floor at least 1ft above the Base Flood Elevation, no fill in the floodplain without compensatory storage, no increase in runoff from the site onto neighbors, detention, or fees-in-lieu of detention, and others. We will be glad to meet with the owners when they are ready to discuss plans. The "takings" issue is not a factor in floodplain management, it is the Ordinance of the City of Tulsa.

Let me know if you have further questions.

David

>>> "Matthews, Dane" <dmatthews@incog.org> 3/10/2009 7:39 AM >>>

The address on the property involved in Z-7127 is 1339 N. Mingo. It's 5.89 acres and includes a large pond. They're asking for IL zoning from AG. Surrounding zoning includes IL, AG, CS and RS-3. My questions are does this fall within a floodplain? If so, all or part and what part? If we don't recommend the IL zoning, what use will the owner be left with? Could any new development on the property be legally used if elevated above the flood limits? I am concerned about the takings issue here. Thanks.

Dane D. Matthews, AICP
Assistant Manager, Land Development Services
INCOG
201 W. 5th Street, Ste. 600
Tulsa, OK 74103
(918) 579-9471

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3/10/2009

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