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 August 26, 2009, Meeting No. 2558
2. Minutes of September 2, 2009, Meeting No. 2559

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.

3. LS-20334 – Tim Terral (8333)/Lot-Split
   Northwest corner of South Oswego Avenue and East 116th Street, 11536 South Oswego Avenue (Related to Items 4 and 8)

4. LC-208 - Tim Terral (8333)/Lot-Split
   Northwest corner of South Oswego Avenue and East 116th Street, 11536 South Oswego Avenue (Related to Items 3 and 8)

5. LC-207 – Rigo Camarena (9204)/Lot Combination
   East of South 44th Avenue and South of West 4th Street, 411 South 49th Avenue West

6. BOA-20956 –(7303) Plat Waiver for Cell Tower
   5749 East 131st Street, East of Arkansas River, North of 131st Street

7. Z-6054-SP-6b – Global Sign Solutions
   West of the southwest corner of 81st Street South and South Garnett Road (Corridor Plan Minor Amendment to permit a second ground sign not to exceed 11 square feet of display surface area or 12 feet in total height and to decrease the required 100 feet of separation between ground signs to 55 feet on this lot only.)

8. PUD-709-4 – Tulsa Engineering and Planning/Tim Terral
   East of the northeast corner of South Delaware Avenue and 116th Place South (Minor Amendment to allow a lot-split and lot-combination.) (Related to Items 3 and 4)
9. **PUD-281 – Wallace Engineering/Union Public Schools**
   West of the southwest corner South Mingo Road and 61st Street South (Site Plan for an accessory parking lot for soccer fields.)

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

**PUBLIC HEARINGS**

10. **Sunrise Terrace II, renamed to Sunset Terrace II** (9307) Minor Subdivision Plat
    Southeast corner of East 15th Street and South Harvard Avenue (continued from August 19, 2009 meeting)

11. **Bixby Northeast Campus** – (7405) Minor Subdivision Plat
    West of Northwest corner of South 121st East Avenue and East 131st Street

12. **Jet Port Industrial Plat** – (2407) Preliminary Plat
    West of North Garnett Road, East 46th Street North (Request continuance to 10/7/2009 meeting to work on plat details.)

    Northwest corner of 111th Street and South Memorial Drive (Minor Amendment to change the location of the ground sign/tenant ID sign from the primary entrance to the secondary entrance, and to allow a second ground sign along 111th Street South at 20 feet in height with 32 square feet of display surface area.)

14. **Z-7141 – City of Tulsa/Mary Kell**
    North of northeast corner of East 36th Street North and North Harvard Avenue

15. **Z-7142/PUD-773 – Tanner Consulting, Inc./Lou Reynolds**
    North of northwest corner East 101st Street South and South Memorial Drive (PUD for a two development area, up to seven lot mixed-use office and retail development.)

**OTHER BUSINESS**

16. Commissioners' Comments

**ADJOURN**

PD = Planning District/CD = Council District

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

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

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

Visit our website @ www.tmapc.org
The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development and planning, to adopt and maintain a comprehensive plan for the metropolitan area, and to provide other planning, zoning and land division services that promote the harmonious development of the Tulsa Metropolitan Area and enhance and preserve the quality of life for the region's current and future residents.

TMAPC Mission Statement
BOA - 20956 – (7303) Plat Waiver for Cell Tower
5749 East 131st Street

The platting requirement was triggered by BOA 20956 which allowed a cell tower in an AG zoning district.

It is the policy of TMAPC to waive the platting requirement for the cell tower use (Use Unit 4 public protection and utility facilities/antennas and supporting structures). Therefore, staff can recommend Approval of the requested plat waiver.
Entrance View

North View

B8A-20956
Power View

Access View

BOA-20956
STAFF RECOMMENDATION

September 16, 2009

Z-6054-SP-6b: Corridor Plan Minor Amendment – West of the southwest corner of 81st Street South and South Garnett Road; Part of Lots 2 and 3, Block 1 – Union Place; 11016 E. 81st Street South; TRS 8418; CZM 54; Atlas 1412; PD 18c; CD 8; CO.

The applicant is requesting a minor amendment to permit a second ground sign on the above described lot not to exceed 11 square feet (sf) of display surface area (dsa) or 12 feet in total height (oth) and to decrease the required 100’ separation between ground signs to 55’ on this lot only.

Current ground sign standards for this lot are as follows:

- One ground sign shall be permitted for each lot with frontage on East 81st Street or South Garnett Road with a maximum of 125 square feet of display surface area and 25 feet in height. No ground sign shall be permitted for lots with frontage solely on the collector.

- Ground signs shall maintain a minimum separation of 100 feet.

The Corridor District chapter of the code in §802, B-3 defaults to section 1221, D of the code for sign restrictions in the Corridor District. §1221, D of the code are the sign restrictions for the CS District, which allows 1 square foot of display surface area per lineal foot of frontage if two signs are erected on the lot with a minimum sign separation of 30’. Since this lot has 225 lineal feet of frontage along 81st Street the ground sign dsa for the lot, if two signs are erected, would be 225 sf. The lot would be allowed 500 sf if only one sign were erected.

Minor changes in the proposed corridor development may be authorized by the Planning Commissioner, so long as substantial compliance is maintained with the approved site plan and the purposes and standards of the Corridor Chapter of the code. Changes which represent a significant departure from the site plan require compliance with the notice and procedural requirements of an initial site plan review and approval.

Since the proposed additional ground sign would be permitted on this lot had the sign standards not been modified with the original approval of the corridor district site plan staff can support this request. Staff contends that the approval of the request will not represent a significant departure from the originally approved corridor district site plan nor does it depart from what is permitted by the CO Chapter of the Code. Therefore, staff recommends APPROVAL of minor amendment Z-6054-SP-6b with the ground sign dsa of 125 sf and a sign height of 25’ for the lot remaining effective.

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

7.3
(x1) SET OF 16" X 8' (10.67 SQUARE FEET) INTERNALLY ILLUMINATED REVERSE CHANNEL LETTERS. BLACK WITH RED WALL ILLUMINATION.
MANUFACTURE & INSTALL (X1) SET OF "OSAKA" 18" INTERNALLY ILLUMINATED REVERSE CHANNEL LETTERS.
BLACK FACE & RETURNS WITH RED L.E.D. ILLUMINATION.
CURVED RACEWAY ON EACH SIDE OF SIGN.
September 16, 2009

STAFF RECOMMENDATION

PUD-709-4: Minor Amendment – East of the northeast corner of 116th Place South and South Delaware Avenue; Lot 7, Block 3 and Reserve Area E – Sequoyah Hill II; TRS 8333; CZM 56; PD 26; CD 8; RS-2/PUD.

The applicant is requesting a minor amendment to allow a lot split and lot combination. The lot split would split approximately 239 square feet (sf) from Reserve Area E and combine it though the lot combination process with Lot 7, Block 3 of Sequoyah Hill II (see Exhibits A – F). Concurrently with this minor amendment request is lot split LC-208 and Lot Combination 20334, also appearing on the 9/16/09 agenda of the TMAPC.

The splitting and combining of these two parcels will allow for a driveway along the southern portion of Lot 7 leading to a rear entry garage. The removal of 239 sf from Reserve Area E will not affect or impact the over-all open space/livability space requirement of the PUD which will still be met on each lot, as well as, within Reserve Areas A and B as permitted by §1104, C of the code. This request will not increase or decrease the permitted number of dwelling units with in the development.

On July 16, 2008 the TMAPC approved minor amendment PUD-709-3 for Lot 3, Block 2 – Sequoyah Hill II for the identical reason herein. The request for minor amendment PUD-709-3 was to remove a very small area from a reserve area and add it to the adjacent lot. The subject tract of PUD-709-3 is directly across the street from the parcel which is the subject of this minor amendment request.

Pending the approval of the aforementioned lot-split and lot-combination applications, staff recommends APPROVAL of minor amendment PUD-709-4 subject to the deed of dedication and restrictive covenants for Sequoyah Hill II be amended to reflect the proposed lot-split and lot-combination.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.
Exhibit "A"
Lot 6, Block 3
5' Utility Easement (Plat No. 6015)

Lot 7,
Block 3
"Sequoyah Hill II"
2-Story Residence
Under Construction

17.5' Utility Easement (Plat No. 6015)

Lot 10, Block 12
"Wind River"

LOT SPLIT
UNDIVIDED TRACT
RESERVE "E" - "SEQUOYAH HILL II"

<table>
<thead>
<tr>
<th>No.</th>
<th>Bearing</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>L1</td>
<td>S 89°58'32&quot; W</td>
<td>40.00'</td>
</tr>
<tr>
<td>L2</td>
<td>N 00°01'28&quot; W</td>
<td>9.00'</td>
</tr>
<tr>
<td>L3</td>
<td>N 89°58'32&quot; E</td>
<td>31.00'</td>
</tr>
<tr>
<td>L4</td>
<td>N 00°01'28&quot; W</td>
<td>23.00'</td>
</tr>
<tr>
<td>L5</td>
<td>N 89°58'32&quot; E</td>
<td>9.00'</td>
</tr>
<tr>
<td>L6</td>
<td>N 00°01'28&quot; E</td>
<td>32.00'</td>
</tr>
</tbody>
</table>

17.5' U/E (Plat No. 5867)

Tulsa Engineering & Planning Associates, Inc
6737 South 89th East Avenue Tulsa, Oklahoma 74133
Phone: 918-232-9621 Fax: 918-230-4566

Job No: 09-212.00
Scale: 1" = 30'
Date: 08/14/2009

Certificate of Authorization No. 331 Renewal Date: June 02, 2014
G:\09-211\Misc Dwvl\Lot Soll\L.S. Exhibit A-B 09-211.dwa. 8/18/2009 - 8:40 AM
Exhibit "B"
Lot 6, Block 3
5' Utility Easement (Plat No. 6015)

Lot 7, Block 3
"Sequoyah Hill II"
2-Story Residence Under Construction

Point of Beginning
17.5' Utility Easement (Plat No. 6015)

Lot 10, Block 12
"Wind River"

LOT SPLIT
TRACT 1
A PART OF RESERVE "E" - "SEQUOYAH HILL II"

Line Table

<table>
<thead>
<tr>
<th>No.</th>
<th>Bearing</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>L1</td>
<td>N 89°58'32&quot; E</td>
<td>31.00'</td>
</tr>
<tr>
<td>L2</td>
<td>N 00°01'28&quot; W</td>
<td>23.00'</td>
</tr>
<tr>
<td>L3</td>
<td>N 89°58'32&quot; E</td>
<td>3.00'</td>
</tr>
<tr>
<td>L4</td>
<td>S 00°01'28&quot; E</td>
<td>28.00'</td>
</tr>
<tr>
<td>L5</td>
<td>S 89°58'32&quot; W</td>
<td>34.00'</td>
</tr>
<tr>
<td>L6</td>
<td>N 00°01'28&quot; W</td>
<td>5.00'</td>
</tr>
</tbody>
</table>
Lot 1, Block 3

Lot 7, Block 3
"Sequoyah Hill II"

Lot 10, Block 12
"Wind River"

Lot Split
TRACT 2
A PART OF RESERVE "E" - "SEQUOYAH HILL II"
Exhibit "E"
Lot 6, Block 3
5' Utility Easement (Plat No. 6015)

Lot 7,
Block 3
"Sequoia Hill II"

2-Story Residence
Under Construction

17.5' Utility Easement (Plat No. 6015)

Rock Column (Typ)

17.5' U/E (Plat No. 5867)
Lot 10, Block 12
"Wind River"

LOT COMBINATION
TRACT 2
A PART OF RESERVE "E" - "SEQUOIA HILL II"

Line Table

<table>
<thead>
<tr>
<th>No.</th>
<th>Bearing</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>L1</td>
<td>N 89°58'32&quot; E</td>
<td>31.00'</td>
</tr>
<tr>
<td>L2</td>
<td>N 00°01'28&quot; W</td>
<td>23.00'</td>
</tr>
<tr>
<td>L3</td>
<td>N 89°58'32&quot; E</td>
<td>3.00'</td>
</tr>
<tr>
<td>L4</td>
<td>S 00°01'28&quot; E</td>
<td>28.00'</td>
</tr>
<tr>
<td>L5</td>
<td>S 89°58'32&quot; W</td>
<td>34.00'</td>
</tr>
<tr>
<td>L6</td>
<td>N 00°01'28&quot; W</td>
<td>5.00'</td>
</tr>
</tbody>
</table>
Exhibit "F"
Lot 6, Block 3
5' Utility Easement (Plat No. 6015)
N 89°58'32" E - 126.86'

Lot 7,
Block 3
"Sequoyah Hill II"

17.5' Utility Easement (Plat No. 6015)

Lot 10, Block 12
"Wind River"

Line Table

<table>
<thead>
<tr>
<th>No.</th>
<th>Bearing</th>
<th>Distance</th>
</tr>
</thead>
<tbody>
<tr>
<td>L1</td>
<td>S 89°58'32&quot; W</td>
<td>6.00'</td>
</tr>
<tr>
<td>L2</td>
<td>S 00°01'28&quot; E</td>
<td>28.00'</td>
</tr>
<tr>
<td>L3</td>
<td>S 89°58'32&quot; W</td>
<td>34.00'</td>
</tr>
<tr>
<td>L4</td>
<td>S 00°01'28&quot; E</td>
<td>4.00'</td>
</tr>
</tbody>
</table>

LOT COMBINATION
COMBINED TRACT
LOT 7, BLOCK 3 WITH A PART OF RESERVE "E", "SEQUOYA HILL II"
The applicant is requesting approval of a detail site plan for an accessory parking lot for soccer fields located on Lot 2, Block 6 of Gleneagles, Re-subdivision of Part of Glen Haugen (see Exhibit A). The principal use – recreational facilities is a permitted use on Lot 2, Block 6 per adopted PUD development standards and the deed of dedication and restrictive covenants for the subdivision.

The submitted site plan meets all applicable open space and setback limitations. There are no buildings being proposed for construction (see attached Exhibits). Access to the site is provided from one point along 61st Street and parking has been provided per the applicable Use Unit of the Zoning Code. Landscaping is provided per the landscape chapter of the Zoning Code with a 130' + landscape buffer along the north boundary along 61st Street and a 100'+ buffer along the east boundary. There is no sight lighting proposed. Sidewalks are provided along 61st Street as required by PUD Development Standards and Subdivision regulations.

Staff recommends APPROVAL of the detail site plan for the accessory parking lot to be located on Lot 2, Block 6 Gleneagles, re-subdivision of Part of Glen Haugen.

Note: Detail site plan approval does not constitute landscape and sign plan approval.
MINOR SUBDIVISION PLAT

Sunset Terrace II (renamed from Sunrise Terrace II) - (9309) (PD 4) (CD 4)
Southeast corner of East 15th and South Harvard Avenue

This plat consists of 1 Lot, 1 Block, on .60 acres.

The following issues were discussed September 3, 2009 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned PUD 770. All PUD standards must be described in the covenants.

2. **Streets:** There can be no 105 foot access off 15th Street. The Traffic Engineer has indicated that access widths need to be changed and access deleted from the proposal. Access must meet with Traffic Engineering approval.

3. **Sewer:** Prior to construction of the proposed drive, the sanitary sewer service line for the existing house in Lot 19, east of the project site, must be replaced with ductile iron pipe to a point east of the new boundary line of the plat.

4. **Water:** No comment.

5. **Storm Drainage:** No comment.

6. **Utilities:** Telephone, Electric, Gas, Cable, Pipeline, Others: No comment.

7. **Other:** Fire: No comment. **GIS:** No comment.

Staff recommends **APPROVAL** of the Minor 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 topography 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 therefor 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 therefor shall be approved by the City/County Health Department.

17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.

18. The key or location map shall be complete.

19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)

20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)

21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.

22. All other Subdivision Regulations shall be met prior to release of final plat.

23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.

24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.
MINOR SUBDIVISION PLAT

Bixby Northeast Campus - (7405) (County)
West of Northwest corner of South 121st East Avenue and East 131st Street

This plat consists of 1 Lot, 1 Block, on 18.78 acres.

The following issues were discussed September 3, 2009 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned AG (agricultural) with an approved Board of Adjustment case, CBOA 2317, for a school use.

2. **Streets:** Add an e-mail address for the surveyor. On the location map, label the north half of the section as unplatted. Submit a subdivision control data form in which the first point shall be the point of beginning with two other points on or near the plats' boundary.

3. **Sewer:** No comment.

4. **Water:** No comment.

5. **Storm Drainage:** Please remove contours from the face of plat. The conceptual plan indicates 3 stormwater detention facilities. Rainfall runoff is collected, and then piped to the facilities. It does not indicate the need for overland drainage easements (ODE). Please remove the ODE's. Add standard language for "water, sanitary sewer, and storm sewer service" and "stormwater detention easement". Replace City of Tulsa with Tulsa County.

6. **Utilities:** Telephone, Electric, Gas, Cable, Pipeline, Others: No comment.

7. **Other:** Fire: Outside of Tulsa, please coordinate with City of Bixby. Show title as a Minor Subdivision plat. Subdivision regulations require that the square footage of a lot be shown on the plat. **County Engineer:** The County Engineer is in agreement with the plat.
Staff recommends **APPROVAL** of the Minor Subdivision plat subject to the TAC comments and the special and standard conditions below. Release letters for the plat have been received.

**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 topography 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 therefor 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 therefor 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.
STAFF RECOMMENDATION

PUD-578-A-5: Minor Amendment – Northwest corner of 111th Street and South Memorial Drive; Lot 1, Block 1 – Wal-Mart Supercenter #1597; TRS 8326; CZM 57; Atlas 2886; PD 26; CD 8; CS/PUD.

The applicant is requesting a minor amendment to change the location of the ground sign/tenant ID sign from the primary entrance located along Memorial Drive to the secondary entrance (see Exhibit B) and to allow a second ground sign along 111th Street South at 20’ in height with 32 square feet (sf) of display surface area (dsa).

The PUD allows ground signs for Wal-Mart along Memorial and 111th as follows:

- One center and tenant identification ground sign shall be permitted at the principal entrance on South Memorial Drive and one at the principal entrance on East 111th Street with a maximum of 280 SF of display surface area and 25 FT in height for each sign, unless in addition to the minimum setback, the sign is setback one-foot for each foot of height exceeding 25 feet. In no case shall the sign exceed 30 feet. No other ground signs shall be permitted on East 111th Street.

According to applicant’s Exhibit A, the “center and tenant identification ground sign” along Memorial Drive and the second ground sign along 111th Street (the “Tire and Lube Express” sign), “have been in place without complaint or incident for three years without permit (or TMAPC approval) due to an over-sight”. Staff contends this is rather common with this sign contractor and this practice should be strongly discouraged.

The claim in Exhibit A that the secondary entrance along Memorial Drive is a more suitable location since the primary entrance is “smaller” is not justifiable since the primary entry is three travel lanes wide, while the secondary is two lanes wide. Stating that the existing sign would interfere with traffic and other signs allowed within the PUD is mute, since all signs must maintain a minimum separation of 100’ between signs as required by the PUD chapter of the code and may not be located within a ROW. The sign in its existing location, does meet the separation requirement being approximately 115’ south of the existing “Burger King” sign, and 120’ north of the existing “Arvest” sign on the corner of 111th and Memorial. The sign is setback 65’ from the centerline of Memorial as required by the 30-foot height.

§1107, H-12 of the code allows by minor amendment, “modifications to approved signage, provided the size, location, number and character (type) of the sign(s) is not substantially altered”. The underlying CS zoning of this property would allow the second ground sign along 111th Street so long as the proposed display surface area of both signs along 111th Street is allowed by the 890’ (+/-) lineal feet of frontage (500 sf maximum). The location of the ground sign along Memorial Drive would not be relevant in straight CS zoning, so long as the sign is not located in a utility easement or City right-of-way (ROW) or planned ROW. Both signs appear to maintain the required 100’ separation between ground signs in a PUD.

Review of the approval of major amendment PUD-578-A indicates the requirement that the sign along Memorial Drive be placed at the “primary entrance” was not in response to neither protest, a request of any concerned citizens or any involved Department within the City of Tulsa or the City of Bixby. Provided the aforementioned, staff feels approval of the minor amendment will not substantially alter the size, location, number and character (type) of the sign(s) allowed within the PUD and can recommend APPROVAL of minor amendment PUD-578-A-5.

Note: Approval of a minor amendment does not constitute detail sign plan approval.
To Whom It May Concern:
When Wal-Mart was ordering the placement of their signs in March of 2006, their representative gave me a site plan which identified the placement of two Wal-Mart signs with tenant spaces that were 280 sq. ft. each and to be installed at 30 foot overall height.
This site plan was the only site plan ever provided to GSS and the two signs above were identified on 111th Street and on South Memorial Drive and marked with an “O”. GSS allowed for the extra 5’ setback required for the additional height over 25’ and installed both in the designated area per their site plan.
These signs have been in place without complaint or incident for three years without permit due to an oversight.
When application was made for the permit it was then discovered by the officer at INCOG that the sign on South Memorial Drive was approved on another site plan to be installed in a driveway further North on the site.
However, this driveway is smaller overall and placement there would cause undo interference with both the traffic and the signs allowed for use by the separate lots in front of the Wal-Mart allowed by the PUD for separate lots. Electrical service for the operation of the Wal-Mart was never ran to the North entrance and was run during the initial construction phase by Wal-Mart’s electrical contractor to the South most entrance where the sign exists and has been in use.
The same site plan above also identified a 32 sq. ft. directional sign as “R” in the parking lot near the Southeast corner of the building. This sign has an arrow to direct clients already on the property to the whereabouts of the “TIRE & LUBE EXPRESS”, located on the South end of the building and not visible from the front of the store. Although it is technically a ground sign it is not being used as a street sign, but an on premise sign to direct traffic within the Wal-Mart property. The same sign is used on the 68th and So Memorial property in the same manner. We installed one in a similar manner at the Bristow, OK location and they are common at all Wal-Mart locations.
Yours truly,
Richard Craig
General Manager
Global Sign Solutions
INSTALL ONE 14'-0" X 20'-0" INTERNALLY ILLUMINATED D/F POLE SIGN AT 30' OVERALL
TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT

APPLICATION: Z-7141

TRS 0316                   Atlas 523
CZM 22                    PD-16 CD-3

TMAPC Hearing Date: September 16, 2009

Applicant: Mary Kell/City of Tulsa
Tract Size: 40.1 acres

ADDRESS/GENERAL LOCATION: North of northeast corner of East 36th Street North and North Harvard Avenue

EXISTING ZONING: RS-3        EXISTING USE: Vacant
PROPOSED ZONING: IL          PROPOSED USE: New City of Tulsa Public Works facilities

ZONING ORDINANCE: Ordinance number 11802 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

BOA-20193 February 28, 2006: The Board of Adjustment approved an amendment to a previously approved Mohawk Park master plan and a Special Exception to permit a public park to expand Mohawk Park, on property located at 5701 East 36th Street North.

Z-6954 October 2004: All concurred in approval of a request for rezoning a 1.1+ acre tract of land from RS-3 to IL for Society Prevention of Cruelty to Animals on property located on the northeast corner of East 38th Street North and North College Avenue.

Z-6914 December 2003: All concurred in approval of a request to rezone a 7.3+ acre tract that includes the TSPCA existing facility and the property across North College Avenue from the offices, from RS-3 to IL. The property is located on the southwest and southeast corner of East Mohawk Boulevard and North College Avenue.

BOA-18080 June 1998: The Board of Adjustment approved a Special Exception to permit an animal shelter (existing SPCA) and to build a veterinary clinic for the facility in an RS-3-zoned district on property located on the southwest corner of North College Avenue and Mohawk Boulevard.

Z-6319 June 1991: All concurred in denial of a request to rezone the 3.9+ acre tract from RS-3 to CG or IL for commercial use, on property located on the southwest corner of North Gary Avenue and Mohawk Boulevard.

Z-6293 September 1990: All concurred in approval of a request to rezone a 2.5+ acre tract from RS-3 to IL on property located west of the southwest corner of East 38th Street North and North College.

Z-6289 August 1990: All concurred in approval of a request for rezoning a .86+ acre tract, from RS-3 to IL for a light manufacturing business located on the southwest corner of Highway 75 and Mohawk Boulevard.
BOA-16179 November 10, 1992: The Board of Adjustment approved a Special Exception to permit an animal shelter in an RS-3 district, subject to all of the conditions contained in the applicant's application (Exhibit G-1), including specifically the provision that will restrict all animals to be kept within the building on site (no outside animal runs) and that the building be designed with sufficient sound-resisting materials to ensure practically no outside noise and subject to the plot plan submitted, on property located at 3901 North Harvard Avenue and the subject property.

BOA-16503 November 9, 1993: The Board of Adjustment approved a Special Exception to permit a water treatment plant in an RS-3/AG district; per plan submitted; finding that the use is existing and that proposed additional construction will not be detrimental to the neighborhood, on property located at 3710 Mohawk Boulevard and part being the subject property.

BOA-16503 October 12, 1993: The Board of Adjustment approved a Special Exception to permit an existing water treatment plant and two new buildings containing a sludge dewatering system and to continue a Special exception for a new water treatment plant to November 9, 1993; per plan submitted; finding that the proposed buildings housing the sludge dewatering the existing structures, on property located north and east of the northeast corner and part being the subject property.

BOA-13735 September 12, 1985: The Board of Adjustment approved a Special Exception to allow an existing water treatment plant in an RS-3 district and to allow for expansion under the provisions of Section 1680, on property located at 3710 Mohawk Boulevard and abutting east of subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 40± acres in size and is located north of northeast corner of East 36th Street North and North Harvard Avenue. The property appears to be vacant and is zoned RS-3.

STREETS:

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Harvard Avenue</td>
<td>Secondary arterial</td>
<td>100'</td>
<td>2</td>
</tr>
<tr>
<td>Mohawk Boulevard</td>
<td>N/A</td>
<td>N/A</td>
<td>2</td>
</tr>
<tr>
<td>East 38th St. North</td>
<td>N/A</td>
<td>N/A</td>
<td>2</td>
</tr>
</tbody>
</table>

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

SURROUNDING AREA: The subject tract is abutted on the east and north by the Mohawk Water Treatment Plant, zoned RS-3 and AG; on the south by a Tulsa County garage and single-family residential uses, zoned CS and RS-3; and on the west by older large-lot single-family residences, zoned RS-3.
RELATIONSHIP TO THE COMPREHENSIVE PLAN:
The District 16 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates the portion of this area fronting North Harvard as being Medium Intensity-No Specific land use and the remainder of the site as Low Intensity-Residential land use. According to the Zoning Matrix, the requested IL zoning may be found in accord with the Plan for that portion that is designated Medium Intensity-No Specific land use and is not in accord with the Plan for that area designated as Low Intensity-Residential land use.

STAFF RECOMMENDATION:
One of the major municipal water treatment plants lies immediately to the north of the subject property and beyond that is Lake Yahola. One of the Tulsa County garages lies immediately to the south. Although a portion of the site is designated for Low Intensity-Residential land use and the requested IL is not in accord with the Plan, staff can support the requested rezoning. Staff would also caution that the applicant may also be required to apply to the City Board of Adjustment for a Special Exception as a Use Unit 2, Area-wide Special Exception Use. Staff therefore recommends APPROVAL of IL zoning for Z-7141.

09/16/09
EXECUTIVE SUMMARY:

The City of Tulsa currently owns a 40-acre site just south of Lake Yahola on the corner of North Harvard and Mohawk Boulevard. The City has decided to move its Traffic Engineering and Street Maintenance Departments to this location as a part of a current building project. At some point in the future, the City also desires to move its Water Distribution, Engineering Services, Engineering Field Services and Solid Waste departments to this location. The current locations of all of these departments are primarily at the City of Tulsa's 23rd and Jackson property.

The scope of this Site Master Plan Program is to evaluate the existing and future criteria associated with these departments and to plan for the future use of this site to accommodate all of these departments at this site.

SITE LOCATION:

The subject site is a 40 acre site that is located northeast of the intersection of North Harvard Ave. and North 36th Street in Tulsa, Oklahoma. The following map shows the general site location within the City of Tulsa.

Figure 1
TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT
APPLICATION: Z-7142/PUD-773

TRS 8323
CZM 57

TMAPC Hearing Date: September 16, 2009

Applicant: Lou Reynolds

Tract Size: 5.58 acres/243,208 SF (gross)
4.91+ acres/213,879.6+ SF (net)

ADDRESS/GENERAL LOCATION: North of the northwest corner of East 101st Street South
and South Memorial Drive

EXISTING ZONING: CO

EXISTING USE: Vacant

PROPOSED ZONING: RS-3/OL/CS/PUD

PROPOSED USE: Retail/Office

ZONING ORDINANCE: Ordinance number 18947 dated March 21, 1997, established zoning
for the subject property.

RELEVANT ZONING HISTORY:
PUD-411-C-12/Z-5842-SP-7 February 2008: The Planning Commission approved a Minor
Amendment to PUD-411-C to increase permitted floor area of Development Area 1-A by
reducing two setback requirements an increasing permissible height restrictions; per staff
recommendation as modified by the Planning Commission and per submitted, on property
located on the northeast: corner of South Memorial Drive and East 101st Street South.

PUD-411-E/Z-5842-SP-7 February 2008: A Major Amendment to PUD-411 was proposed to
amend the development standards to create a new Development Area 1A-1. The applicant
requested to reduce his request to a Minor Amendment (See PUD-411-C-12) on property
located on the northeast corner of South Memorial Drive and East 101st Street South.

Z-6579-SP-4 June 2006: Staff recommended for approval of a proposed Corridor Site Plan
on a 4.91+ acre tract of land for automobile dealership and commercial uses. The TMAPC
had a tie vote and so decided to send on to City Council without a recommendation. The City
Council voted to deny the application, on property located north of northwest corner of East
101st Street and South Memorial Drive and the subject property.

Z-6391/Z-6391-SP-1/PUD-701 April 2004: All concurred in approval of a request for rezoning
a 4.56+ acre tract of land from RS-1 to CO/PUD with a proposed Corridor Site Plan and
Planned Unit Development for automotive dealership and retail; per staff recommendation and
as amended by the Planning Commission, on property located on the northwest corner of East
98th Street and South Memorial Drive.

Z-6579-SP-3/PUD-671 December 2002: The TMAPC and staff recommended for approval of
a proposed Planned Unit Development and Corridor Site Plan on a 4.9+ acre tract of land for
automobile and light truck sales (new and used), repair and service (excluding body repair and
painting), and also those uses permitted by right in CS district, excluding Use Unit 12a, on
property located north of northwest corner of East 101st Street and South Memorial Drive and
the subject property.
**BOA-19464 November 12, 2002:** The Board of Adjustment approved a Variance of the requirement that a Corridor development's access shall be principally from an internal collector street, finding it would be an unnecessary hardship to require a collector street because it would not serve any other properties, on property located north of the northwest corner of East 101st Street South and South Memorial Drive and the subject property.

**BOA-19047 April 24, 2001:** The Board of Adjustment approved a Special Exception to permit an automobile wash in a CS district, per applicant's conditions submitted at meeting, and vacuums shall be located on east boundary line, on property located west of the northwest corner of East 101st Street and South Memorial Drive.

**Z-6579-SP-2/PUD-603-A January 2000:** All concurred in approving a request for a Major Amendment to PUD-603. The original PUD and corridor site plan designated four development areas for retail commercial and office use, including an automobile dealership on the south 2.5 acres. The major amendment was approved for two development areas for CS uses on a 9.4± acre tract located on the southwest corner of East 98th Street and South Memorial Drive and abutting north of subject property.

**Z-6579-SP-1/PUD-603 January 1999:** A Planned Unit Development and Corridor Site Plan were approved for retail and office use on property located on the southwest corner of East 98th Street South and South Memorial Drive and abutting north of subject property.

**Z-6617/PUD-581 February 1998:** All concurred in approval of a request for CO zoning and a PUD on an 11.9± acre tract for multifamily development. The Comprehensive Plan did not support CO zoning to a depth greater than 500' from South Memorial Drive, but staff and TMAPC concurred that the drainage way and City of Tulsa detention facility located southwest of the property established a natural demarcation for the CO zoning to a depth of 1,320'. On property located on the southwest corner of South Memorial Drive and the Creek Turnpike East.

**PUD-378-A March 1997:** All concurred in approval of a proposed Major Amendment to a PUD to allow single family use of the previously approved office development on a 7± acre tract of land on property located west of the southwest corner of East 101st Street and South Memorial Drive.

**Z-6579 March 1997:** All concurred in approval of a request to rezone a 24.5± acre tract from RS-1 to CO located on the southwest corner of East 98th Street South and South Memorial Drive and a part of the subject property.

**Z-6578/PUD-554 January 1997:** All concurred in approval of a request to rezone a 30.8± acre tract of land from AG and RS-1 to RS-3/PUD for a single-family residential development, subject to modifications located west of the southwest corner of East 98th Street and South Memorial Drive and abutting west of subject property.

**Z-5842-SP-5/PUD-411-C October 1993:** All concurred in approval of a proposed Major Amendment and Corridor Site Plan on a 93± acre tract of land to modify the development areas, permitted uses and development standards to permit automobile and allied activity, office use, multi-family and single-family development, on property located on the northeast corner of East 101st Street and South Memorial Drive.

**Z-5842-SP-1/PUD-411 February 1986:** All concurred in approval of a proposed Planned Unit Development and Corridor Site Plan on a 177± acre tract of land for mixed use development on property located on the northeast corner of E. 101st Street S. and S. Memorial drive.
**PUD-378 November 1984:** All concurred in approval of a proposed Planned Unit Development for an office and commercial development a 20+ acre tract of land on property located on the southwest corner of East 101st Street South and South Memorial Drive, subject to conditions.

**AREA DESCRIPTION:**

**SITE ANALYSIS:** The subject property is approximately 4.91+ acres in size and is located north of the northwest corner of East 101st Street South and South Memorial Drive. The property appears to be vacant and is zoned CO.

<table>
<thead>
<tr>
<th>STREETS:</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
</tr>
</thead>
<tbody>
<tr>
<td>South Memorial Drive</td>
<td>Primary arterial</td>
<td>120'</td>
<td>Under construction; planned 6 lanes; four lanes presently</td>
</tr>
</tbody>
</table>

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

**SURROUNDING AREA:** The subject tract is abutted on the east by Memorial Drive and then South Town Market, zoned CO/PUD-411-C used as a Super Target and four out-parcels; on the north by Jim Norton Center West, zoned C0 and used as vehicle sales and service; on the south by a Memorial 101 and Cab Addition, zoned CS and AG used as a retail gasoline sales and convenience store and car wash, and a smoke shop; and on the west by Audubon Park, zoned RS-3/PUD-554 used as a single-family residential development.

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

The District 26 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being Low or Medium Intensity—No Specific land use/Corridor. According to the Zoning Matrix, the requested RS-3/OL/CS/PUD zoning is in accord with the Plan.

**STAFF RECOMMENDATION FOR ZONING:**

Based on the District Plan and trends in the area, staff can support the requested RS-3/OL/CS/PUD and therefore recommends APPROVAL of the requested rezoning for Z-7141, provided the standards and conditions of the accompanying PUD-773 are deemed acceptable. However, staff points out that the rezoning may not have been necessary, given that the existing zoning is CO.

**STAFF RECOMMENDATION FOR PUD:**

PUD-773 is a 5.58 gross acre (243,208 gross sf) tract located north, of the northwest corner of Memorial Drive and 101st Street South. The tract is currently vacant and has 496’ feet of frontage along Memorial Drive. Concurrently with this application is rezone application Z-7141, seeking to rezone the property from Corridor (CO) zoning to RS-3 (residential single family); OL (Office Light); CS (Commercial Shopping Center); and Planned Unit Development (PUD).

The PUD is being proposed to achieve deployment flexibility with respect to mixing uses and to use zoning districts in a traditional zoning pattern (RS-3 to OL to CS) as buffering and for heightened protections along the west boundary. A 30’ wide, undevelopable strip of RS-3 zoning is being used along the entirety of the west boundary as a buffer zone adjacent to OL zoning. Additionally, and to ensure greater compatibility with the neighborhood to the west: the applicant is eliminating uses normally allowed in “straight” CS zoned districts such as apartments, automobile sales and service, sexually orientated businesses and outdoor advertising (OA) signs.

15.6
Referring to the attached case aerial photograph and topography map, the site gradually slopes from the northeast corner of the site to the southwest corner of the site. Elevations are from 724' at the northeast corner of the site to approximately 698' at the southwest corner. The slope difference makes the sight somewhat topographically challenged.

The proposal for PUD-773, known as the "NGP Business Complex" is for a two development area, up to seven lot mixed use office and retail development with large open landscaped areas (see Exhibits A and C). The proposed zoning on the site would allow for 19,830 square feet (sf) of office space and 74,673 sf of commercial floor area for a total of 94,503 sf of floor area. Under PUD-773 there is 50,000 square feet of floor area proposed, with 10,000 sf of the total being under the future expansion the existing Quik-Trip canopy from the south, which is included in the PUD as Development Area B. There is 40,000 sf of actual buildable floor area being proposed.

As a result of the existing topography of the site (see also attached photographs) the applicant is proposing through re-zoning and the PUD process to limit the permissible building height of the western most building to 20', within 50-feet of the western boundary. Further, the applicant is proposing to limit the finished floor elevation of the building to 714' above mean sea level in an effort to eliminate a "towering" effect. As indicated in Exhibits A, D, E and F excessive landscaping will and an 8' masonry wall will be used to further screen the building and provided added protections for the homes to west above what the landscape chapter of the code requires. Exhibit G depicts the applicant's efforts to minimize spill-over lighting into the neighborhood to the west.

Access to the site will be from three points along Memorial Drive with mutual access easements between the QT property from the south and the auto dealership property to the north. There is an existing five-foot sidewalk along Memorial Drive which will be expanded to include pedestrian circulation to the site and pedestrian walkways though the interior of the site as well.

After conducting site visits, review of the conceptual development plan in addition to the TAC review of the concept plan, staff can support this application. Staff finds the uses and intensities of development proposed and efforts made to buffer the development to be in harmony with the spirit and intent of the Code. Staff finds PUD-773 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-773 subject to the following conditions:

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

**DEVELOPMENT AREA A**

| NET LAND AREA: | 187,695 SF | 4.31 AC |

15.7
PERMITTED USES:
Uses permitted as a matter of right in Use Unit 10, Off-Street Parking; Use Unit 11, Offices, Studios and Support Services; Use Unit 12, Eating Establishments, Other Than Drive-Ins; Use Unit 13, Convenience Goods and Services; Use Unit 14, Shopping Goods and Services; Health Club/Spa only as permitted within Use Unit 19, Hotel, Motel and Recreation Facilities; and uses customarily incident to permitted principal uses.

MAXIMUM NUMBER OF LOTS: 7

MAXIMUM PERMITTED BUILDING FLOOR AREA:
Commercial/Office: 40,000 SF

MAXIMUM BUILDING HEIGHT:
Within 50' of west property line: 20 FT from adjacent ground level*

If more than 50' from west property line: 25 FT* from adjacent ground level

Unoccupied architectural features: 35 FT from adjacent ground level

*The finished floor elevation of the westernmost building in Development Area "A" shall not exceed 714 FT above mean sea level.

MINIMUM BUILDING SETBACKS:
From South Memorial Drive right-of-way 50 FT
From North Boundary of the PUD 25 FT
From West Boundary of the PUD 40 FT
From Boundary of Development Area "B" 11 FT
From South Boundary of the PUD 11 FT

OFF-STREET PARKING:
As permitted by the applicable Use Unit of the Tulsa Zoning Code.

LANDSCAPED AREA:
A minimum of 15% of the total net land area shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

SIGNS:
1. Ground Signs:
   a. Ground signs shall be limited to one (1) per lot with arterial street frontage with a maximum of 80 SF of display area and 25 FT in height. There will be a minimum 50 FT separation between ground signs.
b. In addition to the ground signage provided in item a. above, a project/tenant identification signs shall be permitted along South Memorial Drive with a maximum of 225 square FT of display surface area and 25 FT in height.

2. Wall Signs: Wall signs shall be permitted not to exceed 2.0 square feet of display surface area per lineal foot of building wall to which attached. No wall signs shall be permitted on west-facing building walls.

**LANDSCAPED BUFFER AND SCREENING:**
Development Area “A” will be extensively landscaped by a 30 FT wide landscape screening buffer and the details of such landscaping are shown on Exhibits “D”, “E” and “F”.

Specifically, the project will be screened by a minimum 8 FT high masonry screening wall. Immediately adjacent to such 8 FT masonry screening wall will be a row of evergreen pine trees which pine trees will be a minimum of 12 FT in height at the time of planting. Additionally, within such 30 FT wide landscape screening buffer an additional row of pines, cypress and photinia will be planted along the west wall of the westernmost building.

The landscape features within the project will maintained in accordance with the requirements of the Landscape Chapter of the Tulsa Zoning Code.

**BUILDING FACADES:**
All exterior building walls of a building shall be of like material(s) on all faces of such building.

**LIGHTING:**
Lighting shall be arranged so as to shield and direct the light away from the residential area to the west and shall be verified through either the application of the Kennebunkport Formula and/or submittal of a photometric plan. All lighting shall be in substantial conformance with the proposed lighting plan as shown in Exhibit “G”. Consideration of topography must be included in the calculations.

Except for bollards, no light standards shall be permitted with 25 FT of the west boundary.

Bollards not to exceed 4 FT in height with the light fixture directed to the east will be used to light the vicinity of the western wall of the westernmost building.

All pole mounted lighting within the west 50 FT of Development Area “A” will be shielded and/or cut off to reduce the potential for lighting to spill over to the west of the light fixture.

Pole and building mounted lighting shall not exceed 14 FT in height as measured from adjacent ground level. For purposes of measurement, ground level shall be considered the adjacent paved surface, if applicable.
Building mounted lighting on west facing buildings within 50 FT of the west boundary shall be restricted to security lighting only. Security lighting is defined as lighting which is intended to light rear door emergency exits and will be activated for a short period of time only when the door is opened.

TRASH AND MECHANICAL EQUIPMENT:
All trash, mechanical and equipment areas (excluding utility service transformers, pedestals, or equipment provided by franchise utility providers), including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level. Screened bulk trash containers shall be setback a minimum of 100 feet from the west boundary.

NO OUTSIDE STORAGE:
There shall be no outside storage of recyclable material, trash or similar materials outside of a screened receptacle, nor shall trucks or trailer trucks be parked unless they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage.

DEVELOPMENT AREA “B”

NET LAND AREA: 26,100 SF 0.60 AC

PERMITTED USES:
Uses permitted as a matter of right in Use Unit 14, Shopping Goods and Services; and uses customarily accessory to the permitted principal uses.

MAXIMUM NUMBER OF LOTS: 1

MAXIMUM PERMITTED BUILDING FLOOR AREA: 10,000 SF*

*Includes that area covered by the fuel pump canopy.

MAXIMUM BUILDING HEIGHT: 25 FT**
**Architectural elements may exceed permitted height upon Detail Site Plan approval.

MAXIMUM PERMITTED HEIGHT OF FUEL PUMP CANOPY: 20 FT

MINIMUM BUILDING SETBACKS:
- From South Memorial Drive right-of-way 50 FT
- From North Boundary 75 FT
- From the West Boundary 80 FT
- From the South Boundary 0 FT

MINIMUM CANOPY SETBACK:
- From South Memorial Drive right-of-way 30 FT
- From North Boundary 50 FT
- From the West Boundary 185 FT
- From the South Boundary 0 FT
OFF-STREET PARKING:
As permitted by the applicable Use Unit of the Tulsa Zoning Code.

LANDSCAPED AREA:
A minimum of 15% of the total net land area of Development Area “B” shall be improved as internal landscaped open space in accord with the provisions of the Landscape Chapter of the Tulsa Zoning Code.

SIGNS:
1. No ground signs are permitted within Development Area “B”.

2. Wall and canopy signs shall be permitted not to exceed 2.0 square feet of display surface area per lineal foot of building wall or canopy to which attached. No wall signs shall be permitted on west facing building walls or canopies.

LANDSCAPE BUFFER:
A minimum 10 FT wide landscape buffer shall be provided in Development Area “B” between the retaining wall extension and the new parking area. Such 10 FT wide landscape buffer will include a minimum of 8 Austrian pines, which pines shall be a minimum of 12 FT in height at the time of planting, four Leland cypresses, which cypresses shall be a minimum of 8 FT in height at the time of planting and 23 Loropetalum “fringe flower” plants which shall be 3 FT in height at the time of planting and shall be planted within such landscape buffer. The location of such landscape buffer and the distribution of the landscaping shall be in substantial compliance with Exhibit “D”.

The landscape features within Development Area “B” will be maintained in accordance with the requirements of the Landscape Chapter of the Tulsa Zoning Code.

BUILDING FACADES:
All exterior building walls of a building shall be of like material(s) on all faces of such building.

RETAINING WALL:
The existing retaining wall proximate to the west wall of the existing QuikTrip store shall be extended north to the north boundary of Development Area “B” and shall connect with the proposed retaining wall in Development Area “A” at a point along the common boundary line between the development areas. The location of the retaining wall is shown on Exhibit “D”. The materials used for construction of the retaining wall extension in Development Area “B” shall match those used for retaining walls in Development Area “A”, with material selection for Development Area “A” setting the precedent.

LIGHTING:
Light standards shall be restricted to height of 8 FT for building mounted lighting and 14 FT in height for pole mounted lighting. All canopy lighting shall be recessed with no part of the fixture extending below the canopy and shall be in substantial compliance with the proposed lighting as shown in Exhibit “G”.

15.11
All light standards, including building mounted, shall be hooded and directed downward and away from adjacent residential boundaries. Compliance shall be verified by application of the Kennebunkport Formula and/or submittal of a photometric plan. Consideration of topography must be included in the calculations.

TRASH AND MECHANICAL EQUIPMENT:
All trash, mechanical and equipment areas (excluding utility service transformers, pedestals, or equipment provided by franchise utility providers), including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level. Bulk trash containers shall be screened using masonry materials that match the existing QuikTrip store and will be at least 1 foot taller than the trash container(s) and setback a minimum of 140 FT from the west boundary.

NO OUTSIDE STORAGE:
There shall be no outside storage of recyclable material, trash or similar materials outside of a screened receptacle, nor shall trucks or trailer trucks be parked within the development unless they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage.

ACCESS AND CIRCULATION
Access to Memorial Drive shall be provided by three access drives, two of which are located in Development Area “A”. The northernmost access will be shared with Nelson Mazda as a three-way access in conjunction with a proposed traffic signal. The second access is approximately 140 feet to the south providing right turn, only, in and out. The third access, and only access in Development Area “B”, is approximately 30 feet from the PUD’s south boundary. Mutual access easements will assure access to all lots within the PUD and to adjacent properties.

The driveway access at the vehicular interface of Development Area “A” and Development Area “B” (providing access between Development Areas “A” and “B”) shall have a slope no greater than six percent (6%) and have a minimum top paving elevation of no less than 721 FT and no greater than 722 FT. The slope, elevation and location of the driveway access between Development Area “A” and Development Area “B” are depicted on Exhibit “H”.

Mutual Access Easements will assure access to all of the lots within the PUD and to South Memorial Drive and across the existing QuikTrip store to East 101st Street South.

Sidewalks will be provided along Memorial Drive. Pedestrian access and circulation are shown in Exhibit “A”.

3. No zoning clearance permit shall be issued for a lot within the PUD until a detail site plan for the lot, which includes all buildings, lighting, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
4. A detail landscape plan for each 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 fences will be installed by a specific date in accordance with the approved landscape plan for the lot, prior to issuance of an occupancy permit. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.

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

6. Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.

7. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving the development have been installed in accordance with the approved plans prior to issuance of any occupancy permit.

8. No building permit shall be issued until the 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.

**TAC COMMENTS:**

**General:** Exhibit H is missing from the document so a review of the drainage and utilities could not be performed and will be done at the platting phase of development.

**Water:** A looped water main extension line will be required; inside a 20' restrictive waterline easement.

**Fire:** An approved water supply capable of supplying the required fire flow for fire protection shall be provided to premises upon which facilities, buildings or portions of buildings are hereafter constructed or moved into or within the jurisdiction. Provide Fire Hydrants with water flow and spacing requirements as required per Appendixes B & C of the 2006 International Fire Code.

**Stormwater:** No comments.

**Wastewater:** Access to Sanitary Sewer Service must be provided to all Lots and Development areas within the PUD area.
Transportation: No comments.

INCOG Transportation:

- **MSHP**: Memorial Drive and 101st St. East of Memorial are designated Primary Arterials.
- **LRTP**: Memorial Drive, between E. 101st Street S. and E. 91st Street S., planned 6 lanes. Sidewalks should be constructed if non-existing or maintained if existing, per Subdivision Regulations.
- **TMP**: No comment.
- **Transit**: No current or future plans for this location.

GIS: No comments.

Street Addressing: No comments.

09/16/09
Exhibit "L"
Part of the SE/4 SE/4
Section 23, T-18-N R-13-E
Overall Net Area

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE
SOUTHEAST QUARTER (SE/4 SE/4) OF SECTION TWENTY-THREE (23),
TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST, OF THE INDIAN
MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S.
GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY
DEScribed AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SE/4 SE/4; THENCE
NORTH 0°07'43" EAST AND ALONG THE EASTERLY LINE OF SAID SE/4 SE/4, FOR
A DISTANCE OF 330.38 FEET TO A POINT; THENCE NORTH 89°52'17" WEST FOR
A DISTANCE OF 120.00 FEET TO THE NORTHEAST CORNER OF BLOCK 1,
MEMORIAL 101 (PLAT NO. 5007), SAID POINT ALSO BEING THE POINT OF
BEGINNING;

THENCE NORTH 89°56'57" WEST ALONG THE NORTHERLY LINE OF BLOCK 1,
MEMORIAL 101, FOR A DISTANCE OF 431.06 FEET TO THE SOUTHEAST CORNER
OF BLOCK 2, AUDUBON PARK (PLAT NO. 5272);
THENCE NORTH 0°05'16" EAST ALONG THE EASTERLY LINE OF BLOCK 2,
AUDUBON PARK, FOR A DISTANCE OF 495.75 FEET TO THE SOUTHWEST
CORNER OF BLOCK 1, JIM NORTON CENTER WEST (PLAT NO. 5635); THENCE
SOUTH 89°57'22" EAST ALONG THE SOUTHERLY LINE OF BLOCK 1, JIM NORTON
CENTER WEST, FOR A DISTANCE OF 431.41 FEET TO A POINT;
THENCE SOUTH 0°07'43" WEST AND PARALLEL TO THE EASTERLY LINE OF SAID
SE/4 SE/4 FOR A DISTANCE OF 495.80 FEET TO THE POINT OF BEGINNING;

TRACT CONTAINING 213,795 SQUARE FEET OR 4.908 ACRES.

REAL PROPERTY CERTIFICATION
I, DAN E. TANNER, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN
ACCORDANCE WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL
PROPERTY AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR
LAND SURVEYING OF THE STATE OF OKLAHOMA.

Dan E. Tanner, P.L.S.
Tanner Consulting, L.C.
Oklahoma Certificate of Authorization No. CA 2661
Expiration Date: 6/30/11
Oklahoma RPLS No. 1435

8.6.2009
Date
15.26
Exhibit "M"
Part of the SE/4 SE/4
Section 23, T-18-N R-13-E
DEVELOPMENT AREA A

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER (SE/4 SE/4) OF SECTION TWENTY-THREE (23), TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST, OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SE/4 SE/4; THENCE NORTH 0°07'43" EAST AND ALONG THE EASTERLY LINE OF SAID SE/4 SE/4, FOR A DISTANCE OF 330.38 FEET TO A POINT; THENCE NORTH 89°52'17" WEST FOR A DISTANCE OF 120.00 FEET TO THE NORTHEAST CORNER OF BLOCK 1, MEMORIAL 101 (PLAT NO. 5007); THENCE NORTH 0°07'43" EAST PARALLEL WITH THE EASTERLY LINE OF SAID SE/4 SE/4, FOR A DISTANCE OF 90.00 FEET TO A POINT, SAID POINT ALSO BEING THE POINT OF BEGINNING.

THENCE NORTH 99°56'57" WEST FOR A DISTANCE OF 290.00 FEET TO A POINT; THENCE SOUTH 0°07'43" WEST FOR A DISTANCE OF 90.00 FEET TO A POINT ON THE NORTHERLY LINE OF BLOCK 1, CAB ADDITION (PLAT NO. 5606); THENCE NORTH 89°56'57" WEST ALONG THE NORTHERLY LINE OF BLOCK 1, CAB ADDITION FOR A DISTANCE OF 141.06 FEET TO THE SOUTHEAST CORNER OF BLOCK 2, AUDUBON PARK (PLAT NO. 5272); THENCE NORTH 0°05'16" EAST ALONG THE EASTERLY LINE OF BLOCK 2, AUDUBON PARK, FOR A DISTANCE OF 495.75 FEET TO THE SOUTHWEST CORNER OF BLOCK 1, JIM NORTON CENTER WEST (PLAT NO. 5635); THENCE SOUTH 89°57'22" EAST ALONG THE SOUTHERLY LINE OF BLOCK 1, JIM NORTON CENTER WEST, FOR A DISTANCE OF 431.41 FEET TO A POINT; THENCE SOUTH 0°07'43" WEST AND PARALLEL WITH THE EASTERLY LINE OF SAID SE/4 SE/4 FOR A DISTANCE OF 405.80 FEET TO THE POINT OF BEGINNING;

TRACT CONTAINING 187,695 SQUARE FEET OR 4.309 ACRES.

REAL PROPERTY CERTIFICATION
I, DAN E. TANNER, CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSES IN ACCORDANCE WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL PROPERTY AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR LAND SURVEYING OF THE STATE OF OKLAHOMA.

Dan E. Tanner, P.L.S.
Tanner Consulting, LLC
Oklahoma Certificate of Authorization No. CA 2661
Expiration Date: 6/30/11
Oklahoma RPLS No. 1435

8-6-2009
Date

28032 Legal Descriptions.doc 8/6/2009
Exhibit "N"

Part of the SE/4 SE/4
Section 23, T-18-N R-13-E
DEVELOPMENT AREA B

A TRACT OF LAND LOCATED IN THE SOUTHEAST QUARTER OF THE
SOUTHEAST QUARTER (SE/4 SE/4) OF SECTION TWENTY-THREE (23),
TOWNSHIP EIGHTEEN (18) NORTH, RANGE THIRTEEN (13) EAST, OF THE INDIAN
MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S.
GOVERNMENT SURVEY THEREOF, SAID TRACT BEING MORE PARTICULARLY
DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID SE/4 SE/4; THENCE
NORTH 0°07'43" EAST AND ALONG THE EASTERLY LINE OF SAID SE/4 SE/4, FOR
A DISTANCE OF 330.38 FEET TO A POINT; THENCE NORTH 89°52'17" WEST FOR
A DISTANCE OF 120.00 FEET TO THE NORTHEAST CORNER OF BLOCK 1,
MEMORIAL 101 (PLAT NO. 5007), SAID POINT ALSO BEING THE POINT OF
BEGINNING;

THENCE NORTH 89°56'57" WEST ALONG THE NORTHERLY LINE OF BLOCK 1,
MEMORIAL 101, FOR A DISTANCE OF 290.00 FEET TO A POINT ON THE
NORTHERLY LINE OF BLOCK 1, CAB ADDITION (PLAT NO. 5606);
THENCE NORTH 0°07'43" EAST AND PARALLEL TO THE EASTERLY LINE OF SAID
SE/4 SE/4, FOR A DISTANCE OF 90.00 FEET; THENCE SOUTH 89°56'57" EAST AND
PARALLEL TO THE NORTHERLY LINE OF BLOCK 1, CAB ADDITION, FOR A
DISTANCE OF 290.00 FEET;
THENCE SOUTH 0°07'43" WEST AND PARALLEL TO THE EASTERLY LINE OF SAID
SE/4 SE/4 FOR A DISTANCE OF 90.00 FEET TO THE POINT OF BEGINNING;

TRACT CONTAINING 26,100 SQUARE FEET OR .60 ACRES.

REAL PROPERTY CERTIFICATION

I, DAN E. TANNER CERTIFY THAT THE ATTACHED LEGAL DESCRIPTION CLOSSES IN
ACCORDANCE WITH EXISTING RECORDS, IS A TRUE REPRESENTATION OF THE REAL
PROPERTY AS DESCRIBED, AND MEETS THE MINIMUM TECHNICAL STANDARDS FOR
LAND SURVEYING OF THE STATE OF OKLAHOMA.

[Signature]

Dan E. Tanner, P.L.S
Tanner Consulting, LLC
Oklahoma Certificate of Authorization No. CA 2681
Expiration Date: 6/30/11
Oklahoma RPLS No. 1435

8/6/2009

15.30
Exhibit "N-1"
NGP Business Complex
Development Area 'B'

Block 1
Jim Norton Center West
(Plat No. 5635)

Southwest Corner Block 1
Jim Norton Center West

17.50 E

N 89°56'57" W
W 390.00'

Point of Beginning
Northeast Corner
Block 1, Memorial 101

Point of Commencement
Southeast Corner SE/4, SE/4,
Section 23, T-18-N, R-13-E

Unplatted

3/11/2009 2B032P_LEGALS

Tanner Consulting,
5323 South Lewis Avenue • Tulsa, Oklahoma 74105 • (15.3)
PANORAMA looking south