TULSA METROPOLITAN AREA PLANNING COMMISSION
For Meeting No. 2569
January 5, 2010, 4:00 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:
Review TMAPC receipts for the month of November 2009

1. Minutes of December 2, 2009, Meeting No. 2567

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. **LC-220** – B.R. Hutson, Inc. (0331) Lot-Combination
Northeast Corner of North Wheeling Avenue and East Haskell Place, 801 N. Xanthus
(PD 3) (CD 1)

3. **LC-221** – Dale Evans (9408) Lot-Combination
Southeast Corner of South 117th East Avenue and East 14th Place, 1437 South 117th East Avenue
(PD 17) (CD 3)

4. **LC-222** – Dean Solberg (8321) Lot-Combination
West of the Southwest corner of East 91st Street South and Yale Avenue
(PD 4) (CD 4)

5. **LC-223** – Bobby Smith (9018) Lot-Combination
Northeast corner of South 265th West Avenue and West 28th Street South, 26451 West 28th Street South
(County)

6. **LC-224** – Rebecca Carr (2307) Lot-Combination
East of the Northeast corner of North Utica Avenue and East 168th Street North, 1707 East 168th Street North (See related item LS-20174)
(County)

7. **LC-225** – Paul Boullion (9319) Lot-Combination
North of the Northwest corner of East 41st Street and South Utica Avenue, 3926 South Utica Avenue and 4004 South Utica Avenue
(PD 6) (CD 9)

8. **LC-226** – Tim Terral (0431) Lot-Combination
Northeast of the Northeast corner of North Mingo Road and East Archer Street, 10530 East Latimer Street and 1107 North 105th East Avenue
(PD 16) (CD 6)
9. **LS-20351** – Tim Terral (0431) Lot-Split
   Northeast of the Northeast corner of North Mingo Road and East Archer Street, 10530 East Latimer Street and 1107 North 105th East Avenue

10. **LS-20174** – Rebecca Carr (2307) Rescind
    East of the Northeast corner of North Utica Avenue and East 168th Street
    North, 1707 East 168th Street North (See related item LC-224)

11. **PUD-678-3 – T J Enterprises, LLC**
    Northwest of the northwest corner of 101st Street South and South Memorial Drive (Minor Amendment to reduce the required front setback from 20 feet to 17 feet on Lot 5, Block 3.)

12. **PUD-709-5 – Robert R. David**
    Northeast of the northeast corner of 115th Street South and South Delaware Road (Minor Amendment to reduce the required front setback from 30 feet to 24.8 feet on Lot 2, Block 1.)

13. **PUD-754 – Steve Wright – Stonegate Estates**
    West of the southwest corner of 106th Street South and South Yale Avenue (Detail Site Plan for a perimeter wall, entry gates and an entry feature.)

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

**PUBLIC HEARINGS**

14. **NGP Business Complex** – (8323) Preliminary Plat
    North of the Northwest corner of East 101st Street South and South Memorial Drive

15. **Sooner Mini Storage Extended** – (9121) Minor Subdivision Plat
    North of the Northwest corner of West 41st Street South and South 129th West Avenue

16. **LS-20350** – David W. Phillips (9206) Lot-Split/Waiver of 50’ ROW
    West of the southwest corner 65th West Avenue and West Edison Street, 6540 West Edison Street

17. **Z-7147 – Shamrock Partners, LLC/Darby Equipment Company**
    North of northwest corner East 29th Street North and North Toledo Avenue

    West of southwest corner of East 31st Street and South Toledo Avenue
    (Major Amendment proposing development of a five story independent living center and to add five lots to the PUD to be used for parking, landscaping, screening and a gated entry on East 31st Place.)
OTHER BUSINESS

19. Election of TMAPC Officers
   Chairman, 1st Vice Chair, 2nd Vice Chair and Secretary

20. 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
## TMAFC Receipts
### Month of November 2009

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### Land Division

| Minor Subdivisions      | 3      | $975.00 | $975.00 | $1,950.00 | 5      | $1,625.00 | $1,625.00 | $3,250.00 |
| Preliminary Plats       | 2      | 1,055.00 | 1,055.00 | $2,110.00 | 7      | 3,995.00  | 3,995.00  | 7,990.00   |
| Final Plats             | 0.00   | 0.00   | 0.00   | 0.00         | 8      | 3,340.03  | 3,340.02  | 6,680.05   |
| Plat Waivers            | 0.00   | 0.00   | 0.00   | 0.00         | 10     | 1,375.00  | 1,375.00  | 2,750.00   |
| Lot Splits              | 3      | 95.00   | 95.00   | 190.00       | 31     | 1,734.50  | 1,734.50  | 3,469.00   |
| Lot Combinations        | 4      | 225.00  | 225.00  | 450.00       | 32     | 1,625.00  | 1,625.00  | 3,250.00   |
| Access Changes          | 0.00   | 0.00   | 0.00   | 0.00         | 6      | 150.00    | 150.00    | 300.00     |
| Other                   | 0.00   | 0.00   | 0.00   | 0.00         | 0      | 0.00      | 0.00      | 0.00       |
| Refunds                 | 0.00   | 0.00   | 0.00   | 2            | (275.00) | (275.00) | (275.00) | (550.00) |
| Fees Waived             | 0.00   | 0.00   | 0.00   | 2            | 100.00  | 100.00   | 200.00    |
| **Total**               | $2,350.00 | $2,350.00 | **$4,700.00** | $13,569.53 | $13,569.52 | $27,139.05 |

### Boards of Adjustment

| Fees                    | 12     | $2,600.00 | $1,250.00 | $3,850.00 | 89     | $24,550.00 | $7,900.00 | $32,450.00 |
| Refunds                 | 1      | (500.00) | 0.00   | (500.00)   | 4      | (1,150.00) | (400.00) | (1,550.00) |
| NSF Check               |       | 0.00     | 0.00   | 0.00       | 1      | (600.00) | 0.00      | (600.00) |
| Fees Waived             |       | 0.00     | 0.00   | 0.00       |        |          |          |            |
| **Total**               | $2,100.00 | $1,250.00 | $3,350.00 | $55,500.53 | $40,600.52 | $96,101.05 |

TOTAL: $7,187.50 | $6,337.50 | $13,525.00 | $55,500.53 | $40,600.52 | $97,141.05
January 5, 2010

STAFF RECOMMENDATION

PUD-678-3: Minor Amendment – Northwest of the northwest corner of 101st Street South and South Memorial Drive; Lot 5, Block 3 – Audubon Village; TRS 8323; CZM 57; Atlas 2084; PD 26; CD 8; RS-3/PUD.

The applicant is requesting a minor amendment to reduce the required front setback from 20’ to 17’ on Lot 5, Block 3 – Audubon Village. The request is for a 9 square foot (sf) section of the house (see Exhibit A).

With a 45-foot pipeline easement in addition to a 15-foot utility easement in the rear yard the house is required to be constructed 60’ from the rear property line. As a result of the aforementioned combined with the oddly shaped front lot line due to the cul-de-sac, staff views the request as minor in nature and can support the request.

Therefore, staff recommends APPROVAL of minor amendment PUD-678-3.

Note: Approval of a minor amendment does not constitute detail site, landscape or sign plan approval.
January 5, 2010

STAFF RECOMMENDATION

**PUD-709-5:** Minor Amendment – Northeast of the northeast corner of 118th Street South and South Delaware Road; Lot 2, Block 1 – Sequoya Hill II; TRS 8333; CZM 56; PD 26; CD 8; RS-2/PUD.

The applicant is requesting a minor amendment to reduce the required front setback from 30' to 24.8' on Lot 2, Block 1 – Sequoya Hill II only. The amendment request is to reflect as-built conditions as surveyed in the field and reflected on attached Exhibit A.

The encroachment shown on Exhibit A is approximately 79 square feet of the attached garage and is viewed by staff as a negligible request, having no impact on any surrounding properties.

Therefore, staff recommends **APPROVAL** of minor amendment PUD-709-5 for the portion of the house that is encroaching at this time only.

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

From: Bob David [bob@leadershipproperties.com]
Sent: Monday, December 07, 2009 7:33 AM
To: Sansone, Christopher
Subject: Case number PUD-709-5, 11526 South New Haven
Attachments: House plans.pdf

Chris
Relative to the above case I have measured the square footage that is over the building line and it came out to approximately 79 sf. As you can see from the attached plans, the overall square footage of the house garage and porches is 5230sf. If I can be of any assistance please let me know.

Bob David
Leadership Properties
4605 E. 91st Street
Tulsa, OK 74137
bob@leadershipproperties.com
Phone 918.481.9922
Fax  918.481.9977
Cell 918.808.6792

12/9/2009
January 5, 2010

STAFF RECOMMENDATION

PUD-754:
Detail Site Plan – West of the southwest corner of 106th
Street South and South Yale Avenue; Lots 1, 4, 5, and 6,
Block 1 – Stonegate Estates; TRS 8328; CZM 56; Atlas
2677; PD 26; CD 8; RS-1/PUD.

The applicant is requesting approval of a detail site plan for a perimeter wall,
entry gates and an entry feature.

The submitted site plan meets all applicable structure height and setback
requirements. The plan has received sign-off approvals from the City of Tulsa
Fire Marshall, as well as, City of Tulsa Traffic Engineering as required by the
PUD.

Staff recommends APPROVAL of the detail site plan for PUD-754.

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

NGP Business Complex - (8323) (PD 26) (CD 8)

North of the Northwest corner of East 101st Street South and South Memorial Drive

This plat consists of 6 Lots, 1 Block, on 4.908 acres.

The following issues were discussed December 17, 2009 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned Planned Unit Development 773. All PUD conditions must be shown in the covenants. Make sure landscape buffer is shown and proper building line setbacks are used.

2. **Streets:** Access has not been provided for lots, 2, 3, and 5. Call out all mutual access easements with dimensions. For the mutual access easement to the north provide document number or book and page number.

3. **Sewer:** Since most of your proposed sanitary sewer pipe will be under paving, you will be required to use all DIP (ductile iron pipe) for your mainline extension.

4. **Water:** Add standard restrictive waterline easement language to the covenants.

5. **Storm Drainage:** Reserve A contains utility easements, drainage easements, and a stormwater detention easement. Please show and label each easement type and its boundaries. Include a width for the drainage easement along the west portion of the property. A drainage easement, by its standard covenant language, covers overland drainage and storm sewers, but it may not overlap a utility easement with other utilities in it. An overland drainage easement is required for the drainage in the existing public swale that is conveyed from east to west along and north of the south boundary of Lot 6. The utility easement that is unevenly split between lots 5 and 6, contains a storm sewer only, and must be a storm sewer easement. Use City of Tulsa standard language, instead of the combined languages used in Section I D “Drainage Easement”, “Overland Drainage Easement” and “Reserve A – Stormwater Detention Easement” each have their own standard language. Add the end of the “roof drain requirements” : “All paved areas receiving roof drainage must be designed to convey that roof drainage
to the on-site public storm drainage system." Add contours to this plan. Show and label all required easements and buildings, and all features shown on the plan.

6. **Utilities**: Telephone, Electric, Gas, Cable, Pipeline, Others: AEP needs additional easements.

7. **Other**: Fire: No comment. **GIS**: Add the e-mail address for the surveyor/engineer. Add missing subdivision names and boundaries to the location map and correct misspelled subdivision names. Add bearing from the easterly line of Section 23. Submit a subdivision control data form. Correct plat name on sheet 2 of 3 and sheet 3 of 3. Please remove contours, etc. from face of plat and put on conceptual plan. Add 11 foot perimeter easement along south line of lot 6. *(This requirement may not be necessary per explanation provided at TAC meeting by consulting engineer about existing easements on abutting property.)* Show 30 foot landscaping and screening easement on west boundary line as required by the PUD.

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 WS 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

Sooner Mini Storage Extended - (9121) (County)

North of the Northwest corner of West 41st Street South and South 129th West Avenue

This plat consists of 1 Lot, 1 Block, on 1.38 acres.

The following issues were discussed December 17, 2009 at the Technical Advisory Committee (TAC) meeting:

1. **Zoning:** The property is zoned OL. Board of Adjustment cases 2041 and 2348 allowed use and variances. A release letter from the fire department providing service is required.

2. **Streets:** Sidewalk language required in covenants.

3. **Sewer:** No comment. Sapulpa will serve.

4. **Water:** No comment. Tulsa County Rural Water District #1 will serve.

5. **Storm Drainage:** Add the words “parking lot” to the labels for the stormwater detention easement. Suggest Section I H be revised for parking lot detention maintenance. Roof drainage covenants should be added to convey all roof drainage to the parking lot detention facility. Please label the outlet for the parking lot stormwater detention facility.

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

7. **Other: Fire:** Contact Sand Springs Fire Department for their comments on this project. Fire hydrants would be required to be added to meet the International Fire Code. **GIS:** Submit subdivision control data form.
Staff recommends APPROVAL of the Minor Subdivision plat subject to the TAC comments and the special and standard conditions below. Release letters 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.
The proposal is to split a five-acre tract or into two parcels. Both proposed tracts meet the RS bulk and area requirements; however, both tracts are located on West Edison Street. The Major Street and Highway Plan (MSHP) reflects Edison as a secondary arterial running along section line (Tulsa/Osage County line), which would require 50’ of right-of-way be given to Tulsa County on the north side of both tracts. However, Tulsa County engineering has stated that because of the current route of Edison turning south and connecting with Cameron to follow the Old North Road, and due to the terrain, it is very unlikely that Edision would ever be built along the section line in this area. Therefore a waiver of the Subdivision Regulations to provide the 50’ right-of-way from the section line is requested.

Lot-Split #LS-19632 was granted a similar waiver on West Edison Street in 2004 (shown on attached case map).

Staff believes this lot-split would not have an adverse affect on the surrounding properties and recommends APPROVAL of the waiver of Subdivision Regulations and of the lot-split as long as 30’ right-of-way is dedicated per the recommendation of the County Engineer.
DESCRIPTION EXHIBIT

DESCRIPTION

Original Tract Description:
A tract in Lot One (1), Section Six (6), Township 19 North, Range 12 East, Tulsa County, State of Oklahoma, more particularly described as follows: Beginning at the Northwest corner of said Lot One (1); thence South along the West line of said Lot One (1), a distance of 255.9 feet; thence East a distance of Six Hundred Sixty (660) feet to a point, said point being 259 feet South of the North lot line of said Lot One (1); thence South a distance of 147.18 feet; thence East a distance of 109.32 feet; thence North a distance of 407.17 feet to the North line of said Lot One (1); thence West along the North line of said Lot One (1), a distance of 767.62 feet to the Point of Beginning, containing five (5) acres, more or less.

New Tract Description: (Parcel "A")
The West 170 feet of a tract in Lot One (1), Section Six (6), Township 19 North, Range 12 East, Tulsa County, State of Oklahoma, more particularly described as follows: Beginning at the Northwest corner of said Lot One (1); thence South along the West line of said Lot One (1), a distance of 255.9 feet; thence East a distance of Six Hundred Sixty (660) feet to a point, said point being 259 feet South of the North lot line of said Lot One (1); thence South a distance of 147.18 feet; thence East a distance of 109.32 feet; thence North a distance of 407.17 feet to the North line of said Lot One (1); thence West along the North line of said Lot One (1), a distance of 767.62 feet to the Point of Beginning. Contains 1 acre, more or less.

PREPARED FOR:
Larry & Donna Moore
6859 W. Edison
Tulsa, OK. 74127
918-760-3081

PREPARED BY:
BREICH & ASSOCIATES, INC.
CA # 6 (Expires 6/30/10)
501 E. ALIANCE BLVD.
SAND SPRINGS, OK. 74063
918-245-9533

Prepared for Descriptive Purposes to assist in the Lot Split process.

WITNESS my hand and seal this 2ND day of December

Registered Land Surveyor


THIS MAP OR PLAT MEETS OR EXCEEDS THE OKLAHOMA MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE OF LAND SURVEYING, ADOPTED SEPTEMBER 17, 1993.
REVISED MAY 11, 2009.
LSA METROPOLITAN AREA PLANNING COMMISSION  
CASE REPORT  
APPLICATION: Z-7147

TRS 0321  
CZM 29  
TMAPC Hearing Date: January 5, 2010  
Applicant: Shamrock Partners, LLC  
Tract Size: 2.5± acres

ADDRESS/GENERAL LOCATION: North of northwest corner of East 29th Street North and North Toledo Avenue

EXISTING ZONING: RS-3  
EXISTING USE: Abandoned residences  
PROPOSED ZONING: IL  
PROPOSED USE: Parking and green space for adjoining industrial use

ZONING ORDINANCE: Ordinance number 11809 dated June 26, 1970 established zoning for the subject property.

RELEVANT ZONING HISTORY:

BOA-20808 December 9, 2008: The Board of Adjustment approved a Variance of the setback requirement for a parking area not in an R district, but within 50 ft. of an R district from the centerline of an abutting street (Section 1302.B), subject to parking and driving surfaces being paved asphalt or concrete; per plan as shown on page 2.6 of the agenda; finding the nearest house, whether occupied or not, is at least 100 ft. away; that the zoning is probably reflective of the historic use, as opposed to a neighborhood that is being sustained; the topography is uneven and reason to grant a variance in this case; finding by reason of extraordinary or exceptional conditions or circumstances which are peculiar to the land; that such extraordinary or exceptional conditions or circumstances do not apply generally to other property in the same use district; on property located at 2940 North Toledo Avenue and abutting north and west of subject property.

BOA-20816 December 9, 2008: The Board of Adjustment approved a Special Exception to allow an indoor sand blasting operation (Use Unit 26) in an IL district, per applicant exhibit C2.0, submitted at the hearing, on property located at 2940 North Toledo Avenue and abutting north and west of subject property.

BOA-18185 September 1998: The Board of Adjustment approved a special exception to allow a night club in an IL-zoned district, subject to the landscaping and parking requirements being met on property located on the northwest corner of East Apache Street and North Yale Avenue.

Z-6638 July 1998: A request to rezone a two-acre tract located north and west of the northwest corner of East Apache and North Toledo Avenue from RS-3 to IH. All concurred in denial of IH and approved IL zoning.
Z-6616 March 1998: All concurred in approval of a request for rezoning a 4.5+ acre tract of land from RS-3 to IL for industrial use located on the north and south side of East 27th Street North and west of North Toledo Avenue.

Z-5932 July 1984: All concurred in denial of a request for rezoning a tract of land from RS-3/CH to IH but did approve IL zoning on property located north of northeast corner of North Toledo Avenue and East Apache Street.

Z-5548 July 1981: All concurred in approval of a request for rezoning a tract of land from AG to IL on property located north of northwest corner of North Toledo Avenue and abutting north and west of subject property.

Z-5500 May 1981: All concurred in approval of a request for rezoning a tract of land from RS-3 to IL on property located north of northwest corner of North Toledo Avenue and East Apache Street.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 2.5+ acres in size and is located north of northwest corner of East 29th Street and North Toledo Avenue. The property appears to be vacant single-family residential buildings zoned RS-3.

STREETS:

<table>
<thead>
<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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</thead>
<tbody>
<tr>
<td>North Toledo Avenue</td>
<td>N/A</td>
<td>N/A</td>
<td>2</td>
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</tbody>
</table>

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

SURROUNDING AREA: The subject tract is abutted on the west by vacant, wooded land, zoned IL; on the north by a trucking firm and outdoor storage, zoned IL; on the south by a trucking firm and mixed outdoor storage, zoned RS-3; and on the east by two trucking firms, zoned IL.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:
The District 2 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being part of Special District – Industrial 3.-. According to the Zoning Matrix, the requested IL zoning may be found in accord with the Plan by virtue of its being within an Industrial Special District.

STAFF RECOMMENDATION:
This is clearly an industrial and related use area. Adjacent to the trucking uses on the east are the former strip coal mines and apparently the trucking use to the south was once the site of a waste dump. The two former single-family residential uses on the subject property are boarded up and dilapidated. Staff recommends APPROVAL of IL zoning for Z-7147.

01/05/10
TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT

APPLICATION: PUD-197-A

TRS 9321
CZM 47

TMAPC Hearing Date: January 5, 2010

Applicant: Sicomo & Assoc., Inc.

Tract Size: 41.65+ acres

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

EXISTING ZONING: RM-2/PUD-197
EXISTING USE: Senior living community

PROPOSED ZONING: RM-2/PUD-197-A
PROPOSED USE: New building/site improvements


RELEVANT ZONING HISTORY:

Z-7121 January 2009: All concurred in approval of a request for rezoning a .28+ acre tract of land from PK to OM for office on property located south of southwest corner of East 31st Street and South Louisiave Avenue.

Z-6838 October 2001: All concurred in approval of a request for rezoning a .23+ acre tract of land from RS-3 to OL for business offices on property located west of southwest corner of East 31st Street and South Pittsburg Avenue.

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

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

Z-6303 December 1990: All concurred in approval of a request to rezone a tract of land from RS-3 to OL on property located east of southeast corner of East 31st Street and South New Haven Avenue and a part of the subject property.

Z-6227 January 1989: All concurred in approval of a request to rezone a 1.3-acre tract located on the southeast corner of East 31st Street South and South Louisville Avenue directly east of the subject tract from RS-3 to OL on the north 150' and PK zoning on the south tract that fronts the subject property.
PUD-345 January 1984: All concurred in approval of a proposed Planned Unit Development a 3.1+ acre tract of land for office use including the Tulsa Teacher's Credit Union, on property located west of the southwest corner of East 31st Street and South New Haven Avenue.

PUD-197 April 1978: All concurred in approval of a proposed Planned Unit Development on a 40+ acre tract of land for a retirement complex that was in a CDP-48 (Community Development Plan) on property located on the southwest corner of East 31st Street and South Pittsburg Avenue and the subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 41.65+ acres in size and is located west of southwest corner of East 31st Street and South Toledo Avenue. The property has been developed in phases and is zoned RM-2/PUD-197.

STREETS:

<table>
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<tr>
<th>Exist. Access</th>
<th>MSHP Design</th>
<th>MSHP R/W</th>
<th>Exist. # Lanes</th>
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</thead>
<tbody>
<tr>
<td>East 31st Street South</td>
<td>Secondary Arterial</td>
<td>100'</td>
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</tbody>
</table>

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

SURROUNDING AREA: The subject tract is abutted on the east by Conway Park, zoned RS-3; on the north by 31st Street and then Exposition Gardens, zoned OL; on the south by Walter Foster Addition, zoned RS-3; and on the west by Dartmoor Addition Sub. B 1-2 and 7 - 8 Albert Pike Sub., zonec OL and RS-3 and Virginia Terrace Addition Resub. B 9 & 10 and 15 - 16 Albert Pike Sub., zoned RS-3.

RELATIONSHIP TO THE COMPREHENSIVE PLAN:
The District 6 Plan, a part of the adopted Comprehensive Plan for the Tulsa Metropolitan Area, designates this area as being low to medium intensity - no specific land use with the frontage along 31st Street within a linear development area. The original zoning for this area was approved via the Board of Adjustment in the 1950's, then modified by the Community Development Program in the 1960's and early 1970's and ultimately was approved as PUD-197 in 1978. At that time the TMAPC found the existing RM-2 zoning to be in accord with the Plan as adopted in 1976.

STAFF RECOMMENDATION:
PUD-197 is a 41.65 acre (1,814,274 sf) site located west of the southwest corner of 31st Street South and Yale Avenue. The tract is the site of the Oklahoma Methodist Manor (OMM) senior living/retirement community.

The underlying zoning for PUD-197 is approximately 40 acres of RM-2 - Residential Multi-Family Medium Density District zoning. Major amendment PUD-197-A proposes development of a five (5) story independent living center within the RM-2 zoned portion of the site and to add five (5) lots west of OMM from the Dartmoor Addition to the PUD. The lots in Dartmoor Addition will be used for parking; landscaping, screening and a gated entry on East 31st Place (see Exhibit B). The entire PUD will be re-platted via the minor subdivision platting process.
Two of the Dartmoor Addition lots are zoned OL – Office Low Intensity District and three are zoned RS-3 – Residential Single-Family High Density District. No zoning change is necessary for the proposed major amendment.

The proposed expansion is shown on Exhibit B. In addition to the proposed five (5) story independent living center, the proposal includes a kitchen and dining facility, wellness center and memory support center for the treatment and care of Alzheimer’s patients.

A conceptual building elevation of the 5-story building is attached as Exhibit B-1. To provide a buffer from the residential neighborhood to the west, all of the windows in the most westerly wall of the building will be in the stairwell. Further, the building will be setback a minimum of 100 FT from the original boundary of the PUD.

The proposal also includes the use of East 31st Place by the residents of OMM through a gated entry. The concept elevation of the west entry gate from East 31st Place is attached as Exhibit B-2. In addition to extensive landscaping, the west entry will be constructed as a loop, which will provide a turn around for emergency vehicles. Gated entry use will be limited to OMM residents and would preserve East 31st Place South as a dead-end residential street with reduced traffic. Please refer to the attached executive summary of the traffic report performed for the proposed expansion.

The proposed expansion will also require modifications to the storm water channel running through the eastern portion of the campus. It will incorporate enclosing part of the stream within concrete box storm sewers underneath a parking lot, together with landscaping and pedestrian improvements along the reconfigured drainage channel and detention pond area of the project. Compensatory storage will be provided for all of the development that takes place within the flood plain along such stream.

After several site visits and thorough review of the proposal staff can support this request. Staff finds the expansion and intensities of development proposed to be in harmony with the spirit and intent of the Code. Staff finds PUD-197-A 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-197-A subject to the following conditions:

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

2. Development Standards:

GROSS LAND AREA: 41.65013 Acres/ 1,814,274 sf
(includes existing OMM site and Lots 7, 8, 15 & 16, Block 1, Dartmoor Addition, and Lot 8, Block 2, Dartmoor Addition located west of the existing OMM site).

PERMITTED USES:

Use Unit 2, Area-Wide Special Exception Uses but limited to Nursing Home and Elderly Care Residential Treatment Center; Use Unit 4, Public Protection & Utility Facilities but limited to, Antenna and Supporting Structures; Use Unit 5, Community Services and Similar Uses but

18.5
limited to, Adult Day Care, Community Center, Cultural Facility, NEC and Place of Worship; Use Unit 6, Single-Family Dwelling; Use Unit 7, Duplex Dwelling; Use Unit 7a., Townhouse Dwelling; Use Unit 8, Multi-Family Dwelling and Similar Uses but limited to Apartment, Assisted Living Facility, Elderly/Retirement Housing, Life Care Retirement Center and Multi-Family Dwelling; Use Unit 10, Off-Street Parking Areas; Use Unit 11, Offices, Studios and Support Services, and uses customarily accessory to the permitted principal uses.

MAXIMUM MULTIFAMILY DWELLING UNITS: 200

MAXIMUM SINGLE-FAMILY DWELLING UNITS (Attached or Detached): 120

MAXIMUM RESIDENTIAL/CARE FACILITIES: 600,000 SF

MINIMUM LANDSCAPED OPEN SPACE: 20% of net land area

MINIMUM BUILDING SETBACKS:

- From the North boundary (centerline of E. 31st St. S.) of the PUD: 80 feet
- From the East boundary of the PUD: 20 feet
- From the most Southerly boundary (centerline of E. 33rd St. S.) of the PUD: 35 feet
- From the northerly R/W limits of E. 31st Pl. S.: 30 feet
- From the West boundary of the PUD:
  - Structures 35’ and less: 20 feet from original PUD boundary
  - 5-story structure: 100’ from original PUD boundary

MAXIMUM BUILDING HEIGHT*:

- Multi-level Independent Living Center: 5-stories
- All other structures: 35’

* Architectural elements may exceed the maximum building height with detail site plan approval. Wall signs may be placed on, but not above, architectural elements with approval of detail sign plan.

TRASH, MECHANICAL AND EQUIPMENT AREAS:

All trash, mechanical and equipment areas (excluding utility service transformers, pedestals or equipment provided by franchise utility provider), including building mounted shall be screened
from public view in such a manner that the areas cannot be seen by person standing at ground level.

SCREENING:

A 6 FT opaque masonry-style screening fence shall be constructed along the full length of the westerly and southerly boundaries of the proposed covered surfaced parking lot and the gated entry area, except for the gate, within the northwest portion of the PUD. Additionally, a 6 FT opaque masonry-style screening fence will be constructed along most of the westerly and all of the southerly boundaries of Lot 8, Block 2, Dartmoor Addition. Such screening fence shall connect to and resemble the existing masonry fence (in color, style and construction materials and methods) which presently exists along the westerly boundary of the Oklahoma Methodist Manor site.

LIGHTING:

All site lighting shall be hooded and directed downward and away from adjacent residential areas. No light standard nor building-mounted light shall exceed 16 feet in height if within 100 feet of an existing off-site residential area, and no light standard shall exceed 30 feet in any other area of the PUD. Light producing elements and reflectors shall not be visible to a person standing at ground level in adjacent "R" districts. Compliance with these standards shall be verified by application of the Kennebunkport Formula or submission of a photometric plan. Consideration of topography shall be included in the calculations.

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

SIGNS:

Two (2) identification signs may be erected along the East 31st St. South frontage. Such signs shall not exceed 20 feet in height and 150 square feet of display surface area.

One (1) identification sign may be erected along the East 31st Place South frontage. Such sign shall not exceed 8 feet in height and 32 square feet of display surface area.

Wall signs shall not exceed 1 square foot of display area per lineal foot of wall to which the sign is affixed. No wall signs are permitted on the west side of the 5-story structure.

PEDESTRIAN ACCESS AND CIRCULATION:

Sidewalks shall be provided along East 31st Street South and sidewalks and pedestrian walkways throughout the OMM campus shall provide pedestrian access to the buildings within the project. Sidewalks and walkways which cross vehicular aisles or driveways within the OMM campus will be distinguished by continuous raised crossing or using contrasting paving material and/or high contrast striping.

OTHER BULK AND AREA REQUIREMENTS: As established within the RM-2 District.
3. No Zoning Clearance Permit shall be issued within the PUD until a Detail Site Plan for the proposal, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.

4. A Detail Landscape Plan shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening fences have been installed in accordance with the approved Landscape Plan, 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 has been submitted to the TMAPC and approved as being in compliance with the approved PUD Development Standards.

6. All trash, mechanical and equipment areas, including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by persons standing at ground level.

7. The Department Public Works or a Professional Engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required stormwater drainage structures and detention areas serving a lot have been installed in accordance with the approved plans prior to issuance of an Occupancy Permit on that lot.

8. 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:** No comments.

**Water:** If additional fire hydrants are required; then, a looped water main extension line will be required; inside a 20’ restrictive water line easements.

**Fire:** Provide fire hydrants along the access road to the east of the new buildings per the International Fire Code Section C105. The average fire hydrant spacing shall be 450’ with a
maximum of 225’ distance from any point on a street or road frontage to a fire hydrant per the International Fire Code Table C105.1.

The fire department connection shall be located within 100’ of a fire hydrant to supply the standpipe per NFPA 14 Section 6.4.5.4.

**Stormwater:** Improvements to the East Branch Joe Creek Regulatory Floodplain will require the submittal of a City of Tulsa Regulatory Map Amendment. Improvements can have no backwater impact for any storm up to and including the 0.2% (500 year) storm on 31st Street or areas to the north.

**Wastewater:** All existing sanitary sewer pipe located within the proposed construction area must be video inspected, and must be brought up to current City of Tulsa standards prior to issue of building permits. Any existing PVC or VCP pipe that will be under paved driving surfaces, as a result of construction, must be replaced with Ductile Iron Pipe under the IDP process. The proposed covered parking over the existing sanitary sewer line must be high enough to allow a backhoe to access the sewer line for maintenance of the line. Plans for both the covered parking, and the proposed GEO field, must be approved by Engineering Wastewater Design prior to issue of permits. All development must have access to a sanitary sewer main for service.

**Transportation:** Provide document number for Pittsburgh Ave vacation. Sidewalk along 31st street appears to be inside the property line and must be placed in a sidewalk easement. Call out ROW available along 31st St. with Plat # or Book and Page #.

**INCOG Transportation:**

- **MSHP:** E. 31st Street is a designated secondary arterial.
- **LRTP:** E. 31st St. S., between S. Yale Avenue and S. Harvard Avenue, existing 4 lanes. Per TMAPC subdivision regulations, sidewalks should be constructed if non-existing or maintained if existing, per Subdivision Regulations.
- **TMP:** No comments
- **Transit:** Currently, Tulsa Transit operates an existing route at this location. According to MTTA future plans, this location will continue to be served by transit routes. Therefore, consideration for access to public transportation should be included in the development.

**GIS:** No comments.

**Street Addressing:** No comments.

01/05/10
Oklahoma Methodist Manor

Conceptual Building Elevations
(Independent Living Center)

Exhibit "B-1"
West Entry Gate from East 31st Place

CRESTWOOD
in Oklahoma Methodist Manor

Oklahoma Methodist Manor
West Entry Gate From East 31st Pl. S.

Exhibit "B-2"
Preliminary Landscape Plan

Exhibit "C-2"
Oklahoma Methodist Manor

Oblique Aerial View of OMM Campus with Crestwood Project

Exhibit "J"