

# **TULSA METROPOLITAN AREA PLANNING COMMISSION**

## **Meeting No. 2619**

**February 01, 2012, 1:30 PM**

**175 East 2<sup>nd</sup> Street, 2<sup>nd</sup> Level, One Technology Center  
Tulsa City Council Chamber**

### **CONSIDER, DISCUSS AND/OR TAKE ACTION ON:**

Call to Order:

### **REPORTS:**

**Chairman's Report:**

**Worksession Report:**

**Director's Report:**

### **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.**

1. **LS-20484** - (Lot-Split) (County), Location: Southwest corner of North 88<sup>th</sup> East Avenue and East 137<sup>th</sup> Street North
2. **LS-20487** - (Lot-Split) (CD-4), Location: Southeast corner of South Yorktown Avenue and East 6<sup>th</sup> Street South
3. **LC-379** - (Lot-Combination) (CD-4), Location: Southwest corner of South Atlanta Avenue and East Admiral Boulevard
4. **LS-20488** - (Lot-Split) (CD-2), Location: Northwest corner of South Elwood Avenue and West 71<sup>st</sup> Street South
5. **PUD-648-A-5 – Gary Larsen/Olympia Medical Park/Tulsa Spine Hospital**, Location: North of the northeast corner of West 71<sup>st</sup> Street South and South Olympia Avenue, Requesting a **Minor Amendment** to permit additional ground signage and decrease the minimum 100-foot separation required between signs in a PUD, (CO/PUD), (CD-2)
6. **AC-112 –HRAOK/Barrick Rosenbaum/Kum-n-Go**, Location: Southeast corner of 21<sup>st</sup> Street South and South Sheridan Road, Requesting **Landscape Alternative Compliance** to permit the use of Crepe Myrtle trees/shrubs in required parking lot landscaped areas, (CH), (CD-5)



7. **PUD-448-6 – Wallace O. Wozencraft/Planet Fitness**, Location: Northeast corner of 91<sup>st</sup> Street South and South Memorial Drive, Requesting a **Minor Amendment** to add health club use only within Use Unit 19 – Hotel, Motel and Recreation as a permitted use within PUD-448 to allow for the redevelopment of currently vacant retail space within the PUD, (RM-1/CS) (CD-7)
8. **AC-113 – PSA/Dewberry/Paul Hames/QuikTrip**, Location: Northwest corner of South Peoria Avenue and Interstate 44/Skelly Drive, Requesting **Landscape Alternative Compliance** for a new QuikTrip store, (CH) (CD-9)

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

##### **ZONING CODE AND FORM-BASED CODE PUBLIC HEARING**

9. **Proposed Amendments to the Tulsa Revised Ordinances, Title 42 and Title 42-B, the Zoning Code and Form-Based Code of the City of Tulsa (Public Comment portion has been closed and is now in review only)**

#### **PUBLIC HEARINGS:**

10. **PUD-397-B-1 – Andrew A. Shank/61 MM, LTD**, Location: Southwest corner of East 61<sup>st</sup> Street and South 91<sup>st</sup> East Avenue, Requesting a **Minor Amendment**, (CD-7) (Continued from 12/21/2011 and 1/18/2012) (Staff is requesting a continuance to 2/15/2012; this case was continued by the BOA to 2/14/2012)
11. **Z-7193 – Luke Wright**, Location: 4782 East Admiral Place, Requesting rezoning from **CH to IH**, (CD-4) (Applicant is requesting a continuance to 2/15/2012, this case has to go before the BOA for clarification on 2/14/2012)
12. **Inpatient Hospice Midtown – (9323) Preliminary Plat**, Location: West of Interstate 44, south of East 31<sup>st</sup> Street South (CD 5)
13. **CBOA-2408** – Plat Waiver, Location: 7250 West 50<sup>th</sup> Street South, North of West 51<sup>st</sup> Street, East of West 73<sup>rd</sup> West Avenue (County) (Continued from 1/18/2012)
14. **Z-7190 – Sajid S. Salimi**, Location: South of southwest corner of South 33<sup>rd</sup> West Avenue and West Skelly Drive, Requesting rezoning from **RS-3 to CS**, (CD-2) (Continued from 1/4/2012)
15. **PUD-313-9 – Kenney Russell**, Location: South of the southwest corner of West 61<sup>st</sup> Street South and South 28<sup>th</sup> Avenue West, Requesting a **Minor Amendment** to increase the permitted coverage for a driveway in the required front yard, **(RT/RS-3)** (CD-2) (Continued from 1/18/2012)
16. **PUD-313-10 – Kenney Russell**, Location: South of the southwest corner of West 61<sup>st</sup> Street South and South 28<sup>th</sup> Avenue West, Requesting a **Minor Amendment** to increase

the permitted coverage for a driveway in the required front yard of an RS-3/PUD zoned lot per the attached plan, **(RT/RS-3)** (CD-2) (Continued from 1/18/2012)

## **OTHER BUSINESS**

### 17. Commissioners' Comments

## **ADJOURN**

CD = Council District

**NOTE: 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 paggers must be turned off during the Planning Commission.**

Visit our website at [www.tmapc.org](http://www.tmapc.org)

**TMAPC Mission Statement:** 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.





2 West Second Street Suite 800 | Tulsa, OK 74103 | 918.584.7526 | [www.TMAPC.org](http://www.TMAPC.org)

## **A G E N D A**

### **Tulsa Metropolitan Area Planning Commission**

#### **WORK SESSION**

175 East 2<sup>nd</sup> Street, 2<sup>nd</sup> Level, One Technology Center  
Tulsa City Council Chamber

Wednesday, February 1, 2012 – 1:45 p.m.\*

(\*Or immediately following adjournment of the TMAPC Meeting)

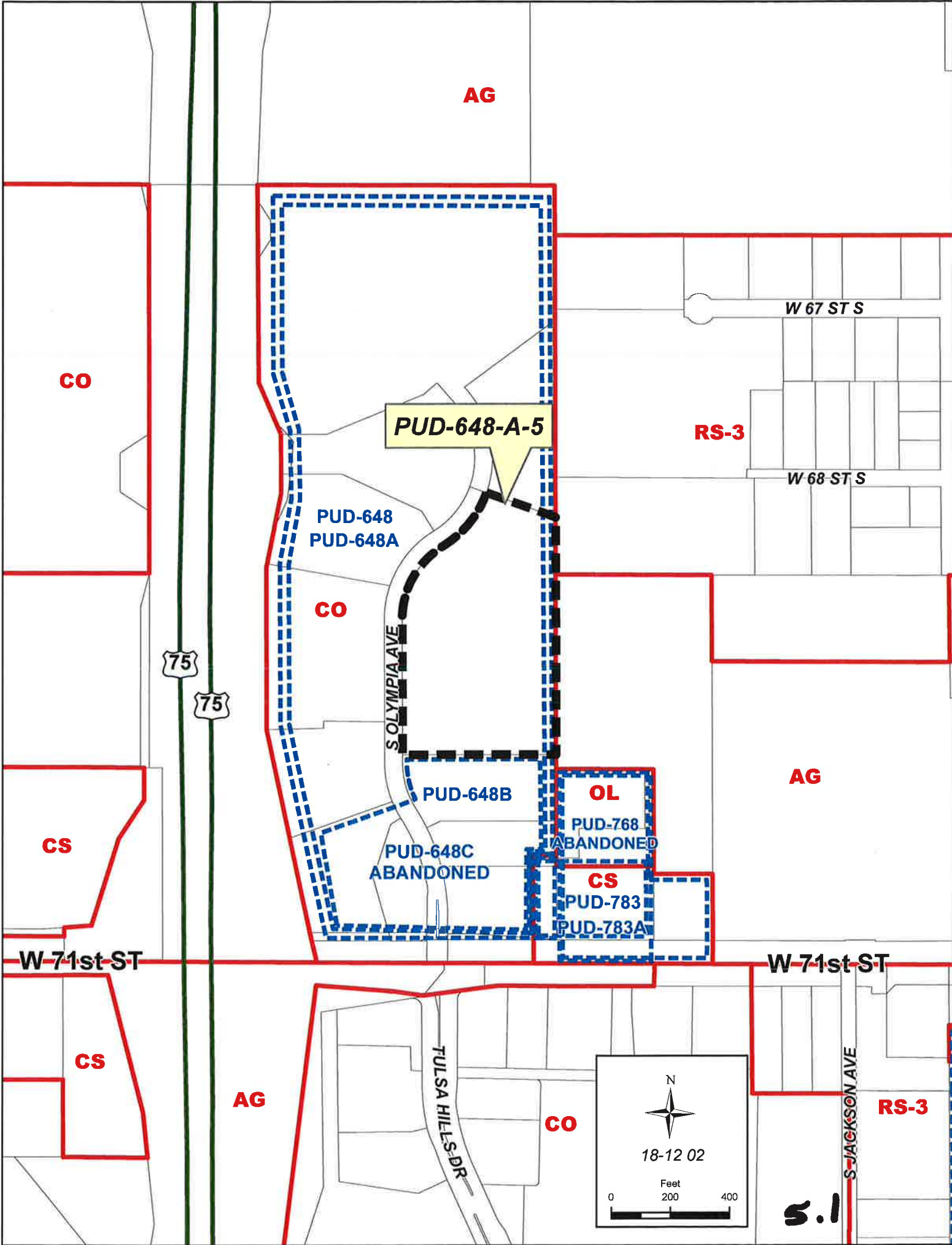
#### **CONSIDER AND DISCUSS:**

1. Discussion on Form-Based Code Regulating Plan for the remainder of the Pearl District.

#### **Adjourn.**

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









PUD-648-A-5

W 67 ST S

W 68 ST S

75

75

S OLYMPIA AVE

W 71st ST

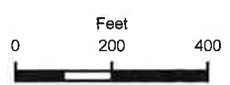
W 71st ST

TULSA HILLS DR

S JACKSON AVE



18-12 02



Note: Graphic overlays may not precisely align with physical features on the ground.  
Aerial Photo Date: March 2010

5.2



**STAFF RECOMMENDATION**

**PUD-648-A-5:** Minor Amendment – North of the northeast corner of West 71<sup>st</sup> Street South and South Olympia Avenue; Lot 3, Block 2 – Olympia Medical Park; TRS 8202; CZM 51; Atlas 1012; CD 2; CO/PUD.

The applicant is requesting a minor amendment to permit additional ground signage and decrease the minimum 100-foot separation required between signs in a PUD. The intent of the minor amendment request is to allow for “way-finding” signs to be constructed allowing clients/patients entering the hospital grounds to have an easier time finding where they need to be. The hospital is in a campus type setting. The underlying zoning of the property is Corridor.

The PUD currently allows one free-standing sign along the corridor collector street not to exceed 125 square feet (sf) of display area nor 25-feet in height for this lot. The applicant proposes to make the sign permitted along Olympia Avenue a lower profile monument style sign with 25 sf of display area at approximately five feet in height, in exchange for allowing the three, 12 sf signs in the attached exhibits as directional or way-finding signs. The hospital also has a presence on the tenant ID sign located along West 71<sup>st</sup> Street.

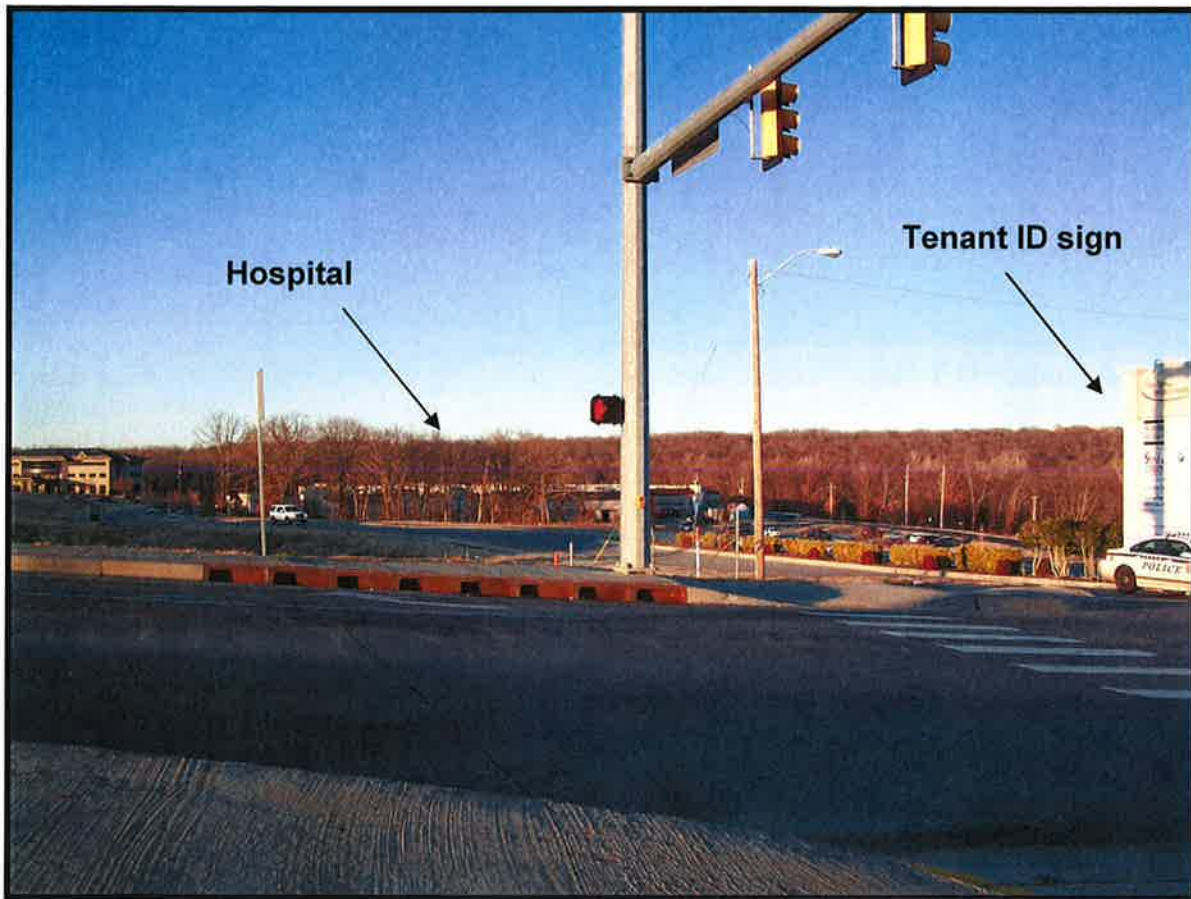
This same relief has been granted at other hospitals which are located in PUDs. Specifically, the relief has been granted at St. Francis South and Southcrest Hospitals.

With no frontage on a major street the underlying zoning on the lot would permit .2 (two-tenths) of a square foot of display surface area for each linear foot of street frontage. The sign could not be held under 32 sf nor exceed 150 sf of display area. With 992 linear feet of frontage along Olympia Avenue the hospital would be allowed 150 sf of display surface area. The total display surface area for the signs being proposed is 63 sf.

Staff contends the lower profile monument style sign, the way-finding signs and reduction of the minimum 100-foot sign separation on this lot only will not substantially alter the approved PUD Development Plan, the character of the development or the intent of the PUD chapter of the Code.

Therefore recommends **APPROVAL** of minor amendment PUD-648-A-5.

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

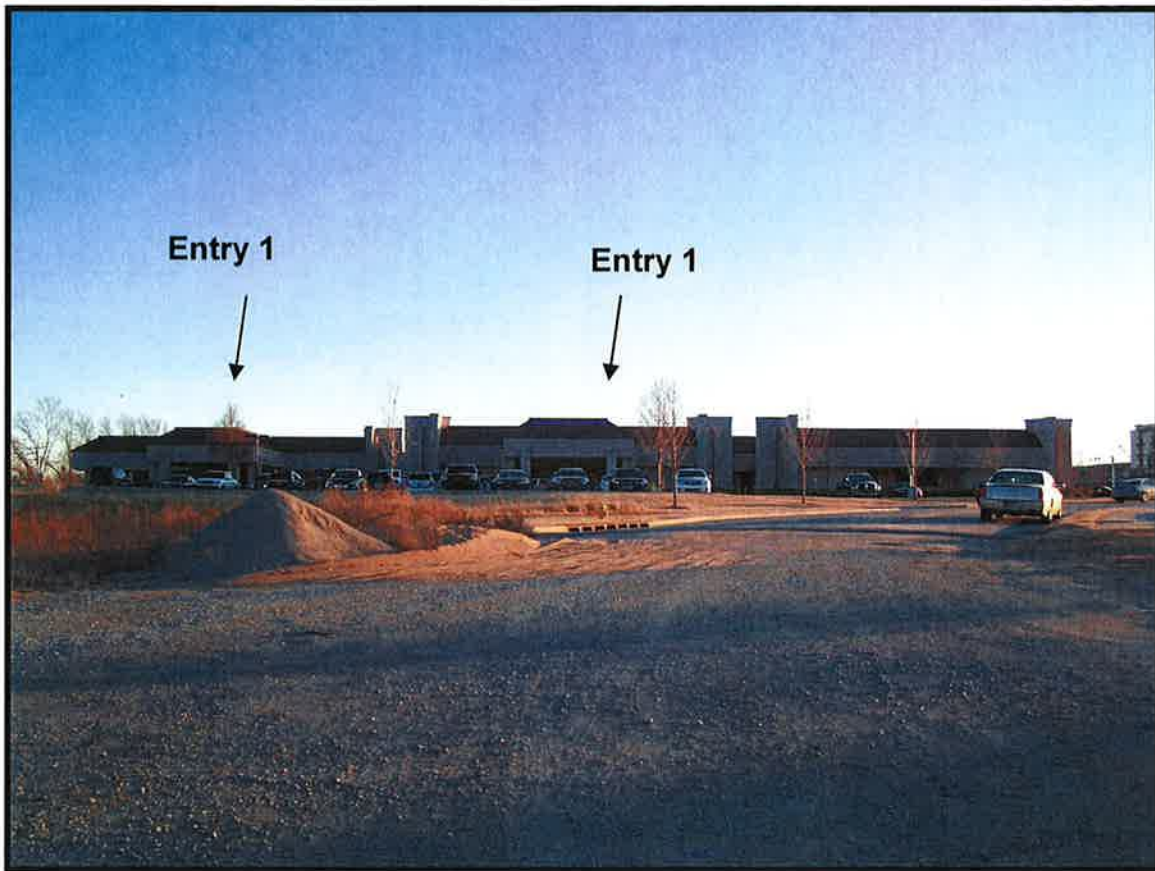


**Subject property from West 71st Street**



**Subject property from S. Olympia Ave.**

*5.4*



**View of north elevation of hospital (2 entries)**



**Main entry to hospital (on west side)**





**South entry to hospital**



**Two entries on south side of building**

**5.6**





**View of hospital from north-bound I-75**

Frontage: 992'

$0.20(992) = 198.4 \text{ sq ft}$

Max Allowed 150 sq ft

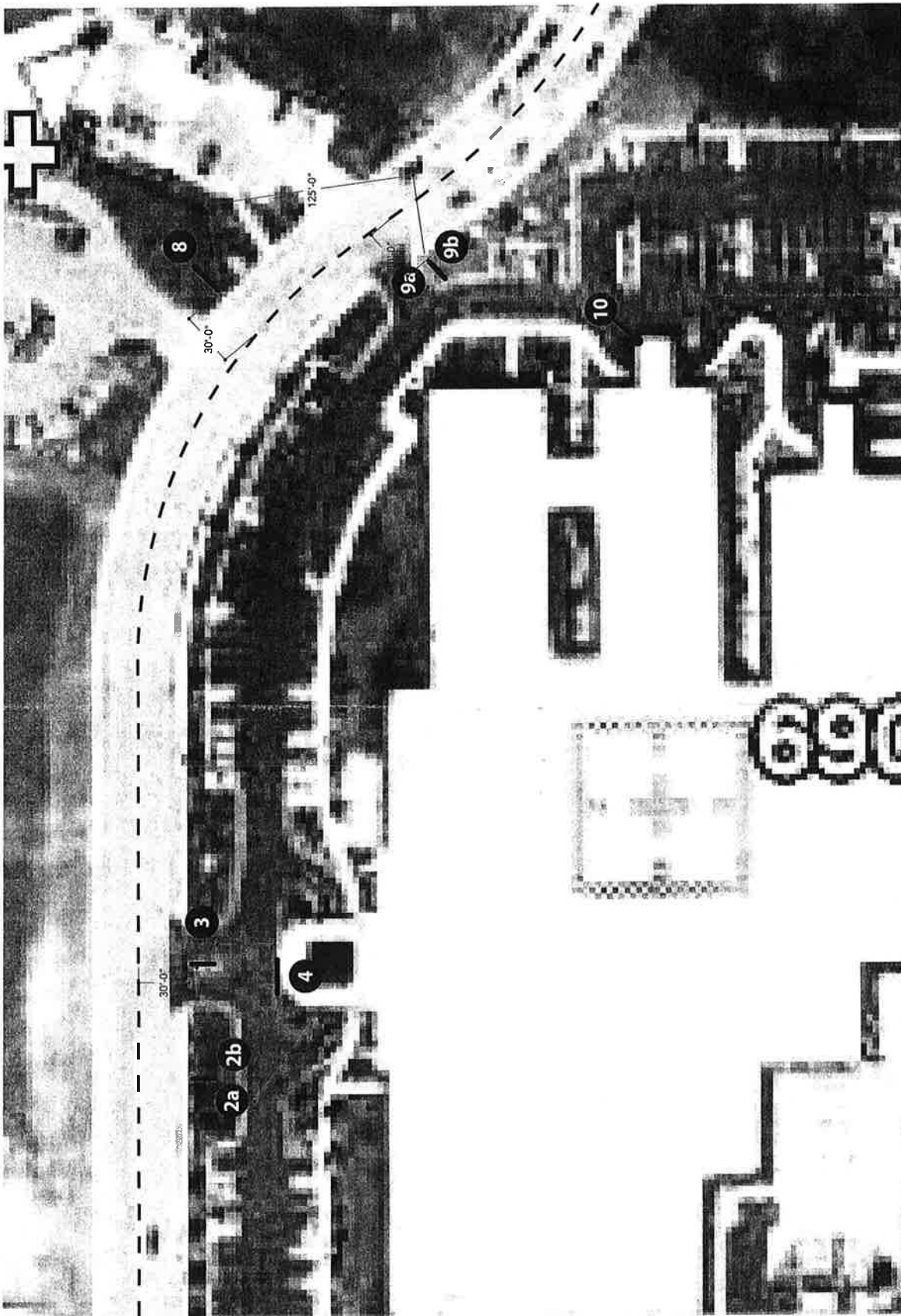
Sign #3: 25.5 sq ft

Sign #2: 12.53 sq ft

Sign #4: 12.53 sq ft

Sign #9: 12.53 sq ft

TOTAL: 63.09 sq ft

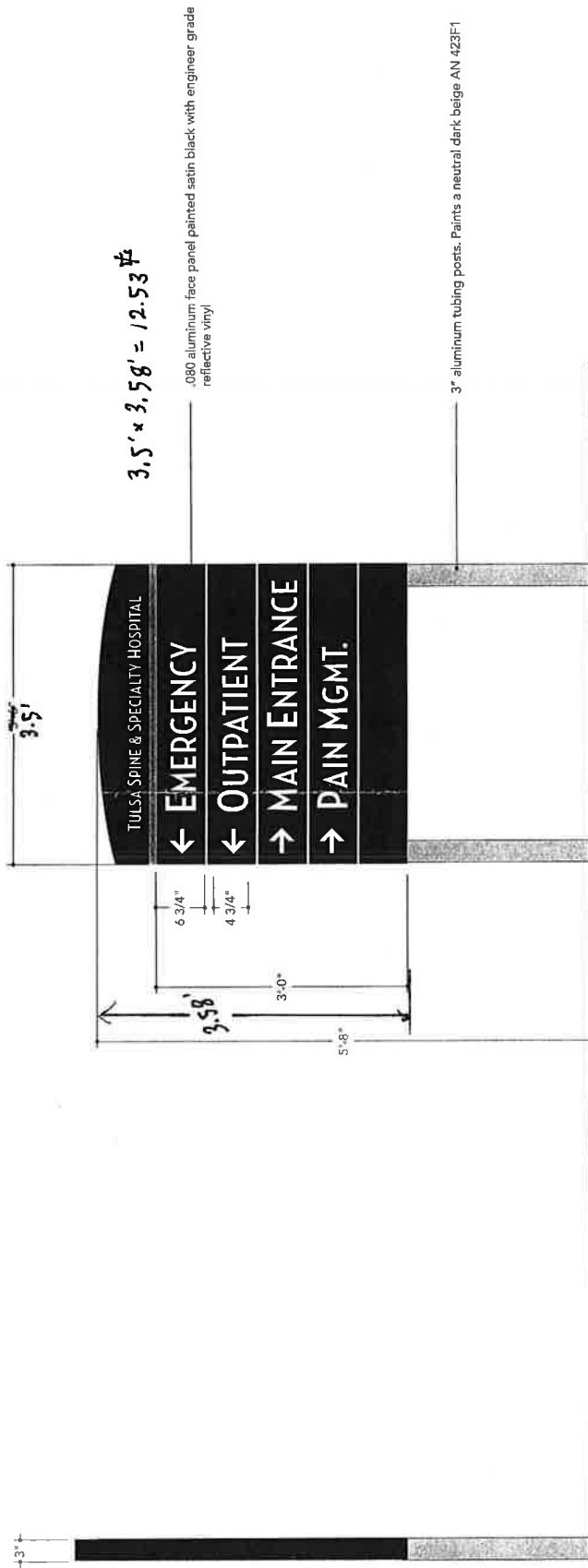


This drawing is the exclusive property of Claude Leon Signs, Inc. and is not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Claude Leon Signs, Inc. This drawing is not to be used for any other project without the prior written permission of Claude Leon Signs, Inc. This drawing is not to be used for any other project without the prior written permission of Claude Leon Signs, Inc.

APPROVED BY: ☐ Approved as Shown ☐ Approved as Noted

*signs*  
CLAUDE LEON SIGNS, INC.

PROJECT/CLIENT NAME:	ACCOUNT EXECUTIVE:	DRAWN BY:	SIGN TYPE:	DATE ORIGINAL DWG:	ISSUES/REVISIONS:	SHEET NO.
Olympia Medical Park Tulsa, Ok- S.71st & Hwy 75	Gary Larsen	Joe Kasterson	PHOTO PLACEMENTS	11.04.10	11.04.10 REVIEW	SLP



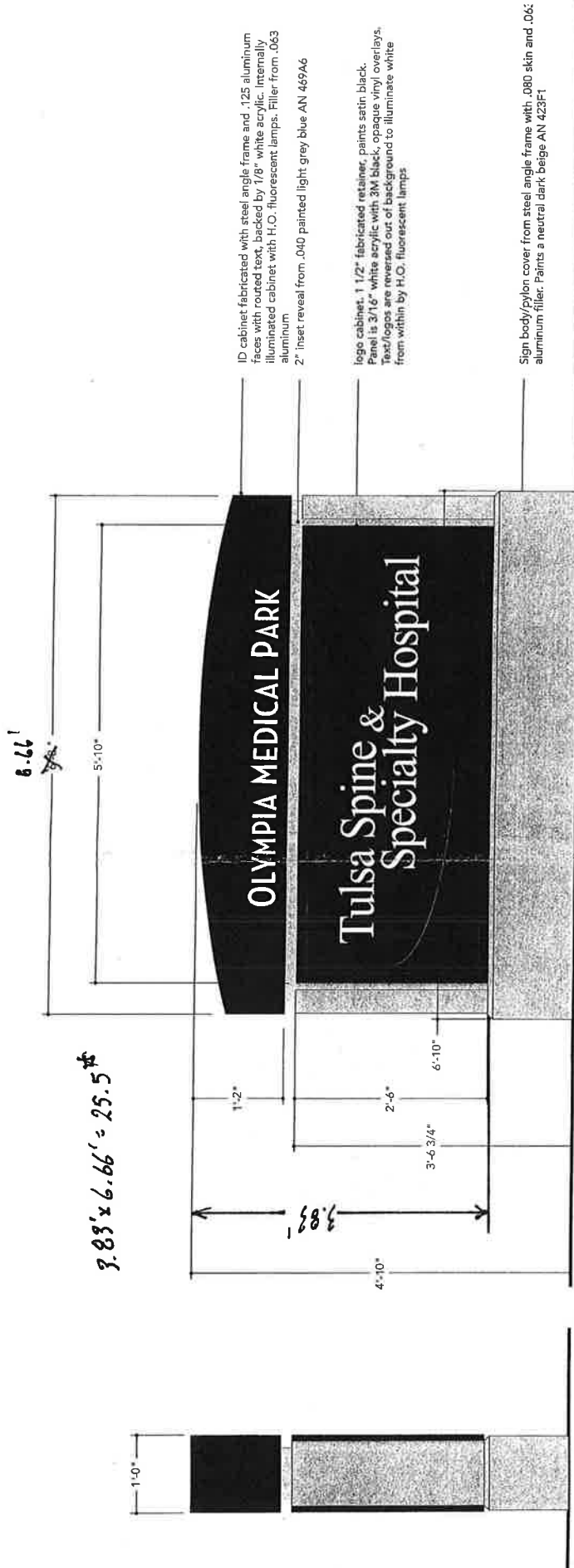
5/6NS 2, 4, 9

B Elevation  
scale: 3/4" = 1'-0"

A End View  
scale: 3/4" = 1'-0"

<p><i>signs</i></p> <p>CLAUDE NEWMAN FEDERAL SIGNS</p>	<p>These drawings are the exclusive property of Claude Newman Federal Signs, Inc. and are for the use of the client only. They are not to be reproduced, stored in a retrieval system, or transmitted in any form or by any means, electronic, mechanical, photocopying, recording, or by any information storage and retrieval system, without the prior written permission of Claude Newman Federal Signs, Inc.</p> <p><input type="checkbox"/> Approved as Shown <input type="checkbox"/> Approved as Noted</p> <p>_____ Date</p>	<p>PROJECT/CLIENT NAME: Olympia Medical Park Tulsa, Ok- 5.71st &amp; Hwy 75</p>	<p>ACCOUNT EXECUTIVE: Gary Larsen</p>	<p>DRAWN BY: Joe Kesterson</p>	<p>SIGN TYPE: Vehicular Directional- Plain version</p>	<p>DATE- ORIGINAL DWG: 09.27.10</p>	<p>ISSUES/REVISIONS: 09.01.10 REVIEW</p>	<p>SHEET NO. <b>ST-5.1</b></p>
--------------------------------------------------------	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------	-------------------------------------------	------------------------------------	----------------------------------------------------------------	-----------------------------------------	----------------------------------------------	------------------------------------

5.9



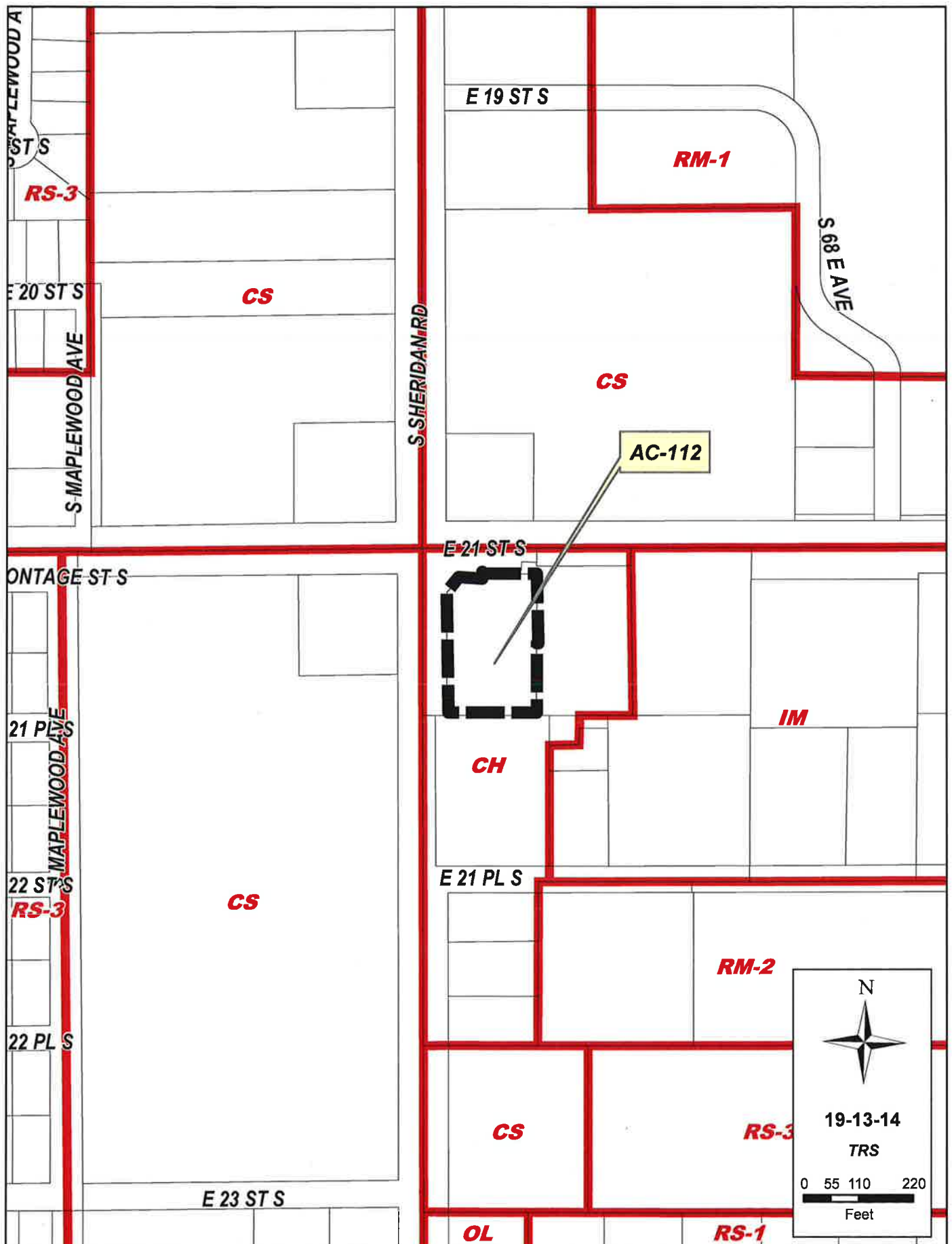
A | End View  
scale: 3/4" = 1'-0"

B | Elevation  
scale: 3/4" = 1'-0"

Sign #3

<p>1225 North Lansing Avenue Tulsa, Oklahoma 74106 ph: 918.587.7171 fax: 918.587.7176 web: dne Signs.com</p>	<p>These drawings are the exclusive property of Claude Neon Federal Signs, Inc. and are the result of original work by its employees. Any reproduction or use of these drawings without the written consent of Claude Neon Federal Signs, Inc. is prohibited. The purchaser of these drawings agrees to indemnify and hold Claude Neon Federal Signs, Inc. harmless from any and all claims, damages, costs and expenses, including reasonable attorneys' fees, that may be asserted against or incurred by Claude Neon Federal Signs, Inc. in connection with the use of these drawings.</p> <p><input type="checkbox"/> Approved as Shown <input type="checkbox"/> Approved as Noted</p>	<p>PROJECT LOCATION Olympia Medical Park Tulsa, Ok- S.71st &amp; Hwy 75</p>	<p>DESIGNER Joe Kesterson</p>	<p>CLIENT BUILDING IDENTITY</p>	<p>DATE: 09.01.10 09.01.10 REVIEW</p>	<p>DATE: 09.01.10 ST-3.0</p>
------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------	-----------------------------------	-------------------------------------	-------------------------------------------	----------------------------------

5.10







S MAPLEWOOD AVE

E 19 ST S

S 68 E AVE

E 20 ST S

S MAPLEWOOD AVE

S SHERIDAN RD

E 21 ST S

MONTAGE ST S

E 21 PL S

S MAPLEWOOD AVE

E 22 ST S

E 22 PL S

E 21 PL S

E 23 ST S



AC-112

19-13-14

TRS

0 55 110 220

Feet

6.2



February 1, 2011

## STAFF RECOMMENDATION

### **AC- 112**

Alternative Compliance Landscape Plan – Southeast corner of 21<sup>st</sup> Street South and South Sheridan Road; TRS 19-13-14; CZM 38; Atlas 301; CD 5; CH.

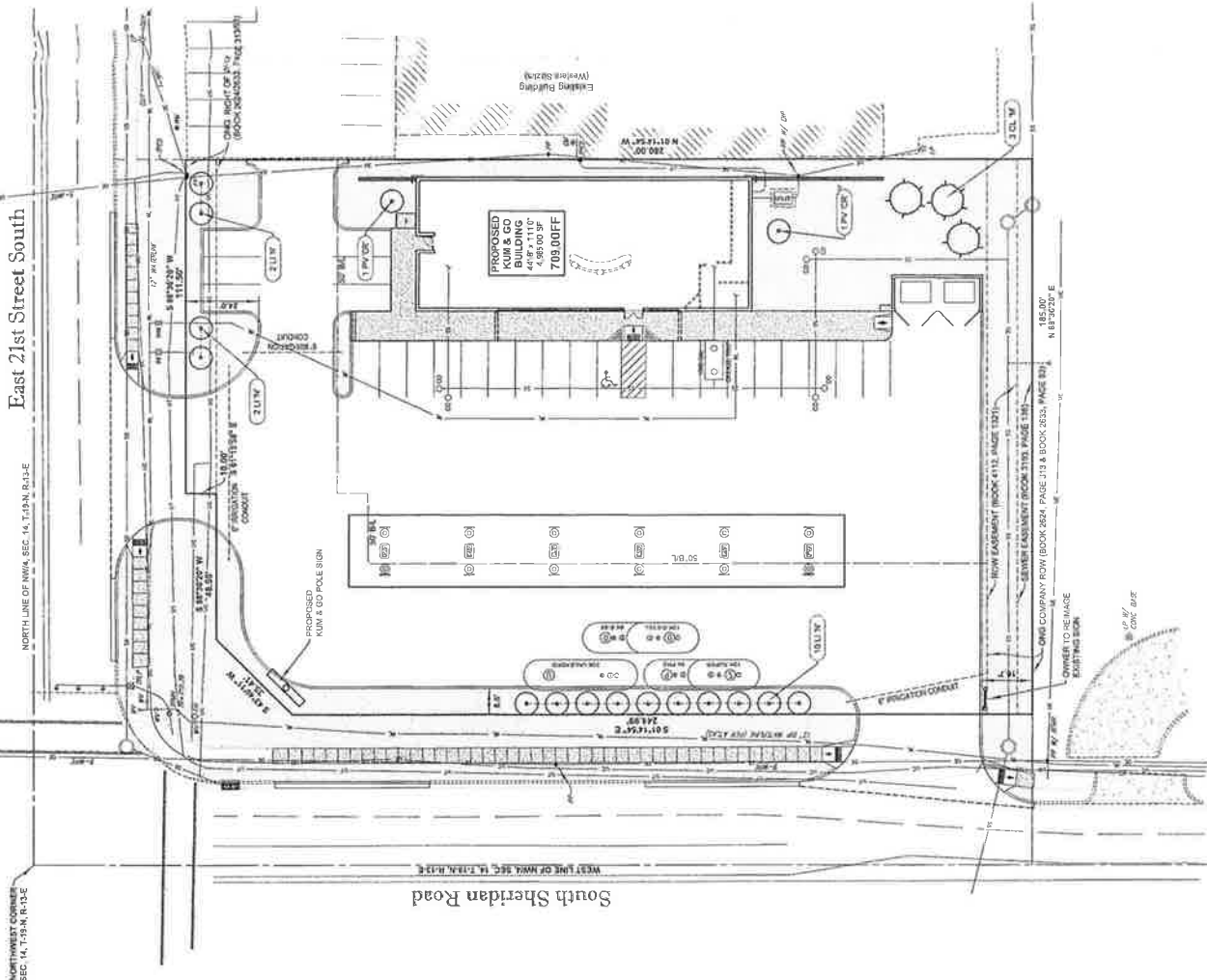
The applicant is requesting TMAPC approval of an alternative compliance landscape plan to permit the use of Crepe Myrtle trees/shrubs in required parking lot landscaped areas. The Crepe Myrtles would be used in addition to Hackberry and Canada Red Choke Cherry Trees within the interior of the site.

The code allows the Planning Commission to approve Alternative Compliance Landscape Plans that do not meet the technical requirements of Chapter 10 of the code, so long as the submitted plan is, "equivalent to or better than" the requirements of Chapter 10.

In exchange for allowing Crepe Myrtles to be used, the applicant will voluntarily landscape the street yard, although section 1002.A.5 of the Code does not require it. The applicant also proposes to plant three extra trees in the parking area as compensation. Additionally, the applicant proposes to provide a minimum 8.5 foot wide landscape strip along South Sheridan Road.

The subject property is zoned CH. Chapter 10 of the Code states that 15% of the street yard on non-residential lots shall be landscaped. However, Chapter 10 further states where no street yard exists street yard landscaping will not be required. Section 1800 of the Code defines "street yard" as the area encompassed by the right-of-way line (ROW)/property line along the street and the building setback line. Since there is no building setback requirement in the CH District, technically there is no street yard and therefore no street yard landscaping required on CH zoned lots.

Staff contends the applicant has met the requirement that the submitted Alternative Compliance Landscape Plan be "equivalent or better than" the technical requirements of Chapter 10 of the code and recommends **APPROVAL** of Alternative Compliance Landscape Plan AC-112.



6.4

FILE 1210510 00404  
DATE JAN 03 2012 9:33AM

Legal Description	Area	Volume	Page
...	...	...	...

[illegible]

SAID TRACT CONTAINS: 50752.48 SF OR 1.155 ACRES

## ADS Benchmark

3" BRASS CAP SET IN A CONCRETE POST. FLUSH SET  
SOUTH OF THE INTERSECTION OF 21ST ST AND S  
HUDSON AVE. ELEVATION = 766.307 (NAVD 83)

## Site Benchmark

3/8" IRON PIN WITH AN ORANGE CAP "HRA 100" SET  
APPROX. 7.4 NORTH & 18.8 WEST OF THE NE PROPERTY  
CORNER ELEVATION = 704.42 (NAVD 1988)

## Sheet Legend

LIMITS OF IRRIGATED LANDSCAPE AREA  
PROPOSED CONCRETE SIDEWALK

## Note

ALL ORDINANCE REQUIRED LANDSCAPE AREA TO BE IRRIGATED BY AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM.

## Land Area Summary Chart

EXISTING ZONING	ON 2004-06
LOT AREA	50,752 SF
STREET YARD CALCULATION N 3610' 11" X 563.35'	LANDSCAPE AREA PROVIDED 2,710 SF 15%
STREET YARD CALCULATION E 213' 57" X 5,572 SF	LANDSCAPE AREA PROVIDED 1,317 SF 22%

## Tree Summary

STREET YARD (1 TREE PER 500 SF)	REQUIRED	PROPOSED
SOUTH SHERMAN ROAD	10	0
EAST 21ST STREET SOUTH	4	0
		4

PARKING SPACES OUTSIDE STREET YARD (1 TREE PER 12 SPACES)	REQUIRED	PROPOSED
22 PARKING SPACES	2	0
		5

## Landscape Material List

DESCRIPTION	SYMBOL	SIZE	CONTAINER QTY
CELIVUS MAGNIFICA - MAGNIFICA MAGNIFICA	CL M	10-12" H (10" CAL)	3
PERLUS VIRGINIANA - CANADA RED - CANADA RED CHOC CHERRY	PV CR	8-12" H (7" CAL)	3
LACINIASTROPHIA INOCUA - GRASSY WHITE WICKET	LW	6" H (7" CAL TOTAL)	14
TREE STANDING QTY			20

FOR PLANTING DETAILS, SEE SHEET 12.  
FOR SOO QUANTITY REFER TO SHEET 3.

**BEFORE YOU DIG**  
CONTACT OKLAHOMA  
ONE CALL

**811**  
(1-800-522-0541)

Alternative Compliance Landscape Plan
KUM & Go 883

City of Tulsa, Oklahoma

PLANS AND  
ESTIMATE  
PREPARED BY

**FEA**

ENGINEERING  
SOUTH A VOICE FOR WOMEN  
NATIONAL PROGRAM, INC. 10000 TAYLOR  
LAW OFFICE  
FAR EAST 2, 2ND FL.

**HGA, INC.**  
VOICE 602-962-7279  
FAX 602-962-7279

[illegible]

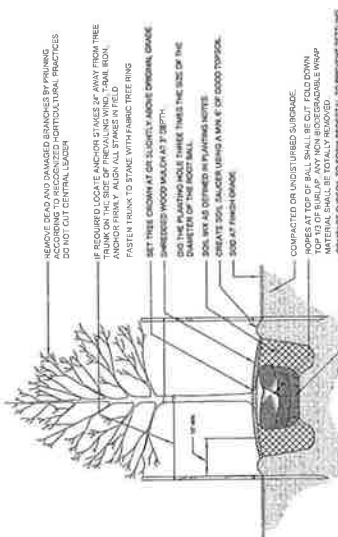
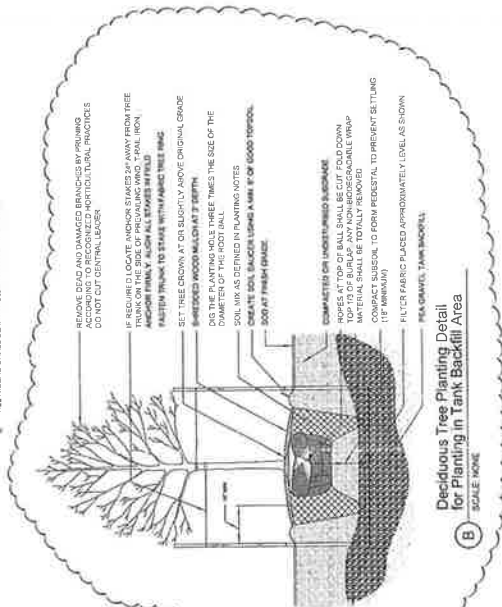


# Planting Notes

- LANDSCAPE PLANS ARE FOR PLANT MATERIAL AND IRRIGATION ONLY.
- FOURTEEN (14) HOURS PRIOR TO EXCAVATION, CONTRACTOR SHALL VERIFY UTILITY LOCATIONS AS GIVEN BY THE ELECTRIC, GAS, TELEPHONE, WATER, SEWER, AND CABLE COMPANIES. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL UTILITIES. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL UTILITIES. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL UTILITIES.
- UTILITY SHOWN FOR INFORMATION PURPOSES ONLY. LANDSCAPE AND IRRIGATION CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL UTILITIES.
- ALL DEMOLITION FOR EXISTING UTILITIES, FENCE, PAVEMENT, TREES, ETC. SHALL BE PERFORMED BY GENERAL CONTRACTOR PRIOR TO LANDSCAPE OR IRRIGATION INSTALLATION.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL UTILITIES.
- ALL LANDSCAPED AREAS SHALL BE IRRIGATED BY AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM.
- ALL PLANT MATERIAL SHALL BE HEALTHY AND DISEASE FREE AT THE TIME OF PLANTING.
- THE CONTRACTOR SHALL LAY OUT ON THE GROUND THE LOCATIONS FOR THE PLANTS AND MATERIALS TO BE PLANTED. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL UTILITIES.
- REMOVE ALL EXISTING GRASS FROM PLANTING BEDS IF BERMUDA IS PRESENT. IT SHALL BE REPLACED WITH GRASS AFTER PLANTING IS COMPLETE.
- ALL TRANSPLANTING SHALL BE DONE WITHIN THREE (3) SETS BELOW BASE OF CURB AND BACKFILLED WITH TOPSOIL. ISLANDS WILL BE CROWNED A MINIMUM OF ONE FOOT ABOVE TOP OF CURB.
- FURROWED GRASS FOR SHIELD AND GROUNDCOVER AREAS SHALL BE RELOADED WITH TOPSOIL AND FURROWED GRASS SHALL BE RELOADED WITH TOPSOIL.
- ALL LAWN AND PLANTING AREAS SHALL SLOPE TO DRAIN A MINIMUM OF 2% UNLESS OTHERWISE NOTED AND REVIEWED WITH THE ENGINEER FOR FINAL APPROVAL.
- WITHIN APPROVED BED AREAS, PREPARE SOIL BY MIXING IN 10% COMPOST OR 10% DECOMPOSED MANURE. SOIL SHOULD BE 18" DEEP. THE ENTIRE BED AREA TO A DEPTH OF 36 INCHES (3').
- LANDSCAPE CONTRACTOR SHALL ADJUST TREE LOCATIONS IN THE FIELD TO INSURE THAT THE TREE TRUNK IS A MINIMUM OF 18" FEET FROM ANY UTILITY.
- ON ALL TREES THE TOP SIX INCHES (6") OF BACK FILL SHALL CONSIST OF A 1:1 MIXTURE OF COMPOST TO SOIL.
- AROUND ALL TREES FORM A CIRCULAR RING FREE OF VEGETATION. CIRCLE SHALL BE TRUE IN FORM AND CENTERED ON THE TREE.
- ALL TREES SHALL BE STAKED WITH TWO (2) BLACK METAL SHUT TIE PLACES / POST AND TIED WITH WHITE TIGHTENED HOSE.
- ALL AREAS THAT WERE DISTURBED DURING CONSTRUCTION, AND ARE NOT COVERED WITH PAVEMENT, BUILDING PLANTING BEDS OR TREES PITS TO BE TOPSOILED 6" DEEP AND SHALL BE SODDED.
- FOR OTHER PLANTING REQUIREMENTS SEE DETAILS.
- CONTRACTOR IS RESPONSIBLE FOR FURNISHING ALL MATERIALS, TOOLS, EQUIPMENT, AND LABOR NECESSARY FOR THE PROPER PLANTING OF ALL TREES, SHRUBS, GROUNDCOVERS, AND GRASS.
- QUANTITIES ON PLANT MATERIALS LIST ARE FOR CONVENIENCE ONLY. CONTRACTOR IS RESPONSIBLE FOR ALL PLANTS SHOWN ON PLANTING PLANS AND COVERAGE OF ALL PLANTS SHOWN ON PLANTING PLANS. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL PLANTS SHOWN ON PLANTING PLANS AND COVERAGE OF ALL PLANTS SHOWN ON PLANTING PLANS.
- NO SUBSTITUTIONS WILL BE ACCEPTED WITHOUT PRIOR WRITTEN APPROVAL BY THE ENGINEER.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL UTILITIES.
- CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND COORDINATING WITH ALL UTILITIES.

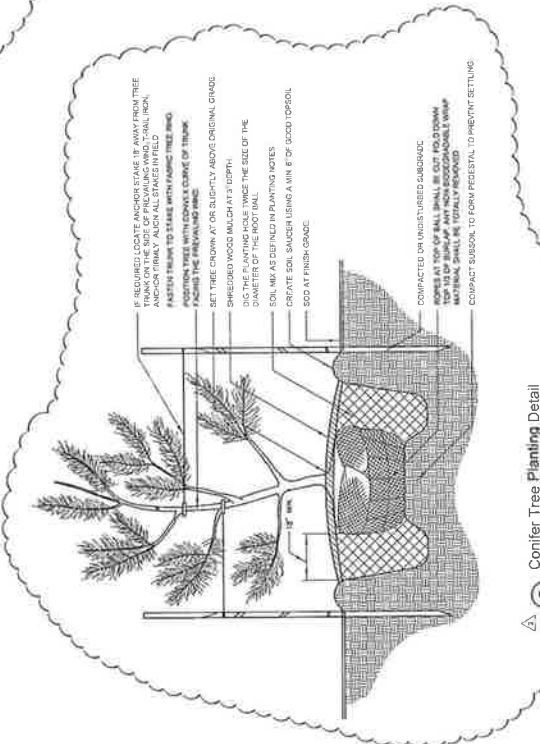
## Irrigation Notes

- ALL DISTANCE REQUIRED LANDSCAPE AREA TO BE IRRIGATED BY AN UNDERGROUND AUTOMATIC IRRIGATION SYSTEM.
- ALL IRRIGATION SHALL CONFORM TO LOCAL CODES.
- IRRIGATION SHALL BE METERS SEPARATELY.
- CONTRACTOR SHALL SUBMIT SHOP DRAWINGS AND CUT SHEETS TO LANDSCAPE ARCHITECT FOR REVIEW AND APPROVAL.
- HEAD SIZING AND PLACEMENT SHALL BE SET TO PROVIDE JACKSON COVERAGE.
- ALL RISERS SHALL BE INSTALLED WITH A SWING JOINT.



## Deciduous Tree Planting Detail

SCALE: 1/8\"/>



## Conifer Tree Planting Detail

SCALE: 1/8\"/>



BECKIE YOUNG  
CONTRACT DESIGNER  
871  
TULSA, OKLAHOMA

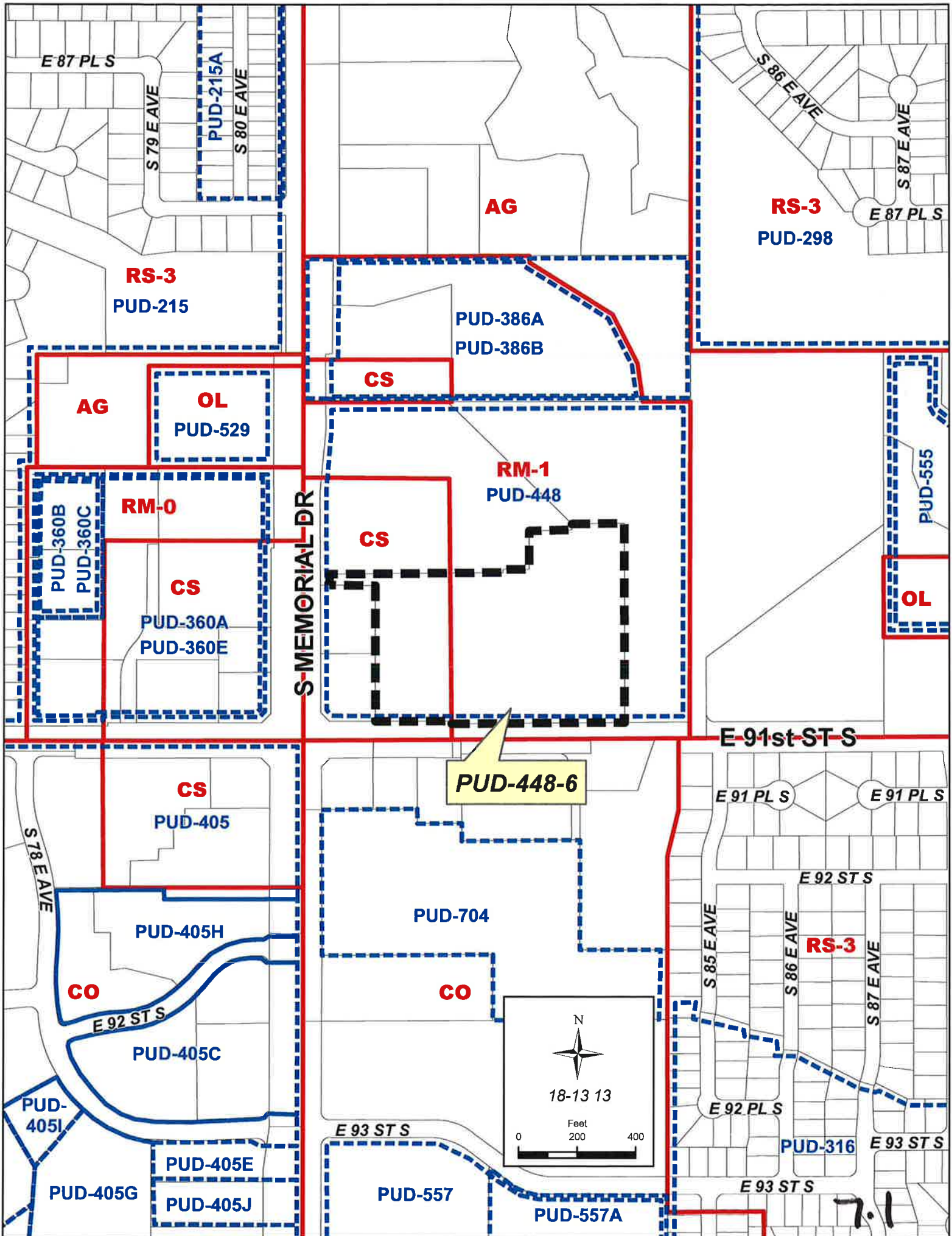
THESE PLANS HAVE BEEN REVIEWED BY THE  
LANDSCAPE ARCHITECT  
DATE: 1/14/2012

ALL CONSTRUCTION TO BE IN ACCORDANCE WITH THE  
LATEST EDITIONS OF THE OREGON ENGINEERING BOARD  
PLUMBING, MECHANICAL, AND ELECTRICAL SPECIFICATIONS  
AND THE OREGON ENGINEERING BOARD SPECIFICATIONS  
FOR THE CONSTRUCTION OF BUILDINGS.

DATE: 1/14/2012

Landscape Details	
Kum & Go 883	
City of Tulsa, Oklahoma	
DATE AND DRAWN BY	DATE AND CHECKED BY
1/14/2012	1/14/2012
BECKIE YOUNG	BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883
LANDSCAPE	LANDSCAPE
DATE: 1/14/2012	DATE: 1/14/2012
BY: BECKIE YOUNG	BY: BECKIE YOUNG
871	871
TULSA, OKLAHOMA	TULSA, OKLAHOMA
PROJECT NO.	PROJECT NO.
883	883











February 1, 2012

### STAFF RECOMMENDATION

**PUD-448-6:** Minor Amendment – Northeast corner of 91<sup>st</sup> Street South and South Memorial Drive; Lot 1, Block 1 – Square 91; TRS 18-13-03; CZM 53; Atlas 1733/1904; CD 7; RM-1/cs.

The applicant is requesting a minor amendment to add health club use only within Use Unit 19 – Hotel, Motel and Recreation as a permitted use within PUD-448 to allow for the redevelopment of currently vacant retail space within the PUD. There is no request to modify any existing development standard of PUD-448, excepting the request to for the additional use.

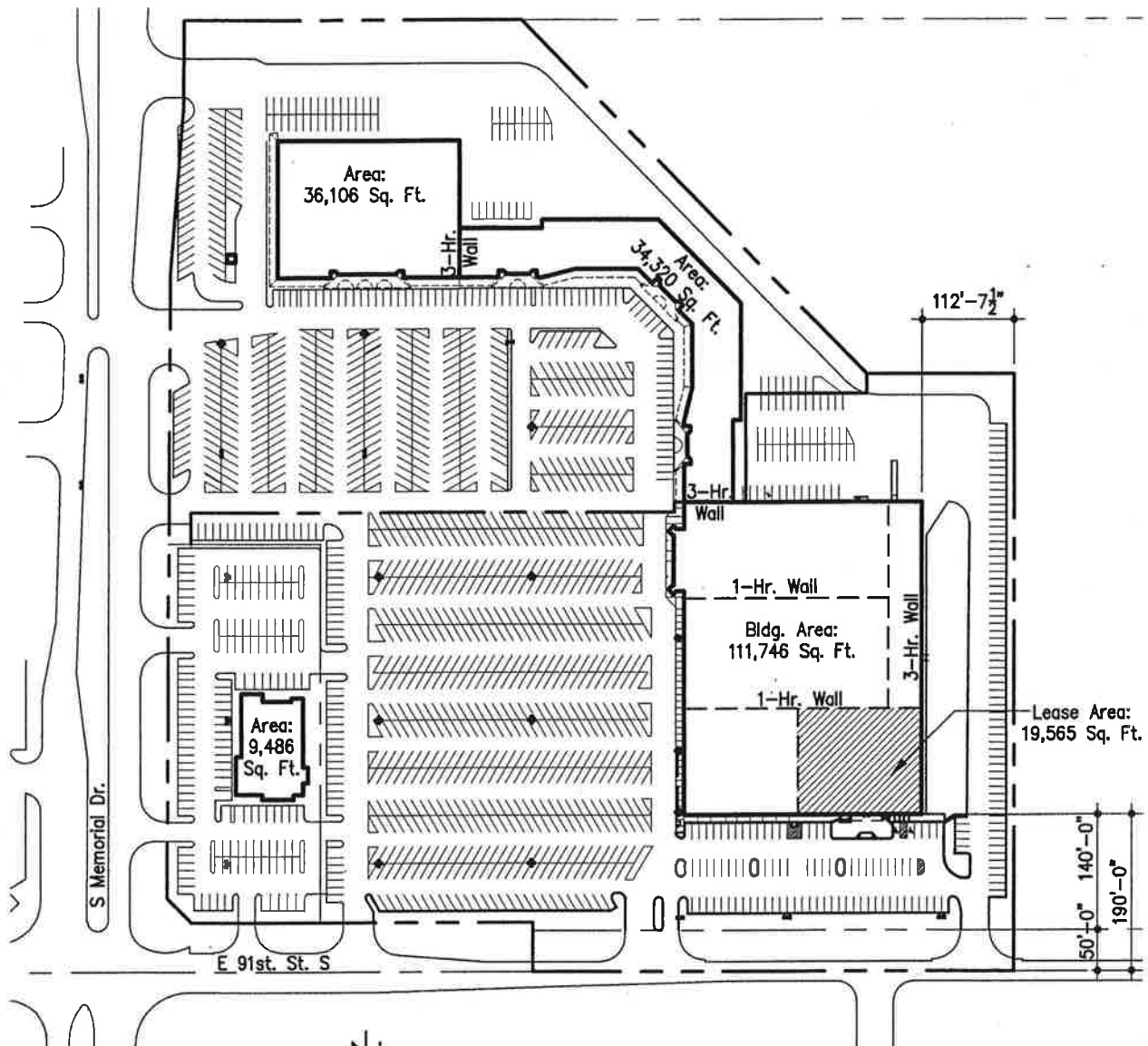
Section 1107.H.15 of the Code permits the change (addition) of an approved use to another by minor amendment, provided that the use being requested is permitted by right by the underlying zoning and the proposed use will not result in any increase of incompatibility with the present and future use of proximate properties. The underlying zoning on the property is CS, a zoning district in which Use Unit 19 is a use by right.

Staff has conducted site visits and contends that the proposed additional use and redevelopment of a now vacant tenant space will not substantially alter the approved Development Plan, the character of the PUD or the intent of the PUD chapter of the code.

Staff notes that the main difference in the former retail use and the proposed use is the parking ratio. Retail uses have a parking ratio of 1 space for every 250 square feet while the health club use has a ratio of 1 space for every 150 square feet. As part of an interior remodel permit application with the City of Tulsa (which triggered the need for the minor amendment), existing parking facilities have been established as being sufficient for the additional use.

Staff contends the addition of the proposed use will not result in any increase of incompatibility with the present and future use of proximate properties. Therefore staff recommends **APPROVAL** of minor amendment PUD-448-6.

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



# 1 SITE PLAN

SCALE: 1" = 100'-0"



PLANET FITNESS TENANT DEVELOPMENT - SQ. 91

**ROBSON PROPERTIES**

8945 S Memorial Dr. E, Tulsa, Oklahoma

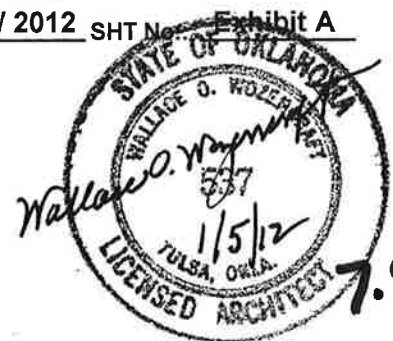


**WOZENCRAFT  
AND ASSOCIATES**

ARCHITECTS AND ENGINEERS  
1619 S BOSTON, TULSA, OK, 74119. [918] 582-4813

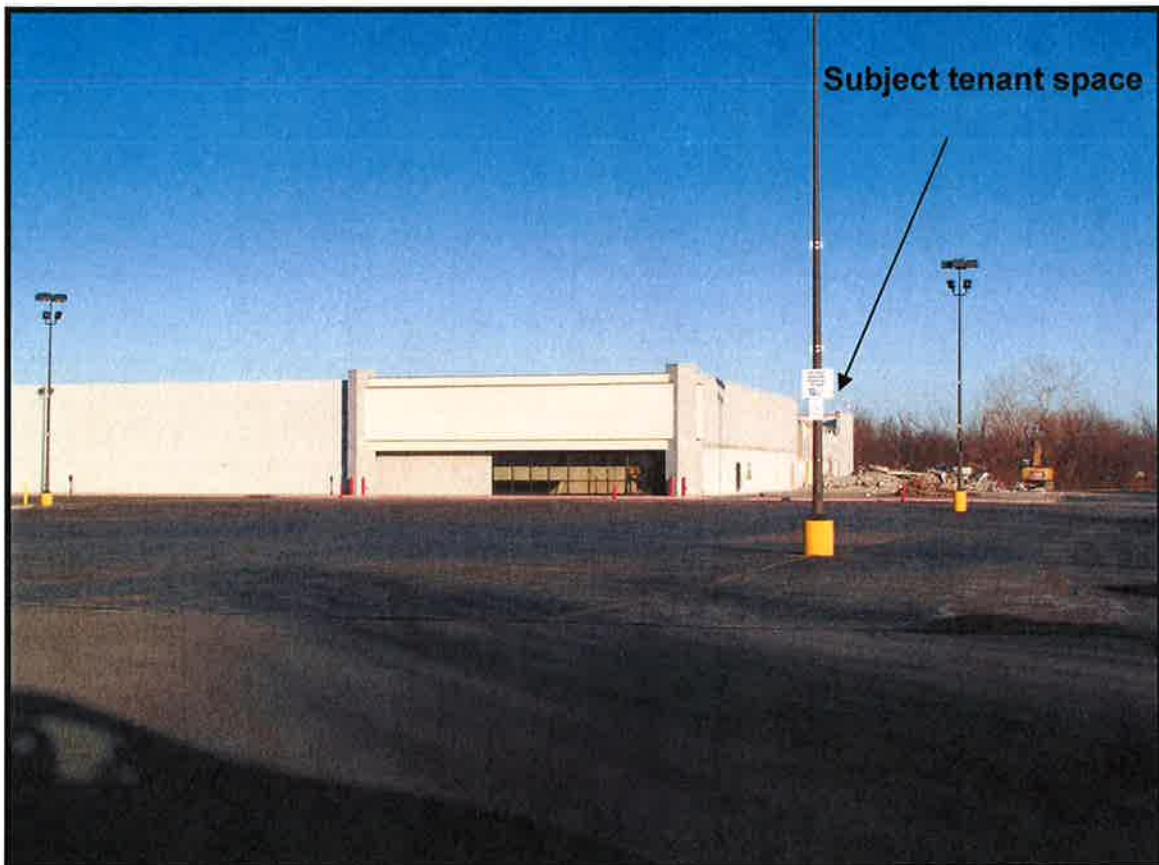
DATE: 1/5/2012 SHT No. Exhibit A

F:\Jobs\ROBSON PROPS\SQ 91\WALMART TENANT\Planet Fitness\B-SITE-PLAN.DWG  
Jan 05, 2012 - 2:42pm





**Subject property - lease space is on the right (south) of Big Lots**



**Subject tenant space (east part of this section of building)**

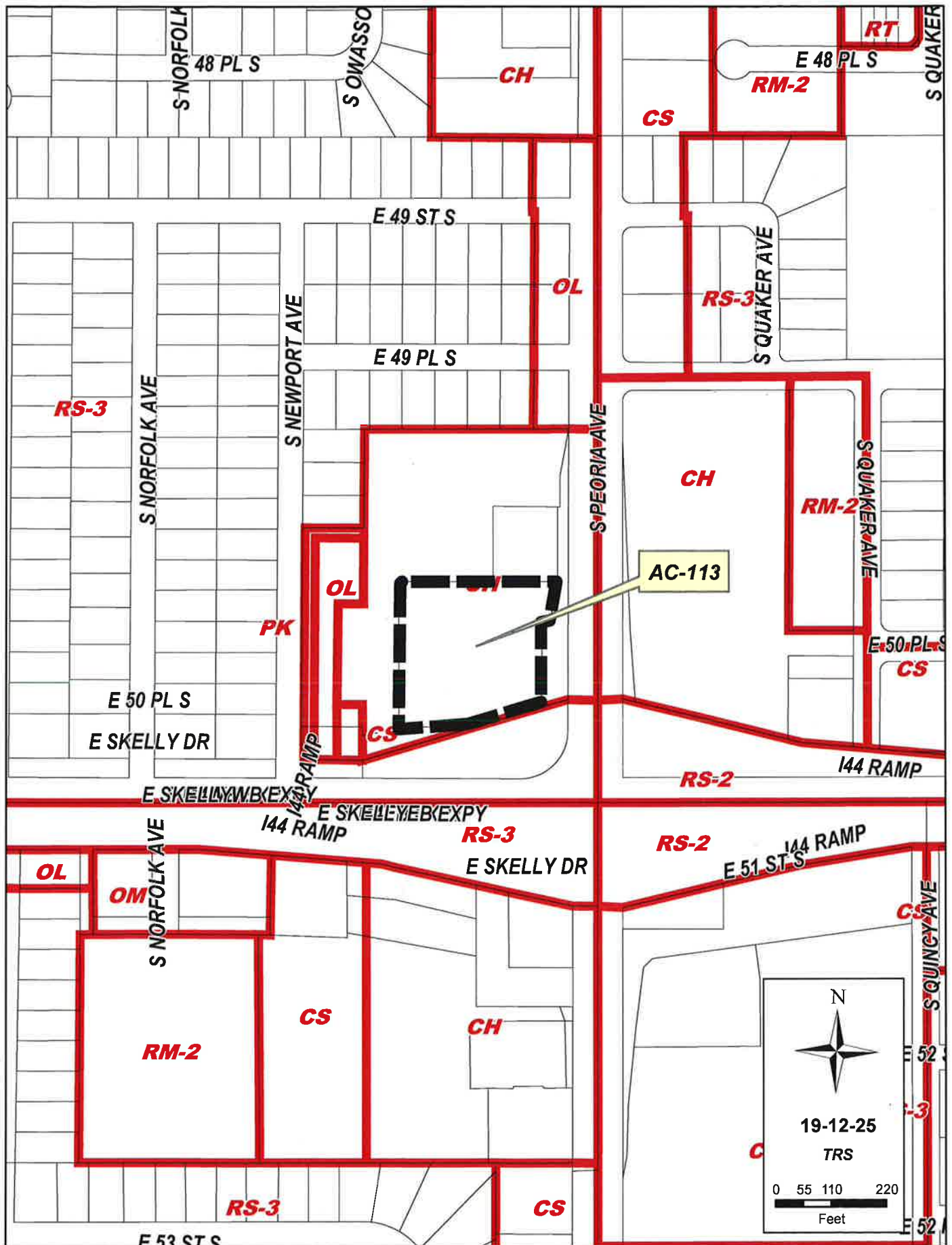
7.5



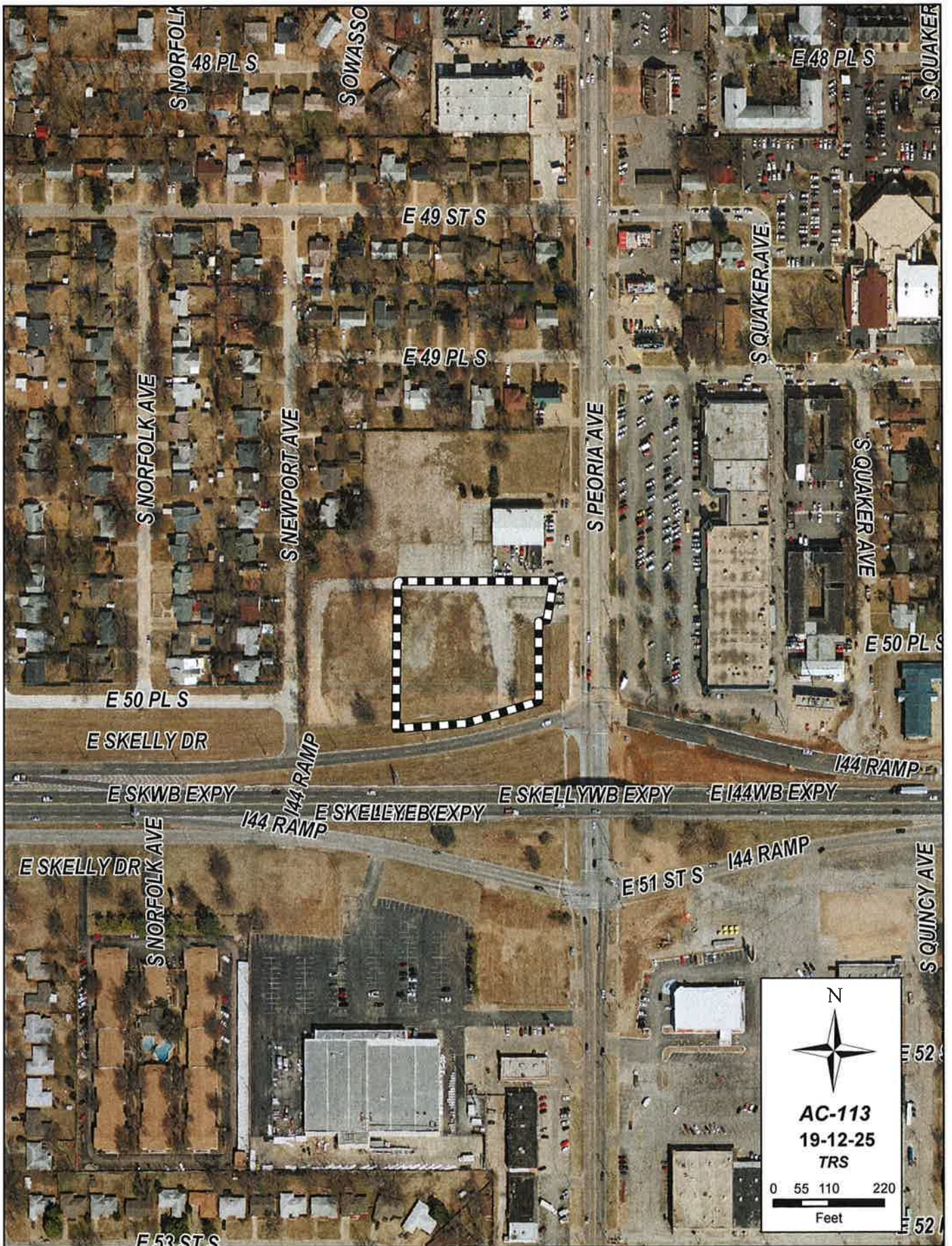
**2 views from south side of tenant space at the rest of the retail center**













February 1, 2012

### **STAFF RECOMMENDATION**

#### **AC-113**

Alternative Compliance Landscape Plan – Northwest corner of South Peoria Avenue and Interstate 44/Skelly Drive; 4970 South Peoria Avenue; TRS 19-12-25; CZM 46; Atlas 391/474; CD 9; CH.

The applicant is requesting TMAPC approval of an Alternative Compliance Landscape Plan for a new QuikTrip store to be located at the northwest corner of South Peoria Avenue and Interstate 44/Skelly Drive.

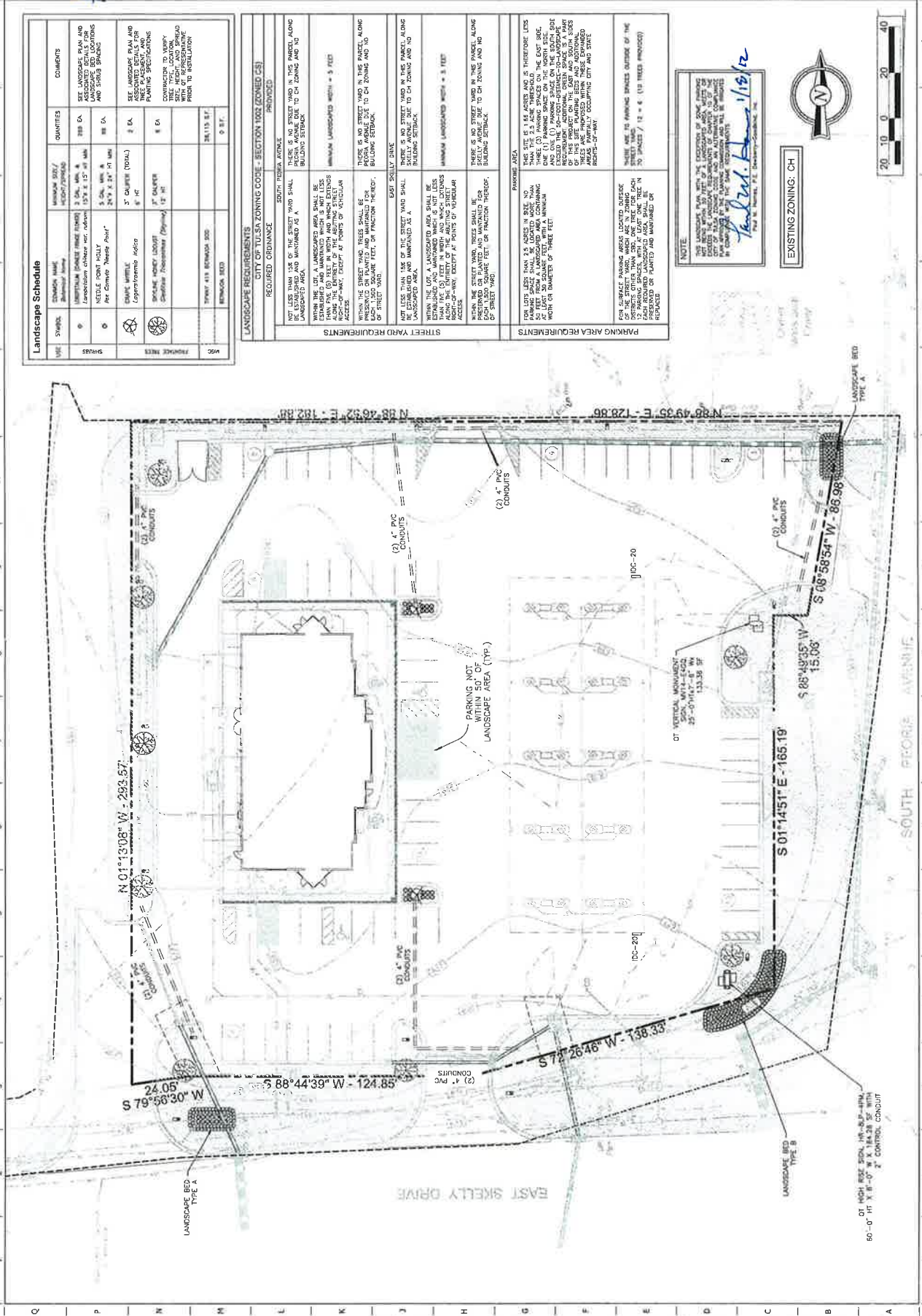
The landscape plan submitted does not meet the technical requirements of Chapter 10 of the code because three parking spaces located in front of the new store will not be within 50-feet of a required landscaped area with a minimum area of 30 square feet (sf) and minimum length or width of three feet as required by section 1002.B.1 of the Code. In exchange for allowing the three spaces to be greater than 50-feet from a landscaped area, the applicant proposes to voluntarily landscape the street yard and provide 4 more trees in the parking area than required.

The code allows the Planning Commission to approve Alternative Compliance Landscape Plans that do not meet the technical requirements of Chapter 10 of the code, so long as the submitted plan is, "equivalent to or better than" the requirements of Chapter 10.

The subject property is zoned CH. Chapter 10 of the Code states that 15% of the street yard on non-residential lots shall be landscaped. However, Chapter 10 further states where no street yard exists landscaping will not be required. Section 1800 of the Code defines "street yard" as the area encompassed by the right-of-way line (ROW)/property line along the street and the building setback line. Since there is no building setback requirement in the CH District, technically there is no street yard and therefore no street yard landscaping required on CH zoned lots.

Additionally, the applicant proposes to provide a minimum 10' wide landscape strip along South Peoria Avenue and Skelly Drive. The applicant also proposes to plant four extra trees in the interior of the site, making the total number of trees provided in the parking area 10.

Staff contends the applicant has met the requirement that the submitted Alternative Compliance Landscape Plan "be equivalent or better than" the technical requirements of Chapter 10 of the code and recommends **APPROVAL** of Alternative Compliance Landscape Plan AC-113.



## Section 102. Other applicable regulations

- A. All development must comply with relevant federal, state and City regulations. Whenever any provision of this Code imposes a greater requirement or a higher standard than is required in any state or federal statute or other City ordinance or regulation, the provisions of this Code shall govern unless preempted by state or federal law.
- B. Wherever there appears to be a conflict between the Form-Based Code and other sections of the City of Tulsa Zoning Code, Title 42, Tulsa Revised Ordinances and subdivision regulations for the Tulsa Metropolitan Area, the requirements specifically set forth in this Code shall prevail.
- ~~C. Land, building and structure uses are addressed in this Code by prescribing street frontage types, which generally facilitate mixed use development. Except where this Code clearly provides to the contrary, land use districts prescribed in Title 42, Tulsa Revised Ordinances, the Zoning Code shall be used in the administration of this Code, consistent with the following table~~

~~**Table: Land Use Zoning District to Street Frontage Type**~~

<del>TRADITIONAL LAND USE DESCRIPTIONS DETAILED IN THE CITY'S ZONING CODE REFER TO ZONING DISTRICTS. FOR PURPOSES OF APPLYING AND INTERPRETING THIS CODE, LAND USE DESCRIPTIONS USED IN THE ZONING CODE SHALL CORRESPOND TO THE FOLLOWING STREET FRONTAGE TYPES.</del>	
<del>Zoning District</del>	<del>Frontage Type</del>
<del>RS, RD, RT, and RM</del>	<del>Townhouse/Small Apartment / Detached</del>
<del>OL, OM, OMH, OH, CS, CG, CH and CBD</del>	<del>Urban General/Storefront</del>
<del>IL and IM</del>	<del>Workshop</del>

- ~~C. D.~~ This Code shall not interfere with or annul any easements, covenants, or other agreements between parties; provided that where this Code imposes a greater restriction upon the use and dimensions of buildings, structures or land, or requires larger open spaces than imposed by other ordinances, regulations, permits, private easements, covenants or agreements, the provisions of this Code shall govern.

D. E. Where this Title (42-B) is silent ~~or fails to address the procedure in question,~~ applicable provisions of Title 42 shall control.

## OPTION "A"

### Applicability Matrix

	BFS: General Provisions	Individual BFS: Height	Individual BFS: Siting	Individual BFS: Elements	Uses	Urban Space Standards	Parking Standards	BFS: Signage	BFS: Lighting and Mechanical
<b>Urban General/Storefront, Workshop, or Townhouse/Small Apartment Frontages</b>									
New Construction	X	X	X	X	X	X	X	X	X
<del>Reconstruction/Replacement of Damaged or Destroyed Building</del>					X				
Change of Use, Expansion of Use					X				
Expansion of Building Footprint									
0%-25% expansion of building footprint		X			X	X	X	X	X
26%-50% expansion of building footprint*	X	X	X	X	X	X	X	X	X
51% expansion of building footprint									
Expansion of Surface Parking Area Only (not in conjunction with a use/building)									
Up to 10 spaces			X	X		X	X	X	X
11 or more additional spaces	X		X	X		X	X	X	X
Facade Changes (increase/decrease in fenestration, awnings)				CA				X	
<b>Detached Frontage</b>									
New Construction	X	X	X	X	X	X	X	X	X
<del>Reconstruction/Replacement of Damaged or Destroyed Building</del>					X				
Change of Use					X				
Expansion of Use (addition, deck, sun room, porch)*		X	X	X	X			X	
Expansion of Use (accessory structure, shed, detached garage, recreation facility)*		X	X	X	X			X	
Expansion of Building Area									
0%-25% expansion of building footprint					X				
26%-50% expansion of building footprint*		X			X	X	X	X	X
51% expansion of building footprint	X	X	X	X	X	X	X	X	X

**Notes:**

CA Code Administrator's discretion

\* Expansion to an existing footprint or use shall, in themselves, comply with the Code (but do not require the retrofitting of existing elements to comply with the Code.)

Building expansions permitted within two (2) calendar years of each other on a single lot shall be viewed by this Code in the aggregate.

9.3



## OPTION "B"

### Applicability Matrix

	BFS: General Provisions	Individual BFS: Height	Individual BFS: Siting	Individual BFS: Elements	Uses	Urban Space Standards	Parking Standards	BFS: Signage	BFS: Lighting and Mechanical
<b>Urban General/Storefront, Workshop, or Townhouse/Small Apartment Frontages</b>									
New Construction	X	X	X	X	X	X	X	X	X
<del>Reconstruction/Replacement of Building Destroyed or Damaged in excess of 51%**</del>					X				
Change of Use, Expansion of Use					X				
Expansion of Building Footprint									
0%-25% expansion of building footprint					X				
26%-50% expansion of building footprint*		X			X	X		X	
51% expansion of building footprint	X	X	X	X	X	X	X	X	X
Expansion of Surface Parking Area Only (not in conjunction with a use/building)									
Up to 10 spaces			X			X			
11 or more additional spaces	X		X	X		X	X	X	X
Facade Changes (increase/decrease in fenestration, awnings)				CA				X	
<b>Detached Frontage</b>									
New Construction	X	X	X	X	X	X	X	X	X
<del>Reconstruction/Replacement of Building Destroyed or Damaged in excess of 51%**</del>					X				
Change of Use					X				
Expansion of Use (addition, deck, sun room, porch)*		X	X	X	X			X	
Expansion of Use (accessory structure, shed, detached garage, recreation facility)*		X	X	X	X			X	
Expansion of Building Area									
0%-25% expansion of building footprint					X				
26%-50% expansion of building footprint*		X			X	X		X	
51% expansion of building footprint	X	X	X	X	X	X	X	X	X

**Notes:**

CA Code Administrator's discretion

\* Expansion to an existing footprint or use shall, in themselves, comply with the Code (but do not require the retrofitting of existing elements to comply with the Code.)

\*\* Requires Approval by Board of Adjustment ~~the Code Administrator~~

Building expansions permitted within two (2) calendar years of each other on a single lot shall be viewed by this Code in the aggregate.

9.4



#### Option A:

##### Reconstruction:

- a. If any legally nonconforming structure sustains damages, it may be restored but without expanding the nonconformities that existed prior to sustaining damages.
- b. Reconstruction must begin within one (1) year from the date the damage occurred, unless the time is extended by the Code Administrator. If reconstruction of the structure is not begun until after one year from the date of damage to the structure, such work will be deemed new construction.
- c. As used herein "damages" shall mean physical impairment to the structure not caused or resulting from the intentional, reckless act or gross negligence of the owner, but must result from the acts of a party other than the owner or result from an act of God.
- d. As used herein "reconstruction" shall mean continuous action to rebuild the physical nonconforming structure which sustained damages as defined herein.
- e. Any decision as to the applicability of and/or adequate compliance with this provision shall be made by the Code Administrator.
- f. Decisions by the Code Administrator shall be appealable pursuant to Section 204 (H) of this Chapter.

#### Option B:

##### Reconstruction:

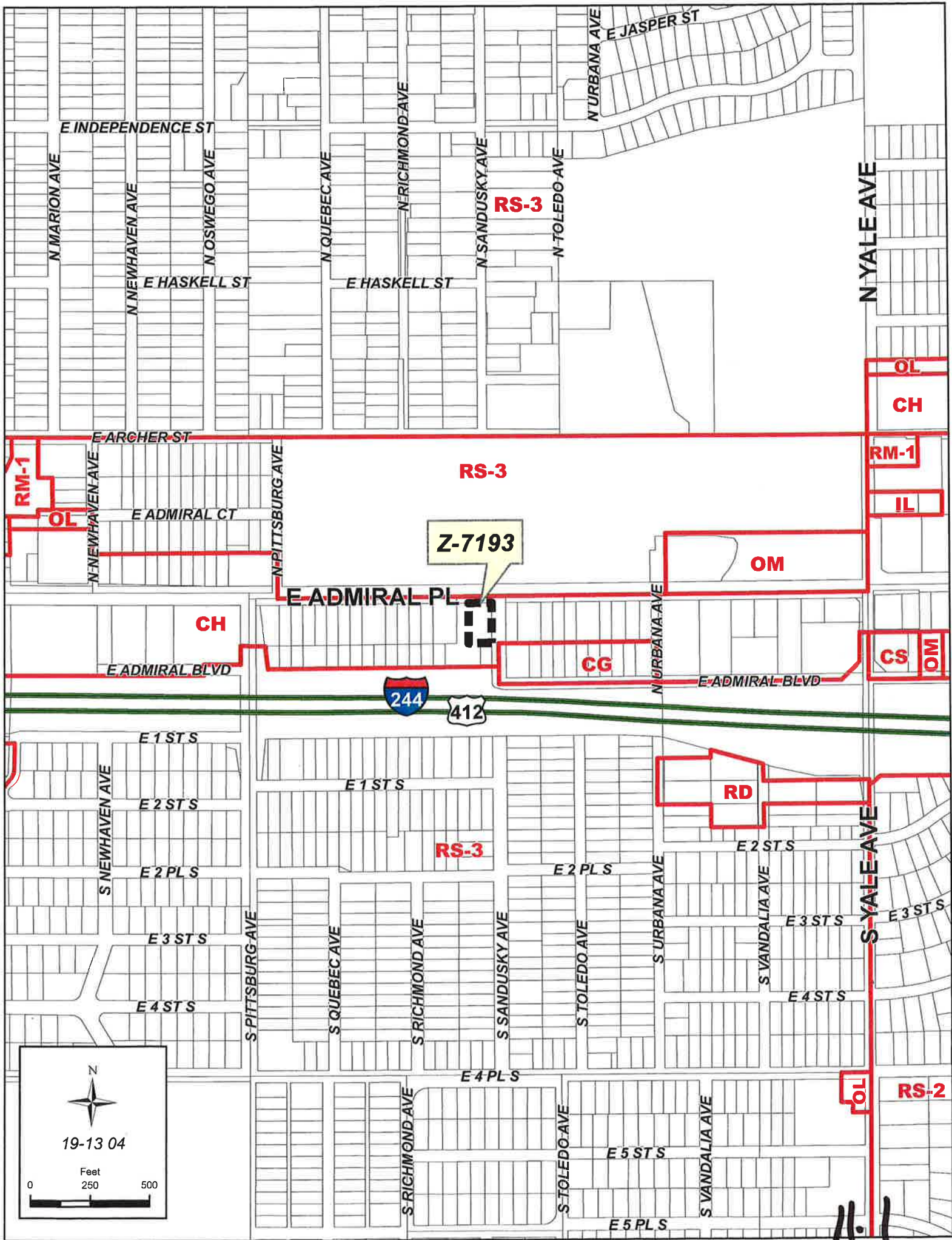
- a. A legally nonconforming structure that sustains damages for which restoration costs are less than 50% of the fair market value of the structure prior to damage, as determined by the Code Administrator, may be restored but, without expanding the nonconformities that existed prior to sustaining damages.
- b. A legally nonconforming structure that sustains damages for which reconstruction costs are 50% or more than the fair market value of the structure prior to damage, as determined by the Code Administrator, may be restored to its pre-damaged state, if the Code Administrator determines that restoration will not be detrimental to the neighborhood and if conditions justify the restoration.
- c. As used herein "damages" shall mean physical impairment to the structure not caused or resulting from the intentional, reckless act or gross negligence of the owner, but must result from the acts of a party other than the owner or result from an act of God.
- d. As used herein "reconstruction" shall mean continuous action to rebuild the physical nonconforming structure which sustained damages as defined herein.
- e. Conditions to be considered by the Code Administrator to justify restoration of a structure which has sustained damages beyond 50% of its fair market value include, but are not limited to:
  - (1) The structure's style compared to the predominant architectural style of the neighborhood.
  - (2) The uniqueness of the structure to be restored and its intrinsic value to the community.

- f. Any decision as to the applicability of and/or adequate compliance with this provision shall be made by the Code Administrator.
- g. Decisions by the Code Administrator shall be appealable pursuant to Section 204 (H) of this Chapter.









January 17, 2012

The intent of this letter is to request continuance for hearing case number Z-7193.

Thank you,

  
Luke Wright









**INPATIENT HOSPICE  
MIDTOWN**

SERVICE RD  
**E 31st ST S**

**44**  
**44**

**S MEMORIAL DR**



19-13 23

0 Feet 200 400

Note: Graphic overlays may not precisely align with physical features on the ground.  
Aerial Photo Date: March 2010

12.2



## PRELIMINARY SUBDIVISION PLAT

### INPATIENT HOSPICE MIDTOWN - (CD 5)

West of Interstate 44, South of East 31<sup>st</sup> Street South

This plat consists of 1 Lot, 1 Block, on 1.928 acres.

The following issues were discussed January 5, 2012, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned RS-3 with BOA 21314 to allow the hospice type of use and recently approved BOA 21314 A which revised the original site plan.
2. **Streets:** No comment.
3. **Sewer:** No comment.
4. **Water:** Installation of the fire hydrant can be done under an IDP (infrastructure development plan) or WSD (watershed development) permit.
5. **Storm Drainage:** Label Audubon Creek FEMA AE floodplain. Increase the width of the storm sewer easement to a minimum of 15 feet (see stormwater manual for required minimum width due to pipe size and depth of pipe) with the minimum distance from the centerline of pipe being 7.5 feet on both sides. The last inlet before the pipe connection to the public storm sewer, and that pipe, must be in a storm sewer easement. In Section I.H: the last line should say "... Runoff to the public storm sewer system located within this subdivision". It appears that a minimum of 5 feet of additional storm sewer easement should be added to the east side of the existing easement. On-site runoff must be collected and piped to the on-site public storm sewer system.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** ONG needs additional access through easement. PSO needs to be assured existing overhead lines are not impacted. AT&T requests a 17.5 foot easement in front.
7. **Other: Fire:** No comment. **GIS:** Tie the plat from a section corner using bearings and distances from a labeled point of commencement to the



labeled point of beginning. Add leading zero to all single digit degree descriptions on the face of the plat to match what is shown in the legal description.. The basis of bearing should be clearly described and stated in degrees, minutes, and seconds. Submit a subdivision control data form. In the legal description include a less and except clause for the "15 foot right-of-way dedicated by this plat" shown on the face of the plat. Street addressing must be included on plat per Development Services approval.

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 staff and development services 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.

12.4

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.





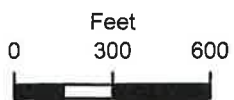
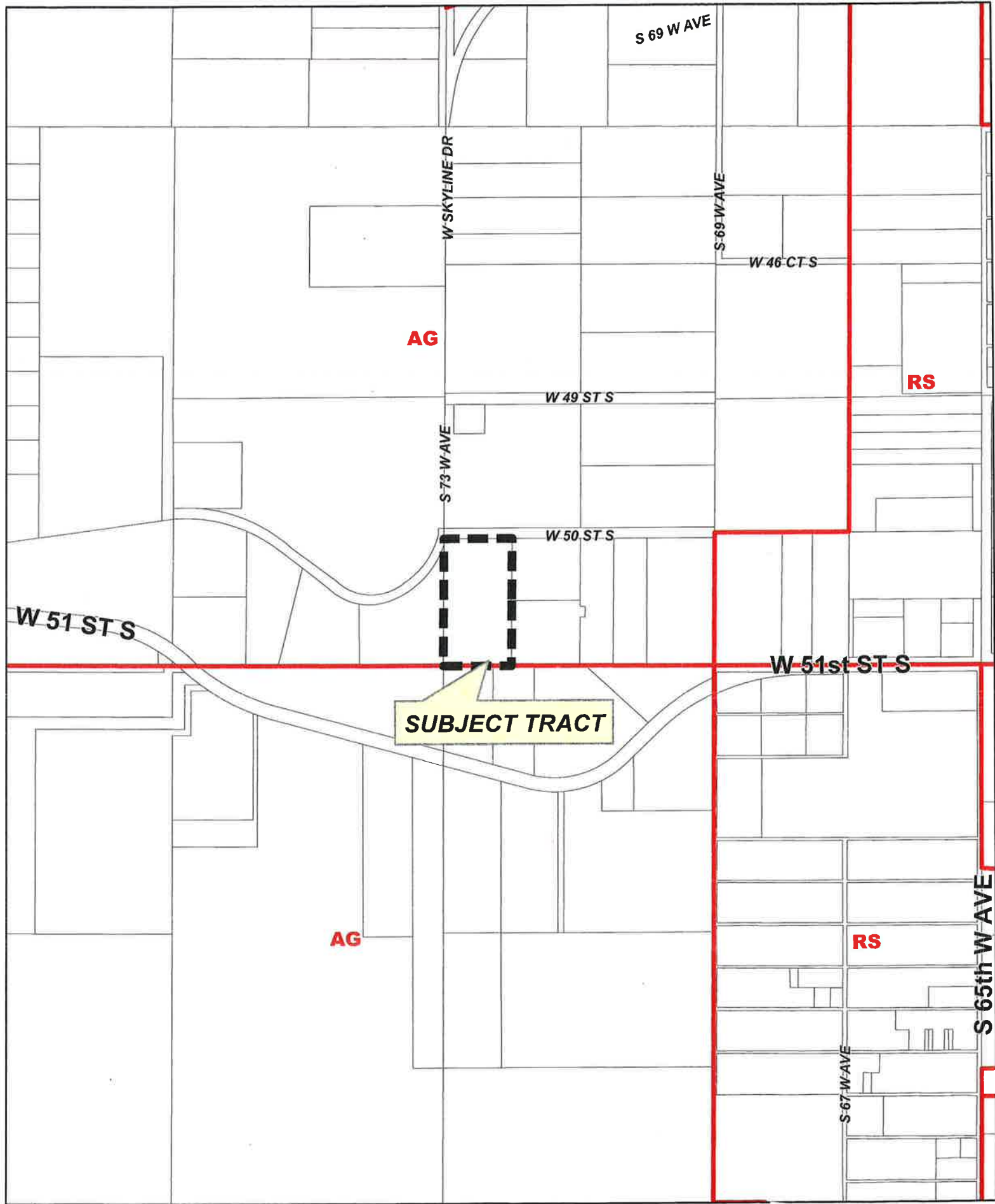












**CBOA-2408**

19-12 30

**13.1**







**SUBJECT TRACT**

Feet  
0 300 600

Aerial Photo Date: March 2010

**CBOA-2408**

19-12 30

**13.2**  
Note: Graphic overlays may not precisely align with physical features on the ground.





## PLAT WAIVER

January 18, 2012

**CBOA 2408 – 7250 West 50<sup>th</sup> Street South (County)**

The platting requirement is being triggered by a board of adjustment approval of a Special Exception for a wedding chapel.

***Staff provides the following information from TAC for their December 15, 2011 meeting:***

**ZONING:**

- TMAPC Staff: The property has not been platted previously.

**STREETS:**

- Sidewalks are required.

**SEWER:**

- No comment.

**WATER:**

- The existing 4 inch water main line is inadequate in supporting fire hydrant protection in this area. The water service demands for this development may not be available as well.

**STORMWATER:**

- No comment.

**FIRE:**

- Out of City of Tulsa Fire Department response area so applicant needs to get with the responding fire department. The International Fire Code requires fire hydrants.

**UTILITIES:**

- No comment.

County Engineering and planning and development services staff believe the property should be platted with at the minimum a Minor Subdivision plat. There is concern about the water line and fire protection service. The applicant had stated that Berryhill Fire will serve the site. A letter stating that this is the case must be received. See attached information from the applicant, Berryhill Fire Department, and City of Tulsa concerning the request.

***A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:***

Yes NO

13.3

- |    |                                                                                            |   |
|----|--------------------------------------------------------------------------------------------|---|
| 1. | Has Property previously been platted?                                                      | X |
| 2. | Are there restrictive covenants contained in a previously filed plat?                      | X |
| 3. | Is property adequately described by surrounding platted properties or street right-of-way? | X |

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

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

Some of the above questions may result in the need for additional easements through the platting process.





FILE COPY

CB0A-2408

**Presentation:**

**Dale Slone**, 5019 South 73<sup>rd</sup> West Avenue, Tulsa, OK; stated he purchased the property approximately 12 years ago and it has been paid off for six years. Mr. Slone stated he is a licensed and ordained minister. Mr. Slone proposes to build and operate a wedding chapel with a hall for wedding receptions and does not desire for the wedding chapel to become a church in the future. Mr. Slone lives on the property and will place the wedding chapel away from the residence. Mr. Slone stated he has discussed his proposal with all the neighbors except for the one neighbor who is directly across the street and that is because he lives in Texas; none of the other neighbors objected to the wedding chapel. The property is a corner lot and has access from 50<sup>th</sup> Street.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

**Board Action:**

On **MOTION** of **WALKER**, the Board voted 5-0-0 (Charney, Dillard, Osborne, Tyndall, Walker "aye"; no "nays"; no "abstentions") to **APPROVE** the **Special Exception** to allow Wedding Chapel (Use Unit 5) in an AG district, finding it will not be injurious to the neighborhood or otherwise detrimental to the public welfare and recognizing there may be future setback requirements; for the following property:

**W 1/2 SW SW SE LESS N 25 FOR RD SEC 30-19-12, OF TULSA COUNTY, OKLAHOMA**

**2409—Michael Goodman**

**Action Requested:**

**Special Exception** to allow a manufactured home (Use Unit 9) in a RS district.

**LOCATION:** 815 West 10<sup>th</sup> Street North

**Presentation:**

**Michael Goodman**, 813 West 10<sup>th</sup> Street North, Sand Springs, OK; stated he has lived on the subject property for 22 years, and he wants to replace his old manufactured home with a new manufactured home.

**Interested Parties:**

There were no interested parties present.

**Comments and Questions:**

None.

13.4

## Plat Wavier for Wedding Chapel

To whom it may concern,

I am in the process of trying to build a wedding chapel on my property. As I have gone through the proper channels to accomplish this project, I am now at a point of difficulty. That is to say that as I have applied for a plat wavier, which is the next step in my process to build. I have been informed that because of a lack of adequate water to supply the fire service hydrant I may be denied this wavier. I have also been informed by the city water department because of a lack of funds for this area that it is not presently on their agenda to upgrade. In fact I have been informed that at this point the only way to provide the upgrade to pass code is for me to have to pay for the upgrade. This not only puts a hard ship on my building situation, but also the added expense to my project. I definitely have a problem with this simply because I am not the only one serviced by this hydrant. In fact there are both Sand Springs and Tulsa residents that are serviced by this same hydrant. Obviously this is a predicament even with out the new building, for all who reside in this service area. Therefore I should not have to be the one to pay for the upgrade which is going to benefit, not only all people in this service area, but the cities of Sand Springs and Tulsa. As far as the plat wavier goes I am only building one new building on a 5 acre piece of property which should be no different than someone building a new house on similar properties. That said to say this; in the last 12 years that I have live in this are there have been at least 20 or more new houses built within a 2 mile radius of my property that have not had to apply for plats. In fact, as far as I know, other then the Stratford Estates housing addition north of me on 41<sup>st</sup> street, no one has had to apply for a plat, and the majority of those properties are unplatted.

In addition, I feel that if the plat wavier were to be approved, that the permit sections could be put on hold until the necessary upgrades are accomplished instead of the plat wavier being denied because of this one detail. Besides the hardship and expense of obtaining a plat, which is not going to really accomplish more than what is already in place, which are right-away issues, utilities and so forth which are already in place. The only real deterrent at this point is the fire service issue due to a lack of water volume to the above mentioned hydrant.

Therefore, I respectfully ask for the board's consideration and mercy on this plat wavier application, that it would be approved, with the declaration that the hydrant situation be upgraded before building permits are issued.

In other considerations, my plan for building is still possibly a year, maybe more before the building will be started due to necessary financing, so in the meantime I will be able to work toward the necessary upgrades through whatever channels possible.

Sincerely, Dale Slone

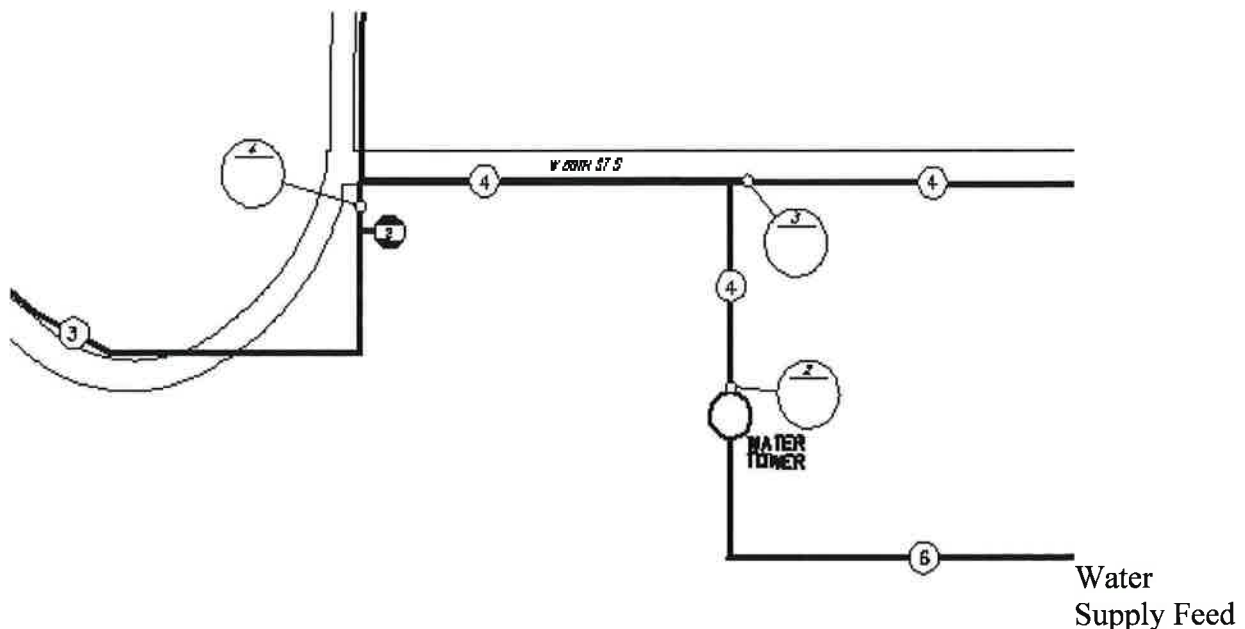
January 23, 2012

From: Allen Holdman  
Plans Reviewer- Water

To: Diane Fernandez  
INCOG - TMAPC

Re: Plat Waiver - Mr. Dale Sloan  
CBOA 2408-7250 W. 50<sup>th</sup> Street South (County)  
City of Tulsa Atlas: 254

The property for this plat waiver is located adjacent to fire hydrant #2 in the below detail. The potable water supplied to this property and others in this area comes from the water tank which is feed by a 6-inch line from the south / southeast. The lines north of the water tower are 4 and 3 inch size dead-end lines. I have noted in my review of this plat waiver that the existing 4-inch water main line does not meet City Standard for supporting a 3-way fire hydrant and that the plat owner would be required to upgrade the existing 4-inch water main line from the water tower to fire hydrant #2 with a 6-inch diameter water main line at his own expense. Currently Mr. Sloan is in the process of obtaining a letter from Berryhill Fire Department noting the volume; pressure and flow of water from these lines and fire hydrant.







# *Berryhill Fire Protection District*

*Bus. (918) 446-1211 • 2902 South 65th West Avenue • Tulsa, Oklahoma 74107*

To Whom It May Concern:

On January 6, 2012, Dale Sloan contacted Berryhill Fire Protection District in regards of finding out if the hydrant in front of his house would be a sufficient water supply for a new building he plans to build. The hydrant is located at the corner of 5000 S 73<sup>rd</sup> West Ave. also referred to as 5000 S Skyline Dr. The test results are found to be less than 250 gallons per minute.

Acing Fire Chief  
Frank P Mason

## **Fernandez, Diane**

---

**From:** Whiteley, Terry [TWHITELEY@cityoftulsa.org]  
**Sent:** Tuesday, January 24, 2012 1:43 PM  
**To:** Fernandez, Diane; Holdman, Allen; Harry Creech  
**Cc:** Tohlen, Harold; Steele, G. David  
**Subject:** RE: Attached Image

Diane, I can only respond to what the International Fire Code requires. The Code requires a minimum of 1500 gallons per minute at 20 PSI for this new structure. The readings Berryhill Fire Department provided is well below that number. The code requires a fire hydrant within 400' of an unsprinkled building and within 600' of a sprinkled building. Based on how the building use is classified they may require sprinkler protection when the occupant load exceeds 100 occupants. As a fire department the only concern with allowing the plat waiver is how do they assure they get proper fire hydrant protection and water supply if allowed to proceed.

**Terry Whiteley** Assistant Fire Marshal

City of Tulsa Fire Department 175 E 2nd ST STE 585 Tulsa, Oklahoma 74103

Phone: main (918) 596-9422 direct (918) 596-9689 Fax: (918) 699-2843 e-mail: [twhiteley@cityoftulsa.org](mailto:twhiteley@cityoftulsa.org)

13.10







Z-7190



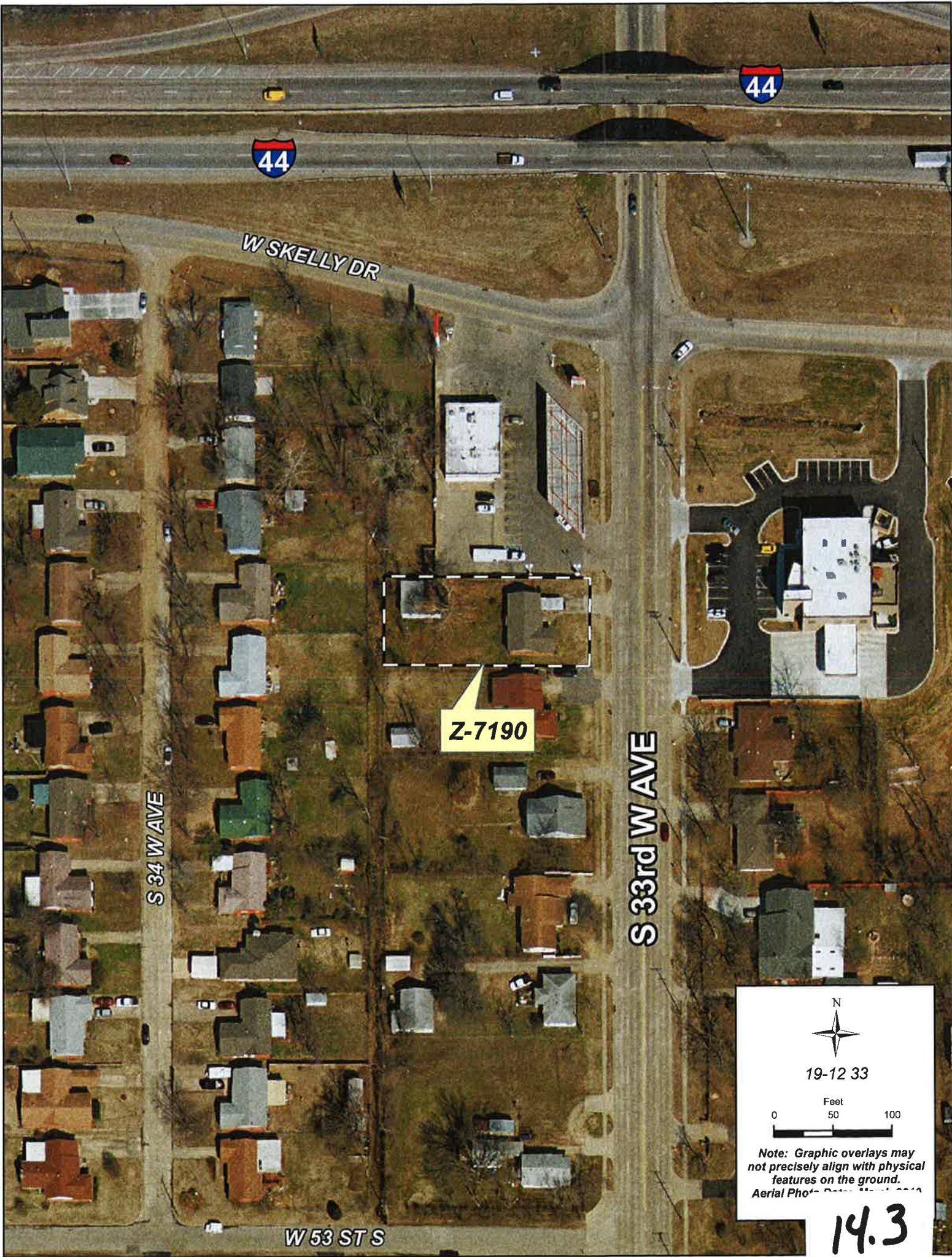
19-12 33

0 Feet 200 400

Note: Graphic overlays may not precisely align with physical features on the ground.  
Aerial Photo Date: March 2010

14.2





W SKELLY DR

S 34 W AVE

S 33rd W AVE

Z-7190

W 53 ST S



19-12 33

0 50 100  
Feet

Note: Graphic overlays may not precisely align with physical features on the ground.  
Aerial Photo Date: 11/11/2014

14.3



**TULSA METROPOLITAN AREA PLANNING COMMISSION  
CASE REPORT**

**APPLICATION: Z-7190**

**TRS 9233**

**Atlas 571**

**CZM 45**

**CD-2**

**TMAPC Hearing Date:** February 1, 2012

(Continued from January 4, 2012)

**Applicant:** Sajid S. Salimi

**Tract Size:** 12,600± square feet

**ADDRESS/GENERAL LOCATION:** South of southwest corner of South 33<sup>rd</sup> West Avenue and West Skelly Drive

**EXISTING ZONING:** RS-3

**EXISTING USE:** Residential

**PROPOSED ZONING:** CS

**PROPOSED USE:** Commercial

**ZONING ORDINANCE:** Ordinance number 11821 dated June 26, 1970, established zoning for the subject property.

***RELEVANT ZONING HISTORY:***

**Z-7076 December 2007:** All concurred in approval of a request for rezoning a 1.5± acre tract of land from RS-2 to CS for financial services and commercial shopping, on property located southeast of the southeast corner of South 33<sup>rd</sup> West Avenue and West Skelly Drive.

**Z-7073 September 2007:** All concurred in approval of rezoning a 2± acre tract of land from RS-2 to CS for a financial services and commercial shopping center, on property located south of the southeast corner of South 33<sup>rd</sup> West Avenue and West Skelly Drive.

**Z-6321 October 1991:** All concurred in approval of a request for rezoning a tract of land from RS-3 to CS/PK on property located on the southwest corner of West Skelly Drive and South 33<sup>rd</sup> West Avenue and abutting north of the subject property.

***AREA DESCRIPTION:***

**SITE ANALYSIS:** The subject property is approximately 12,600± square feet in size and is located south of southwest corner of South 33<sup>rd</sup> West Avenue and West Skelly Drive. The property appears to be used residentially and is zoned RS-3.

**SURROUNDING AREA:** The subject tract is abutted on the east by a commercial business (bank), zoned CS; on the north by a commercial use and its parking lot, zoned CS and PK; on the south by residential uses, zoned RS-3; and on the west by residential uses, zoned RS-3.

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

**TRANSPORTATION VISION:**

The Comprehensive Plan designates 33<sup>rd</sup> West Avenue south of West Skelly Drive (I-44) as a secondary arterial. The Comprehensive Plan encourages multiple modes of transportation,

14.4



offering the public a choice in means of travel, from automobile to bus to bicycling and pedestrian.

**STREETS:**

<b><u>Exist. Access</u></b>	<b><u>MSHP Design</u></b>	<b><u>MSHP R/W</u></b>	<b><u>Exist. # Lanes</u></b>
South 33 <sup>rd</sup> West Avenue	Secondary arterial	100'	4

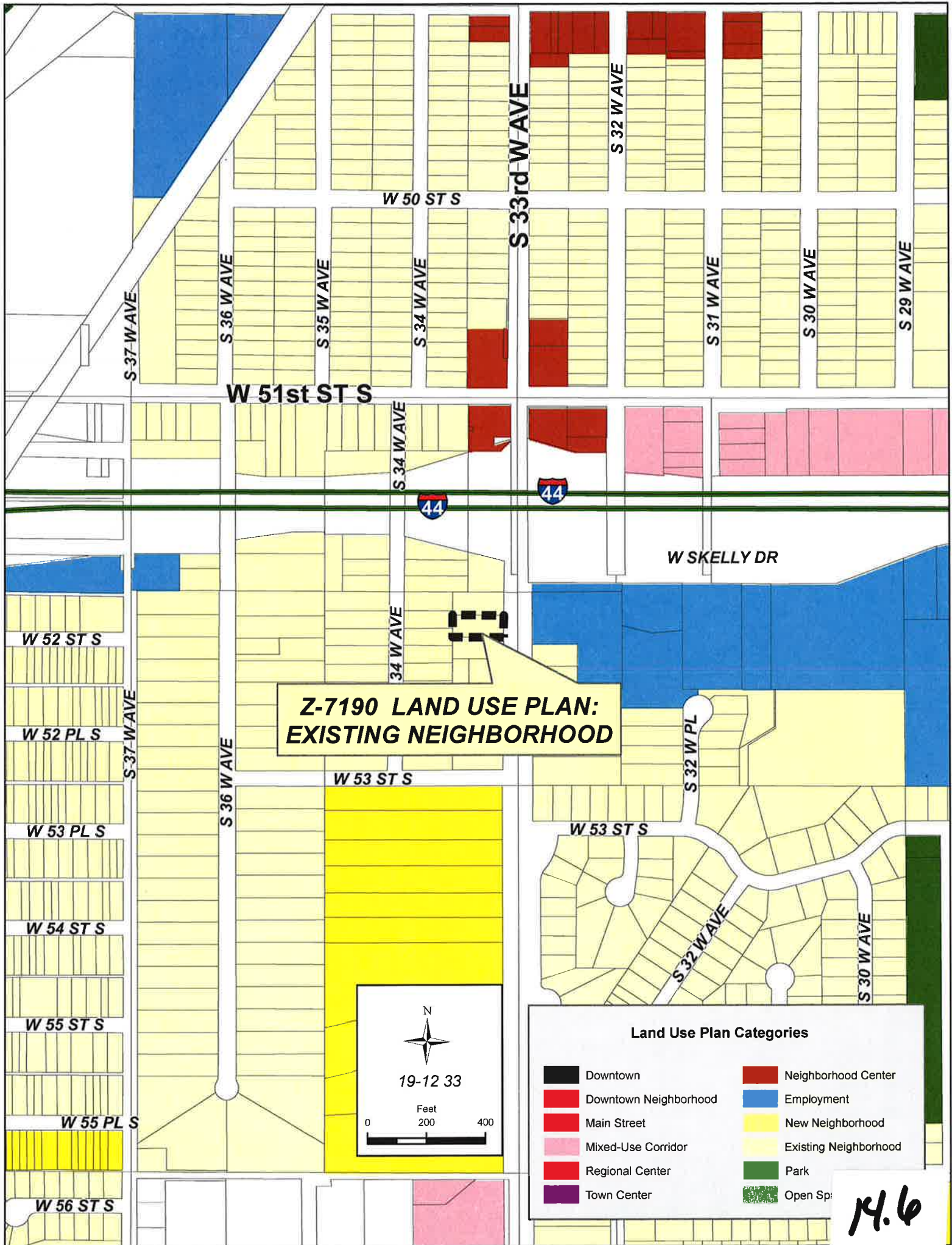
**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

The Comprehensive Plan designates this property as an Existing Neighborhood and an area of Stability. Both of these designations seem erroneous, since the CS/PK lots adjacent to the north are also shown as Existing Neighborhood. That zoning has been in place since 1991. The convenience store itself is designated as a Growth Area, but the parking lot south of it is not. Similarly, the properties east of the subject property, across South 33<sup>rd</sup> West Avenue, are designated as Employment areas and Areas of Growth. It seems poor planning to expect single-family residential use to continue adjacent to these uses. The proposed CS zoning is **not in accord** with the Comprehensive Plan.

**STAFF RECOMMENDATION:**

Staff believes this is another case in which the Comprehensive Plan is in error. This area should be examined when another small area plan is contemplated. Staff can support the requested CS zoning, pointing out that screening will be required where it abuts R zoned properties and the developer must meet or exceed the landscaping requirements of the Zoning Code. The requested CS zoning on the subject tract would align with the CS zoning on the east of the tract at 33<sup>rd</sup> West Avenue. Therefore, this is a logical extension of the CS/PK zoning and development to the north and staff recommends **APPROVAL** of CS zoning for Z-7190.

02/01/2012









contains the additional 7.5 square foot sign will not substantially alter the size, location, number, and character (type) of signs permitted in the PUD and therefore recommends **APPROVAL** of minor amendment PUD-397-C-1.

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

**The Planning Commission considered the consent agenda.**

**There were no interested parties wishing to speak.**

**TMAPC Action; 11 members present:**

On **MOTION** of **CARNES**, TMAPC voted **11-0-0** (Cantrell, Carnes, Dix, Edwards, Leighty, Liotta, Midget, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to **APPROVE** the consent agenda Items 2 through 5 per staff recommendation.

\* \* \* \* \*

**FILE COPY**

## **PUBLIC HEARING**

6. **Z-7190 – Sajid S. Salimi**, Location: South of southwest corner of South 33<sup>rd</sup> West Avenue and West Skelly Drive, Requesting rezoning from **RS-3** to **CS**, (CD-2)

### **STAFF RECOMMENDATION:**

**ZONING ORDINANCE:** Ordinance number 11821 dated June 26, 1970, established zoning for the subject property.

### **RELEVANT ZONING HISTORY:**

**Z-7076 December 2007:** All concurred in approval of a request for rezoning a 1.5± acre tract of land from RS-2 to CS for financial services and commercial shopping, on property located southeast of the southeast corner of South 33<sup>rd</sup> West Avenue and West Skelly Drive.

**Z-7073 September 2007:** All concurred in approval of rezoning a 2± acre tract of land from RS-2 to CS for a financial services and commercial shopping center, on property located south of the southeast corner of South 33<sup>rd</sup> West Avenue and West Skelly Drive.

**Z-6321 October 1991:** All concurred in approval of a request for rezoning a tract of land from RS-3 to CS/PK on property located on the southwest corner of West Skelly Drive and South 33<sup>rd</sup> West Avenue and abutting north of the subject property.

**AREA DESCRIPTION:**

**SITE ANALYSIS:** The subject property is approximately 12,600± square feet in size and is located south of southwest corner of South 33<sup>rd</sup> West Avenue and West Skelly Drive. The property appears to be used residentially and is zoned RS-3.

**SURROUNDING AREA:** The subject tract is abutted on the east by a commercial business (bank), zoned CS; on the north by a commercial use and its parking lot, zoned CS and PK; on the south by residential uses, zoned RS-3; and on the west by residential uses, zoned RS-3.

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

**TRANSPORTATION VISION:**

The Comprehensive Plan designates 33<sup>rd</sup> West Avenue south of West Skelly Drive (I-44) as a secondary arterial. The Comprehensive Plan encourages multiple modes of transportation, offering the public a choice in means of travel, from automobile to bus to bicycling and pedestrian.

**STREETS:**

<b><u>Exist. Access</u></b>	<b><u>MSHP Design</u></b>	<b><u>MSHP R/W</u></b>	<b><u>Exist. # Lanes</u></b>
South 33 <sup>rd</sup> West Avenue	Secondary arterial	100'	4

**RELATIONSHIP TO THE COMPREHENSIVE PLAN:**

The Comprehensive Plan designates this property as an Existing Neighborhood and an area of Stability. Both of these designations seem erroneous, since the CS/PK lots adjacent to the north are also shown as Existing Neighborhood. That zoning has been in place since 1991. The convenience store itself is designated as a Growth Area, but the parking lot south of it is not. Similarly, the properties east of the subject property, across South 33<sup>rd</sup> West Avenue, are designated as Employment areas and Areas of Growth. It seems poor planning to expect single-family residential use to continue adjacent to these uses. The proposed CS zoning **is not in accord** with the Comprehensive Plan.

**STAFF RECOMMENDATION:**

Staff believes this is another case in which the Comprehensive Plan is in error. This area should be examined when another small area plan is contemplated. Staff can support the requested CS zoning, pointing out that screening will be required where it abuts R zoned properties and the developer must meet or exceed the landscaping requirements of the Zoning Code. The requested CS zoning on the subject tract would align with the CS zoning on the east of the tract at 33<sup>rd</sup> West Avenue. Therefore, this is a logical extension of the CS/PK zoning and

development to the north and staff recommends **APPROVAL** of CS zoning for Z-7190.

**TMAPC COMMENTS:**

Mr. Dix stated that the request to leave the PK zoning between the two CS zoning's is odd.

Ms. Cantrell stated that PK tends to be a transition downward and it seems that this request for CS is an odd step up from PK. Ms. Matthews stated that staff is comfortable with the request and there may be some joint parking arrangements with the existing CS and the prospective CS zoning. The applicant is present and can answer any questions. Ms. Cantrell asked if this would be new development. In response, Ms. Matthews stated that she understands that it is a separate development. Ms. Cantrell asked Ms. Matthews if she believes that a CS district would be an appropriate transition from growth to stability. In response, Ms. Matthews stated that she believes that the whole area has been in transition for some time. Ms. Cantrell asked Ms. Matthews if she believes that the subject area shouldn't have been in the stability category. Ms. Matthews stated that she believes that is correct, but it would be a guess on her part.

**Applicant's Comments:**

**Jason Smith**, 12419 South Date Place, Jenks, Oklahoma 74037.

**TMAPC COMMENTS:**

Ms. Cantrell asked the applicant what he planned to put on the subject property. Mr. Smith indicated that he would like to rezone the subject property to commercial. He explained that he didn't want to change the PK zoning until they could determine if they would be granted the CS zoning on the subject property. Mr. Smith indicated that initially he looked into building onto the existing gas station and starting another commercial business in conjunction with the convenience store. Due to easements that run south of the existing convenience store it was not possible to do an extension. Ms. Cantrell asked the applicant if he owned the property to the north as well. Mr. Smith answered affirmatively. He explained that he purchased additional land for additional parking for the convenience store and is now looking to add on to the land to have an additional business.

Mr. Dix asked Mr. Smith what easements are encroaching on the convenience store property. Mr. Smith stated that it is a stormwater easement.

Mr. Perkins asked if the convenience store overhang is partially on the PK property. Mr. Smith stated that it probably is partially on the PK property.



### **INTERESTED PARTIES COMMENTS:**

**Kaye Price**, 5815 South 31<sup>st</sup> West Avenue, Tulsa, OK 74107, stated that she is representing the neighborhood. Ms. Price indicated that she spoke with the applicant and she was informed that his plans were to add a diesel tank and pump to the existing gas station. Ms. Price stated that she informed the applicant that she hadn't met with the neighborhood yet and she didn't think it was a good use for the subject property. She further stated that she expressed concerns that the applicant was pulling the subject parcel out strictly for commercial development and not tying to the existing gas station. The applicant needs to amend his application and tie the two lots together, and if he did that she didn't feel there would be as much concern. After visiting with the neighborhood she learned that it was not the applicant's intent to add a diesel pump and to simply pull the lot out and rezone it to a commercial parcel. Ms. Price commented that the subject neighborhood is a stable residential area that has been there for 40 years. The homes are affordable and in a working class neighborhood. The neighborhood didn't want the bank across the street for exactly what is happening right now. This application is not appropriate as Ms. Cantrell stated because the PK zoning serves as a step-down into this stable neighborhood. Ms. Price stated that the only reason the bank is appropriate is because it sits on a node that abuts I-44 and everything to the east of it is commercial. It is inappropriate to use the bank as a tool to bring the commercial farther into this neighborhood. It is poor planning and not appropriate. Ms. Price commented that the Comprehensive Plan didn't err in her opinion for designating this subject area as stable. Most of the homes are owner/occupied and the neighborhood is in opposition to this proposal. Ms. Price submitted a petition with 16 signatures (Exhibit A-1) and two letters in opposition (Exhibit A-2) to this proposal. Ms. Price requested that the subject application be denied. Ms. Price cited other sites within the subject area that serve sandwiches and lunches and explained that another deli on the subject property isn't needed. The subject area is all houses, except for a church at the end of the subject street that has been there forever. Ms. Price cited other subject areas that could use a small area plan and is ripe for redevelopment. She further cited that there is new residential development in the subject area.

### **Applicant's Rebuttal:**

Mr. Leighty asked Mr. Smith if Ms. Price misunderstood him when they discussed the proposal. In response, Mr. Smith stated that he didn't talk with Ms. Price. Mr. Smith stated that he is representing the applicant. Mr. Smith stated that he did walk around the neighborhood and talked to several owners adjacent to the subject property and to ease any worries that they might have. Intentions sometimes change day-to-day and year-to-year. Mr. Smith stated that the subject property, compared to the bank property, wouldn't be going as far south as the bank property is currently. On the other side of the expressway, where the interchange is located, all

of the properties on the corners are developed commercially. The proposal isn't anything out of the ordinary for an intersection like this.

Mr. Leighty asked Mr. Smith what he planned to develop on the subject property. In response, Mr. Smith stated that he wanted to create synergy for a business. Mr. Smith cited several commercial uses that could be developed. In response to Mr. Dix, Mr. Smith stated that the use is not defined at this time.

Mr. Midget asked if his client would be consider moving the PK zoning on the subject property and the commercial use where the PK is currently. This would step the use down and protect the neighborhood. Mr. Smith stated that the reason he didn't reverse it was because he didn't know if the commercial zoning would be granted. He said it is possible that his client would consider it, but it would depend on how the properties lay out and where the easements are located. Mr. Midget stated that it seems to him that the applicant could have come in with that request to begin with and then he wouldn't have had to worry about whether or not he would get the CS zoning. Mr. Smith stated that the property came to him very quickly and he had a short time to deal with it before it was sold to another individual. Mr. Smith indicated that the subject property is under contract. Mr. Midget asked Mr. Smith he would be willing to revise his request. Mr. Midget stated that it is a nice neighborhood and he understands their concerns. Mr. Smith stated that it would be something he would consider, but it would depend on the easements and how it could be developed with another business and possibly shared parking.

Further discussion ensued and there was discussion of possibly applying for a PUD. After the discussion and various suggestions, the applicant requested a continuance to February 1, 2012 to determine what other options he has and whether or not he should file for a PUD.

**TMAPC Action; 11 members present:**

On **MOTION** of **CANTRELL**, TMAPC voted **11-0-0** (Cantrell, Carnes, Dix, Edwards, Leighty, Liotta, Midget, Perkins, Shivel, Stirling, Walker "aye"; no "nays"; none "abstaining"; none "absent") to **CONTINUE** case Z-7190 to February 1, 2012.

**TMAPC COMMENTS:**

Mr. Midget suggested that Mr. Smith meet with the neighborhood before the next meeting. Mr. Smith stated that he walked the neighborhood and talked with several of the residents. Mr. Dix stated that he believes Mr. Midget is asking the applicant to meet with the neighborhood in an organized manner so that they all will have a chance to discuss this application.

To Whom It May Concerns

1-3-12

I am writing this on my behalf and my family. Also on behalf of some of my neighbors. Most of us have lived here for over 10 yrs. This is a very affordable and very well established neighborhood. The Store has been there for over 40 yrs. We have a lot of noise and trash from it now. What kind of mess will be in our yards with who knows what will be put in there now next to the store. Also the noise. We didn't want the bank to go in but at least we knew what it was going to be. Not just maybe this or that.

Please consider this when you are making any decisions

Thank you

14.13  
Benetta Bunner



Untitled

To Whom it May Concern:

I am asking that you decline the change in zoning. This is an affordable well established neighborhood and the change in zoning will have a negative effect on the neighborhood. Our property values will decline the extra traffic and noise from the business will be very disruptive to our quality of living. I am asking that you decline the zoning change.

Thank you  
Carol Shahin  
5153 S 34th W. Ave  
Tulsa, OK 74107  
01\03\2012

*Carol Shahin*

OFFICIAL RECORD EXHIBIT  
ENTERED IN THE 1-4-2012  
MINUTES OF THE TULSA METROPOLITAN  
AREA PLANNING COMMISSION. 7-7190

**PETITION TO PROPOSED ZONING**

Date: January 2, 2012 Case Number: Z-7190

Address of Rezoning Request: South of southwest corner of S. 33rd W. Ave. and W. Skelly Dr.

We, the undersigned owners of property affected by the requested zoning change described as Lot 2, Block 1, Valley Home Addition, an addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded plat thereof, do hereby protest against any change of the Land Development Code which would zone the property to any classification other than RS-3 (Residential Single-family).

(STATE REASONS FOR YOUR PROTEST)

OFFICIAL RECORD EXHIBIT \* A-1 \*  
ENTERED IN THE 1-4-2012  
MINUTES OF THE TULSA METROPOLITAN  
AREA PLANNING COMMISSION. 2-7190

(PLEASE USE BLACK INK WHEN SIGNING PETITION)

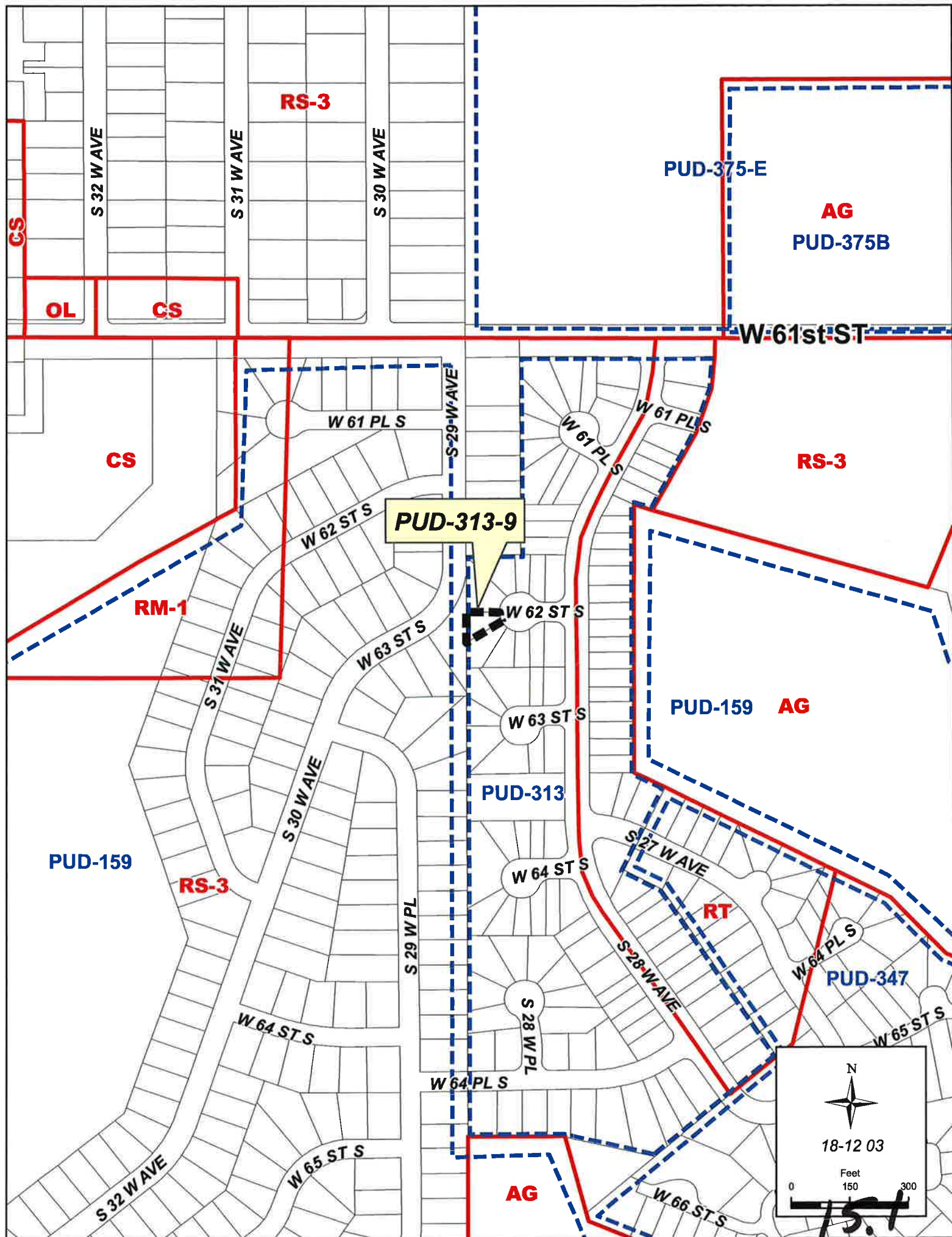
Signature	Printed Name	Address	#
<i>Amber Jo Lambert</i>	Amber Jo Lambert	5173 S. 34 W ave	918-4468524
<i>Richard Nelson</i>	RICHARD NELSON	5147 S. 34 W. Ave	
<i>Carl Nicholas</i>	CARL NICHOLAS	5187 S. 34th WAVE	
<i>Alfred Berenue</i>	ALFRED BERENUE	5183 S. 34th W. AVE.	
<i>Kathern M. Thomas</i>	KATHERN M. THOMAS	5177 S. 34th W. AVE.	
<i>Doris Dunbar</i>	5168 S. 34th W. Ave.	Tulsa 74107	
<i>Laema Watson</i>	5164 S. 34 W. Ave.	Tulsa 74107	
<i>Al Watson</i>	5164 S. 34th W. Ave.	Tulsa 74107	
<i>Carol Shabin</i>	5153 S. 34th W. Ave	Tulsa 74107	
<i>Benetta Bunner</i>	5149 S. 34th WAVE, BENETTA BUNNER	TULSA 74107	
<i>John Galt</i>	5140 S. 34th W. Ave		
<i>Zoe Abel</i>	5137 S. 34 W. AVE, TULSA	74107	
<i>Robert Mays</i>	5167 S. 34 W. Ave Tulsa	74107	
<i>Mr. Wicks</i>	5193 S. 33rd W. AVE, TULSA	74107	
<i>Margaret Hill</i>	5195 S 33rd W ave tulsa	74107	

Date: 1-3-12 Contact Name: Phone Number:

14.15













February 1, 2012

### STAFF RECOMMENDATION

**PUD-313-9:** Minor Amendment – South of the southwest corner of West 61<sup>st</sup> Street South and South 28<sup>th</sup> Avenue West; Lot 22, Block 5 – Golf Estates II; 2820 West 62<sup>nd</sup> Street South; TRS 18-12-03; CZM 51; Atlas 1013; CD 2; RT/RS-3.

The applicant is requesting a minor amendment to increase the permitted coverage for a driveway in the required front yard of an RS-3/PUD zoned lot per the attached plan. Necessitating the need for the minor amendment is the odd shape of the lot and limited street frontage the parcel has on this cul-de-sac.

Section 1303.D of the Code permits up to 34% coverage of the required front yard for driveways on RS-3 zoned lots. Section 1106 of the Code allows the Planning Commission to modify parking requirements by minor amendment so long as the approved modification is recorded in the subdivision plat. Since the definition of parking area in section 1800 of the Code includes the driveways that lead to required parking spaces, the request qualifies as a parking modification. Should the Planning Commission be inclined to approve the request, the applicant will need to record the modification with the plat by filing an amendment by separate instrument with the County Clerk's office.

Please refer to the attached aerial photograph, site plan, and case photographs. The PUD development standards state if a "double wide" driveway is built a lot permitting two automobiles to be parked side by side, the front setback on the lot may be reduced to 18-feet. Standard double wide driveways are 18-feet wide. Any of the lots on the cul-de-sac that are limited to 24-feet of frontage (including the subject tract) that have two-car wide driveways are going to exceed the 34% driveway coverage of the RS-3 district. Referring to the attached aerial photograph, as built conditions reflect that Lots 17, 18, 19 and 26 may exceed the 34% limitation on driveway coverage.

The PUD requires this parcel to have 1,368 square feet (sf) of livability space (open space) on the lot. With the extra coverage by the driveway the lot will meet the requirement having approximately 2,040 sf of livability space.

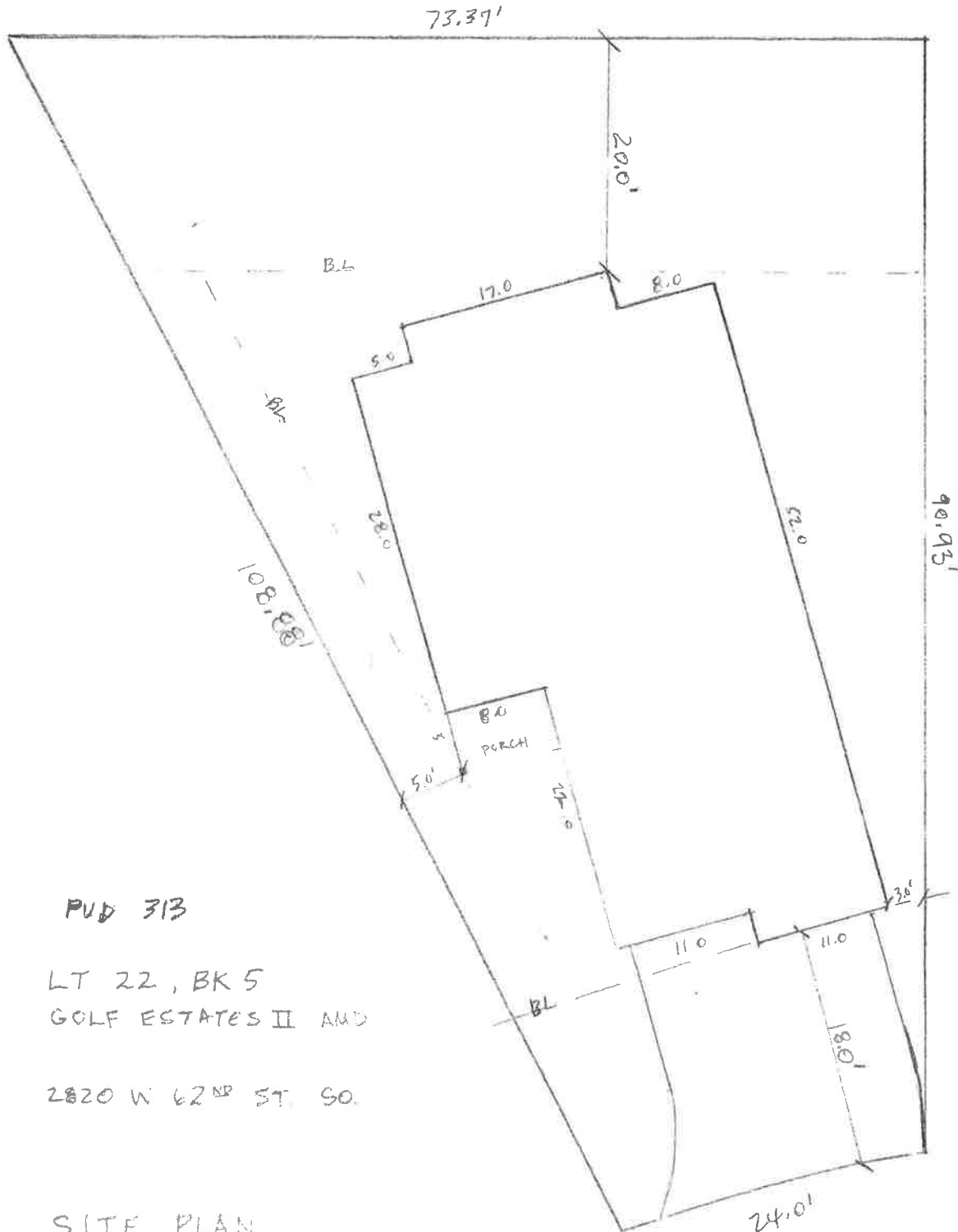
Please refer to the attached FEMA Regulatory Flood Plain Map and plat of the subdivision. The subject tract is not located within a floodplain nor has it been dedicated to stormwater detention. The designated use of the lot is for single-family residential use.

Given the odd shape of the lot and limited street frontage, combined with the livability space requirement being met staff can support the request. Staff contends the increase in driveway coverage will not substantially alter the character of the development, the approved PUD concept plan and is in conformance with the intent of the PUD chapter of the Code. Therefore recommends **APPROVAL** of minor amendment PUD-313-9 per the attached site plan.

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

15.3





- 432  $\pm$  (+/-) Required Frontyard
- 396  $\pm$  driveway (18' x 22') in required Front Yard

SITE PLAN

1"=10'

NOTE. 2040  $\pm$  LIVABILITY SPACE PROVIDED

MIN LIVABILITY SPACE (1368 SQ. FT. AVERAGE)  
ZERO LOT LINE LOT IN PUD 313

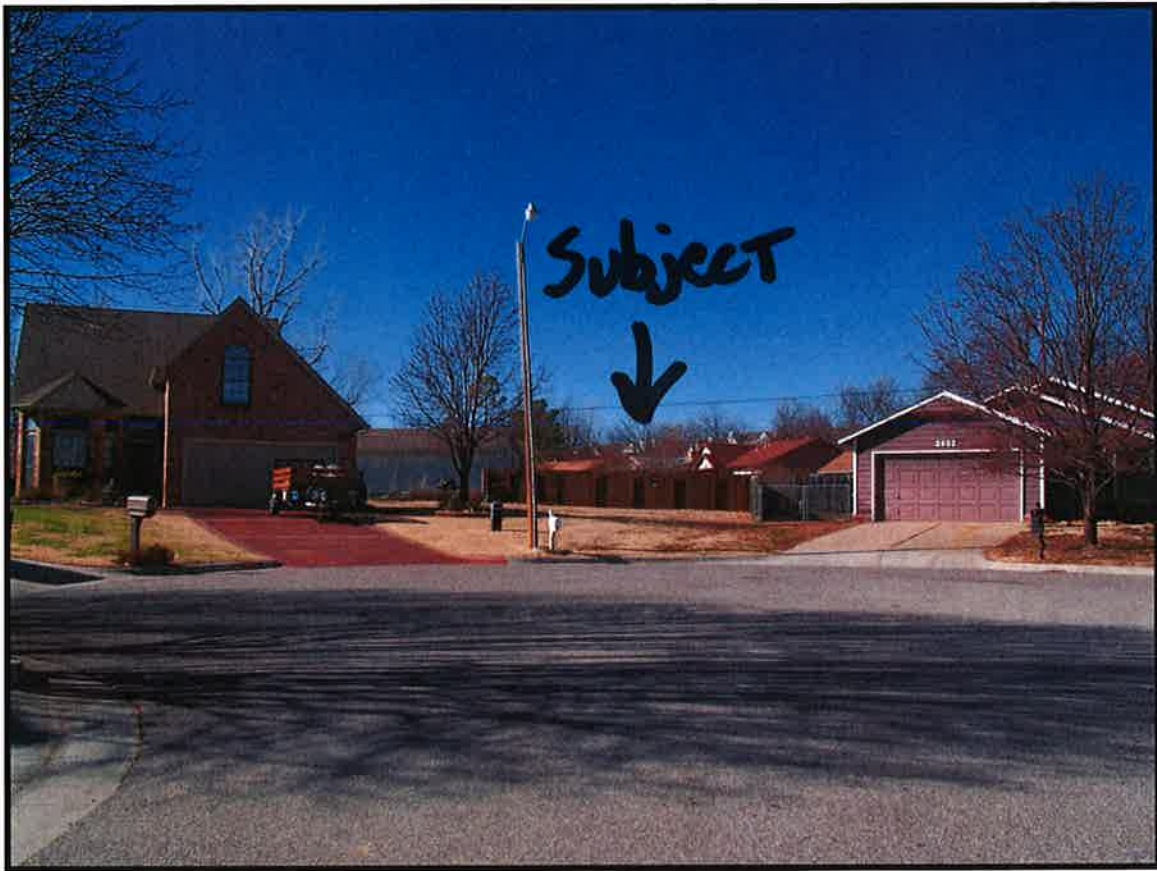
NEW HOUSE		
OWNER • KENNETH RUSSELL		
BUILDER:	DATE	1 of 5
THE RUSSELL CO	11/7/11	

15.4



15.5





**Subject property and two neighboring houses.**



**2815 W. 62nd St. (located on the same cul-de-sac).**

**LOT 19**

**15.6**





2811 W. 62nd St. (located on the same cul-de-sac as the subject property) (Lot 18)



2807 W. 62nd St. (located on the same cul-de-sac as the subject property).

Lot 17

15.7





**2810 W. 62nd St. (located on the same cul-de-sac as the subject property).**

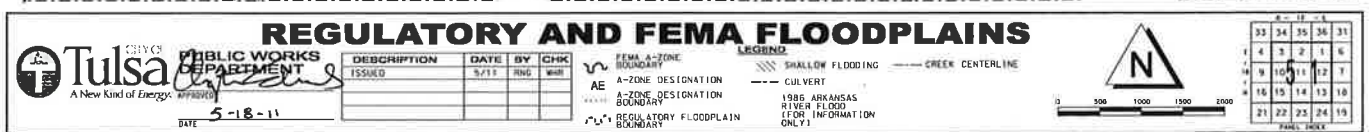


**2806 W. 62nd St. (located on the same cul-de-sac as the subject property).**

**Lot 26**

**15.8**

REGULATORY  
Flood plain





AMENDED  
GOLF ESTATES II  
AN ADDITION IN THE E/2 OF THE NW1/4 OF SECTION 3, T-18-N,  
R-12-E TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA.

AN ADDITION IN THE E1/2 OF THE NW1/4 OF SECTION 3, T-18-N,  
R-12-E TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA.

OWNER: RENTE, INC.  
BIG EAST PL. PL.  
TULSA, OKLAHOMA 74120

DATE: 5-2-83

COLPITT, MOORETON & NOBLE  
20540 EAST 11th STREET  
TULSA, OKLAHOMA 74209  
PHONE: 918-437-3330

SCALE: 1"=50'

200  
100  
0  
0  
50  
100  
150  
200

ENGINEER

PLANNED UNIT DEVELOPMENT #313

$P_{10} = 313 - 0$   
 Combined 1.5  
 10 to 2.105  
 9.10 + 11  
 500' 313' 50" W - 69' 29" E  
 10 211' 10" 70' 20" E  
 Reduce 1st width  
 From 4' to 4'  
 Add 5' to adjacent 10's

2.  $10^2 \times 10^3 \times 10^4$   
A. 20  
B. 200  
C. 2000  
D. 20000

3.  $10^2 \times 10^3 \times 10^4$   
A. 20  
B. 200  
C. 2000  
D. 20000

4.  $10^2 \times 10^3 \times 10^4$   
A. 20  
B. 200  
C. 2000  
D. 20000

5.  $10^2 \times 10^3 \times 10^4$   
A. 20  
B. 200  
C. 2000  
D. 20000

6.  $10^2 \times 10^3 \times 10^4$   
A. 20  
B. 200  
C. 2000  
D. 20000

7.  $10^2 \times 10^3 \times 10^4$   
A. 20  
B. 200  
C. 2000  
D. 20000

8.  $10^2 \times 10^3 \times 10^4$   
A. 20  
B. 200  
C. 2000  
D. 20000

9.  $10^2 \times 10^3 \times 10^4$   
A. 20  
B. 200  
C. 2000  
D. 20000

10.  $10^2 \times 10^3 \times 10^4$   
A. 20  
B. 200  
C. 2000  
D. 20000

▲ NOTE Minimum Floor Elevations:  
 Lot 17, Block 2 - 705.1  
 Lot 18, Block 2 - 705.0  
 Lot 19, Block 2 - 705.0  
 Lot 20, Block 2 - 705.1

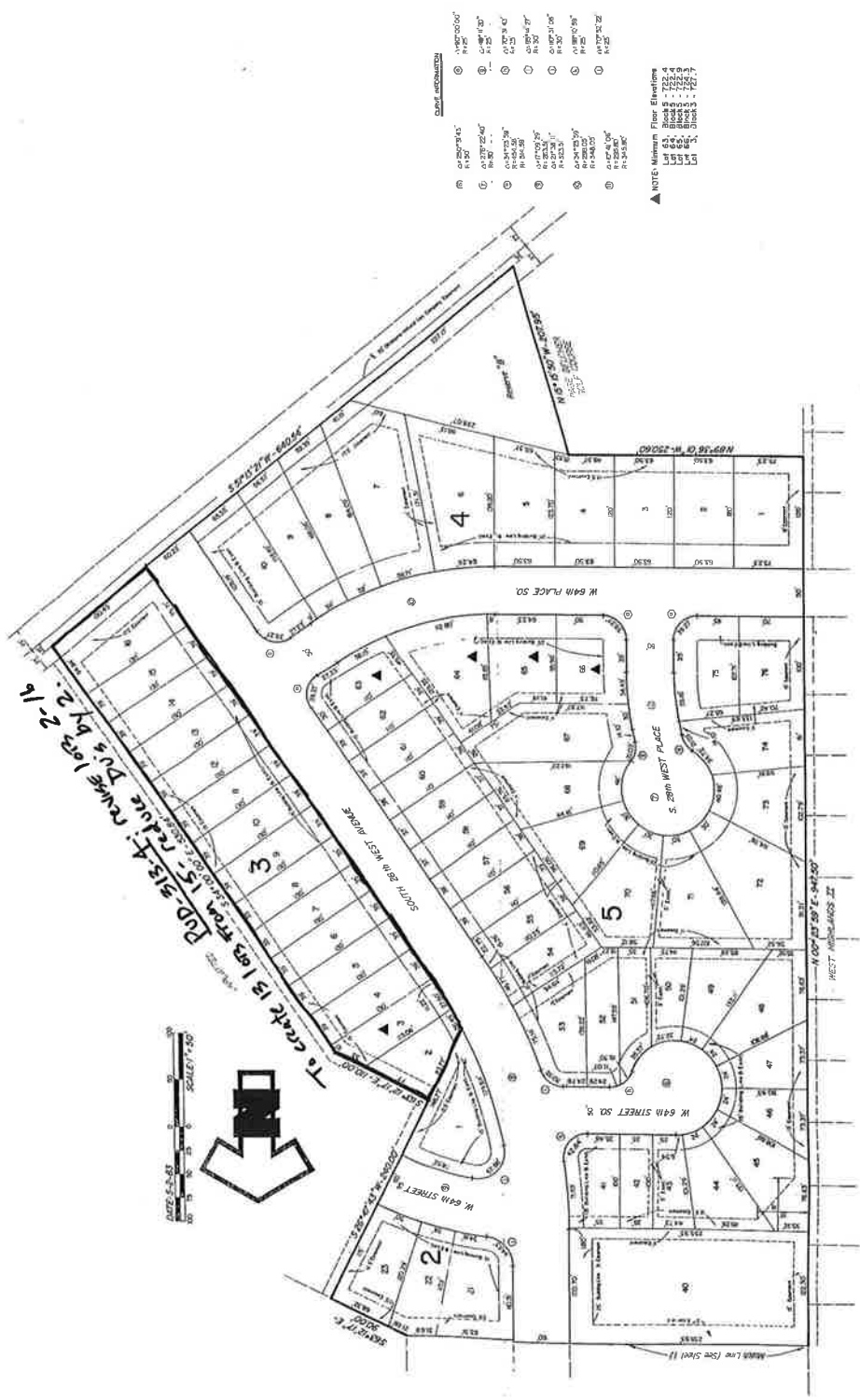
[illegible]

RECEIVED

APPROVED BY THE BOARD  
OF COMMISSIONERS OF THE CITY OF  
TALLAHASSEE  
DATE: 11-11-11  
NAME: [Signature]  
ADDRESS: 1111 N. GULF BLVD.  
TALLAHASSEE, FL 32301

[illegible]

15.10



TO create 13 lots from 15 - reduce by 2-16

- DATE: 08/01/04**
- 1. 0.000000
  - 2. 0.000000
  - 3. 0.000000
  - 4. 0.000000
  - 5. 0.000000
  - 6. 0.000000
  - 7. 0.000000
  - 8. 0.000000
  - 9. 0.000000
  - 10. 0.000000
  - 11. 0.000000
  - 12. 0.000000
  - 13. 0.000000
  - 14. 0.000000
  - 15. 0.000000
  - 16. 0.000000
  - 17. 0.000000
  - 18. 0.000000
  - 19. 0.000000
  - 20. 0.000000
  - 21. 0.000000
  - 22. 0.000000
  - 23. 0.000000
  - 24. 0.000000
  - 25. 0.000000
  - 26. 0.000000
  - 27. 0.000000
  - 28. 0.000000
  - 29. 0.000000
  - 30. 0.000000
  - 31. 0.000000
  - 32. 0.000000
  - 33. 0.000000
  - 34. 0.000000
  - 35. 0.000000
  - 36. 0.000000
  - 37. 0.000000
  - 38. 0.000000
  - 39. 0.000000
  - 40. 0.000000
  - 41. 0.000000
  - 42. 0.000000
  - 43. 0.000000
  - 44. 0.000000
  - 45. 0.000000
  - 46. 0.000000
  - 47. 0.000000
  - 48. 0.000000
  - 49. 0.000000
  - 50. 0.000000
  - 51. 0.000000
  - 52. 0.000000
  - 53. 0.000000
  - 54. 0.000000
  - 55. 0.000000
  - 56. 0.000000
  - 57. 0.000000
  - 58. 0.000000
  - 59. 0.000000
  - 60. 0.000000
  - 61. 0.000000
  - 62. 0.000000
  - 63. 0.000000
  - 64. 0.000000
  - 65. 0.000000
  - 66. 0.000000
  - 67. 0.000000
  - 68. 0.000000
  - 69. 0.000000
  - 70. 0.000000
  - 71. 0.000000
  - 72. 0.000000
  - 73. 0.000000
  - 74. 0.000000
  - 75. 0.000000
  - 76. 0.000000
  - 77. 0.000000
  - 78. 0.000000
  - 79. 0.000000
  - 80. 0.000000
  - 81. 0.000000
  - 82. 0.000000
  - 83. 0.000000
  - 84. 0.000000
  - 85. 0.000000
  - 86. 0.000000
  - 87. 0.000000
  - 88. 0.000000
  - 89. 0.000000
  - 90. 0.000000
  - 91. 0.000000
  - 92. 0.000000
  - 93. 0.000000
  - 94. 0.000000
  - 95. 0.000000
  - 96. 0.000000
  - 97. 0.000000
  - 98. 0.000000
  - 99. 0.000000
  - 100. 0.000000

**NOTES:** Modern Floor Elevations

- 1st Fl. - 100.00
- 2nd Fl. - 100.00
- 3rd Fl. - 100.00
- 4th Fl. - 100.00
- 5th Fl. - 100.00
- 6th Fl. - 100.00
- 7th Fl. - 100.00
- 8th Fl. - 100.00
- 9th Fl. - 100.00
- 10th Fl. - 100.00
- 11th Fl. - 100.00
- 12th Fl. - 100.00
- 13th Fl. - 100.00
- 14th Fl. - 100.00
- 15th Fl. - 100.00
- 16th Fl. - 100.00
- 17th Fl. - 100.00
- 18th Fl. - 100.00
- 19th Fl. - 100.00
- 20th Fl. - 100.00
- 21st Fl. - 100.00
- 22nd Fl. - 100.00
- 23rd Fl. - 100.00
- 24th Fl. - 100.00
- 25th Fl. - 100.00
- 26th Fl. - 100.00
- 27th Fl. - 100.00
- 28th Fl. - 100.00
- 29th Fl. - 100.00
- 30th Fl. - 100.00
- 31st Fl. - 100.00
- 32nd Fl. - 100.00
- 33rd Fl. - 100.00
- 34th Fl. - 100.00
- 35th Fl. - 100.00
- 36th Fl. - 100.00
- 37th Fl. - 100.00
- 38th Fl. - 100.00
- 39th Fl. - 100.00
- 40th Fl. - 100.00
- 41st Fl. - 100.00
- 42nd Fl. - 100.00
- 43rd Fl. - 100.00
- 44th Fl. - 100.00
- 45th Fl. - 100.00
- 46th Fl. - 100.00
- 47th Fl. - 100.00
- 48th Fl. - 100.00
- 49th Fl. - 100.00
- 50th Fl. - 100.00
- 51st Fl. - 100.00
- 52nd Fl. - 100.00
- 53rd Fl. - 100.00
- 54th Fl. - 100.00
- 55th Fl. - 100.00
- 56th Fl. - 100.00
- 57th Fl. - 100.00
- 58th Fl. - 100.00
- 59th Fl. - 100.00
- 60th Fl. - 100.00
- 61st Fl. - 100.00
- 62nd Fl. - 100.00
- 63rd Fl. - 100.00
- 64th Fl. - 100.00
- 65th Fl. - 100.00
- 66th Fl. - 100.00
- 67th Fl. - 100.00
- 68th Fl. - 100.00
- 69th Fl. - 100.00
- 70th Fl. - 100.00
- 71st Fl. - 100.00
- 72nd Fl. - 100.00
- 73rd Fl. - 100.00
- 74th Fl. - 100.00
- 75th Fl. - 100.00
- 76th Fl. - 100.00
- 77th Fl. - 100.00
- 78th Fl. - 100.00
- 79th Fl. - 100.00
- 80th Fl. - 100.00
- 81st Fl. - 100.00
- 82nd Fl. - 100.00
- 83rd Fl. - 100.00
- 84th Fl. - 100.00
- 85th Fl. - 100.00
- 86th Fl. - 100.00
- 87th Fl. - 100.00
- 88th Fl. - 100.00
- 89th Fl. - 100.00
- 90th Fl. - 100.00
- 91st Fl. - 100.00
- 92nd Fl. - 100.00
- 93rd Fl. - 100.00
- 94th Fl. - 100.00
- 95th Fl. - 100.00
- 96th Fl. - 100.00
- 97th Fl. - 100.00
- 98th Fl. - 100.00
- 99th Fl. - 100.00
- 100th Fl. - 100.00

11.5.1

CERTIFICATE OF DEDICATION AND RESTRICTIVE COVENANT

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, NEWTEC, INC., an Oklahoma corporation, being the owner of the following described real estate in Tulsa County, Oklahoma, described as follows:

GULF EXSTATES II, an addition in the E 1/2 of the NW 1/4 of Section 3, T-10-N, R-12-E, to the City of Tulsa, Tulsa County, Oklahoma. (Plat No. 3953, filed September 18, 1970)

hereby certify that it has caused the above described land to be surveyed, staked, platted, and subdivided into lots, blocks, and streets, and has designated the same as **SHANNON GOLF EXHIBIT II**, an addition in One E 1/2 of the W 1/4 of Section 3, T-18-N, R-12-E, to the City of Tulsa, Tulsa County, Oklahoma.

**W.D. WHELAN**, said Addition was processed as Planned Unit Development under 32, pursuant to Section 1300 through 1310 of Title 42, Tulsa Revised Ordinances, of the City of Tulsa, as the same was amended by Ordinance 100, 1951, which amended Section 1300, and the Tulsa Metropolitan Area Planning Commission on March 9, 1951, and approved by the Board of Commissioners of the City of Tulsa on April 26, 1951, including subsequent minor amendments, the undersigned

The undersigned owner further declares to the public Bureau, the easements and rights-of-way as shown and designated on the accompanying plat for the several purposes of constructing, maintaining, repairing, remodeling, and replacing any and all public utilities, including water and sewer, telephone lines, television cables, electric power lines and transformers, and gas lines together with all fittings and equipment for each such facility including the poles, wires, valves, conduits, pipes, meters and any other appurtenances thereto, with the right of ingress and egress to said easements and rights-of-way for the uses and purposes aforesaid, together with the right of ingress and egress to and from the easements and rights-of-way. Provided however, the undersigned owner reserves the right to construct, maintain, operate, lay or re-lay water lines, together with the right of ingress and egress to and from the easements and rights-of-way for the purposes aforesaid, to the area included in said plat, and sewer, sewer and along all right of ingress and egress to and from the easements and rights-of-way for the purposes of furnishing public utility services to the area included in said plat.

The undersigned owner hereby relinquishes any and all right of vehicular ingress and egress from any property lying adjacent to West 61st Street South within the bounds designated as "Limits of Access" as shown on the accompanying plat. This provision may be changed by a favorable recommendation of the City Engineer and the concurring approval of the Tulsa Metropolitan Area Planning Commission.

[illegible]

- [illegible]

\*These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until June 1, 2003, at which time said covenants shall be automatically extended for successive periods of ten (10) years, unless by vote of a majority of the then owners of the lots it is agreed to change said restrictions and covenants in whole or in part, (last applicable to lots 1, 2, & 3 above).

IN WITNESS WHEREOF, BENTZ INC., an Oklahoma corporation has caused this certification of dedication to be executed this 7<sup>th</sup> day of January, 1963.

RENTES INC.

By: Ira D. Cruse, Jr.  
Ira D. Cruse, Jr., President

ATTENTI

STATE OF OKLAHOMA }  
 \_\_\_\_\_  
 Sharon Miller, Secretary

COUNTY OF TULSA } SS

Before me, the undersigned a Notary Public within and for said County and State, on this 14 day of August, 1987, personally appeared IRA D. CHAMBERS, JR., to me known to be the identical person who subscribed the name of the maker thereof to the foregoing instrument as its President, and acknowledged to me that he executed the same as his free and voluntary act and deed on

Given under my hand and seal of office the day and year last above written.

My commission expires: October 7, 1983

Charles A. Palmer  
Notary Public

CERTIFICATE OF SURVEY

We, the undersigned, Registered Professional Engineers and Surveyors, under the laws of the State of Oklahoma hereby certify that we have carefully and accurately surveyed, staked, and plotted the land described above, to wit: blocks and streets and that the accompanying plat, designated as AMENDED OILP ESTATES II, an addition to the City of Tulsa, Tulsa County, Oklahoma is a true and correct representation of the same.

741 11/15/55 10000

JOSEPH W. WICKSTON & SONS

Dated at Tulsa, Oklahoma, this 13 day of June, 1963.

(A member of said firm)

STATE OF OKLAHOMA } ss  
COUNTY OF MUSKOGEE }

Before me, the undersigned a Notary Public within and for said County and State, on this TH day of JUNE, 1983, personally appeared JOHN H. MIDDLETON

to be known to be the identical person who subscribed the name of said partnership as a partner, to the foregoing certificate of partnership, and as the free and voluntary act and deed of such partnership, for the uses and purposes therein set forth.

Given under my hand and seal of office the day and year last above written.

My commission expires: October 2, 1982

13

13

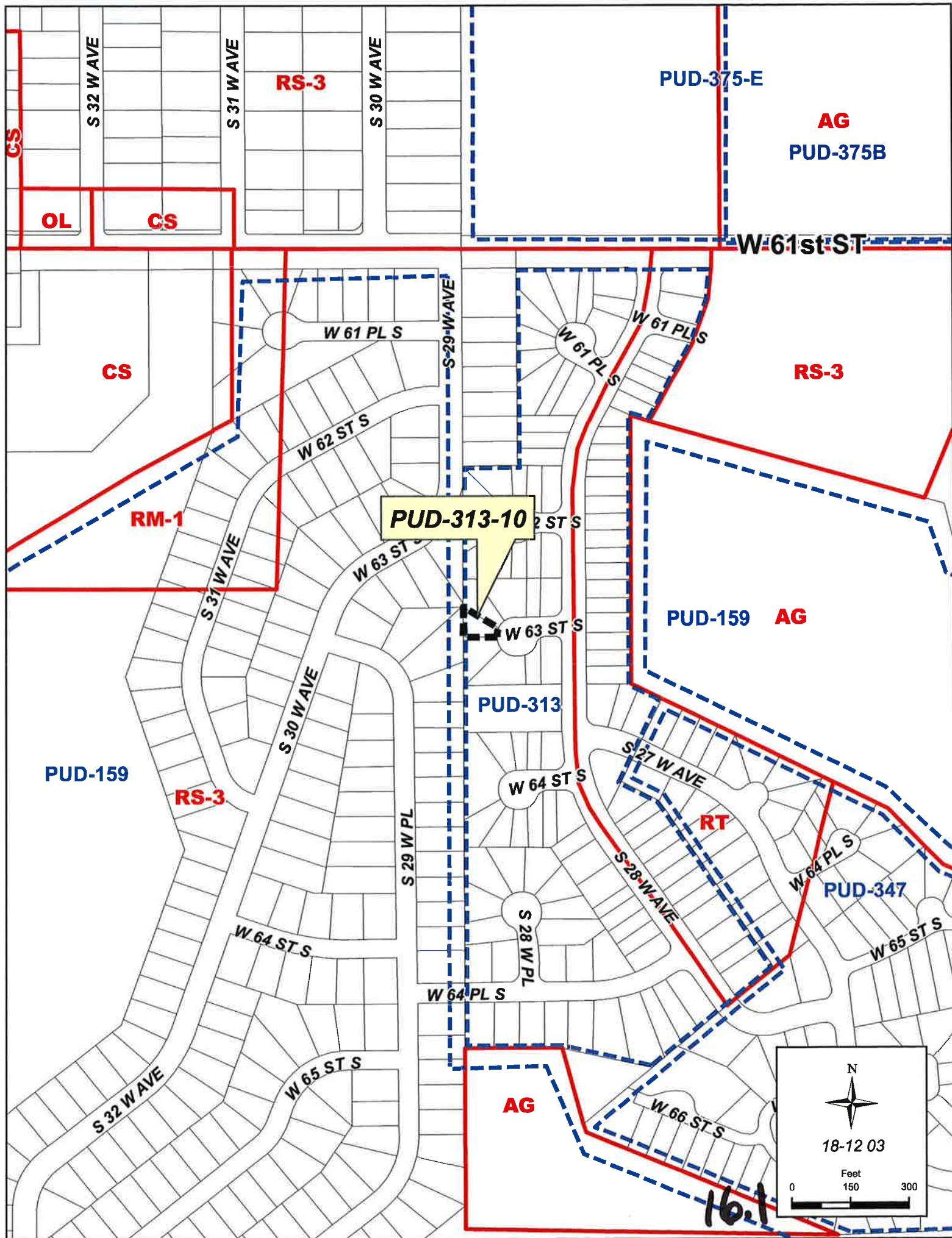
---

---

PLAṬ NŪ.	PAGE
4356	3 OF 3

15.12









PUD-313-10



18-12 03

0 Feet 150 300

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

16.2



February 1, 2012

### STAFF RECOMMENDATION

**PUD-313-10:** Minor Amendment – South of the southwest corner of West 61<sup>st</sup> Street South and South 28<sup>th</sup> Avenue West; Lot 33, Block 5 – Golf Estates II; 2823 West 63<sup>rd</sup> Street South; TRS 18-12-03; CZM 51; Atlas 1013; CD 2; RT/RS-3.

The applicant is requesting a minor amendment to increase the permitted coverage for a driveway in the required front yard of an RS-3/PUD zoned lot per the attached plan. Necessitating the need for the minor amendment is the odd shape of the lot and limited street frontage the parcel has on this cul-de-sac.

Section 1303.D of the Code permits up to 34% coverage of the required front yard for driveways on RS-3 zoned lots. Section 1106 of the Code allows the Planning Commission to modify parking requirements by minor amendment so long as the approved modification is recorded in the subdivision plat. Since the definition of parking area in section 1800 of the Code includes the driveways that lead to required parking spaces, the request qualifies as a parking modification. Should the Planning Commission be inclined to approve the request, the applicant will need to record the modification with the plat by filing an amendment by separate instrument with the County Clerk's office.

Please refer to the attached aerial photograph, site plan, and case photographs. The PUD development standards state if a "double wide" driveway is built a lot permitting two automobiles to be parked side by side, the front setback on the lot may be reduced to 18-feet. Standard double wide driveways are 18-feet wide. Any of the lots on the cul-de-sac that have limited frontage (including the subject tract) that have two-car wide driveways are going to exceed the 34% driveway coverage of the RS-3 district. Please refer to the attached aerial photograph. Using GIS technology staff conducted preliminary calculations of as built conditions which reflect that all the lots on the cul-de-sac excepting one, may exceed the 34% limitation on driveway coverage.

The PUD requires this parcel to have 1,368 square feet (sf) of livability space (open space) on the lot. With the extra coverage by the driveway the lot will meet the requirement having approximately 2,040 sf of livability space.

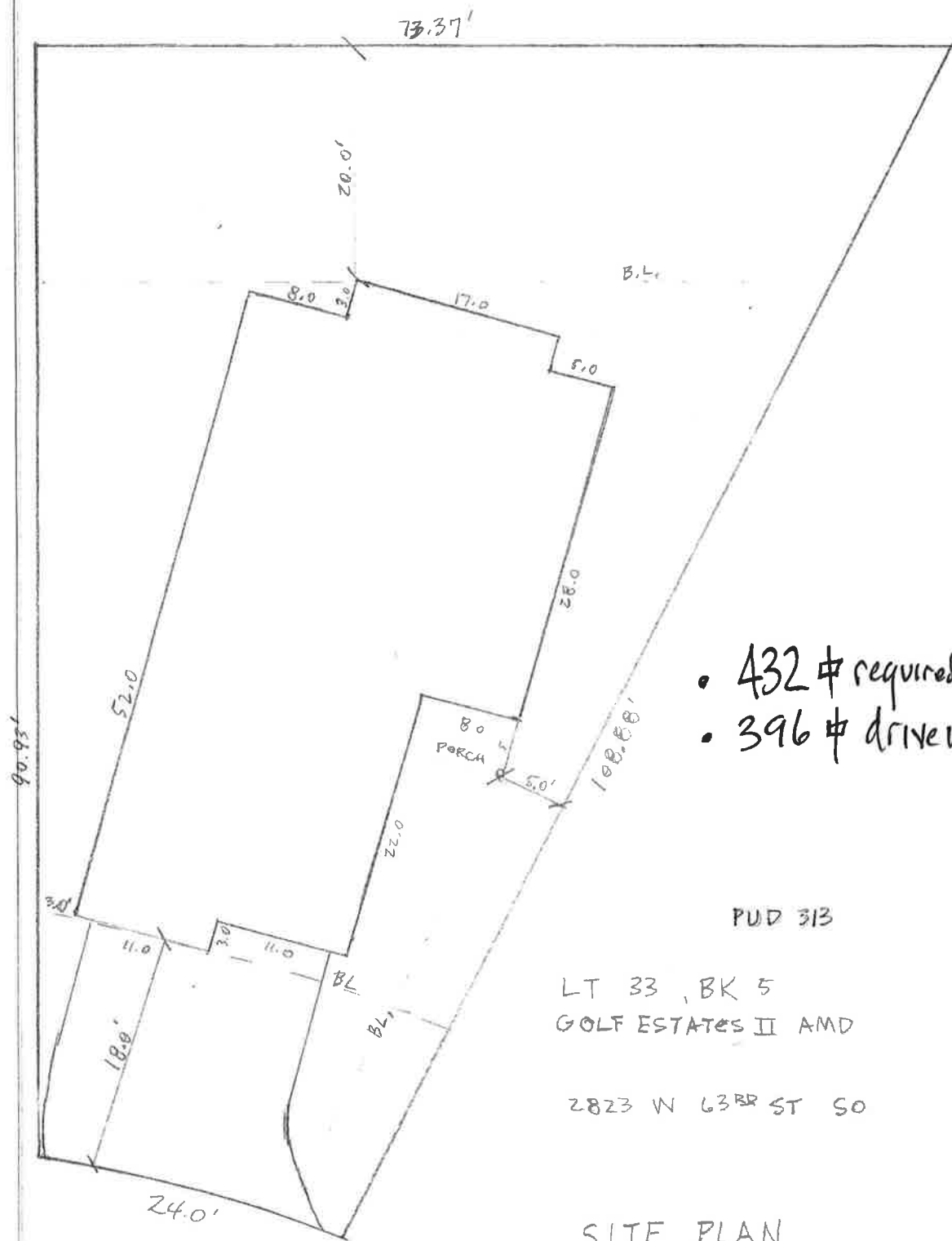
Please refer to the attached FEMA Regulatory Flood Plain Map and plat of the subdivision. The subject tract is not located within a floodplain nor has it been dedicated to stormwater detention. The designated use of the lot is for single-family residential use.

Given the odd shape of the lot and limited street frontage, combined with the livability space requirement being met staff can support the request. Staff contends the increase in driveway coverage will not substantially alter the character of the development, the approved PUD concept plan and is in conformance with the intent of the PUD chapter of the Code. Therefore recommends **APPROVAL** of minor amendment PUD-313-9 per the attached site plan.

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

16.3





- 432 # required front yard
- 396 # driveway

PUD 313

LT 33 , BK 5  
GOLF ESTATES II AMD

2823 W 63RD ST SO

# SITE PLAN

1"=10'

NOTE: 2040 # LIVABILITY SPACE PROVIDED

MIN LIVABILITY SPACE (1,368 SQ.FT. AVERAGE)  
ZERO LOT LINE LOT IN PUD 313

NEW HOUSE		
OWNER: KENNEY RUSSELL		
BUILDER:	DATE	105
THE RUSSELL CO.	11/7/11	

16.4



16.5





Subject property and two neighboring houses.



2811 W. 63rd St. (located on the same cul-de-sac).  
(LOTS 30 + 31)





**2807 W. 63rd St. (located on the same cul-de-sac as the subject property).**



**2803 W. 63rd St. (located on the same cul-de-sac as the subject property).**

**(LOT 28)**

**16.7**



**2802 W. 63rd St. (located on the same cul-de-sac as the subject property).**

*(Lot 39)*







AN ADDITION IN THE E1/2 OF THE NW1/4 OF SECTION 3, T-18-N,  
R-12-E. TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA.

OWNER: RENTIE, INC.  
815 EAST 11<sup>TH</sup> PLACE  
TULSA, OKLAHOMA 74120  
PHONE: (918) 582-5225

DATE: 5-2-83

SCALE: 1" = 50'

200  
100  
50  
0  
0  
25  
50  
75  
100

COLPITT, MOSELEY & NOBLE  
10540 EAST 11<sup>TH</sup> STREET  
TULSA, OKLAHOMA 74133  
PHONE: (918) 437-2300  
ENGINEER

PLANNED UNIT DEVELOPMENT #313

P00-313-B      9, 10, 11  
 Combine 1.03  
 INTO 2 JETS

DATE \_\_\_\_\_ REGISTRATION \_\_\_\_\_

- ①  $\frac{0.22 \times 10^3}{1.2 \times 10^3}$   
A: 20%  
B: 25%  
C: 30%  
D: 35%
- ②  $\frac{0.22 \times 10^3}{1.2 \times 10^3}$   
A: 20%  
B: 25%  
C: 30%  
D: 35%
- ③  $\frac{0.22 \times 10^3}{1.2 \times 10^3}$   
A: 20%  
B: 25%  
C: 30%  
D: 35%
- ④  $\frac{0.22 \times 10^3}{1.2 \times 10^3}$   
A: 20%  
B: 25%  
C: 30%  
D: 35%
- ⑤  $\frac{0.22 \times 10^3}{1.2 \times 10^3}$   
A: 20%  
B: 25%  
C: 30%  
D: 35%
- ⑥  $\frac{0.22 \times 10^3}{1.2 \times 10^3}$   
A: 20%  
B: 25%  
C: 30%  
D: 35%
- ⑦  $\frac{0.22 \times 10^3}{1.2 \times 10^3}$   
A: 20%  
B: 25%  
C: 30%  
D: 35%
- ⑧  $\frac{0.22 \times 10^3}{1.2 \times 10^3}$   
A: 20%  
B: 25%  
C: 30%  
D: 35%
- ⑨  $\frac{0.22 \times 10^3}{1.2 \times 10^3}$   
A: 20%  
B: 25%  
C: 30%  
D: 35%
- ⑩  $\frac{0.22 \times 10^3}{1.2 \times 10^3}$   
A: 20%  
B: 25%  
C: 30%  
D: 35%

**NOTE** Minimum Floor Elevations  
 Lot 17, Block 2 - 705.3  
 Lot 18, Block 2 - 705.3  
 Lot 19, Block 2 - 705.0  
 Lot 20, Block 2 - 705.1

DEAR

APPROVED: DEC 16 1911 for the Board  
of Commissioners of the City of  
Tulsa, Oklahoma  
Attest: Wm. H. H. H. H.  
City Clerk

[illegible][illegible]

16.10

[illegible]

▲ NOTE: Minimum Floor Elevations

16.11

KNOW ALL MEN BY THESE PRESENTS:

AMENDED GOLF ESTATES II  
CERTIFICATE OF DEDICATION AND RESTRICTIVE COVENANTS

WHEREAS, WENTZ, INC., an Oklahoma corporation, being the owner of the following described real estate in Tulsa County, Oklahoma, described as follows:

GOLF ESTATES II, an addition in the E 1/2 of the NW 1/4 of Section 3, T-18-N, R-12-E, to the City of Tulsa, Tulsa County, Oklahoma. (First No. 95, filed September 15, 1979)

hereby certifies that it has caused the above described land to be surveyed, staked, platted, and subdivided into lots, blocks, and streets, and has designated the same as AMENDED GOLF ESTATES II, an addition in the E 1/2 of the NW 1/4 of Section 3, T-18-N, R-12-E, to the City of Tulsa, Tulsa County, Oklahoma.

AND WHEREAS, said addition was processed as Planned Unit Development Number 11, pursuant to Section 1100 through 1170 of Title 42, Tulsa Revised Ordinances, of the City of Tulsa, as the same relates on April 26, 1983, which Planned Unit Development Number 11 was approved by the Tulsa Metropolitan Area Planning Commission on March 1983, and approved by the Board of Commissioners of the City of Tulsa on April 26, 1983, including subsequent minor amendments, the undersigned owner hereby dedicates all the streets shown upon said plat to the public use and for public streets forever.

The undersigned owner further dedicates to the public forever, the easements and rights-of-way as shown and designated on the accompanying plat for the several purposes of constructing, maintaining, operating, repairing, renewing, and replacing any and all public utilities, including above and below ground electric, gas, telephone, cable, sewer, water, and storm sewer lines and conduits, and gas lines together with all fittings and equipment for each of such facilities located within the public streets, alleys, easements, and rights-of-way shown on said plat, together with the right of ingress and egress right to construct, maintain, operate, lay or re-lay water lines, together with the right of ingress and egress for such construction, maintenance, operation, laying and re-laying over, across and along all of the public streets shown on said plat, and over, across and along all strips of land included within the easements shown thereon, for the purpose of furnishing public utility services to the area included in said plat.

The undersigned owner hereby relinquishes any and all right of vehicular ingress and egress from any property lying adjacent to West First Street South within the bounds designated as "Islands of Communion" as shown on the accompanying plat. This provision may be changed by a favorable recommendation of the City Engineer and the concurring approval of the Tulsa Metropolitan Area Planning Commission.

Areas designated on the accompanying plat as "Islands of Communion" and "Islands of Communion" are hereby established by grant of the owner as open areas, and areas for the purpose of permitting the flow, stoppage, and discharge of storm water runoff from the various lots within this subdivision and from properties outside this subdivision. Drainage facilities constructed in said areas shall be in accordance with the standards prescribed by the City of Tulsa, and plans and specifications approved by the City Engineer of the City of Tulsa. Said areas shall be maintained in accordance with standards prescribed by the City of Tulsa or by a designated contractor who may enter upon said areas, perform said maintenance, and the cost of performing said maintenance shall be paid by said owner. In the event said owner fails to pay the cost of said maintenance within thirty (30) days after expiration of said maintenance, said cost shall be a lien against all lots in said addition, which may be enforced on alteration of the grade or surface in said areas without the approval of said City Engineer. Said areas or any part thereof may be terminated, released, and annexed upon a resolution being adopted by the Tulsa Board of Commissioners providing same.

1. In connection with the installation of underground electric service and telephone service, all of the lots are subject to the following provisions, to-wit:

(a) Overhead pole lines for the supply of electric service or telephone service may be located to the easement-ways along the boundary of said addition. Street light poles or standards may be located in said easement-ways.

(b) Except to houses on lots served by lines described in paragraph (a) above, which may be served from overhead electric service or telephone service lines, underground service cables to all houses which may be located on lots in said addition may be run from the nearest service pole or transformer to the point of usage determined by the location and construction of such lines as may be located upon said lots; provided, that upon the installation of such a service cable to a particular house the supplier of electric service or telephone service shall thereafter be deemed to have a definitive, permanent, effective and exclusive right-of-way easement on said lot, serving a five-foot strip extending 5 feet on each side of such service cable, extending from the service pole or transformer to the service entrance on said lots.

(c) The supplier of electric service or telephone service through its proper agents and employees shall at all times have right of access to all such easement-ways shown on said plat, or provided for in this deed of dedication for the purpose of installing, maintaining, renewing or replacing any portion of said underground electric or telephone facilities as installed by it.

(d) The owner of each lot shall be responsible for the protection of the underground electric facilities or telephone facilities located on his property and shall prevent the alteration of grade or any construction activity which may interfere with said electric or telephone facilities. Repairs or cost of relocation, required by violation of this covenant, shall be paid for by the owner of the lot.

(e) The foregoing covenants shall be enforceable by the supplier of electric service and/or telephone service and the owner of each lot agrees to be bound hereby.

2. In connection with the provisions of water and sanitary sewer service all of the lots are subject to the following provisions, to-wit:

(a) The owner of each lot shall be responsible for the protection of the public water mains and of the public sanitary sewer facilities located on his lot and shall prevent the alteration of grade in excess of three (3) feet from the original surface or any construction activity which may interfere with said public water mains and/or public sanitary sewer facilities. Said alteration of grade shall be limited to easement areas.

(b) The City of Tulsa or its successors will be responsible for ordinary maintenance of public water mains and public sanitary sewer facilities, but the owner will pay for damage or relocation of such facilities caused or necessitated by acts of the owner or his agents or contractors.

(c) The City of Tulsa or its successors through its proper agents and employees shall at all times have right of access to their equipment to all such easement-ways on said plat, or provided for in this deed of dedication for the purpose of installing, maintaining, renewing or replacing any portion of said underground electric or telephone facilities as installed by it.

(d) The foregoing covenants concerning water and sewer facilities shall be enforceable by the City of Tulsa or its successors, and the owner of each lot agrees to be bound hereby.

3. In connection with the provisions of gas service, all of the lots are subject to the following provisions, to-wit:

(a) The owner of each lot or lot shall be responsible for the protection of natural gas mains and services located on his lot and shall prevent the alteration of grade or any construction activity which may interfere with said gas mains and services.

(b) The City of Tulsa or its successors through its proper agents and employees shall at all times have right of access to their equipment to all such easement-ways on said plat, or provided for in this deed of dedication for the purpose of installing, maintaining, renewing or replacing any portion of said underground electric or telephone facilities as installed by it.

(c) The foregoing covenants concerning water and sewer facilities shall be enforceable by the City of Tulsa or its successors, and the owner of each lot agrees to be bound hereby.

4. All lots in this addition, except lot 10, Block 5, shall be known and described as residential lots, and shall be used for residential purposes only and shall be maintained by the AMENDED GOLF ESTATES II Homeowners Association.

5. Residences on lots 1 thru 5, Block 1; and lots 6 thru 10, Block 1; shall not be located nearer to the front lot line or nearer to the side street lot line than the minimum building setback shown on the recorded plat. In any event, no residence shall be located nearer than five (5) feet to any side lot or property line. No structure shall be erected, altered, placed or permitted to remain on any residential lot other than a single family dwelling, at least one story in height with not less than a two-car garage or carport. This addition shall be restricted to no more than 120 dwelling units. Lot 10, Block 5, shall be used for recreational purposes only and shall be maintained by the AMENDED GOLF ESTATES II Homeowners Association.

6. Residences on all lots in Block 1; all lots in Block 3; all lots in Block 4; lots 1 thru 10, Block 4; lots 1 thru 10, Block 5; and lots 1 thru 10, Block 6; shall not be located nearer to the front lot line or nearer to the side street lot line than the minimum building setback shown on the recorded plat. In any event, no residence shall be located nearer than five (5) feet to any side lot or property line. No structure shall be erected, altered, placed or permitted to remain on any residential lot other than a single family dwelling, at least one story in height with not less than a two-car garage or carport. This addition shall be restricted to no more than 120 dwelling units. Lot 10, Block 5, shall be used for recreational purposes only and shall be maintained by the AMENDED GOLF ESTATES II Homeowners Association.

7. On the lots in this addition where a new front side yard is permitted and residences already have been or will be constructed immediately adjacent to or upon the property line which lies between two lots (such a residence hereinafter called "zero lot line residence"), such lot shall be subject to an easement in favor of any adjacent lot on which a zero lot line residence has been or shall be constructed for the purpose of maintaining such a zero lot line residence, including, but not limited to, performing any installation, repairing, renewing or replacing any portion of said underground electric or telephone facilities as installed by it.

8. All single family residences must provide off street parking for at least two automobiles behind front property lines.

9. No structure which exceeds two stories in height shall be placed, erected, altered or permitted to remain on any building lot.

10. No dwelling unit on any lot shall be constructed with less than 1,200 square feet in area including the garage. In the event of a dwelling unit having more than one story, then there shall be a minimum of 1,000 square feet on the first floor, including the garage. No maximum or offensive activity shall be carried on upon any lot, nor shall anything be done thereon which may be or may become an annoyance to the neighborhood.

11. No trailer, basement, tent, shack, garage, barn or other outbuildings erected in this addition shall at any time be used as a residence, either temporarily or permanently, nor shall any structure of a temporary nature or character be used as a residence.

12. No animals, including fowl, shall be raised, bred or kept on any lot at any time. Except not more than two of any common household pet (which are not used, bred or maintained for any commercial purpose) may be kept. All household pets must be kept in the residential house, fenced or tied up.

13. No more than one structure shall be erected on any single family lot as now platted.

14. No structure previously erected or used shall be moved onto any lot.

15. No fence, whether ornamental or otherwise, shall be erected nearer to the front lot line than the building line shown on the plat. No fence shall be erected or maintained at any point on any lot in excess of six (6) feet in height. No fence shall be erected immediately adjacent to any dwelling unit constructed on any property line. Any fence paid must have a gate to provide access to the back and rear of the lot.

16. No antennas for television, radio, or any other wireless device shall be located on the exterior of any residence.

17. No advertisement sign or structure shall be erected, placed or maintained on any lot except one sign of not more than five (5) feet square advertising the property for sale or rent, and signs erected by the developer or builder to advertise during the construction and sales period. Such signs must be on private property and not on the street right-of-way.

18. Except as expressly provided, no lot or parcel shall be used as a parking, display or storage area for any type of motor vehicle, boat, trailer, camper or motor-driven cycle for the purpose of performing any activity thereon, except as may be permitted by the City of Tulsa or its successors, including, but not limited to, performing any installation, repairing, renewing or replacing any portion of said underground electric or telephone facilities as installed by it.

19. The undersigned owner further dedicates to the public forever, the easements and rights-of-way as shown and designated on the accompanying plat for the several purposes of constructing, maintaining, operating, repairing, renewing, and replacing any and all public utilities, including above and below ground electric, gas, telephone, cable, sewer, water, and storm sewer lines and conduits, and gas lines together with all fittings and equipment for each of such facilities located within the public streets, alleys, easements, and rights-of-way shown on said plat, together with the right of ingress and egress right to construct, maintain, operate, lay or re-lay water lines, together with the right of ingress and egress for such construction, maintenance, operation, laying and re-laying over, across and along all of the public streets shown on said plat, and over, across and along all strips of land included within the easements shown thereon, for the purpose of furnishing public utility services to the area included in said plat.

20. The undersigned owner hereby dedicates to the public forever, the easements and rights-of-way as shown and designated on the accompanying plat for the several purposes of constructing, maintaining, operating, repairing, renewing, and replacing any and all public utilities, including above and below ground electric, gas, telephone, cable, sewer, water, and storm sewer lines and conduits, and gas lines together with all fittings and equipment for each of such facilities located within the public streets, alleys, easements, and rights-of-way shown on said plat, together with the right of ingress and egress right to construct, maintain, operate, lay or re-lay water lines, together with the right of ingress and egress for such construction, maintenance, operation, laying and re-laying over, across and along all of the public streets shown on said plat, and over, across and along all strips of land included within the easements shown thereon, for the purpose of furnishing public utility services to the area included in said plat.

21. The undersigned owner hereby dedicates to the public forever, the easements and rights-of-way as shown and designated on the accompanying plat for the several purposes of constructing, maintaining, operating, repairing, renewing, and replacing any and all public utilities, including above and below ground electric, gas, telephone, cable, sewer, water, and storm sewer lines and conduits, and gas lines together with all fittings and equipment for each of such facilities located within the public streets, alleys, easements, and rights-of-way shown on said plat, together with the right of ingress and egress right to construct, maintain, operate, lay or re-lay water lines, together with the right of ingress and egress for such construction, maintenance, operation, laying and re-laying over, across and along all of the public streets shown on said plat, and over, across and along all strips of land included within the easements shown thereon, for the purpose of furnishing public utility services to the area included in said plat.

22. These covenants are to run with the land and shall be binding on all parties and all persons claiming under them until June 1, 2003, at which time said covenants shall be automatically extended for successive periods of ten (10) years, unless by vote of a majority of the then owners of the lots it is agreed to change said restrictions and covenants in whole or in part, (not applicable to Items 1, 2, and 3 above).

Notwithstanding of any one of these covenants by judgment or court order shall in no wise affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, WENTZ, INC., an Oklahoma corporation has caused this certification of dedication to be executed this 7th day of June, 1983.

By: \_\_\_\_\_  
Vice President

By: \_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Treasurer

By: \_\_\_\_\_  
Attorney

By: \_\_\_\_\_  
Notary Public

By: \_\_\_\_\_  
Notary Public

By: \_\_\_\_\_  
Notary Public

By: \_\_\_\_\_  
Notary Public

By: \_\_\_\_\_  
Notary Public

PLAT NO.  
4356  
PAGE  
3 OF 3

16.12