

TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2623

April 4, 2012, 1:30 PM

**175 East 2nd Street, 2nd 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:

1. Minutes of March 7, 2012, Meeting No. 2621
2. Minutes of March 21, 2012, Meeting No. 2622

CONSENT AGENDA:

All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.

3. **LC-392** (Lot-Combo) (CD-9), Location: North of West 5th Street South and West of South 33rd West Avenue (Related to LS-20498)
4. **LS-20498** (Lot-Split) (CD-9), Location: North of West 5th Street South and West of South 33rd West Avenue (Related to LC-392)
5. **LS-20500** (Lot-Split) (CD-1), Location: North of East Pine Street South and West of North Mingo Road
6. **Amendment of Deed of Dedication** – Olympia Medical Park, Olympia Medical Park II, Location: Northeast corner of Highway 75 and West 71st Street South (8202) (CD 2)
7. **Vacation of Plat** – Arrowhead Ridge, Location: Northeast corner of East 91st Street South and South Highway 169 (8418) (CD 7)

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

FORM-BASED CODE REGULATING PLAN PUBLIC HEARING:

8. **Public Hearing to consider adopting a Form-Based Code Regulating Plan for the Pearl District within the City of Tulsa, Oklahoma.**

PUBLIC HEARINGS:

9. **LS-20499** (Lot-Split) (County), Location: West of North Garnett Road and South of East 126th Street North (Withdrawn)
10. **Plaza 41 Neighborhood Center** – Preliminary Plat, Location: Northwest corner of West 41st Street and South 57th West Avenue (CD 2)
11. **41st Street Retail** – Minor Subdivision Plat, South of 41st Street, West of South Sheridan Road (CD 5)
12. **PUD-397-B-1 – Andrew A. Shank/61 MM, LTD**, Location: Southwest corner of East 61st Street and South 91st East Avenue, Requesting a **Minor Amendment**, to allow an electronic message center in a PUD designated for office use, (CD-7) (Continued from 12/21/2011, 1/18/2012, 02/01/2012 and 2/15/12)
13. **Z-7203 – Tulsa Airport Improvement Trust**, Location: East and south of southeast corner of North Mingo Road and East 46th Street North, Requesting rezoning from **AG/RMH TO IM**, (CD-3)
14. **Z-7196 – Tulsa Airport Improvement Trust**, Location: Northwest corner Highway 169 and 36th Street North, Requesting rezoning from **AG TO IM**, (CD-3)
15. **Z-7197 – Tulsa Airport Improvement Trust**, Location: Southeast corner North Mingo Road and 46th Street North, Requesting rezoning from **RS-3 TO IM**, (CD-3)
16. **CZ-412 – Jason Page**, Location: Southwest corner of Southwest Boulevard and South 63rd West Avenue, Requesting rezoning from **RS/CG TO CG**, (County)
17. **Z-7199 – Sisemore, Weisz & Associates**, Location: East of northeast corner of North Mingo Road and East Pine Street North, Requesting rezoning from **CS TO IL**, (CD-6)
18. **Z-7201 – Crafton Tull/Jason Mohler**, Location: Southwest corner of East 41st Street and I-44, Requesting rezoning from **RS-2/CS TO CS**, (CD-5)
19. **Z-7190 – Sajid S. Salimi**, Location: South of southwest corner of South 33rd West Avenue and West Skelly Drive, Requesting rezoning from **RS-3 to CS**, (CD-2) (Continued from 1/4/12) (Related to Z-7200 and PUD-791)

20. **Z-7200 – Sisemore, Weisz & Associates**, Location: Southwest corner of West Skelly Drive and South 33rd West Avenue, Requesting rezoning from **PK TO CS**, (CD-2) (Related to Z-7190 and PUD-791)
21. **PUD-791 – Sisemore, Weisz & Associates**, Location: Southwest corner of West Skelly Drive and South 33rd West Avenue, Requesting **PUD**, to permit 4,000 square feet of retail/office space to be added south of existing convenience store, (CD-2) (Related to Z-7190 and Z-7200)
22. **Z-7202 – Tanner Consulting/KJRH Channel 2**, Location: East of northeast corner South Peoria Avenue and East 37th Place, Requesting rezoning from **RS-3 TO PK**, (CD-9) (Related to PUD-789-A)
23. **PUD-789-A – Tanner Consulting/KJRH Channel 2**, Location: East of South Peoria Avenue, between East 37th Street and East 37th Place, Requesting a **Major Amendment , RS-3/PK/PUD-789 TO PK/PUD-789-A**, to allow a parking lot expansion, (CD-9) (Related to Z-7202)

OTHER BUSINESS

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

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.

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ROY D. JOHNSEN
JANINE H. VANVALKENBURGH

March 19, 2012

Diane Fernandez
Senior Planner/Subdivision Administrator
INCOG
2 West 2nd Street, Suite 800
Tulsa, OK 74103

Hand Delivered

Re: Amendment of the Deed of Dedication - Olympia Medical Park
Amendment of the Deed of Dedication - Olympia Medical Park II

Dear Diane:

Enclosed are the Amendment of the Deed of Dedication for Olympia Medical Park and the Amendment of the Deed of Dedication for Olympia Medical Park II, executed by the requisite ownership and submitted for approval of the Planning Commission.

As you are aware, there have been a number of amendments to the Olympia Medical Park PUD (No. 648) and Corridor District Site Plan (No. Z-6001-SP-1) subsequent to the recording of the two plats. The enclosed documents are drafted to establish the amendments of record. The Deed of Dedication accompanying the Plat of Olympia Medical Park, at Subsection 5.5, and the Deed of Dedication accompanying the Plat of Olympia Medical Park II, at Section V., Paragraph C, provide for approval of amendments thereto by the Planning Commission.

Could you please place the enclosed Amendments on the next available Planning Commission agenda for the Commission's consideration? Thank you so much.

Very truly yours,



Janine H. VanValkenburgh

JHV:lm
enc

**AMENDMENT OF THE DEED OF DEDICATION
OF
OLYMPIA MEDICAL PARK**

This Amendment of the Deed of Dedication of Olympia Medical Park is dated this 28
day of February, 2012.

RECITALS

- A. The Plat and accompanying Deed of Dedication for Olympia Medical Park, an Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat (No. 5567) thereof ("Olympia Medical Park") was filed in the records of the Clerk of Tulsa County, Oklahoma on October 2, 2001.
- B. Olympia Medical Park is located within a Corridor District as established by Sections 800.-805 of Title 42, Tulsa Revised Ordinances (the "Tulsa Zoning Code"), and was submitted as a part of a planned unit development as provided within Sections 1100-1107 of the Tulsa Zoning Code (designated as "PUD 648") and was submitted as a part of Corridor District Site Plan Z-6001-SP-1.
- C. PUD 648 and Corridor District Site Plan Z-6001-SP-1 were affirmatively recommended by the Tulsa Metropolitan Area Planning Commission on April 18, 2001 and approved by the Council of the City of Tulsa on May 17, 2001, the implementing Ordinance No. 20134 being adopted on May 24, 2001, and published on June 6, 2001.
- D. The Plat and accompanying Deed of Dedication of Olympia Medical Park (the "Deed of Dedication") were prepared in accordance with, and incorporated, the provisions of PUD 648 and Corridor District Site Plan Z-6001-SP-1.
- E. Subsequent to the recording of the Plat and Deed of Dedication of Olympia Medical Park, several major and minor amendments to PUD 648 and Corridor District Site Plan Z-6001-SP-1 were approved by the Tulsa Metropolitan Area Planning Commission (in the case of minor amendments) and by the Council of the City of Tulsa (in the case of major amendments), and the undersigned desire to amend the Deed of Dedication to incorporate the provisions of the approved major and minor amendments.
- F. The Deed of Dedication, at Section 3. Emergency Access Easement, refers to an emergency access easement depicted on the Plat of Olympia Medical Park, the terms of which were to be established by a subsequent document. The undersigned desire to amend the Deed of Dedication to include the identification of the document establishing the terms of the Emergency Access Easement and to clarify the terms of the easement.

- G. Subsection 5.5 of the Deed of Dedication entitled "Amendment" provides that the covenants contained in the Deed of Dedication may be amended or terminated at any time by a written instrument signed and acknowledged by the owners of the lot or parcel to which the amendment is to be applicable and by the Tulsa Metropolitan Area Planning Commission and that the provisions of any amendment shall be effective upon recording.
- H. The undersigned comprise the owners of all of the land within Olympia Medical Park, less and except the south 36.56 feet of the east 78 feet of Reserve D, Olympia Medical Park, and are all the owners of land to which this amendment is to be applicable.

THEREFORE, in consideration of the above and for other good and valuable consideration, the undersigned amend the Deed of Dedication accompanying the Plat of Olympia Medical Park as follows:

Section 2. Planned Unit Development and Corridor Site Plan Restrictions is terminated and the following is substituted therefor:

Section 2. Planned Unit Development and Corridor Site Plan Restrictions

Whereas, Olympia Medical Park is located within a Corridor District as established by Sections 800-805 of Title 42, Tulsa Revised Ordinances (hereinafter the "Tulsa Zoning Code"), and was submitted as a part of a planned unit development (designated as Planned Unit Development 648 and hereinafter referred to as "PUD 648" or as the "Planned Unit Development"), as provided within Sections 1100-1107 of the Tulsa Zoning Code and was submitted as a part of a Corridor District Site Plan (designated as Z-6001-SP-1), and

Whereas, PUD 648 and Corridor District Site Plan Z-6001-SP-1 were affirmatively recommended by the Tulsa Metropolitan Area Planning Commission on April 18, 2001 and approved by the Council of the City of Tulsa on May 17, 2001, the implementing Ordinance No. 20134 being adopted on May 24, 2001, and published on June 6, 2001, and

Whereas, a minor amendment to PUD 648 (designated as PUD 648-1) increasing permitted wall signage for the building within Lot 3, Block 2 (Development Area A) was approved by the Tulsa Metropolitan Area Planning Commission on December 4, 2002.

Whereas, a minor amendment to PUD 648 (designated as PUD 648-4) increasing permitted floor area within Lot 3, Block 2 (Development Area A) was approved by the Tulsa Metropolitan Area Planning Commission on April 18, 2007.

Whereas, a major amendment to PUD 648 (designated as PUD 648-A) and to Corridor District Site Plan Z-6001-SP-1 (designated as Corridor District Site Plan Z-6001-SP-2), modifying permitted floor area and height limitations and establishing an allocation of permitted floor area, was

affirmatively recommended by the Tulsa Metropolitan Area Planning Commission on May 23, 2007 and approved by the Council of the City of Tulsa on June 7, 2007, the implementing Ordinance No. 21563 being adopted on June 14, 2007, and published on June 28, 2007.

Whereas, a minor amendment to PUD 648-A (designated as PUD 648-A-1) modifying permitted floor area in Lot 3, Block 2 (Development Area A) was approved by the Tulsa Metropolitan Area Planning Commission on May 7, 2008.

Whereas, a major amendment to PUD 648 (designated as PUD 648-B) and to Corridor District Site Plan Z-6001-SP-1 (designated as Corridor District Site Plan Z-6001-SP-3) providing for commercial uses within two tracts previously reserved for stormwater detention and establishing an allocation of permitted floor area, was affirmatively recommended by the Tulsa Metropolitan Area Planning Commission on August 5, 2009 and approved by the Council of the City of Tulsa on August 27, 2009, the implementing Ordinance No. 22118 being adopted on September 3, 2009, and published on September 17, 2009, and Ordinance No. 22229, correcting an error in Ordinance No. 22118, being adopted on April 15, 2010 and published on April 28, 2010.

Whereas, a major amendment to PUD 648 (designated as PUD 648-C) abandoning the PUD as to the south 36.56 feet of the east 78 feet of Reserve D, Olympia Medical Park, and the east 78 feet of Lot 1, Block 2, Olympia Medical Park II, an Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded Plat (No. 6070) thereof, was affirmatively recommended by the Tulsa Metropolitan Area Planning Commission on August 3, 2011, and approved by the Council of the City of Tulsa on August 25, 2011, the implementing Ordinance No. 22513 being adopted on September 1, 2011, and published on September 21, 2011.

Whereas, a minor amendment to PUD 648-B (designated as PUD 648-B-1) to reflect the change in land area for Lot 1, Block 2, Olympia Medical Park II and for Reserve D, Olympia Medical Park resulting from the abandonment of the PUD as to the east 78 feet of Lot 1, Block 2 and the south 36.56 feet of the east 78 feet of Reserve D, was approved by the Tulsa Metropolitan Area Planning Commission on November 2, 2011, and

Whereas, the Planned Unit Development provisions of the Tulsa Zoning Code require the establishment of covenants of record inuring to and enforceable by the City of Tulsa, Oklahoma sufficient to assure the implementation and continued compliance with the approved Planned Unit Development, and

Whereas, the undersigned desire to establish restrictions for the purpose of providing for an orderly development and to insure adequate restrictions for the mutual benefit of the undersigned, their respective successors and assigns, and the City of Tulsa, Oklahoma.

Therefore, the undersigned hereby impose the following restrictions and covenants which shall be covenants running with the land and shall be binding upon the undersigned, their respective successors and assigns, and shall be enforceable as hereinafter set forth.

A. Use of Land

The development of Olympia Medical Park shall be subject to the Planned Unit Development provisions and the Corridor District provisions of the Tulsa Zoning Code as such provisions existed on September 21, 2011.

B. Development Standards – Lot 3, Block 2 (Development Area A)

1. Permitted Uses

The use of Lot 3, Block 2 shall be limited to the uses included within Use Unit 11. Offices, Studios and Support Services as set forth in Section 1211 of the Tulsa Zoning Code; Hospitals, as provided within Use Unit 5. Community Services and Similar Uses as set forth in Section 1205 of the Tulsa Zoning Code; and uses customary and accessory thereto.

2. Maximum Building Floor Area

The aggregate floor area of buildings shall not exceed 133,733 sq.ft.

3. Maximum Permitted Land Coverage By Buildings

The area of the Lot that is covered by a building or buildings, except structural parking, shall not exceed 30% of the land area of the Lot.

4. Maximum Building Height

Buildings shall be limited to 26 feet in height.

5. Minimum Building and Parking Setbacks

- a. The minimum building setback from the centerline of South Olympia Avenue shall be 65 feet.
- b. The minimum building setback from the east boundary of Lot 3, Block 2 shall be 77.5 feet.
- c. The minimum building setback from all other boundaries of Lot 3, Block 2 shall be 10 feet.
- d. The minimum parking setback from the east boundary of Lot 3, Block 2 shall be 75 feet.

6. Minimum Landscaped Area and Screening

A minimum of 15% of the net lot area shall be landscaped, and screening along the east boundary of Lot 3, Block 2 shall be determined by the Tulsa Metropolitan Area Planning Commission at the time of Detail Site Plan Review.

C. Development Standards – Reserve A (Development Area A)

1. Permitted Uses

The use of Reserve A shall be limited to the uses included within Use Unit 11. Offices, Studios and Support Services as set forth in Section 1211 of the Tulsa Zoning Code, including financial institutions with drive-through facilities; Hospitals, as provided within Use Unit 5. Community Services and Similar Uses as set forth in Section 1205 of the Tulsa Zoning Code; Hotels and Motels as provided within Use Unit 19. Hotel, Motel and Recreation Facilities as set forth in Section 1219 of the Tulsa Zoning Code; uses included within Use Unit 12. Eating Establishments Other Than Drive-Ins, as set forth in Section 1212 of the Tulsa Zoning Code, including restaurants with accessory bar; uses included within Use Unit 13. Convenience Goods and Services as set forth in Section 1213 of the Tulsa Zoning Code; and uses customary and accessory thereto.

2. Maximum Building Floor Area

The aggregate floor area of buildings shall not exceed 20,000 sq.ft.

3. Maximum Permitted Land Coverage By Buildings

The area of Reserve A that is covered by a building or buildings, except structural parking, shall not exceed 30% of the land area of Reserve A.

4. Maximum Building Height

Buildings shall be limited to 65 feet in height.

5. Minimum Building Setbacks

- a. The minimum building setback from the south boundary of Reserve A shall be 50 feet.
- b. The minimum building setback from the centerline of South Olympia Avenue shall be 65 feet.

- c. The minimum building setback from all other boundaries of Reserve A shall be 10 feet.

.6. Minimum Landscaped Area and Screening

A minimum of 10% of the net lot area shall be landscaped.

D. Development Standards – Reserve D, less and except the south 36.56 feet of the east 78 feet thereof (Development Area A)

1. Permitted Uses

The use of Reserve D, less and except the south 36.56 feet of the east 78 feet thereof, shall be limited to the uses included within Use Unit 11. Offices, Studios and Support Services as set forth in Section 1211 of the Tulsa Zoning Code, including financial institutions with drive-through facilities; Hospitals, as provided within Use Unit 5. Community Services and Similar Uses as set forth in Section 1205 of the Tulsa Zoning Code; Hotels and Motels as provided within Use Unit 19. Hotel, Motel and Recreation Facilities as set forth in Section 1219 of the Tulsa Zoning Code; uses included within Use Unit 12. Eating Establishments Other Than Drive-Ins, as set forth in Section 1212 of the Tulsa Zoning Code, including restaurants with accessory bar; uses included within Use Unit 13. Convenience Goods and Services as set forth in Section 1213 of the Tulsa Zoning Code; and uses customary and accessory thereto.

2. Maximum Building Floor Area

The aggregate floor area of buildings shall not exceed 20,000 sq.ft.

3. Maximum Permitted Land Coverage By Buildings

The area of Reserve D, less and except the south 36.56 feet of the east 78 feet thereof, that is covered by a building or buildings, except structural parking, shall not exceed 30% of the land area of Reserve D, less and except the south 36.56 feet of the east 78 feet thereof.

4. Maximum Building Height

Buildings shall be limited to 65 feet in height.

5. Minimum Building and Parking Setbacks

- a. The minimum building setback from the centerline of South Olympia Avenue shall be 65 feet.

- b. The minimum building setback from the east boundary of the remaining portion of Reserve D located within PUD 648 and amendments thereto shall be determined in accordance with an approved minor amendment and detail site plan review.
- c. The minimum building setback from all other boundaries of the remaining portion of Reserve D located within PUD 648 and amendments thereto shall be 10 feet.
- d. The minimum parking setback from the east boundary of the remaining portion of Reserve D located within PUD 648 and amendments thereto shall be determined in accordance with an approved minor amendment and detail site plan review.

6. Minimum Landscaped Area and Screening

A minimum of 10% of the net lot area shall be landscaped.

E. General Development Standards Applicable to Lot 3, Block 2, Reserve A, and Reserve D less and except the south 36.56 feet of the east 78 feet thereof.

1. Other Bulk and Area Requirements

Except as herein modified, the development and use of Lot 3, Block 2, Reserve A, and Reserve D less and except the south 36.56 feet of the east 78 feet thereof, shall be subject to the bulk and area requirements of a Corridor District.

2. Minimum Off-Street Parking

Off-street parking shall be provided as required for the applicable use unit as set forth within the Tulsa Zoning Code.

3. Signs

Signs shall be limited as follows:

- a. Wall signs shall not exceed an aggregate display surface area of one square foot per each lineal foot of building wall to which attached. No wall signs shall be permitted on the east-facing walls of buildings within Lot 3, block 2 or Reserve D less and except the south 36.56 feet of the east 78 feet thereof. Notwithstanding the foregoing, the display surface area of the sign on the west elevation of the canopy of the building within Lot 3, Block 2, shall not exceed 1.266 square feet per lineal foot of the canopy.

b. Ground signs shall be limited to:

- 1) one ground sign located along South Olympia Avenue frontage, not exceeding 125 square feet of display surface area and not exceeding 25 feet in height.
- 2) one ground sign located along the West 71st Street South frontage in Reserve A, not exceeding 225 square feet of display surface area and not exceeding 25 feet in height.

4. Lighting

Exterior light standards shall not exceed 25 feet in height, provided however that exterior light standards within 150 feet of the east boundary of Lot 3, Block 2 shall not exceed 12 feet in height. Notwithstanding the foregoing, no light standards shall be permitted within the east 70 feet of Lot 3, Block 2. Within the remaining portion of Reserve D located within PUD 648 and amendments thereto, the height and setback of light standards shall be determined in accordance with an approved minor amendment and detail site plan review. All exterior light standards shall be hooded and directed downward and away from the boundaries of the Planned Unit Development. Shielding of outdoor lighting shall be designed to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in adjacent residential areas. Compliance with these standards shall be verified by application of the "Kennebunkport Formula", giving consideration to topography.

5. Trash, Mechanical and Equipment Area Screening

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

6. Outside Storage

Outside storage of recyclable material, trash or similar material shall be prohibited unless located within a screened receptacle. No trucks or truck trailers shall be parked within the Planned Unit Development, except during the periods of active loading or unloading. The use of any truck trailer or shipping container for storage is prohibited.

7. Detail Site Plan

Prior to the issuance of a zoning clearance permit for construction within Lot 3, Block 2, Reserve A or Reserve D less and except the south 36.56 feet of the east 78

feet thereof, a detail site plan for the particular property, which includes all proposed buildings (including building elevations), parking, screening fences and landscaping areas, shall have been submitted to the Tulsa Metropolitan Area Planning Commission and approved as being in compliance with the approved development standards of the Planned Unit Development. Screening along the north and east boundaries of the Planned Unit Development shall be determined by the Tulsa Metropolitan Area Planning Commission at the time of detail site plan review. Prior to the issuance of a building permit for construction of entry gates or guardhouses, a detail site plan shall have been submitted to and approved by the Tulsa Metropolitan Area Planning Commission, City Traffic Engineering, and the City Fire Department.

8. Detail Landscape Plan

Prior to the issuance of a building permit for improvements within Lot 3, Block 2, Reserve A or Reserve D less and except the south 36.56 feet of the east 78 feet thereof, a detail landscape plan for the particular property shall be submitted and approved by the Tulsa Metropolitan Area Planning Commission as being in compliance with the approved development standards of the Planned Unit Development. Prior to the issuance of an occupancy permit for any building within Lot 3, Block 2, Reserve A or Reserve D less and except the south 36.56 feet of the east 78 feet thereof, a landscape architect registered in the State of Oklahoma shall certify to the appropriate zoning officer of the City of Tulsa, that the required landscaping and screening fences have been installed for the particular property (or shall be installed within 30 days) in accordance with the approved landscape plan. The landscaping materials required by the approved landscape plan shall be maintained and replaced as needed as a continuing condition of the granting of an occupancy permit.

9. Detail Sign Plan

Prior to the issuance of a sign permit for the installation of a sign within the Subdivision, a detail sign plan for the Lot or reserve area in which the proposed sign is to be located shall be submitted to and approved by the Tulsa Metropolitan Area Planning Commission as being in compliance with the approved development standards of the Planned Unit Development.

10. Drainage Improvements

Prior to the issuance of an occupancy permit for any building within Lot 3, Block 2, Reserve A or Reserve D less and except the south 36.56 feet of the east 78 feet thereof, the appropriate department within the City of Tulsa or a professional engineer registered in the State of Oklahoma shall certify to the appropriate zoning

officer of the City of Tulsa, that all required stormwater drainage structures and detention areas serving the particular property have been completed and installed in accordance with the plans and specifications approved by the City of Tulsa.

11. Sidewalks

Sidewalks shall be provided and maintained along the north side of West 71st St. South and along both sides of South Olympia Avenue. Designated pedestrian access, i.e. paving or striping, shall be provided from West 71st St. South or South Olympia Avenue sidewalks to each building with frontage on that arterial or collector street.

12. Bus Accommodation

Accommodation for transit buses is required, either through bus pullouts or other means, i.e. access through parking lots, which allows buses to load and unload and return south on South Olympia Avenue.

13. Improvements to Planned Signalized Intersection at West 71st Street South and South Olympia Avenue

PUD 648, as amended, comprises all of Olympia Medical Park, less and except the south 36.56 feet of the east 78 feet of Reserve D; all of Olympia Medical Park II, less and except the east 78 feet of Lot 1, Block 2; and an undeveloped tract described on Exhibit A hereto attached. An increase of the intersection capacity of the north leg of the planned signalized intersection at West 71st Street South and South Olympia Avenue may be required at the maximum proposed intensity and density to properly balance the traffic demands of all approaches. For the purposes of determining the need for an increase of the intersection capacity, two development phases are permitted.

Within Phase I, 315,000 total square feet of development shall be permitted without improvements to the intersection. Phase I includes the following development areas designated under PUD 648-A and 648-B and /or Lots:

<u>Development Area</u>	<u>Allocated Floor Area</u>
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Development Area A

Lot 3, Block 2 Olympia Medical Park	133,733 sq.ft.
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Reserve A Olympia Medical Park ("Tract A" in PUD 648-B)	20,000 sq.ft.
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Reserve D Olympia Medical Park ("Tract D" in PUD 648-B), Less and except the south 36.56 ft. of the east 78 ft. thereof	20,000 sq.ft.
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Development Area D

Lot 1, Block 1 Olympia Medical Park II	54,341 sq.ft.*
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Lot 2B, Block 1 Olympia Medical Park II	66,500 sq.ft.
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Lot 2C, Block 1 Olympia Medical Park II	35,000 sq.ft.
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Development Area E

Lot 1, Block 2 Olympia Medical Park II, Less and except the east 78 feet thereof	15,000 sq.ft.
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Total	344,574 sq.ft.
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* 56,000 sq. ft. is permitted in Lot 1, Block 1, Olympia Medical Park II, but the actual floor area of the existing building therein is 54,341 sq. ft.

All other development areas and/or Lots shall be considered Phase II.

Development beyond 315,000 square feet within Phase I, or development within Phase II, may require improvements to the intersection which may be made a condition of detail site plan approval.

14. Parcelization

Parcelization and the adjustment of the boundaries of Lots as initially platted may occur by subsequent lot splits or replatting, provided however, parcelization is subject to approval by the Tulsa Metropolitan Area Planning Commission of a minor amendment establishing floor area allocations and confirming the existence of any necessary cross parking and mutual access easements.

15. Allocation of Floor Area

Within a development area, allocated floor area may be transferred to another lot or lots by written instrument executed by the owner of the lot from which the floor area is to be allocated, provided however the allocation shall not exceed 10% of the initial allocation to the lot to which the transfer of floor area is to be made.

16. Owners' Association

An owners' association which includes in its membership the owner of Lot 3, Block 2, the owner of Reserve A at such time as it is used for commercial use, and the owner of Reserve D, less and except the south 36.56 feet of the east 78 feet thereof, at such time as it is used for commercial use, shall be created to maintain all common areas within the Subdivision, including but not limited to stormwater detention areas, entry features and Subdivision identification.

17. Compliance With Plans

The development and use of Olympia Medical Park shall be in compliance with the approved site plans (including building elevations), landscape plans and sign plans as above required, or such amendments thereof as may be later approved by the Tulsa Metropolitan Area Planning Commission.

18. Minor Amendments

The foregoing restrictions shall be deemed amended (without necessity of execution of an amending document) to conform to amendments to bulk and area requirements that may subsequently be approved by the Tulsa Metropolitan Area Planning Commission pursuant to its review of a minor amendment processed in accordance with the provisions of Subsection H. of Section 1107 of the Tulsa Zoning Code, and the filing of a certified copy of the minutes of the Tulsa Metropolitan Area Planning

Commission with the Tulsa County Clerk.

19. Definitions

In the event of ambiguity of any word or term set forth in Section 2., the meaning thereof shall be deemed to be defined as set forth within the Tulsa Zoning Code as the same existed on September 21, 2011.

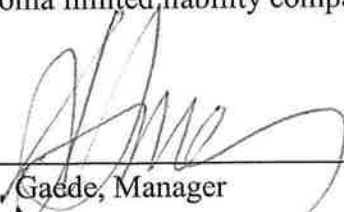
Section 3. Emergency Access Easement is terminated and the following is substituted therefor:

Section 3. Emergency Access Easement

The Emergency Access Easement shown on the plat and shown on the plat of Olympia Medical Park II, is for the benefit of the owners of Lots in Olympia Medical Park, less and except the south 36.56 feet of the east 78 feet of Reserve D therein, the owners of Lots in Olympia Medical Park II, less and except the east 78 feet of Lot 1, Block 2 therein, and their respective tenants, permittees and invitees, for the purpose of providing emergency and non-emergency pedestrian and vehicular ingress and egress to and from the properties lying east of South Olympia Avenue within Olympia Medical Park and Olympia Medical Park II to and from West 71st St. South , including ingress and egress by emergency, service, and other vehicles, and is governed by the terms and conditions of the Declaration of Association Restrictions and Covenants, Olympia Medical Park, recorded in the records of the Tulsa County Clerk as Document No. 2007126202 (the "Declaration"), as may be from time to time amended. The City of Tulsa has also been granted an Emergency Access Easement recorded in the records of the Tulsa County Clerk in Book 6612 at page 2316. The Emergency Access Easement shall be constructed according to City of Tulsa standards for the construction of streets used by City of Tulsa Fire Department vehicles and shall be maintained by an owners' association comprised of the owners of each of the lots within Olympia Medical Park, less and except the south 36.56 feet of the east 78 feet of Reserve D, Olympia Medical Park and Olympia Medical Park II, less and except the east 78 feet of Lot 1, Block 2, Olympia Medical Park II . As provided within the Declaration, the Emergency Access Easement may be relocated, and the relocation thereof shall be evidenced by the recording of a document by the owner of the property within which the relocated Emergency Access Easement lies including a description of the new location.

IN WITNESS WHEREOF, the undersigned have executed this instrument to be effective the day and year first above written.

Shadow , L.L.C.,
an Oklahoma limited liability company

By 
Steven E. Gaede, Manager

Owner of Lot 3, Block 2
Olympia Medical Park

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

This instrument was acknowledged before me this 28th day of February,
2012, by Steven E. Gaede as Manager of Shadow, L.L.C., an Oklahoma limited liability company.


Notary Public

My commission number: 09004289
My commission expires: 5/19/2013

Olympia Land Development , L.L.C.,
an Oklahoma limited liability company

By 
Steven E. Gaede, Manager

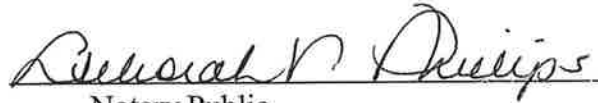
Owner of Reserves A, B, E and F,
Olympia Medical Park

and

Reserve D, Olympia Medical Park, less and except the
south 36.56 feet of the east 78 feet thereof

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

This instrument was acknowledged before me this 28th day of February,
2012, by Steven E. Gaede as Manager of Olympia Land Development, L.L.C., an Oklahoma
limited liability company.


Notary Public

My commission number: 09004289
My commission expires: 5/19/2013

APPROVED BY:

TULSA METROPOLITAN AREA PLANNING COMMISSION

By _____
Chairman

Date: _____

EXHIBIT A

A TRACT OF LAND THAT IS PART OF THE E/2 SW/4 OF SECTION 2, TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE IBM, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U. S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE E/2, SW/4 OF SAID SECTION 2; THENCE NORTH $00^{\circ}05'16''$ WEST ALONG THE EASTERLY LINE THEREOF FOR 80.00' TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE NORTH $89^{\circ}42'48''$ WEST PARALLEL WITH AND 80.00' NORTH OF AS MEASURED PERPENDICULAR TO THE SOUTHERLY LINE OF SAID E/2, SW/4 FOR 430.00'; THENCE SOUTH $00^{\circ}05'16''$ EAST FOR 5.00', THENCE NORTH $89^{\circ}42'48''$ WEST PARALLEL WITH AND 75.00' NORTH OF AS MEASURED PERPENDICULAR TO THE SOUTHERLY LINE OF THE E/2 OF THE SW/4 FOR 387.71' TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 75; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE AS FOLLOWS; THENCE NORTH $11^{\circ}56'23''$ WEST FOR 730.84'; THENCE NORTH $00^{\circ}03'50''$ WEST FOR 550.00'; THENCE NORTH $11^{\circ}14'46''$ EAST FOR 254.95'; THENCE NORTH $00^{\circ}03'50''$ WEST FOR 200.00'; THENCE NORTH $23^{\circ}15'45''$ WEST FOR 190.39'; THENCE NORTH $00^{\circ}03'50''$ WEST FOR 674.81' TO A POINT ON THE NORTHERLY LINE OF THE E/2 OF THE SW/4; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE SOUTH $89^{\circ}42'43''$ EAST ALONG SAID NORTHERLY LINE FOR 992.05' TO NORTHEAST CORNER OF THE E/2 OF THE SW/4; THENCE SOUTH $00^{\circ}05'16''$ EAST ALONG THE EASTERLY LINE OF THE E/2 OF THE SW/4 FOR 2,558.92' TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

LESS AND EXCEPT Olympia Medical Park , a Subdivision in the City of Tulsa, Oklahoma according to the recorded plat (#5567) thereof, and

LESS AND EXCEPT Olympia Medical Park II, a Subdivision in the City of Tulsa, Oklahoma according to the recorded plat (#6070) thereof.

**AMENDMENT OF THE DEED OF DEDICATION
OF**

OLYMPIA MEDICAL PARK II

This Amendment of the Deed of Dedication of Olympia Medical Park II is dated this 28
day of February, 2012.

RECITALS

- A. The Plat and accompanying Deed of Dedication for Olympia Medical Park II, an Addition to the City of Tulsa, Tulsa County, Oklahoma according to the recorded plat (#6070) thereof, ("Olympia Medical Park II") was filed in the records of the Clerk of Tulsa County, Oklahoma on December 29, 2006.
- B. Olympia Medical Park II is located within a Corridor District as established by Sections 800.-805 of Title 42, Tulsa Revised Ordinances (the "Tulsa Zoning Code"), and was submitted as a part of PUD 648 , as provided within Sections 1100-1107 of the Tulsa Zoning Code and was submitted as a part of Corridor District Site Plan No. Z-6001-SP-1.
- C. PUD 648 and Corridor District Site Plan Z-6001-SP-1 were affirmatively recommended by the Tulsa Metropolitan Area Planning Commission on April 18, 2001 and approved by the Council of the City of Tulsa on May 17, 2001, the implementing Ordinance No. 20134 being adopted on May 24, 2001, and published on June 6, 2001.
- D. A minor amendment to PUD 648 (designated as PUD 648-2 and establishing an allocation of permitted floor area to two parcels within Development Area D) was approved by the Tulsa Metropolitan Area Planning Commission on November 17, 2004
- E. A minor amendment to PUD 648 (designated as PUD 648-3 and establishing modified height limitations) was approved by the Tulsa Metropolitan Area Planning Commission on February 16, 2005.
- F. The Plat and accompanying Deed of Dedication of Olympia Medical Park II were prepared in accordance with, and incorporate, the provisions of Planned Unit Development No. 648 ("PUD 648"), and Corridor District Site Plan Z-6001-SP-1, and PUD 648-2 and PUD 648-3.
- G. Subsequent to the recording of the Plat and accompanying Deed of Dedication of Olympia Medical Park II, several major and minor amendments to PUD 648 and Corridor District Site Plan Z-6001-SP-1 were approved by the Tulsa Metropolitan Area Planning Commission (in the case of minor amendments) and by the Council of the City of Tulsa (in the case of major amendments), and the undersigned desire to amend the Deed of Dedication accompanying

the Plat of Olympia Medical Park II to incorporate the provisions of the approved major and minor amendments.

- H. Section V. Paragraph C. of the Deed of Dedication accompanying the Plat of Olympia Medical Park II, entitled "Amendment" provides that the restrictions and covenants contained in Section II thereof (Planned Unit Development and Corridor District Restrictions) may be amended or terminated at any time by a written instrument signed and acknowledged by the owners of the land to which the amendment is to be applicable and approved by the Tulsa Metropolitan Area Planning Commission and that the provisions of any amendment shall be effective upon recording.
- I. The undersigned comprise the owners of all of the land within Olympia Medical Park II, less and except the east 78 feet of Lot 1, Block 2, Olympia Medical Park II, and are all the owners of land to which this amendment is to be applicable.

THEREFORE, in consideration of the above and for other good and valuable consideration, the undersigned amend the Deed of Dedication of Olympia Medical Park II as follows:

Section II. Planned Unit Development and Corridor District Restrictions is terminated, and the following provisions are substituted therefor:

Section II. Planned Unit Development and Corridor District Restrictions

Whereas, Olympia Medical Park II is located within a Corridor District as established by Sections 800.-805 of Title 42, Tulsa Revised Ordinances (hereinafter the "Tulsa Zoning Code"), and was submitted as a part of a planned unit development (designated as Planned Unit Development 648 and hereinafter referred to as "PUD 648" or as the "Planned Unit Development"), as provided within Sections 1100-1107 of the Tulsa Zoning Code and was submitted as a part of Corridor District Site Plan (designated as Z-6001-SP-1), and

Whereas, PUD 648 and Corridor District Site Plan Z-6001-SP-1 were affirmatively recommended by the Tulsa Metropolitan Area Planning Commission on April 18, 2001 and approved by the Council of the City of Tulsa on May 17, 2001, the implementing Ordinance No. 20134 being adopted on May 24, 2001, and published on June 6, 2001, and

Whereas, a minor amendment to PUD 648 (designated as PUD 648-2) establishing an allocation of permitted floor area to two parcels within Development Area D was approved by the Tulsa Metropolitan Area Planning Commission on November 17, 2004, and

Whereas, a minor amendment to PUD 648 (designated as PUD 648-3) establishing modified height limitations was approved by the Tulsa Metropolitan Area Planning Commission on February 16, 2005, and

Whereas, a major amendment to PUD 648 (designated as PUD 648-A) and to Corridor District Site Plan Z-6001-SP-1 (designated Corridor District Site Plan Z-6001-SP-2) modifying permitted floor area and height limitations and establishing an allocation of permitted floor area, was affirmatively recommended by the Tulsa Metropolitan Area Planning Commission on May 23, 2007 and approved by the Council of the City of Tulsa on June 14, 2007, the implementing Ordinance No. 21563 being adopted on June 14, 2007, and published on June 28, 2007, and

Whereas, a minor amendment to PUD 648-A (designated as PUD 648-A-2) reducing the setback from West 71st Street South for Development Areas D and E was approved by the Tulsa Metropolitan Area Planning Commission on March 25, 2009, and

Whereas, a major amendment to PUD 648 (designated as PUD 648-B) and to Corridor District Site Plan Z-6001-SP-1 (designated Corridor District Site Plan Z-6001-SP-3) providing for commercial uses within two tracts previously reserved for stormwater detention and establishing an allocation of permitted floor area, was affirmatively recommended by the Tulsa Metropolitan Area Planning Commission on August 5, 2009 and approved by the Council of the City of Tulsa on August 27, 2009, the implementing Ordinance No. 22118 being adopted on September 3, 2009, and published on September 17, 2009, and Ordinance No. 22229, correcting an error in Ordinance No. 22118, being adopted on April 15, 2010 and published on April 28, 2010, and

Whereas, a minor amendment to PUD 648-A (designated as PUD 648-A-3) increasing the display surface area for wall signs on the north and south elevations of the building within Lot 2B, Block 1, was approved by the Tulsa Metropolitan Area Planning Commission on May 4, 2010, and

Whereas, a minor amendment to PUD 648-A (designated as PUD 648-A-4) adding Use Unit 11 as a permitted principal use within Development Area F, was approved by the Tulsa Metropolitan Area Planning Commission on October 20, 2010, and

Whereas, a major amendment to PUD 648 (designated as PUD 648-C) abandoning the PUD as to the east 78 feet of Lot 1, Block 2, Olympia Medical Park II and the south 36.56 feet of the east 78 feet of Reserve D, Olympia Medical Park, an addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded Plat (No. 5567) thereof, was affirmatively recommended by the Tulsa Metropolitan Area Planning Commission on August 3, 2011, and approved by the Council of the City of Tulsa on August 25, 2011, the implementing Ordinance No. 22513 being adopted on September 1, 2011, and published on September 21, 2011.

Whereas, a minor amendment to PUD 648-B (designated as PUD 648-B-1) to reflect the change in land area for Lot 1, Block 2, Olympia Medical Park II and for Reserve D, Olympia Medical Park resulting from the abandonment of the PUD as to the east 78 feet of Lot 1, Block 2 and the South 36.56 feet of the east 78 feet of Reserve D, was approved by the Tulsa Metropolitan Area Planning Commission on November 2, 2011, and

Whereas, a major amendment to PUD 648 (designated as PUD 648-D) establishing Outdoor

Advertising as a permitted use within Development Areas B and D in the PUD, was affirmatively recommended by the Tulsa Metropolitan Area Planning Commission on September 7, 2011, and approved by the Council of the City of Tulsa on October 6, 2011, the implementing Ordinance being adopted on October 13, 2011.

Whereas, the Planned Unit Development provisions of the Tulsa Zoning Code require the establishment of covenants of record inuring to and enforceable by the City of Tulsa, Oklahoma sufficient to assure the implementation and continued compliance with the approved Planned Unit Development, and

Whereas, the undersigned desire to establish restrictions for the purpose of providing for an orderly development and to insure adequate restrictions for the mutual benefit of the undersigned, their respective successors and assigns, and the City of Tulsa, Oklahoma.

Therefore, the undersigned hereby impose the following restrictions and covenants which shall be covenants running with the land and shall be binding upon the undersigned, their successors and assigns, and shall be enforceable as hereinafter set forth.

A. Use of Land

The development of Olympia Medical Park II, less and except the east 78 feet of Lot 1, Block 2, shall be subject to the Planned Unit Development provisions and the Corridor District provisions of the Tulsa Zoning Code as such provisions existed on October 13, 2011.

B. Development Standards – Lot 1, Block 2 (Development Area E), less and except the east 78 feet thereof.

1. Permitted Uses

The use of Lot 1, Block 2, less and except the east 78 feet thereof, shall be limited to the uses included within Use Unit 11. Offices, Studios and Support Services as set forth within Section 1211 of the Tulsa Zoning Code, including financial institutions with drive-through facilities; Hospitals, as provided within Use Unit 5. Community Services and Similar Uses as set forth within Section 1205 of the Tulsa Zoning Code; Hotels and Motels as provided within Use Unit 19. Hotel, Motel and Recreation Facilities as set forth within Section 1219 of the Tulsa Zoning Code; and uses included within Use Unit 12. Eating Establishments Other Than Drive-Ins as set forth within Section 1212 of the Tulsa Zoning Code, including restaurants with accessory bar; uses included within Use Unit 13. Convenience Goods and Services; and uses customary and accessory thereto.

2. Maximum Building Floor Area

The aggregate floor area of buildings shall not exceed 15,000 sq.ft.

3. Maximum Permitted Land Coverage By Buildings

The area of the Lot that is covered by a building or buildings, except structural parking, shall not exceed 30% of the land area of the Lot.

4. Maximum Building Height

Buildings shall be limited to 35 feet in height.

5. Minimum Building and Parking Setbacks

- a. The minimum building setback from the south boundary of Lot 1, Block 2, shall be 50 feet.
- b. The minimum building setback from the centerline of South Olympia Avenue shall be 65 feet.
- c. The minimum building setback from the east boundary of the remaining portion of Lot 1, Block 2 located within PUD 648 and amendments thereto shall be determined in accordance with an approved minor amendment and detail site plan review.
- d. The minimum building setback from the north boundary of Lot 1, Block 2 shall be 10 feet.
- e. The minimum parking setback from the east boundary of the remaining portion of Lot 1, Block 2 located within PUD 648 and amendments thereto shall be determined in accordance with an approved minor amendment and detail site plan review.

6. Minimum Landscaped Area and Screening

A minimum of 10% of the net lot area shall be landscaped, and screening along the east boundary of the remaining portion of Lot 1, Block 2 located within PUD 648 and amendments thereto shall be as determined by the Tulsa Metropolitan Area Planning Commission at the time of Detail Site Plan Review.

7. Maximum Number of Lots

The number of lots shall be limited to one, provided however, additional lots may be permitted by an approved minor amendment setting forth the allocation of floor area and approved lot split applications.

8. Signs

Signs shall be limited as follows:

- a. Wall signs shall not exceed an aggregate display surface area of one square foot per each lineal foot of building wall to which attached, and no wall signs shall be permitted on the east-facing walls.
- b. Ground signs shall be limited to one ground sign not exceeding 125 square feet of display surface area and not exceeding 25 feet in height. The setback of ground signs from the remaining portion of Lot 1, Block 2 located within PUD 648 and amendments thereto shall be determined in accordance with an approved minor amendment and detail sign plan review.

C. Development Standards – Lot 2, Block 2 (Development Area F)

1. Permitted Uses

The use of Lot 2, Block 2 shall be limited to the uses included within Use Unit 11. Offices, Studios and Support Services as set forth within Section 1211 of the Tulsa Zoning Code; uses included within Use Unit 10. Offstreet Parking Areas as set forth within Section 1210 of the Tulsa Zoning Code; Hospitals, as provided within Use Unit 5. Community Services and Similar Uses as set forth within Section 1205 of the Tulsa Zoning Code; Hotels and Motels as provided within Use Unit 19. Hotel, Motel and Recreation Facilities as set forth within Section 1219 of the Tulsa Zoning Code; and Restaurants with Accessory Bar as provided in Use Unit 12. Eating Establishments Other Than Drive-Ins as set forth within Section 1212 of the Tulsa Zoning Code; and uses customary and accessory thereto.

2. Maximum Building Floor Area

The aggregate floor area of buildings shall not exceed 44,300 sq.ft.

3. Maximum Permitted Land Coverage By Buildings

The area of the Lot that is covered by a building or buildings, except structural parking, shall not exceed 30% of the land area of the Lot.

4. Maximum Building Height

Buildings shall be limited to 35 feet in height.

5. Minimum Building and Parking Setbacks

- a. The minimum building setback from the centerline of South Olympia Avenue shall be 65 feet.
- b. The minimum building setback from the east boundary of Lot 2, Block 2 shall be 77.5 feet.
- c. The minimum building setback from the north boundary of Lot 2, Block 2 shall be 10 feet.
- d. The minimum building setback from the south boundary of Lot 2, Block 2 shall be 10 feet.
- e. The minimum parking setback from the east boundary of Lot 2, Block 2 shall be 75 ft.

6. Minimum Landscaped Area and Screening

A minimum of 10% of the net lot area shall be landscaped, and screening along the east boundary of Lot 2, Block 2 shall be determined by the Tulsa Metropolitan Area Planning Commission at the time of Detail Site Plan Review.

7. Maximum Number of Lots

The number of lots shall be limited to one, provided however, additional lots may be permitted by an approved minor amendment setting forth the allocation of floor area and approved lot split applications.

8. Signs

Signs shall be limited as follows:

- a. Wall signs shall not exceed an aggregate display surface area of one square foot per each lineal foot of building wall to which attached, and no wall signs shall be permitted on the east-facing walls.
- b. Ground signs shall be limited to one ground sign not exceeding 125 square feet of display surface area and not exceeding 25 feet in height, located along

the frontage of South Olympia Avenue.

D. Development Standards – Lots 1, 2A, 2B, and 2C, Block 1 (Development Area D)

1. Permitted Uses - Lot 1, Block 1

The use of Lot 1, Block 1 shall be limited to the uses included within Use Unit 11. Offices, Studios and Support Services as set forth within Section 1211 of the Tulsa Zoning Code; Hospitals, as provided within Use Unit 5. Community Services and Similar Uses as set forth within Section 1205 of the Tulsa Zoning Code; Hotels and Motels as provided within Use Unit 19. Hotel, Motel and Recreation Facilities as set forth within Section 1219 of the Tulsa Zoning Code; Restaurants with Accessory Bar as provided in Use Unit 12. Eating Establishments Other Than Drive-Ins as set forth within Section 1212 of the Tulsa Zoning Code; and Outdoor Advertising as provided within Use Unit 21. Business Signs and Outdoor Advertising as set forth within Section 1221 of the Tulsa Zoning Code; and uses customary and accessory thereto.

2. Permitted Uses - Lots 2A and 2B, Block 1

The use of Lots 2A and 2B, Block 1 shall be limited to the uses included within Use Unit 11. Offices, Studios and Support Services as set forth within Section 1211 of the Tulsa Zoning Code; Hospitals, as provided within Use Unit 5. Community Services and Similar Uses as set forth within Section 1205 of the Tulsa Zoning Code; Hotels and Motels as provided within Use Unit 19. Hotel, Motel and Recreation Facilities as set forth within Section 1219 of the Tulsa Zoning Code; and Restaurants with Accessory Bar as provided in Use Unit 12. Eating Establishments Other Than Drive-Ins as set forth within Section 1212 of the Tulsa Zoning Code; and uses customary and accessory thereto.

3. Permitted Uses - Lot 2C, Block 1

The use of Lot 2C, Block 1 shall be limited to the uses included within Use Unit 11. Offices, Studios and Support Services as set forth within Section 1211 of the Tulsa Zoning Code, including financial institutions with drive-through facilities; Hospitals, as provided within Use Unit 5. Community Services and Similar Uses as set forth within Section 1205 of the Tulsa Zoning Code; Hotels and Motels as provided within Use Unit 19. Hotel, Motel and Recreation Facilities as set forth within Section 1219 of the Tulsa Zoning Code; uses included within Use Unit 12. Eating Establishments Other Than Drive-Ins as set forth within Section 1212 of the Tulsa Zoning Code, including restaurants with accessory bar; uses included within Use Unit 13. Convenience Goods and Services; and Outdoor Advertising as provided within Use Unit 21. Business Signs and Outdoor Advertising as set forth within Section 1221

of the Tulsa Zoning Code; and uses customary and accessory thereto.

4. Maximum Building Floor Area

The aggregate floor area of buildings in Lot 1, Block 1 shall not exceed 56,000 sq.ft.

Lot 2, Block 1 has been split into 3 lots as authorized by Lot Split No. 20147 approved by the Tulsa Metropolitan Area Planning Commission on October 18, 2007, each of which shall be deemed a "Lot", and shall be hereinafter referred to respectively as Lot 2A, Block 1 (more particularly described in Exhibit A hereto attached), Lot 2B, Block 1 (more particularly described in Exhibit B hereto attached), and Lot 2C, Block 1 (more particularly described in Exhibit C hereto attached). Lots 2A, 2B and 2C are depicted on Exhibit D hereto attached.

The aggregate floor area of buildings in Lot 2A, Block 1 shall not exceed 124,000 sq. ft.

The aggregate floor area of buildings in Lot 2B, Block 1 shall not exceed 66,500 sq. ft.

The aggregate floor area of buildings in Lot 2C, Block 1 shall not exceed 35,000 sq. ft.

5. Maximum Permitted Land Coverage By Buildings

The area of the Lot that is covered by a building or buildings, except structural parking, shall not exceed 30% of the land area of the Lot.

6. Maximum Building Height

Buildings shall be limited to 65 feet in height.

7. Minimum Building and Parking Setbacks

- a. The minimum building setback from the south boundary of Lot 2C, Block 1, shall be 50 feet.
- b. The minimum building setback from the centerline of South Olympia Avenue shall be 65 feet.
- c. The minimum building setback from the west boundary of Lots 1, 2A, 2B, and 2C, Block 1 shall be 50 feet.

- d. The minimum building setback from the north boundary of Lot 1, Block 1 shall be 10 feet.
- e. The minimum building setback from internal Lot boundaries shall be 10 feet.

8. Minimum Landscaped Area

A minimum of 15% of the net lot area of Lot 1, Block 1 shall be landscaped.

A minimum of 15% of the net lot area of Lot 2A, Block 1 shall be landscaped.

A minimum of 10% of the net lot area of Lot 2B, Block1 shall be landscaped.

A minimum of 10% of the net lot area of Lot 2C, Block1 shall be landscaped.

9. Maximum Number of Lots

The number of Lots shall be limited to four (Lots 1, 2A, 2B, and 2C, Block 1), provided however, additional lots may be permitted by an approved minor amendment setting forth the allocation of floor area and approved lot split applications.

10. Signs

Signs shall be limited as follows:

- a. Wall signs shall not exceed an aggregate display surface area of one square foot per each lineal foot of building wall to which attached; provided however that within Lot 2B, Block 1, wall signs on the north- and south-facing building walls shall not exceed an aggregate display surface area of 2.63 square feet per each lineal foot of building wall to which attached.
- b. Ground signs shall be limited to one ground sign per Lot, each sign not exceeding 125 square feet of display surface area and not exceeding 25 feet in height.

Notwithstanding the foregoing, one outdoor advertising sign may be permitted within Lot 1, Block 1 and one outdoor advertising sign may be permitted within Lot 2C, Block 1, the design standards to be as provided within Chapter 11 and Section 1221 of the Tulsa Zoning Code.

E. General Development Standards Applicable to All Lots.

1. Other Bulk and Area Requirements

Except as herein modified, the development and use of the Lots shall be subject to the bulk and area requirements of a Corridor District.

2. Minimum Off-Street Parking

Off-street parking shall be provided as required for the applicable use unit as set forth within the Tulsa Zoning Code.

3. Transfer of Floor Area Allocation

Within a Development Area designated by the Planned Unit Development, allocated floor area may be transferred to another Lot or Lots by written instrument executed by the owner of the Lot from which the floor area allocation is to be transferred provided however the transferred allocation shall not exceed 10% of the initial allocation to the Lot to which the transfer of floor area is to be made.

4. Lighting

Exterior light standards shall not exceed 25 feet in height, provided however that within the remaining portion of Lot 1, Block 2 located within PUD 648 and amendments thereto, the height and setback of light standards shall be determined in accordance with an approved minor amendment and detail site plan review. All exterior light standards shall be hooded and directed downward and away from the boundaries of the Planned Unit Development. Shielding of outdoor lighting shall be designed to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in adjacent residential areas. Compliance with these standards shall be verified by application of the "Kennebunkport Formula", giving consideration to topography.

5. Trash, Mechanical and Equipment Area Screening

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

6. Outside Storage

Outside storage of recyclable material, trash or similar material shall be prohibited unless located within a screened receptacle. No trucks or truck trailers shall be parked

within the Planned Unit Development, except during the periods of active loading or unloading. The use of any truck trailer or shipping container for storage is prohibited.

7. Detail Site Plan

Prior to the issuance of a zoning clearance permit for construction within a Lot, a detail site plan, which includes all buildings(including building elevations), parking, screening fences and landscaping areas, within the Lot, shall have been submitted to the Tulsa Metropolitan Area Planning Commission and approved as being in compliance with the approved development standards of the Planned Unit Development. Prior to the issuance of a building permit for construction of entry gates or guardhouses, a detail site plan shall have been submitted to and approved by the Tulsa Metropolitan Area Planning Commission, City Traffic Engineering, and the City Fire Department.

8. Detail Landscape Plan

Prior to the issuance of a building permit for improvements within a Lot, a detail landscape plan for the Lot shall be submitted and approved by the Tulsa Metropolitan Area Planning Commission as being in compliance with the approved development standards of the Planned Unit Development. Prior to the issuance of an occupancy permit for any building within a Lot, a landscape architect registered in the State of Oklahoma shall certify to the appropriate zoning officer of the City of Tulsa, that the required landscaping and screening fences have been installed (or shall be installed within 30 days) in accordance with the approved landscape plan. The landscaping materials required by the approved landscape plan shall be maintained and replaced as needed as a continuing condition of the granting of an occupancy permit.

9. Detail Sign Plan

Prior to the issuance of a sign permit for the installation of a sign within a Lot, a detail sign plan for the Lot in which the proposed sign is located shall be submitted to and approved by the Tulsa Metropolitan Area Planning Commission as being in compliance with the approved development standards of the Planned Unit Development.

10. Drainage Improvements

Prior to the issuance of an occupancy permit for any building within a Lot, the appropriate department within the City of Tulsa or a professional engineer registered in the State of Oklahoma shall certify to the appropriate zoning officer of the City of Tulsa, that all required stormwater drainage structures and detention areas serving the Lot have been completed and installed in accordance with the plans and

specifications approved by the City of Tulsa.

11. Sidewalks

Sidewalks shall be provided and maintained along the north side of West 71st St. South and along both sides of South Olympia Avenue. Designated pedestrian access, i.e. paving or striping, shall be provided from West 71st St. South or South Olympia Avenue sidewalks to each building with frontage on that arterial or collector street.

12. Bus Accommodation

Accommodation for transit buses is required, either through bus pullouts or other means, i.e. access through parking lots, which allows buses to load and unload and return south on South Olympia Avenue.

13. Improvements to Planned Signalized Intersection at West 71st Street South and South Olympia Avenue

PUD 648, as amended, comprises all of Olympia Medical Park, an Addition to the City of Tulsa, Tulsa County, Oklahoma according to the recorded plat (#5567) thereof, ("Olympia Medical Park"), less and except the south 36.56 feet of the east 78 feet of Reserve D; all of Olympia Medical Park II, less and except the east 78 feet of Lot 1, Block 2; and an undeveloped tract described on Exhibit E hereto attached. An increase of the intersection capacity of the north leg of the planned signalized intersection at West 71st Street South and South Olympia Avenue may be required at the maximum proposed intensity and density to properly balance the traffic demands of all approaches. For the purposes of determining the need for an increase of the intersection capacity, two development phases are permitted.

Within Phase I, 315,000 total square feet of development shall be permitted without improvements to the intersection. Phase I includes the following development areas designated under PUD 648-A and 648-B and/or Lots:

<u>Development Area</u>	<u>Allocated Floor Area</u>
Development Area A	
Lot 3, Blk 2 Olympia Medical Park	133,733 sq.ft.
Reserve A Olympia Medical Park ("Tract A" in PUD 648-B)	20,000 sq.ft.

Reserve D Olympia Medical Park ("Tract D" in PUD 648-B), Less and except the south 36.56 of the east 78 feet thereof	20,000 sq.ft.
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Development Area D

Lot 1, Block 1 Olympia Medical Park II	54,341 sq.ft.*
Lot 2B, Block 1 Olympia Medical Park II	66,500 sq.ft.
Lot 2C, Block 1 Olympia Medical Park II	35,000 sq.ft.

Development Area E

Lot 1, Blk 2 Olympia Medical Park II, Less and except the east 78 feet thereof	15,000 sq.ft.
---	---------------

Total	344,574 sq.ft.
-------	----------------

* 56,000 sq. ft. is permitted in Lot 1, Block 1, Olympia Medical Park II, but the actual floor area of the existing building therein is 54,341 sq. ft.

All other development areas and/or Lots shall be considered Phase II.

Development beyond 315,000 square feet within Phase I, or development within Phase II, may require improvements to the intersection which may be made a condition of detail site plan approval for Phase I and Phase II.

14. Parcelization

Parcelization and the adjustment of the boundaries of Lots as initially platted may occur by subsequent lot splits or replatting, provided however, parcelization is

subject to approval by the Tulsa Metropolitan Area Planning Commission of a minor amendment establishing floor area allocations and confirming the existence of any necessary cross parking and mutual access easements.

15. Owners' Association

An owners' association which includes in its membership the owners of all of the Lots in the Subdivision shall be created to maintain all common areas in the Subdivision, including but not limited to stormwater detention areas, entry features and Subdivision identification.

16. Compliance With Plans

The development and use of Olympia Medical Park II shall be in compliance with the approved site plans (including building elevations), landscape plans and sign plans as above required, or such amendments thereof as may be later approved by the Tulsa Metropolitan Area Planning Commission.

17. Minor Amendments

The foregoing restrictions shall be deemed amended (without necessity of execution of an amending document) to conform to amendments to bulk and area requirements that may subsequently be approved by the Tulsa Metropolitan Area Planning Commission pursuant to its review of a minor amendment processed in accordance with the provisions of Subsection H. of Section 1107 of the Tulsa Zoning Code, and the filing of a certified copy of the minutes of the Tulsa Metropolitan Area Planning Commission with the Tulsa County Clerk.

18. Definitions

In the event of ambiguity of any word or term set forth in Section II., the meaning thereof shall be deemed to be defined as set forth within the Tulsa Zoning Code as the same existed on October 13, 2011.

Section III. Emergency Access Easement is terminated, and the following provisions are substituted therefor:

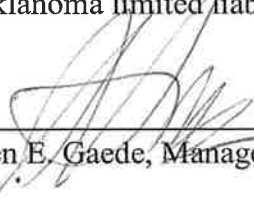
Section III. Emergency Access Easement

The Emergency Access Easement shown on the plat and shown on the plat of Olympia Medical Park, an Addition to the City of Tulsa, Tulsa County, Oklahoma according to the recorded plat (#5567) thereof ("Olympia Medical Park") is for the benefit of the owners of Lots in Olympia Medical Park, less and except the south 36.56 feet of the east 78 feet of Reserve D, Olympia Medical Park, the

owners of Lots in Olympia Medical Park II, less and except the east 78 feet of Lot 1, Block 2, and their respective tenants, permittees and invitees, for the purpose of providing emergency and non-emergency pedestrian and vehicular ingress and egress to and from the properties lying east of South Olympia Avenue within Olympia Medical Park and Olympia Medical Park II, to and from West 71st St. South, including ingress and egress by emergency, service, and other vehicles, and is governed by the terms and conditions of the Declaration of Association Restrictions and Covenants, Olympia Medical Park, recorded in the records of the Tulsa County Clerk as Document No. 2007126202 (the "Declaration"), as may be from time to time amended. The City of Tulsa has also been granted an Emergency Access Easement recorded in the records of the Tulsa County Clerk in Book 6612 at page 2316. The Emergency Access Easement shall be constructed according to City of Tulsa standards for the construction of streets used by City of Tulsa Fire Department vehicles and shall be maintained by an owners' association comprised of the owners of each of the lots within Olympia Medical Park, less and except the south 36.56 feet of the east 78 feet of Reserve D, Olympia Medical Park, and Olympia Medical Park II, less and except the east 78 feet of Lot 1, Block 2. As provided within the Declaration, the Emergency Access Easement may be relocated, and the relocation thereof shall be evidenced by the recording of a document by the owner of the property within which the relocated Emergency Access Easement lies including a description of the new location.

IN WITNESS WHEREOF, the undersigned, being all of the owners of property within Olympia Medical Park II, less and except the east 78 feet of Lot 1, Block 2, Olympia Medical Park II, have executed this instrument to be effective the day and year first above written.

Olympia Land Development, L.L.C.,
an Oklahoma limited liability company

By 
Steven E. Gaede, Manager

Owner of Lot 2A, Block 1; Lot 2C, Block 1; Lot 1,
Block 2, less and except the east 78 feet thereof; and
Lot 2, Block 2

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

This instrument was acknowledged before me this 28 day of February, 2012, by Steven E. Gaede as Manager of Olympia Land Development, L.L.C., an Oklahoma limited liability company.

Dorothy V. Phillips
Notary Public

My commission number: 09004289
My commission expires: 5/19/2013

2004 Olympia Medical Park Physicians Building No.1
L.L.C., an Oklahoma limited liability company,

By *C. Scott Anthony*
C. Scott Anthony, Manager

By *Christopher G. Covington*
Christopher G. Covington, Manager

By *Terry L. Woodbeck*
Terry L. Woodbeck, Manager

Owner of Lot 1, Block 1

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

This instrument was acknowledged before me this 28th day of February, 2012, by C. Scott Anthony as Manager of 2004 Olympia Medical Park Physicians Building No.1 L.L.C., an Oklahoma limited liability company.

Denise V. Phillips
Notary Public

My commission number: 09004289
My commission expires: 5/19/2013

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

This instrument was acknowledged before me this 28th day of February, 2012, by Christopher G. Covington as Manager of 2004 Olympia Medical Park Physicians Building No.1 L.L.C., an Oklahoma limited liability company.

Denise V. Phillips
Notary Public

My commission number: 09004289
My commission expires: 5/19/2013

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

This instrument was acknowledged before me this 28th day of February, 2012, by Terry L. Woodbeck as Manager of 2004 Olympia Medical Park Physicians Building No.1 L.L.C., an Oklahoma limited liability company.

Denise V. Phillips
Notary Public

My commission number: 09004289
My commission expires: 5/19/2013

Sheridan Properties, Inc.,
an Oklahoma corporation

By *Andy Pater*
Its _____ President

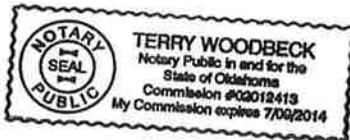
Owner of Lot 2B, Block 1

STATE OF OKLAHOMA)
) ss.
COUNTY OF TULSA)

This instrument was acknowledged before me this 23 day of Feb.,
2012, by Andy Pater as _____ President of Sheridan Properties, Inc., an
Oklahoma corporation.

Terry Woodbeck
Notary Public

My commission number: 02012413
My commission expires: 7-9-2014



APPROVED BY:

TULSA METROPOLITAN AREA PLANNING COMMISSION

By _____
Chairman

Date: _____

EXHIBIT A
Lot 2A, Block 1

A TRACT OF LAND THAT IS PART OF THE EAST HALF OF THE SOUTHWEST QUARTER (E/2 SW/4) OF SECTION TWO (2), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA, COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID E/2 OF THE SW/4 OF SAID SECTION 2; THENCE NORTH 00°05'16" WEST ALONG THE EASTERLY LINE THEREOF FOR 80.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF WEST 71ST STREET SOUTH; THENCE NORTH 89°42'48" WEST ALONG SAID RIGHT-OF-WAY

LINE A DISTANCE OF 430.00 FEET; THENCE SOUTH 00°05'16" EAST A DISTANCE OF 5.00 FEET; THENCE NORTH 89°42'48" WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 120.00 FEET TO THE SOUTHWEST CORNER OF RESERVE A OF OLYMPIA MEDICAL PARK, PLAT NO. 5567; THENCE NORTH 15°43'07" WEST ALONG THE WEST LINE OF SAID RESERVE A, A DISTANCE OF 220.00 FEET; THENCE NORTH 17°32'44" EAST A DISTANCE OF 193.11 FEET; THENCE NORTH 57°53'56" EAST A DISTANCE OF 40.00 FEET TO A POINT OF THE WEST RIGHT OF WAY OF SOUTH OLYMPIA AVENUE; THENCE NORTH 32°06'04" WEST A DISTANCE OF 0.00 FEET TO A POINT OF CURVE TO THE RIGHT; THENCE ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS

OF 350.00 FEET A DISTANCE OF 195.56 FEET; THENCE NORTH 0°05'16" WEST A DISTANCE OF 139.75, ALONG SAID WEST RIGHT OF WAY TO THE POINT OF BEGINNING; THENCE CONTINUING NORTH 0°05'16" WEST ALONG SAID WEST RIGHT OF WAY A DISTANCE OF 347.44 FEET; THENCE ALONG A CURVE TO THE RIGHT WITH A RADIUS OF 350.00 FEET A DISTANCE OF 124.79 FEET; THENCE NORTH 81°00'42" WEST A DISTANCE OF 422.47 FEET TO A POINT ON THE EAST RIGHT OF WAY ON U.S. HIGHWAY NO. 75; THENCE SOUTH 11°14'46" WEST ALONG SAID EAST RIGHT OF WAY A DISTANCE OF 11.86 FEET; THENCE SOUTH 0°03'50" EAST, CONTINUING ALONG SAID EAST RIGHT OF WAY A DISTANCE OF 550.00 FEET; THENCE NORTH 89°51'22" EAST A DISTANCE OF 191.72 FEET; THENCE NORTH 0°05'16" WEST A DISTANCE OF 25.00 FEET; THENCE NORTH 89°51'22" EAST A DISTANCE OF 206.00 FEET TO THE POINT OF BEGINNING, CONTAINING 4.74 ACRES, MORE OR LESS.

EXHIBIT B
LOT 2B, BLOCK 1

A tract of land being a part of

Lot 2 (Two), Block 1 (One) of Olympia Medical Park II, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the recorded Plat thereof.

Said parcel is described as follows to-wit:

A tract of and that is part of the East half of the Southwest Quarter (E/2 SW/4) of Section Two (2), Township Eighteen (18) North, Range Twelve (12) East of the Indian Base and Meridian, Tulsa County, State of Oklahoma according to the United States Government survey thereof, said tract of and being described as to follows:

Commencing at the Southeast corner of said E/2 of the SW/4 of said Section 2; Thence N 00° 05' 16" W along the Easterly line thereof for 80.00 feet to a point on the Northerly Right-of-Way line of West 71st Street South; Thence N 89° 42' 48" W for 430.00 feet; Thence S 0° 05' 16" E a distance of 5.00 feet; Thence N 89° 42' 48" W a distance of 120.00 feet to the Southwest corner of Reserve 'A' of Olympia Medical Park, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat No. 5567; Thence N 15° 43' 07" W along the West line of said Reserve 'A' a distance of 220.00 feet; Thence N 17° 32' 44" E along said West line on reserve 'A' a distance of 193.11 feet; Thence N 57° 53' 56" E a distance of 40.00 feet to the northern most corner of said Reserve 'A', said point being on the West right-of-Way line of South Olympia Avenue; Thence N 32° 06' 04" W a distance of 0.00 feet; Thence along said West Right-of-Way of South Olympia Avenue on a curve to the right with a radius of 350.00 feet, and a central angle of 11° 24' 25", and a distance of 69.68 feet to the Point of Beginning; Thence continuing along said curve to the right with a radius of 350.00 feet, a central angle of 20° 36' 24" and a distance of 125.88 feet to a point of tangency; Thence continuing said West right-of-way line N 0° 05' 16" W along said West Right- of-Way a distance of 139.75 feet; Thence S 89° 51' 22" W a distance of 206.00; thence S 0° 05' 16" E a distance of 25.00 feet, thence S 89° 51' 22" W a distance of 191.72 feet to a point on the East right-of-way line of U.S. Highway 75; Thence S 11° 56' 23" E along said U.S. Highway 75 right of way a distance of 375.39 feet; Thence N 69° 10' 43" E a distance of 366.77 feet to the Point of Beginning. Containing 118,727.72 or 2.73 acres, more or less.

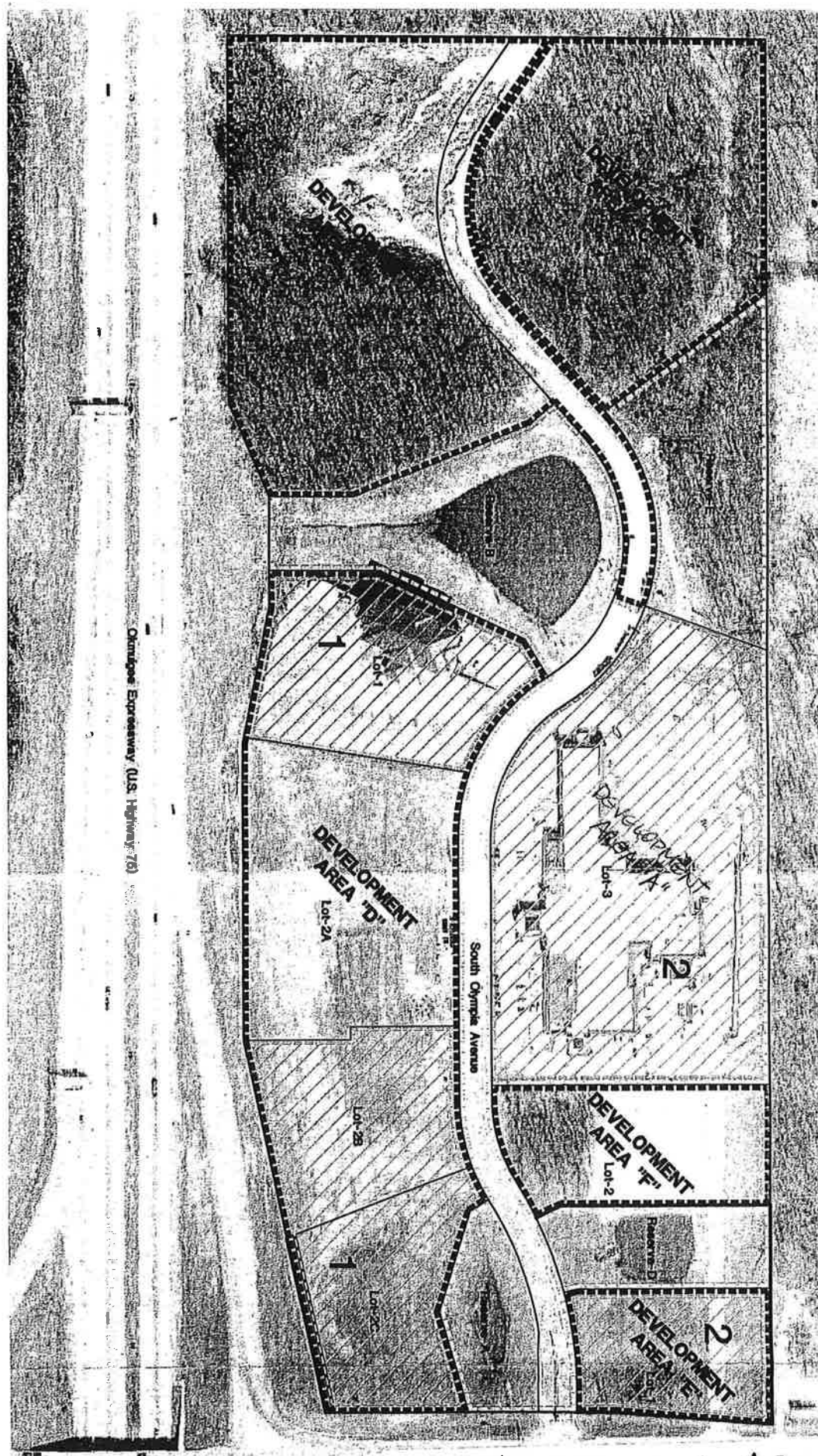
EXHIBIT C
LOT 2C, BLOCK 1

A TRACT OF LAND THAT IS PART OF THE EAST HALF OF THE SOUTHWEST QUARTER (E/2 SW/4) OF SECTION TWO (2), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA, COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DIST

DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF SAID E/2 OF THE SW/4 OF SAID SECTION 2; THENCE NORTH 00°05'16" WEST ALONG THE EASTERLY LINE THEREOF FOR 80.00 FEET TO A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF WEST 71ST STREET SOUTH; THENCE NORTH 89°42'48" WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 430.00 FEET ; THENCE SOUTH 00°05'16" EAST A DISTANCE OF 5.00 FEET; THENCE NORTH 89°42'48" WEST ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 120.00 FEET TO THE SOUTHWEST CORNER OF RESERVE A OF OLYMPIA MEDICAL PARK, PLAT NO. 5567, SAID POINT BEING THE POINT OF BEGINNING; THENCE NORTH 15°43'07" WEST ALONG THE WEST LINE OF SAID RESERVE A, A DISTANCE OF 220.00 FEET; THENCE NORTH 17°32'44" EAST A DISTANCE OF 193.11 FEET; THENCE NORTH 57°53'56" EAST A DISTANCE OF 40.00 FEET TO A POINT OF THE WEST RIGHT OF WAY OF SOUTH OLYMPIA AVENUE; THENCE NORTH 32°06'04" WEST A DISTANCE OF 0.00 FEET TO A POINT OF CURVE TO THE RIGHT; THENCE ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS OF 350.00 FEET A DISTANCE OF 69.68 FEET; THENCE SOUTH 69°10'43" WEST A DISTANCE OF 366.77 FEET TO A POINT ON THE EAST RIGHT OF U.S. HIGHWAY NO. 75; THENCE SOUTH 11°56'23" EAST A DISTANCE OF 327.08 FEET ALONG SAID EAST RIGHT OF WAY TO A POINT OF INTERSECTION OF THE EAST RIGHT OF WAY OF U.S. HIGHWAY NO. 75 AND THE NORTH RIGHT OF WAY OF WEST 71ST STREET SOUTH ; THENCE SOUTH 89°42'22" EAST A DISTANCE OF 265.77 FEET ALONG SAID NORTH RIGHT OF WAY TO THE POINT OF BEGINNING, CONTAINING 2.53 ACRES, MORE OR LESS.

EXHIBIT D



West 7th St. South

6.42

EXHIBIT E

A TRACT OF LAND THAT IS PART OF THE E/2 SW/4 OF SECTION 2, TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE IBM, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U. S. GOVERNMENT SURVEY THEREOF, SAID TRACT OF LAND BEING DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHEAST CORNER OF THE E/2, SW/4 OF SAID SECTION 2; THENCE NORTH 00° 05' 16" WEST ALONG THE EASTERLY LINE THEREOF FOR 80.00' TO THE POINT OF BEGINNING OF SAID TRACT OF LAND; THENCE NORTH 89° 42' 48" WEST PARALLEL WITH AND 80.00' NORTH OF AS MEASURED PERPENDICULAR TO THE SOUTHERLY LINE OF SAID E/2, SW/4 FOR 430.00'; THENCE SOUTH 00° 05' 16" EAST FOR 5.00', THENCE NORTH 89° 42' 48" WEST PARALLEL WITH AND 75.00' NORTH OF AS MEASURED PERPENDICULAR TO THE SOUTHERLY LINE OF THE E/2 OF THE SW/4 FOR 387.71' TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY NO. 75; THENCE ALONG SAID EASTERLY RIGHT-OF-WAY LINE AS FOLLOWS; THENCE NORTH 11° 56' 23" WEST FOR 730.84'; THENCE NORTH 00° 03' 50" WEST FOR 550.00'; THENCE NORTH 11° 14' 46" EAST FOR 254.95'; THENCE NORTH 00° 03' 50" WEST FOR 200.00'; THENCE NORTH 23° 15' 45" WEST FOR 190.39'; THENCE NORTH 00° 03' 50" WEST FOR 674.81' TO A POINT ON THE NORTHERLY LINE OF THE E/2 OF THE SW/4; THENCE LEAVING SAID EASTERLY RIGHT-OF-WAY LINE SOUTH 89° 42' 43" EAST ALONG SAID NORTHERLY LINE FOR 992.05' TO NORTHEAST CORNER OF THE E/2 OF THE SW/4; THENCE SOUTH 00° 05' 16" EAST ALONG THE EASTERLY LINE OF THE E/2 OF THE SW/4 FOR 2,558.92' TO THE POINT OF BEGINNING OF SAID TRACT OF LAND.

LESS AND EXCEPT Olympia Medical Park , a Subdivision in the City of Tulsa, Oklahoma according to the recorded plat (#5567) thereof, and

LESS AND EXCEPT Olympia Medical Park II, a Subdivision in the City of Tulsa, Oklahoma according to the recorded plat (#6070) thereof.

Eller & Detrich
A Professional Corporation

Philip J. Eller
Kevin H. Wylie
R. Louis Reynolds
James C. Hodges
Shanann Pinkham Passley
Daniel C. Cupps
Andrew A. Shank
Joshua M. Tietzort

Telephone
(918) 747-8900

Toll Free
(866) 547-8900

Facsimile
(918) 747-2665

Of Counsel

Donald L. Detrich
Philip R. Feist, PLLC
Katherine Saunders, PLC
Jerry M. Snider
John H. Lieber

Writer's E-Mail:
ashank@ellerdetrich.com

March 26, 2012

Ms. Diane Fernandez
INCOG
Two West Second Street, Suite 800
Tulsa, OK 74103

Re: Vacation of Plat of the Arrowhead Ridge Subdivision

Dear Ms. Fernandez:

The owners of the land located within Arrowhead Ridge, a Subdivision of the City of Tulsa, desire to vacate the Plat and Deed of Dedication of Arrowhead Ridge (collectively, the "Plat"). The land located within Arrowhead Ridge has been re-platted into Saint Francis South, an Addition to the City of Tulsa, which new plat has been approved by the City of Tulsa and is ready to be filed of record as soon as Arrowhead Ridge is vacated.

The terms of the Plat provide that the covenants contained within the Deed of Dedication may be vacated and terminated by written instrument signed by the landowners within Arrowhead Ridge, the Tulsa Metropolitan Area Planning Commission ("TMPAC") and the City of Tulsa. Please find attached our proposed instrument for vacating and terminating the Plat. The attachment has been reviewed and approved by Assistant City Attorney Bob Edmiston.

Please place the vacation of Arrowhead Ridge on the agenda for the April 4, 2012 TMAPC meeting.



www.EllerDetrich.com

2727 East 21st Street, Suite 200, Tulsa Oklahoma 74114-3533

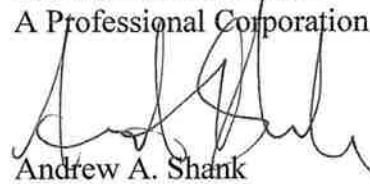
7.1

Ms. Diane Fernandez
March 26, 2012
Page 2

Thank you for time and attention to this matter. Should you have any questions, please do not hesitate to call.

Sincerely,

ELLER & DETRICH
A Professional Corporation



Andrew A. Shank

AAS:kfm
Enclosure
cc: Robert R. Edmiston, Esq.

I:\1027.24\To Fernandez.2 (2012.03.22).doc

PARTIAL VACATION OF PLAT ARROWHEAD RIDGE

THIS PARTIAL VACATION OF PLAT ("Vacation") is entered into and is effective this ____ day of _____, 2012.

WHEREAS the Plat and Deed of Dedication of ARROWHEAD RIDGE was recorded in the office of the Tulsa County Clerk as Plat No. 5659 on December 30, 2002 (the "Plat"), and

WHEREAS the Plat of ARROWHEAD RIDGE provides that the covenants contained within the Deed of Dedication may be terminated by a written instrument signed and acknowledged by the owners of a majority of the land within ARROWHEAD RIDGE, the Tulsa Metropolitan Area Planning Commission and the City of Tulsa, and

WHEREAS it is in the best interests of the owners of the property affected thereby to partially vacate the Plat of ARROWHEAD RIDGE as provided below.

NOW, THEREFORE, the undersigned, being the owners of all of the property situated in ARROWHEAD RIDGE, agree as follows:

All of that part of ARROWHEAD RIDGE described as follows:

All of Lot One (1), all of Lot Two (2) and all of Lot Three (3), in Block One (1), and Reserve "A", ARROWHEAD RIDGE, a Subdivision to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof, together with South 109th East Avenue, which is more particularly described on the Plat,

is hereby vacated and held for naught; provided, however, that this Vacation in no way vacates any portion of that certain sixty (60) foot right-of-way along the northern edge of East 91st Street South as shown on the Plat.

FURTHER, THEREFORE, the undersigned, being the owners of all the property in ARROWHEAD RIDGE, terminate and vacate all of the restrictive covenants provided for in the Plat; provided, however, that this Vacation in no way terminates or vacates any restrictive covenants related to that certain sixty (60) foot right-of-way along the northern edge of East 91st Street South.

Attached hereto and incorporated by reference is the Affidavit of Guaranty Abstract Company showing the ownership of the lots that comprise ARROWHEAD RIDGE.

ST. FRANCIS HOSPITAL, INC.,
an Oklahoma not-for-profit corporation,

By: _____
Jake Henry Jr.
Its President and
Chief Executive Officer

STATE OF OKLAHOMA)
) ss
COUNTY OF TULSA)

This instrument was acknowledged before me, a Notary Public, on this _____ day of _____, 2012, by Jake Henry Jr. as President and Chief Executive Officer of St. Francis Hospital, Inc., an Oklahoma not-for-profit corporation.

NOTARY PUBLIC

My Commission No.: _____

My Commission Expires: _____

SAINT FRANCIS
HOSPITAL SOUTH, L.L.C.,
an Oklahoma limited liability company

By: _____
Jake Henry, Jr.
Its President and
Chief Executive Officer

STATE OF OKLAHOMA)
) ss
COUNTY OF TULSA)

This instrument was acknowledged before me, a Notary Public, on this _____ day of _____, 2012, by Jake Henry, Jr. as President and Chief Executive Officer of Saint Francis Hospital South, L.L.C., an Oklahoma limited liability company.

NOTARY PUBLIC

My Commission No.: _____

My Commission Expires: _____

WARREN PROFESSIONAL
BUILDING CORPORATION,
an Oklahoma not-for-profit corporation,

By: _____
Thomas E. Cooper
Its Chairman and
Chief Executive Officer

STATE OF OKLAHOMA)
) ss
COUNTY OF TULSA)

This instrument was acknowledged before me, a Notary Public, on this _____ day of _____, 2012, by Thomas E. Cooper as Chairman and Chief Executive Officer of Warren Professional Building Corporation, an Oklahoma not-for-profit corporation.

NOTARY PUBLIC

My Commission No.: _____

My Commission Expires: _____

On this _____ day of _____, 2012, the Tulsa Metropolitan Area Planning Commission expressly acknowledges, consents and approves of the vacation of the Arrowhead Ridge subdivision plat, Plat Number 5659 and to termination of the Deed of Dedication and restrictive covenants annexed thereto.

Chairman of the TMAPC

On this _____ day of _____, 2012, the City of Tulsa expressly acknowledges, consents and approves of the vacation of the Arrowhead Ridge subdivision plat, Plat Number 5659 and to termination of the Deed of Dedication and restrictive covenants annexed thereto.

Chairman of the Council

Mayor

(Seal)
ATTEST:

City Clerk

APPROVED:

City Attorney

SPECIAL CERTIFICATE

The GUARANTY ABSTRACT COMPANY (Incorporated), a duly qualified and bonded abstract company within and for the County of Tulsa, State of Oklahoma, does hereby certify:

There is shown herein a list of the names of All the "LAST GRANTEES OF RECORD" of property described below as shown by the deed records in the office of the Tulsa County Clerk, Tulsa County, State of Oklahoma:

Lots One (1), Two (2) and Three (3), Block One (1), and Reserve "A", ARROWHEAD RIDGE, an Addition to the City of Tulsa, Tulsa County, State of Oklahoma, according to the Recorded Plat thereof.

LAST GRANTEES OF RECORD

SAINT FRANCIS HOSPITAL SOUTH LLC
ATTN: Jeffrey C. Sacra
6161 S. Yale Ave
Tulsa, Okla 74136

SAINT FRANCIS HOSPITAL INC
6161 S. Yale Ave
Tulsa, Okla 74136

WARREN PROFESSIONAL BUILDING CORP
PO Box 470372
Tulsa, Okla 74147-0372

**Addresses shown in this report are for Information Only
Not Certified To.**

This Certificate covers a period of time to February 1, 2012 at 7:00 A.M.

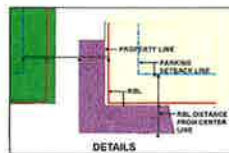
In Witness Whereof, the GUARANTY ABSTRACT COMPANY (Incorporated) has caused these presents to be signed and its corporate seal to be affixed by its proper officer at its office in Tulsa, Tulsa County, State of Oklahoma this 6th day of February, 2012.

Guaranty Abstract Company

No. 909952

By: *Margaret Ekloss*
#670 A-Secretary

This is a Special Certificate Only



KEY

FRONTAGE TYPES

- 1. L-PLAN (SINGLE-ENDED FRONTAGE)
- 2. U-PLAN (DOUBLE-ENDED FRONTAGE AND SIDE FRONTAGE)
- 3. T-PLAN (DOUBLE-ENDED FRONTAGE AND SIDE FRONTAGE)
- 4. PER-LOT
- 5. FRONT-LOP

NOTES:

1. All lotlines shall be on the increase (or property line setback) side of the lot.

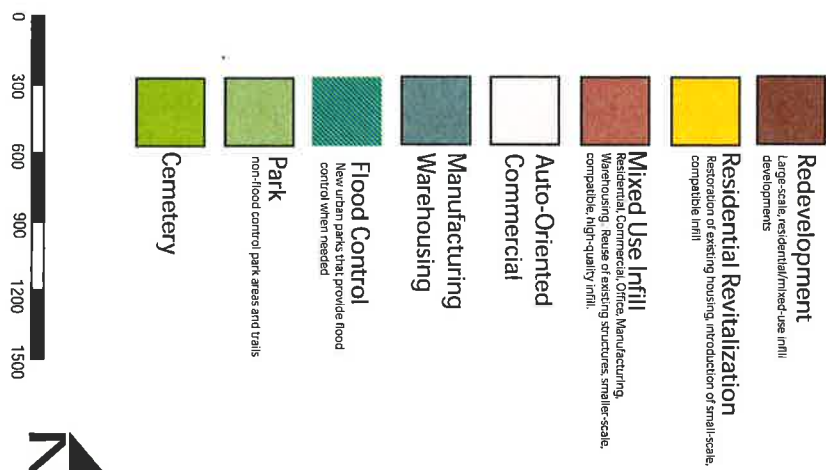
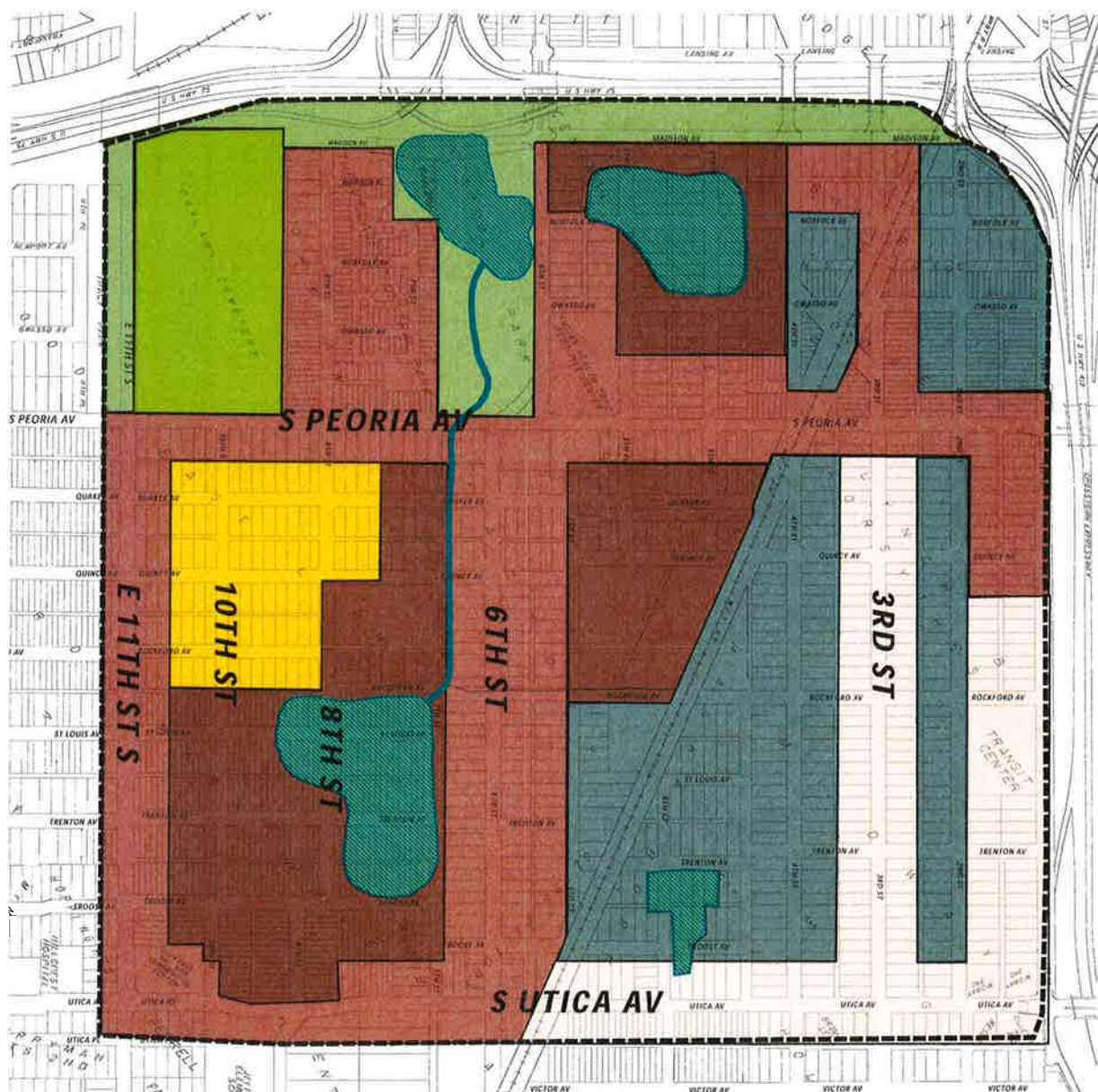
2. All lotlines (except front lotlines) on lots 75 feet or less across shall be set back from the street.

LEGEND

- PROPOSED BUILDING LINE (PBL)
- PARKING RETRACTION LINE
- PERMITS DEPARTMENT CORNER BOUNDARY
- OFFICIAL LINE FOR PROPERTY FRONT SETBACK
- CURB CUTS & SANITARY COVERS FROM THE LOT LINE

0 100 200 Feet

FBC



March 29, 2012

Members of the Tulsa Metropolitan Area Planning Commission

Re: Form-Based Code Proposal in the Pearl District

Dear Commissioners:

The Home Builders Association of Greater Tulsa has over 800 members representing thousands of professionals in the residential construction industry in the Greater Tulsa area. We participated in the formation of the new Comprehensive Plan for Tulsa and have watched with interest the formation of the Form-Based Code.

The HBA is supportive of the Form-Based Code. The idea of walkable sustainable communities in select parts of town seems very appealing. Tree lined streets with retail shops on ground level and town homes above them have a very romantic feel about it. Attractive townhomes where neighbors know each other and are all footsteps away from a neighborhood grocery store elicits visions of a bygone era; and, it is exciting to think such a place can be built again. As the Association which represents the residential construction industry, we look forward to seeing our members be a part of the construction process which makes this dream a reality.

We believe that Form-Based Codes are best utilized when used in narrowly defined areas. Broad-based use of such codes is not only a radical departure from the foundation upon which Tulsa was built, but is inconsistent with the Comprehensive Plan which received such strong community approval. The Comprehensive Plan clearly identified Areas of Change and Areas of Stability. We would not suggest that the Form-Based Code be used in a broader sense to include Areas of Stability.

It is because of our support of the concept of Form-Based Code that we feel compelled to express some concerns with the plan presented for public hearing before the Tulsa Metropolitan Area Planning Commission on April 4, 2012. If this effort to introduce Tulsa to the Form-Based Code is not successful, it could create a stigma on the concept and thwart future efforts. So, it is crucial that we strive to “get it right the first time”.

While we are eager to see whether Form-Based Codes are a good fit for the Tulsa market, we question whether the first real effort in this regard should encompass a half square mile. We have been told that this effort began with a pilot area. However, it seems that the pilot area was not capable of producing sufficient data upon which future decisions could be made. The purpose of any pilot project is to “test the waters” and then evaluate the results before moving forward. In this instance there doesn’t appear to be any empirical data or other information from which an informed decision can be made regarding expanding the Form-Based Code area.

To be clear, although there is no legal requirement that zoning changes must be preceded by a pilot; the Home Builders Association would agree that in this instance, it would be a good idea. How better to prove the wisdom of embarking on this new style of zoning than to show that the very first Form-Based Code district in Tulsa had provable, measurable success? Empirical data of this type could be used as a motivator for future builders and developers to participate in a form based code project area.

The subject area, which contains a mix of residential, commercial, retail and industrial uses is vast and diversified. While the area in the immediate vicinity of 6th and Peoria lends itself well to the Form-Based Code concept, other areas which have maintained some substantial industrial uses may not be able to exist in a "workshop" zoning environment. They would be nonconforming uses. Additionally, this plan would place the parking garage of Hillcrest Hospital in an "urban general" zone, causing the hospital to be a nonconforming use. In fact, the vast majority of properties will be converted into nonconforming properties overnight if this code is adopted. That could significantly impact the value of the properties and the underlying businesses in the proposed area.

We recommend that instead of adopting a Form-Based Code on the proposed area, that a "true" pilot be undertaken on a smaller area. What area should be covered and the amount of time needed to make an informed and educated decision for the future should be determined by an ad hoc committee composed of all interest stakeholders. The composition and meetings of the committee should be open and transparent.

We offer these written comments in advance so they will be given an opportunity for full consideration and discussion. We shall be in attendance at the April 4, 2012 public hearing. We plan on addressing these items and will be available to answer questions at that time. Thank you.

Sincerely,

HOME BUILDERS ASSOCIATION
OF GREATER TULSA, INC.


Bill Butts
President


Paul A. Kane
Executive Vice President/CEO

Huntsinger, Barbara

Subject: FW: Form Based Code, Pearl District

From: Tiny Tomsen [<mailto:tinytomsen54@gmail.com>]

Sent: Monday, March 26, 2012 10:33 AM

To: Back, Carolyn; Alberty, Wayne

Subject: Form Based Code, Pearl District

Dear INCOG,

I am a property owner in the "Pearl District". You have advised there will be a meeting on April 4, 2012 concerning a proposed "Form-Based Code Regulating Plan" for this area; and that meeting is at 1:30pm in the City Council Room, One Technology Center, 175 E. 2nd St, 2nd Level.

Please be advised that while I may not be present at your meeting, I am totally opposed to this plan and recommend it be dismissed forthwith. There are sufficient avenues available to anyone desiring to change the zoning of property they own. Forcing a new "code" is neither necessary nor warranted.

In a recent letter to the City of Tulsa concerning zoning that affected the construction of an upgraded Quik Trip (also in this "Pearl District") I wrote as follows:

"The "Form Based Code" that has been promoted for the Pearl District, which includes this QT facility, is totally without merit or substance and should be discarded without wasting further time of either the bureaucrats who are promoting it, or the tax paying property owners in that area who recognize how worthless and disruptive it could be."

It is my understanding the requested zoning for that QT facility was approved. This is prima facie evidence that the established system works, and a "Form Based Code" is neither warranted nor necessary.

I am the owner of the Loomis Armored, Inc complex at 4th and Norfolk. This is a large and important facility that provides necessary and essential services to not only Tulsa but this entire region of the central United States. The "Form Based Code" promotes facilities and construction of a type that is diametrically opposite of the type of facilities necessary for this operation which has been at this same location for over thirty years.

Please stop all further actions and activities concerning the proposed "Form Based Code" for the Pearl District of Tulsa, OK.

Thank you,

Willis C. "Tiny" Tomsen

918-299-5454

tinytomsen54@gmail.com

Fred A. Kumpf
1221 S. Newport Ave.
Tulsa, OK 74120

March 19, 2012

TMAPC
Attn: Mr. Wayne Alberty
2 West Second St. Suite 800
Tulsa, OK 74103

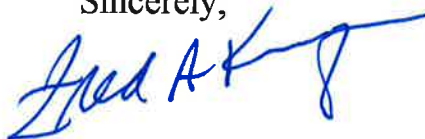
Dear Mr. Alberty:

Re: Form Based Code

I have looked at your Pearl District power point presentation and read through all 69 pages of the code and I am still at a loss as to how you would apply the Form Based Code in a traditional residential neighborhood such as mine (Tracy Park zoned RS-3). It appears to me that everything would be non conforming and disorder would reign.

Do you have any plans for workshops concerning the application of this new concept?

Sincerely,



Fred Kumpf

**Fred A. Kumpf
1221 S. Newport Ave.
Tulsa, OK 74120**

March 19, 2012

**TMAPC
Attn: Mr. Wayne Alberty
2 West Second St. Suite 800
Tulsa, OK 74103**

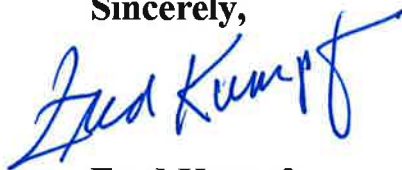
Dear Mr. Alberty:

Re: Form- Based Code Regulating Plan for the Pearl District

Your letter of March 12, 2012 shows the boundary of the subject Regulating Plan to be “..properties on the south side of 11th street”. I would suggest that the center line of 11th St. would be a more appropriate boundary. Otherwise our neighborhood will have two zonings.

If the map is to be believed the boundary as respects Tracy Park will be of no consequence to us as it will split the park. However, if the text is to control then I think it needs a little work as it is open to more than one interpretation.

Sincerely,



**Fred Kumpf
Tracy Park resident**

David R. Cordell |
p (918) 586-8995 | f (918) 586-8695 | dcordell@cwlaw.com

4000 One Williams Center | Tulsa, OK 74172-0148
p (918) 586-5711 | f (918) 586-8982 | cwlaw.com

March 22, 2012

Tulsa Metropolitan Area
Planning Commission
2 West Second Street, Suite 800
Tulsa, Oklahoma 74103



RE: Form-Based Code Regulating Plan for the Pearl District

Dear Madam or Sir:

My family has owned property on 6th Street for over 50 years. We are in receipt of your letter dated March 12, 2012 notifying us of a public hearing scheduled for April 4, 2012 concerning the Form-Based Code. I plan to attend on behalf of my family but before then I wanted to make contact with you.

Since receiving your letter, I have been studying the matter and have spoken to Wayne Alberty as permitted in the letter. I am concerned, however, that as a long-time property owner in the Pearl District I was never consulted regarding this matter, I was not given the opportunity to participate in the 6th Street Task Force, consulted by the City of Tulsa Planners or given notice by our City Council that it had planned to vote to adopt Form-Base Code for parts of the Pearl District east of Peoria and south of 5th Place. While I am attempting to maintain an open mind about the matter, it seems ill-conceived when applied to the actual characteristic of the District, way too large, and a wholesale rezoning without need or justification.

Sincerely,

A handwritten signature in blue ink, appearing to read "David R. Cordell".

David R. Cordell

DRC/cdc

LOT-SPLIT FOR WAIVER OF SUBDIVISION REGULATIONS

April 4, 2012

LS-20499 (Withdrawn)

Allegiance Title, (1406) (RS-1) (County)

West of North Garnett Road and South of East 126th Street North

The applicant has requested that the Lot-Split be withdrawn due to issues with the provided legal descriptions and discrepancies in ownership.

Staff can not recommend approval of the Lot-Split and the waiver of the Subdivision Regulations that no lot shall have more than three side lot lines at this time.

Bates, Brad

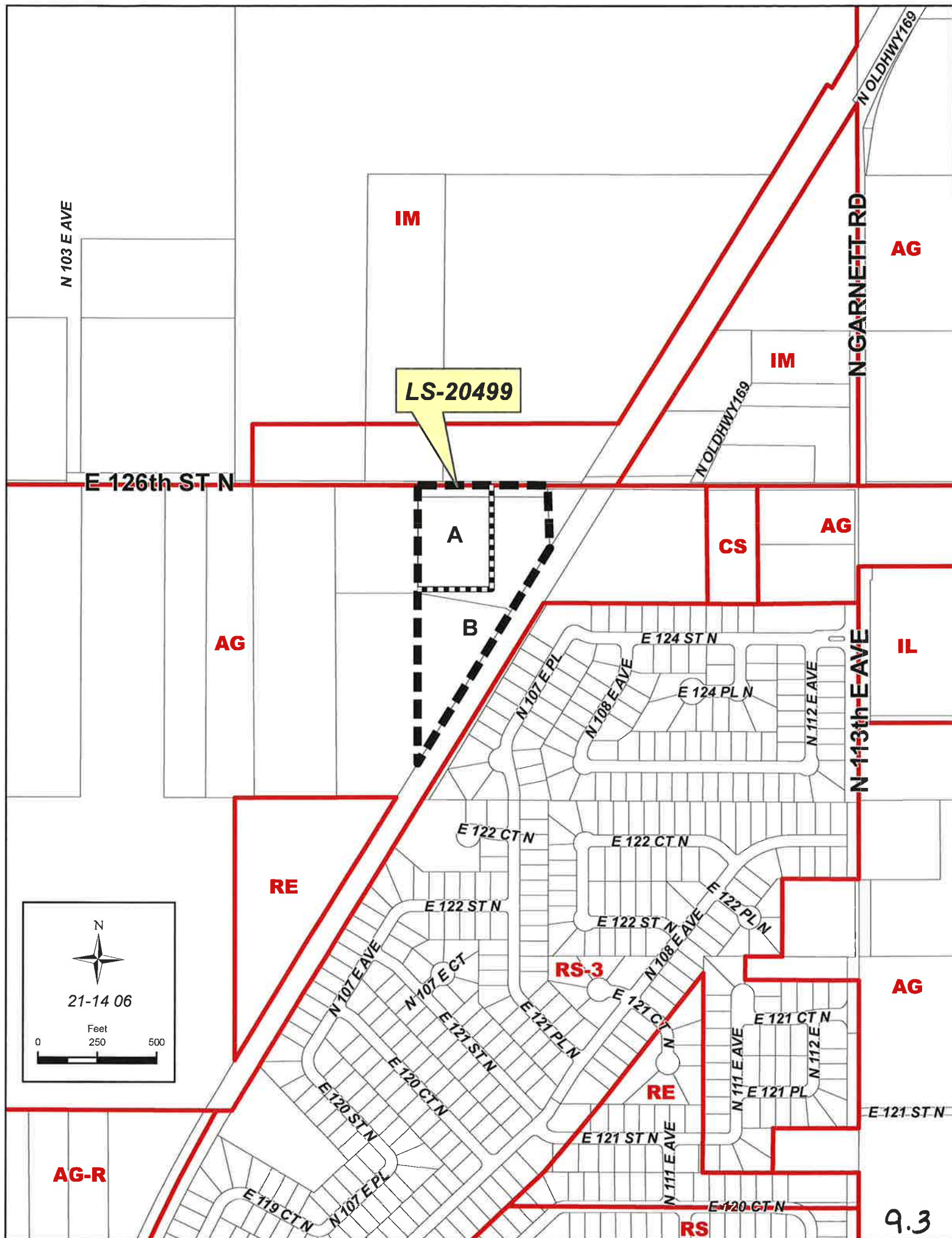
From: Lori Snedden [lori@closingandtitle.net]
Sent: Thursday, March 22, 2012 10:32 AM
To: 'John Dix'
Cc: Bates, Brad
Subject: RE: Gambling deed

Thank you, I just spoke with Brad Bates. He sent me the aerial picture showing the land that you own. I am sending all of this information to the Callahans and the Gamblings. Also, I am removing my request for the lot split at this time and advising that the Callahans and the Gamblings resolve the lost split issue on their own...as there is no longer an active contract for sale that involves my company. I am advising that they submit your legal description to Payne Surveying and have that portion of property extracted from tract B and then re-apply for the lot split.
I am sorry for your inconvenience.

Cc: Brad Bates

Thank you!

*Lori Snedden
Escrow Officer
Allegiance Title and Escrow, LLC
Owasso Branch
12801 E. 85th St. N., #104
Owasso, OK 74055
Phone: 918-376-4411
Fax: 918-376-4501*





LS-20499

E 126th ST N

A

B

E 124 ST N

E 124 PL N

N 113th E AVE

E 122 CT N

E 122 CT N

E 122 ST N

E 122 ST N

E 122 PL N

N 107 E AVE

N 107 E CT

E 121 ST N

E 121 PL N

E 121 CT N

E 121 CT N

E 121 PL N

N 112 E AVE

E 120 ST N

E 120 CT N

E 121 ST N

N 111 E AVE

E 120 CT N

E 121 ST N



21-14 06

Feet
0 250 500

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

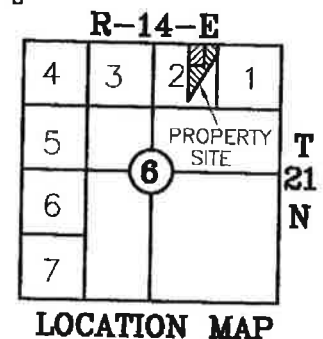
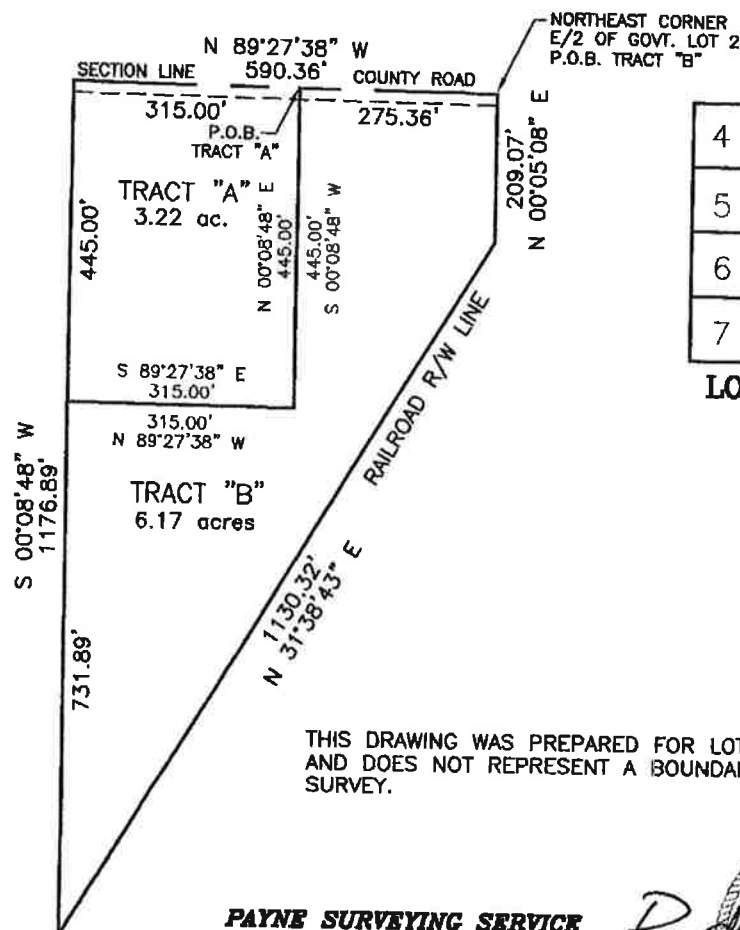
PREPARED FOR:

LORI SNEDDEN
ALLEGIANCE TITLE & ESCROW, LLC**LOT SPLIT SKETCH**STATE OF OKLAHOMA
TULSA COUNTYBASIS OF BEARING = BEARINGS BASED ON
THE RECORDED DEED.
BK. 5422 PG. 1775**TRACT "A"**

A tract of land containing a part of the E/2 of Government Lot 2 in Section 6, Township 21 North, Range 14 East of the I. B. & M., Tulsa County, Oklahoma, said tract being further described as follows:
Commencing at the Northeast Corner of said E/2 of Government Lot 2; thence N 89°27'38" W, along the North line thereof, a distance of 275.36 feet to the POINT OF BEGINNING; thence continuing S 89°27'38" W a distance of 315.00 feet; thence S 00°08'48" W a distance of 445.00 feet; thence S 89°27'38" E a distance of 315.00 feet; thence N 00°08'48" E a distance of 445.00 feet to the point of beginning, containing 3.22 acres more or less.

TRACT "B"

A tract of land containing a part of the E/2 of Government Lot 2 in Section 6, Township 21 North, Range 14 East of the I. B. & M., Tulsa County, Oklahoma, said tract being further described as follows:
Beginning at the Northeast Corner of said E/2 of Government Lot 2; thence N 89°27'38" W, along the North line thereof, a distance of 275.36 feet; thence S 00°08'48" W a distance of 445.00 feet; thence N 89°27'38" W a distance of 315.00 feet; thence S 00°08'48" W a distance of 731.89 feet; thence N 31°38'43" E, along the right-of-way line of the South Kansas & Oklahoma Railroad, a distance of 1130.32 feet; thence N 00°05'08" E, along the East line of said Government Lot 2, a distance of 209.07 feet to the point of beginning, containing 6.17 acres more or less.



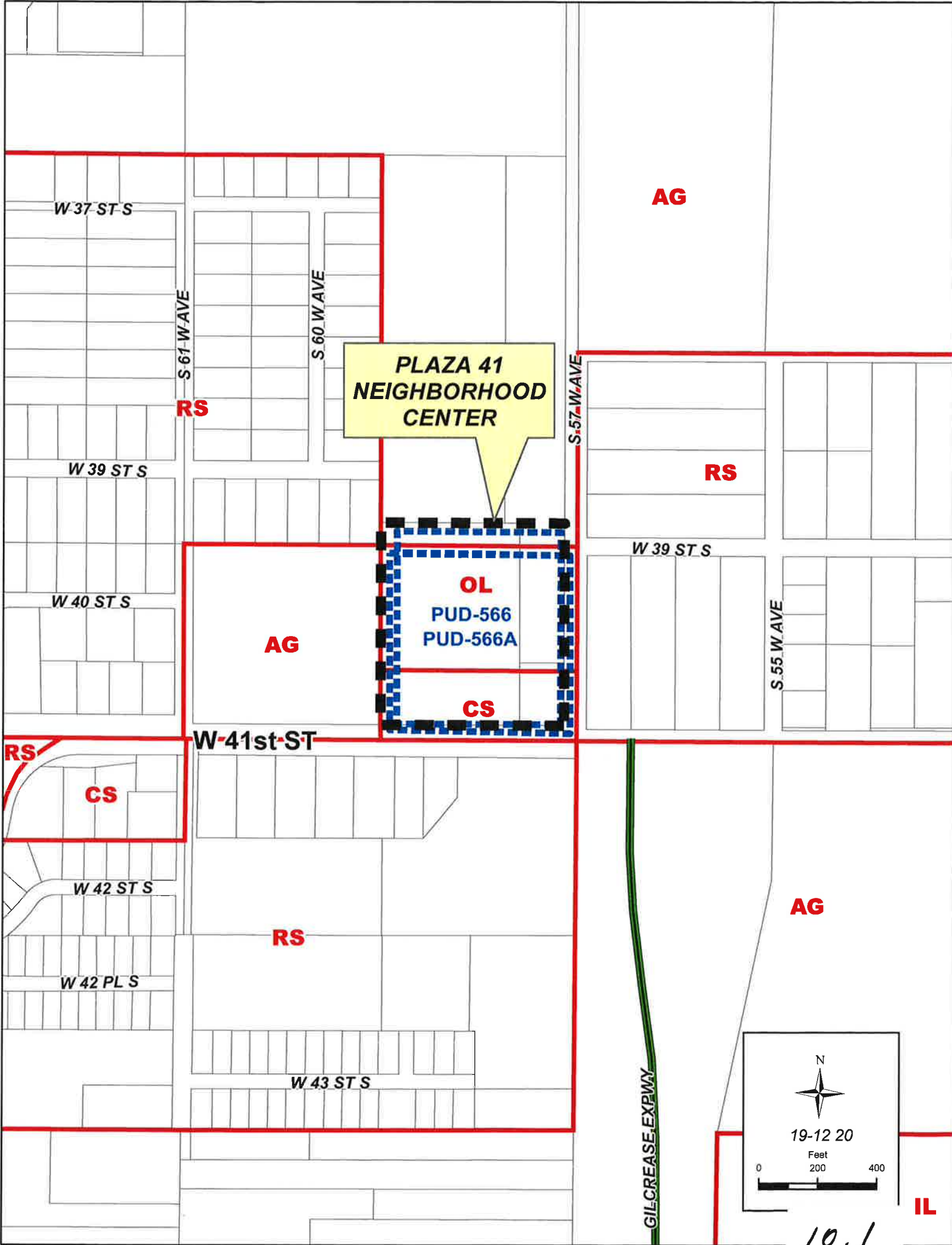
LOCATION MAP

THIS DRAWING WAS PREPARED FOR LOT SPLIT PURPOSES ONLY
AND DOES NOT REPRESENT A BOUNDARY OR PROPERTY LINE
SURVEY.

PAYNE SURVEYING SERVICE
1218 W. WILL ROGERS BLVD.
CLAREMORE, OKLA.
341-0617

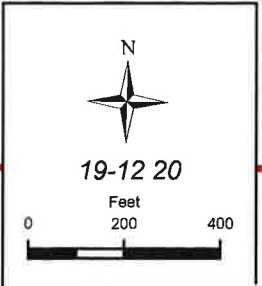
02-09-12
Randall R. Payne
Randall R. Payne
CA 2368 (LS) EXPIRES 06/30/13

02/09/2012
6-21-14



PLAZA 41
NEIGHBORHOOD
CENTER

OL
PUD-566
PUD-566A
CS



10.1

Annexed Area

**PLAZA 41
NEIGHBORHOOD
CENTER**

W 37 ST S

S 61 W AVE

S 60 W AVE

S 57 W AVE

W 39 ST S

W 40 ST S

W 39 ST S

S 55 W AVE

W 41st ST

W 42 ST S

W 42 PL S

W 43 ST S

GILCREASE EXPWY



19-12-20

Feet
0 200 400

Note: Graphic overlays may
not precisely align with physical
features on the
Aerial Photo Date: 1

10.2

PRELIMINARY SUBDIVISION PLAT

PLAZA 41 NEIGHBORHOOD CENTER - (CD 2)

Northwest corner of West 41st Street and South 57th West Avenue

This plat consists of 5 Lots, 1 Block, on 9.78 acres.

The site of the subdivision plat was annexed into the City Limits of Tulsa in November of 2011 with other properties in the "Berryhill" area. According to the Zoning Code, "when any territory shall be brought into the zoning jurisdiction of the City of Tulsa, by annexation or otherwise, such territory shall be deemed to be an AG Agriculture District" (Section 101.C.2)

There were existing Planned Unit Development zonings, PUD 566 and 566 A, on the subject site before the annexation took place. The underlying zoning of the tract was OL (office light) and CS (commercial shopping). The PUD 566 A zoning was approved by County Commissioners in October of 2011. The applicant started the process of rezoning in March of 2011 for PUD 566 A. A subdivision plat was also applied for in March of 2011 but did not proceed through the process because of problems with the approval of the PUD.

The PUD 566 A was finally approved in October of 2011, and a new subdivision plat was applied for in February of 2012.

Recognizing the extensive work, time and cost expended in obtaining approval of the Planned Unit Development and the underlying zoning of the property under the Tulsa County Zoning Code, the City of Tulsa is agreeable to the platting of the property. The City of Tulsa has agreed to processing the plat with County requirements.

Staff can recommend **APPROVAL** of the Preliminary Plat subject to the property being rezoned by the City of Tulsa to PUD 566 and 566 A (staff will facilitate this rezoning application this month to be consistent with the zoning and PUD prior to the City of Tulsa annexation), TAC comments regarding the subdivision plat and the special and standard conditions as listed below. Following final plat approval, permitting and inspections on the subject property would be provided by the City of Tulsa.

The following issues were discussed March 1, 2012, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property was zoned PUD 566 (A) in Tulsa County. Lot 4 as proposed is virtually unusable and should be reconfigured. Access needs to be defined and mutual access easements are needed for several of the lots. Limits of No Access need to be shown. A release letter will be needed from

the Fire Department responsible for serving the site. Right-of-way needs to be dedicated per the Major Street and Highway Plan unless a waiver is granted by the planning commission. Use fence easements where necessary.

2. **Streets:** Limits of access are not clearly denoted. Provide dimension lines/arrows. Where is access for Lot 5? LNA's are designated on arterials only; remove LNA/access from South 57th Street. Access width of 14.21 feet is shown for Lot 1, Block 1; minimum access is 24 feet. Provide reference for right-of-way on both West 41st and South 57th West. If access from the south to Lot 5 will be through Lot 2, a mutual access easement will be required and should be included in the plat. This also applies to the proposed access from the east through Lot 4. Recommend using standard language for Limits of No Access. Add section on sidewalks. Right-of-way dedication is needed in accordance with Major Street and Highway Plan. A turn-lane may be required through Traffic Engineering.
3. **Sewer:** Add easement locations for the required septic system lateral field for each lot. In Section I-4, include sanitary sewers as well as water mains, since a sanitary sewer main could be installed sometime in the future. Omit the words: "in excess of three feet " from Section 1-4a. Include language restricting the use of the septic system lateral field, and requiring the owner of each lot to disconnect from their septic system, and connect to the sanitary sewer main within 90 days of construction of a sewer main. The project site does not have access to the sanitary sewer system. A lift station and force main would have to be constructed in order to provide service. Therefore, each lot must provide its own septic system and must meet ODEQ requirements for lot size and perk tests. The lateral field cannot be paved over, and an easement must be created for the lateral field.
4. **Water:** There is no existing water mainline along South 57th East Avenue for serving tracts 4 and 3. The extension of looped water mainline will be required to develop those tracts. An existing 16 inch waterline along West 41st Street South is accessible for tracts 1; 2 and 5. Should tract 5 require fire hydrant protection because of its depth then, a looped water mainline extension will be required; installed inside a 20 foot restrictive waterline easement.
5. **Storm Drainage:** The Berryhill Creek FEMA AE floodplain and floodway limits must be labeled as such and be included in an overland drainage easement reserve as opposed to a drainage easement. It is recommended that a single detention pond be platted for this development due to existing flooding downstream. The pond should be placed in a stormwater detention reserve. The PUD states that access to Lot 5 from 57th Avenue will be

permitted. This access would require the floodway to be bridged. The FEMA floodway and floodplain must be plotted on the plat by utilizing the FIS (Flood Insurance Profiles) profiles and existing ground elevations. It is recommended that standard language for lot surface drainage, overland drainage easement reserve, "and stormwater detention reserve", be added to the covenants. Define the purpose, use and restrictions for the "Reserve 0.301 Acres" shown on the face of plat. If this reserve is for a detention pond, it cannot extend into the floodplain.

6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** AT&T needs additional easements between Lots 1, and 3.
7. **Other: Fire:** Provide conceptual drawing with building placement for fire department access requirements. The International Fire Code would require a water main extension along 57th West Avenue to provide fire hydrant protection to Lots 3 and 4. A water main extension and fire hydrants may be required for Lot 5 because of the depth and size of the lot when a conceptual building placement is determined. **GIS:** Legal needs to be consistent throughout plat and be corrected. **County Engineer:** DEQ must approve septic system. Adequate detention ponds are required.

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:

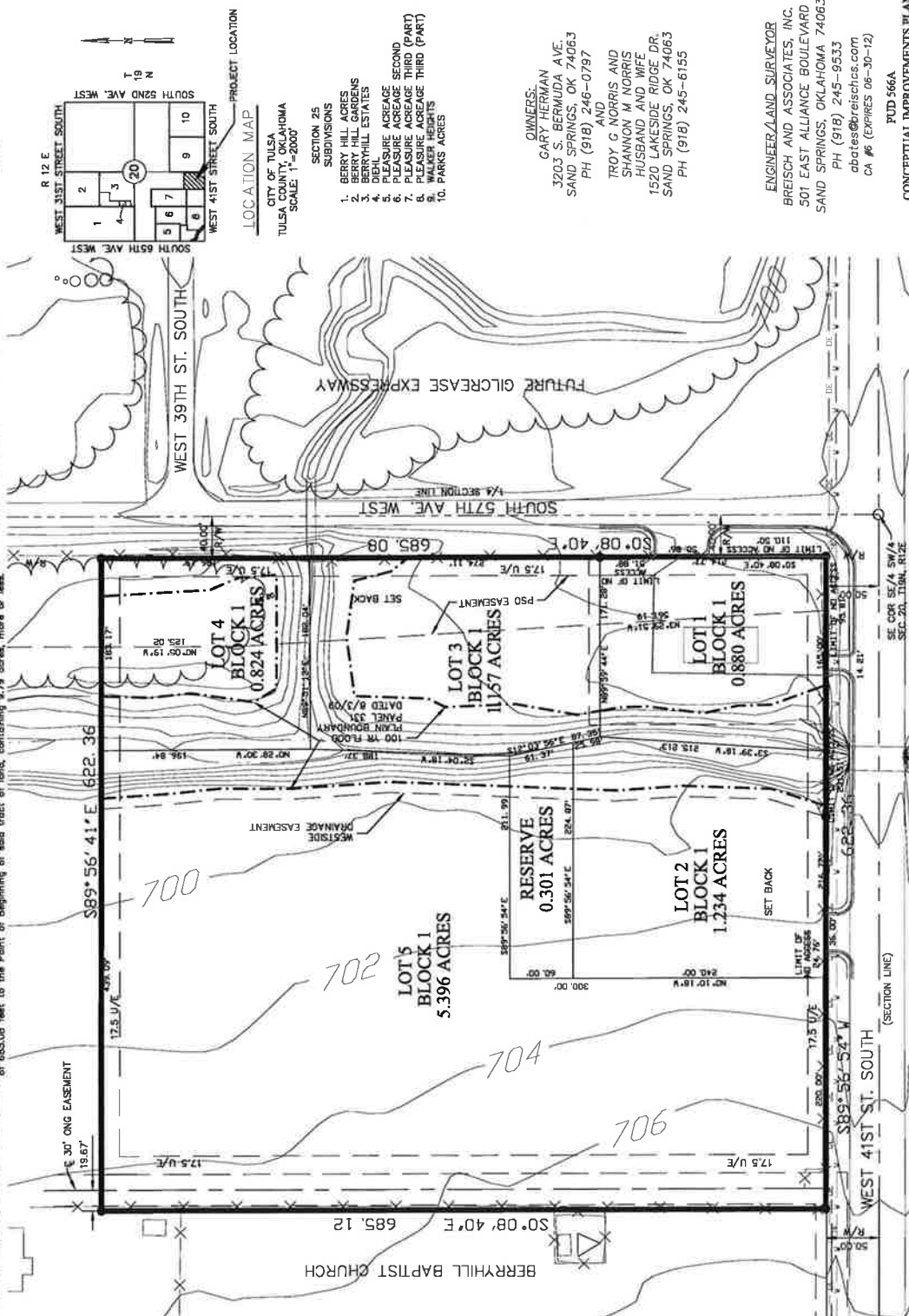
1. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved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

PLAZA 41 NEIGHBORHOOD CENTER

A tract of land that is a part of the East Half of the Southwest Quarter (E/2 E/2 SW/4) of Section 20, Township 18 North, Range 12 East of the Indian Base and Meridian, Tulsa County, State of Oklahoma, according to the United States Survey thereof and being more particularly described as follows, to-wit: Beginning at the point of Beginning of said tract of land, thence N 0°08'37" W and parallel to the East line of said East Half of the Southwest Quarter (SW/4) a distance of 40.00 feet; thence N 0°08'37" W and parallel to the East line of said East Half of the Southwest Quarter (SW/4) a distance of 50.00 feet to the point of Beginning of said tract of land; thence S 89°59'45" West and parallel to the South line of said Southwest Quarter (SW/4) a distance of 622.27 feet; thence North 0°08'37" West along the West line of the East Half of the Southwest Quarter (E/2 E/2 SW/4) a distance of 685.73 feet to a point, said point being 1244.51 feet Southwesterly of the Northeast corner of the Southwest Quarter (SW/4 NE/4 SW/4) of said Section 20; thence South 0°08'56'41" East parallel with the North line of said SW/4 a distance of 622.25 feet to a point, said point being 40.00 feet West of the East line of said Southwest Quarter (SW/4); thence South 0°08'37" East and parallel to the East line of said Southwest Quarter (SW/4) a distance of 685.08 feet to the point of Beginning of said tract of land, containing 9.79 acres, more or less.



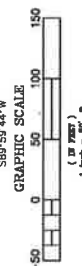
CAVEAT/DISCLAIMER

ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.

SIDEWALK NOTE:

INDIVIDUAL LOT OWNERS WILL BE REQUIRED TO CONSTRUCT SIDEWALKS IF SIDEWALKS ARE NOT CONSTRUCTED BY THE DEVELOPER.

BASIS OF BEARINGS
THE BEARINGS ARE BASED ON
SOUTH LINE OF THE SOUTHWEST
(SW/4) OF SECTION 20



THIS MAP OR PLAT MEETS OR EXCEEDS THE
MINIMUM TECHNICAL STANDARDS FOR THE
CLASS OF LAND SURVEYING REVENUE MAY 11, 2007

OWNERS:
GARY HERMAN
003 S. BERMUDA AVE.
DID SPRINGS, OK 74063
PH (918) 246-0797
AND
TROY G NORRIS AND
SHANNON M NORRIS
HUSBAND AND WIFE
0 LAKESIDE RIDGE DR.
DID SPRINGS, OK 74063
PH (918) 245-6155

ENGINEER/LAND SURVEYOR
BREISCH AND ASSOCIATES, INC.
501 EAST ALLIANCE BOULEVARD
SAND SPRINGS, OKLAHOMA 74063
PH (918) 245-9533
abates@breischs.com
CA #6 (EXPIRES 06-30-12)

PUD 566A
CONCEPTUAL IMPROVEMENTS PLAN
SHEET 1 OF 1

DATE OF PREPARATION: FEBRUARY 09, 2012

MINOR SUBDIVISION PLAT

41st Street Retail - (CD 5)

South of 41st Street, West of South Sheridan Road

This plat consists of 1 Lot, 1 Block, on 1.1 acres.

The following issues were discussed March 15, 2012, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned CS (commercial shopping) and RS-2 (residential single family).
2. **Streets:** Access is limited to 36 foot maximum. Please indicate what the permanent easement at the entrance is for? Sidewalk section: this is one lot one block subdivision; please delete reference to reserve area, each lot abutting lots, etc. Delete the last sentence: "Where sidewalks...the required sidewalk".
3. **Sewer:** According to the sewer atlas, there is an existing lamphole extending to the northwest out of the existing manhole that you show on your conceptual plan. This run of pipe is where you should make your service line connection to the main. If the main is in need of repair, you should coordinate that with the sanitary sewer maintenance division. Contact Mark Rogers at 918-669-6117 if there is a problem with the main. Your proposed service line also needs to be relocated so it enters the 17.5 foot perimeter easement at more of a perpendicular angle, so it will not conflict with utility lines located within the easement.
4. **Water:** Domestic and irrigation meter connection permits are required.
5. **Storm Drainage:** Storm sewer easements may be required. Unusual covenant set-up. Standard language for lot surface drainage is required. Increased drainage flow, additional concentration of drainage flow, or increases in the velocity of the drainage flowing onto ODOT (Oklahoma Department of Transportation) property will require their approval. Many lines and symbols were not included in the legend nor were they labeled. There is no outlet pipe shown from the area inlet to the public drainage system.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** Release

letters from the utilities have been received.

7. **Other: Fire:** No comment. **GIS:** Label all subdivisions within the mile section of the location map. Provide a written scale for the location map and for the plat under the graphic scale bars. The basis of bearing should be clearly described and stated in degrees, minutes, and seconds. Please make note on the face of the plat any benchmarks and the size, location, description and identification of all monuments to be set or found in making the survey, shown to assure the re-establishment of any point or line of the survey. Show a pin symbol at each point of intersection on the traverse around the property. Submit a subdivision control data form (Appendix D), last page of the Subdivision Regulations for the Tulsa Metropolitan Area, in which the first point shall be the point of beginning with two other points on or near the plats' boundary.

Staff recommends **APPROVAL** of the minor subdivision plat with the TAC recommendations and the special and standard conditions listed below. Releases have been received.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

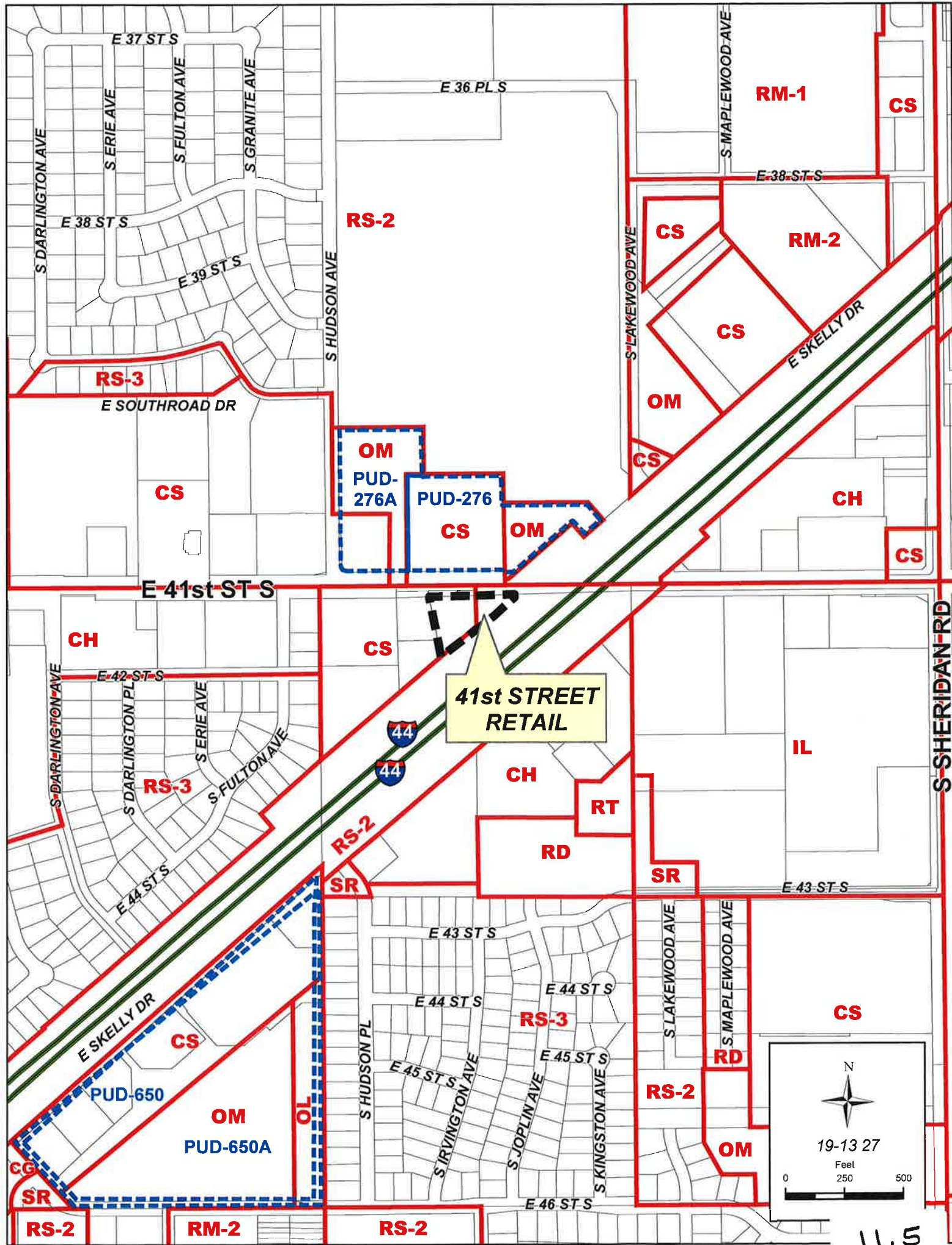
1. The concerns of the public works staff and development services staff must be taken care of to their satisfaction.

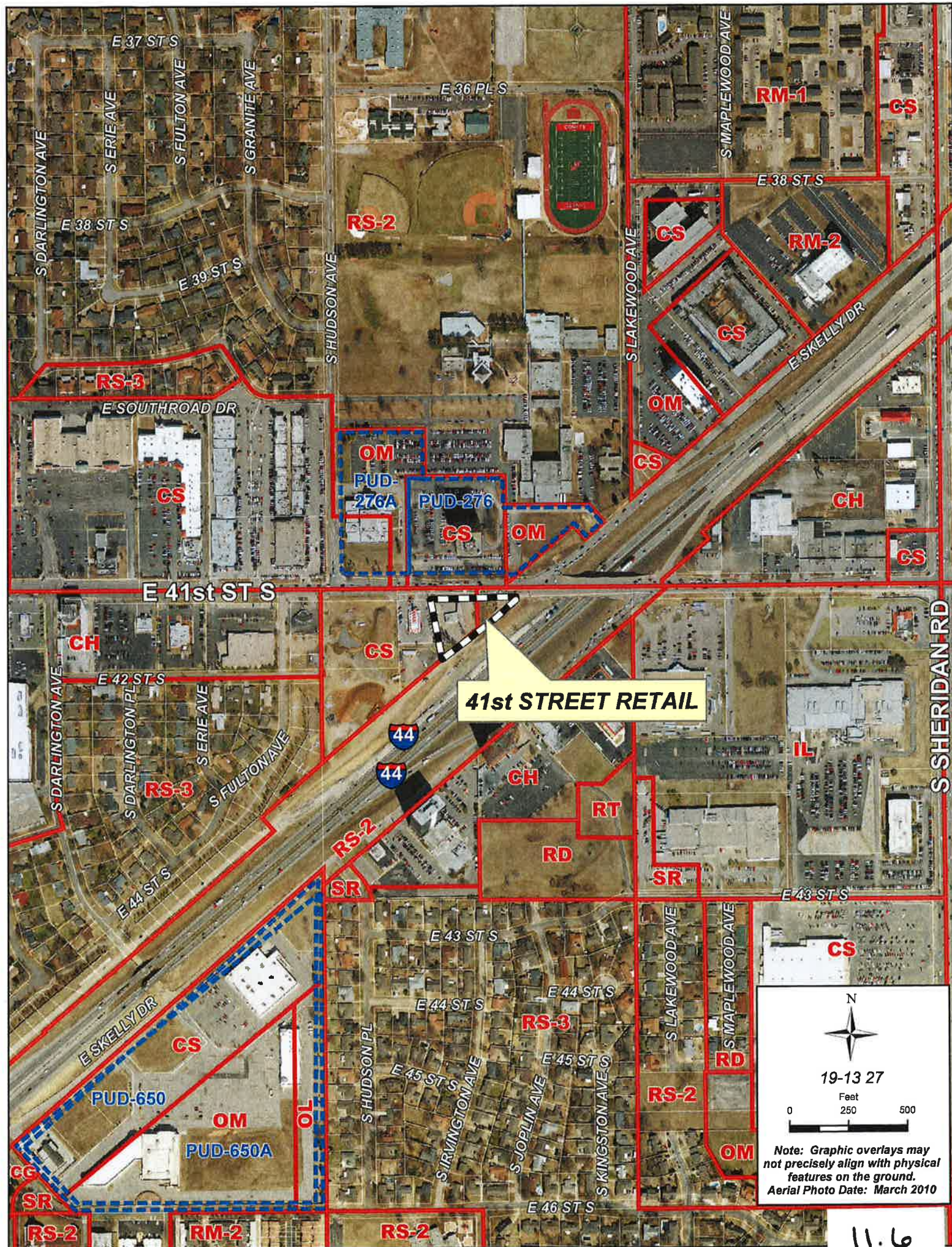
Standard Conditions:

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.

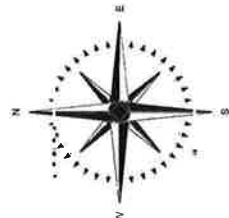
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
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.





A MINOR SUBDIVISION TO THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA
A PART OF THE NE/4 OF SECTION 27, TOWNSHIP 19 NORTH, RANGE 13 EAST
1.147 ACRES, 1 BLOCK, 1 LOT

OWNER/DEVELOPER:
OWNER/DEVELOPER NAME

B/L	* BUILDING LINE
U/E	* UTILITY EASEMENT
B/L & U/E	* BUILDING LINE & UTILITY EASEMENT
A/E	* ACCESS EASEMENT
S/S/E	* SANITARY SEWER EASEMENT
F & L/E	* FENCE & LANDSCAPE EASEMENT
RES.	* RESERVE
C#	* CURVE NUMBER
L#	* LINE NUMBER
N/A	* LIMITS OF NO ACCESS

DATE RECEIVED PLASTIC POLYMER

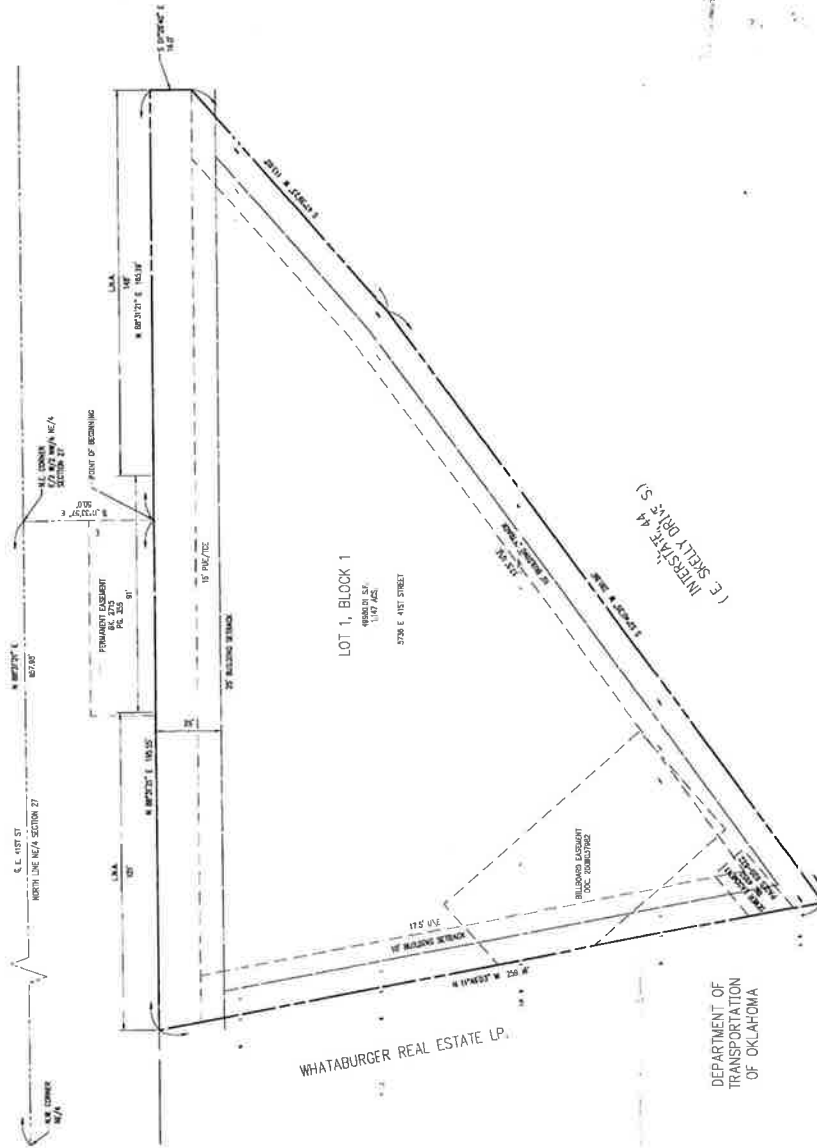
BENCHMARK

THE VERTICAL DATUM IS NAVD 1988. ALSO AZEUAL DATA
SERVICE MONUMENT 36, ELEVATION 15 756 000

9.009 STATEMENT INFORMATION

FUND PANEL NO. 4014-300350K DATED AUGUST 3, 2008 CLASSIFIES
THE PROPERTY DESCRIBED HEREON AS ZONE γ_1 , AN AREA
DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE

THE ABOVE STATEMENT IS FOR INFORMATION ONLY AND THIS SURVEYOR ASSUMES NO LIABILITY FOR THE CORRECTNESS OF THE DATA. IN ADDITION, THE ABOVE STATEMENT DOES NOT REPRESENT THIS SURVEYOR'S OPINION OF THE PROBABILITY OF FLOODING.

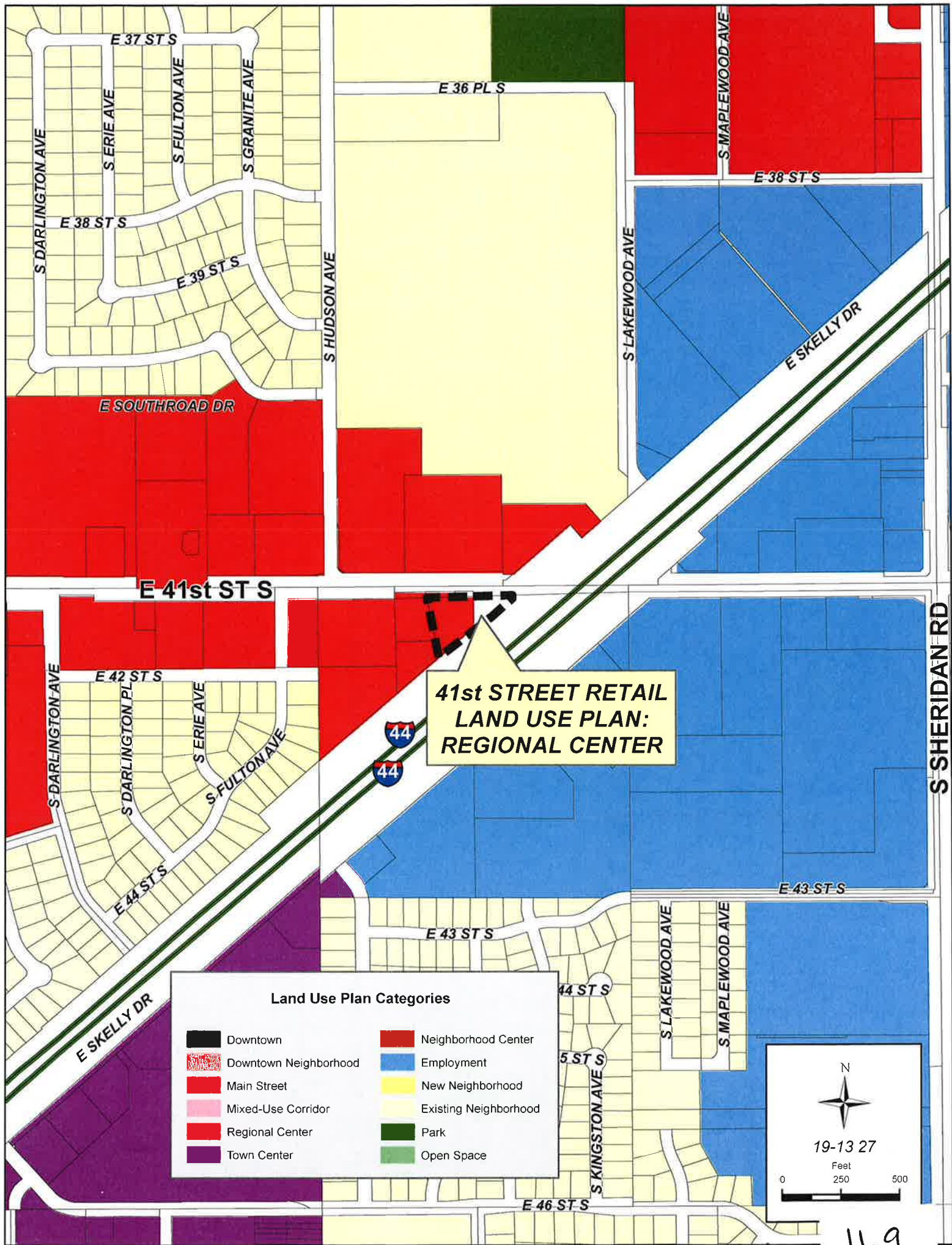


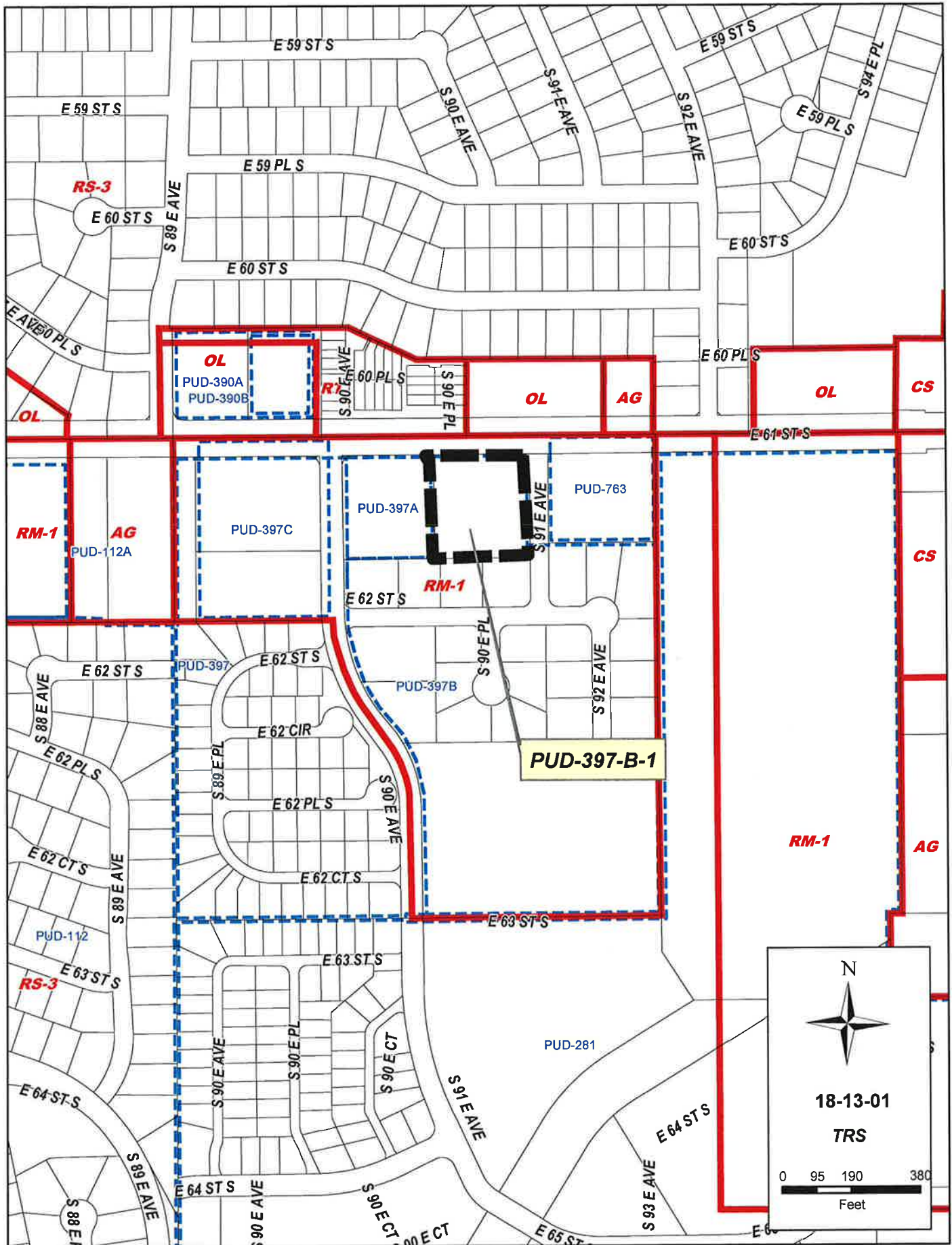
DEPARTMENT OF
TRANSPORTATION
OF OKLAHOMA

ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION

PREPARED DATE: FEBRUARY 23, 2012
SHEET 1 OF 2
4TH STREET RETAIL







April 4, 2012

STAFF RECOMMENDATION

PUD-397-B-1: Minor Amendment – Southwest corner of East 61st Street South and South 91st Avenue East; Lot 1, Block 1 – Woodland Valley Office Park; TRS 18-13-02; CZM 53; Atlas 759; CD 7; RM-1.

The applicant is requesting a minor amendment to permit a small electronic message center to be added to an existing sign in a PUD dedicated to office uses per the attached plan. The underlying zoning of the property is RM-1.

Existing sign standards for PUD-397-B are as permitted in the OL District requiring signs to be lit by constant light/constant illumination. The addition of an electronic message center does not conform to this requirement. In order to allow the addition of the message center the applicant has been required to first secure a variance from the City of Tulsa Board of Adjustment (BOA) and then receive approval of this minor amendment from the TMAPC.

On March 27, 2012 in case number 21357, the BOA approved a Variance from the requirement that a sign in the Residential Multifamily (RM-1) District be lit by constant light for an existing sign to accommodate for an electronic message center; approved a Variance to reduce setback from 20-feet to 18-feet from the drive surface of South 91st East Avenue and reduce the setback from 20-feet to 19-feet from driving surface of East 61st Street to allow for the overhang of an Electronic Message Center added to an existing sign (see attached Exhibits).

Section 1107.H of the Code allows the TMAPC by minor amendment, to approve modifications to approved signage provided the size, location, number and character (type) of the sign(s) is not substantially altered.

Staff contends the addition of this relatively small electronic message center to an existing sign along an arterial street will not substantially alter the approved signage within the PUD. The number of permitted signs is not being altered, the location of the existing sign is not changing and the sign will remain within the permitted display surface area allowed the length of the street frontage (.2 of a square foot of display area permitted per each lineal foot of street frontage allowed).

Therefore recommends **APPROVAL** of minor amendment PUD-397-B-1.

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



TOTAL SIGNAGE
45 SQ. FT.
ALLOWANCE
51.6 SQ. FT.
EXISTING
47.75 SQ. FT.



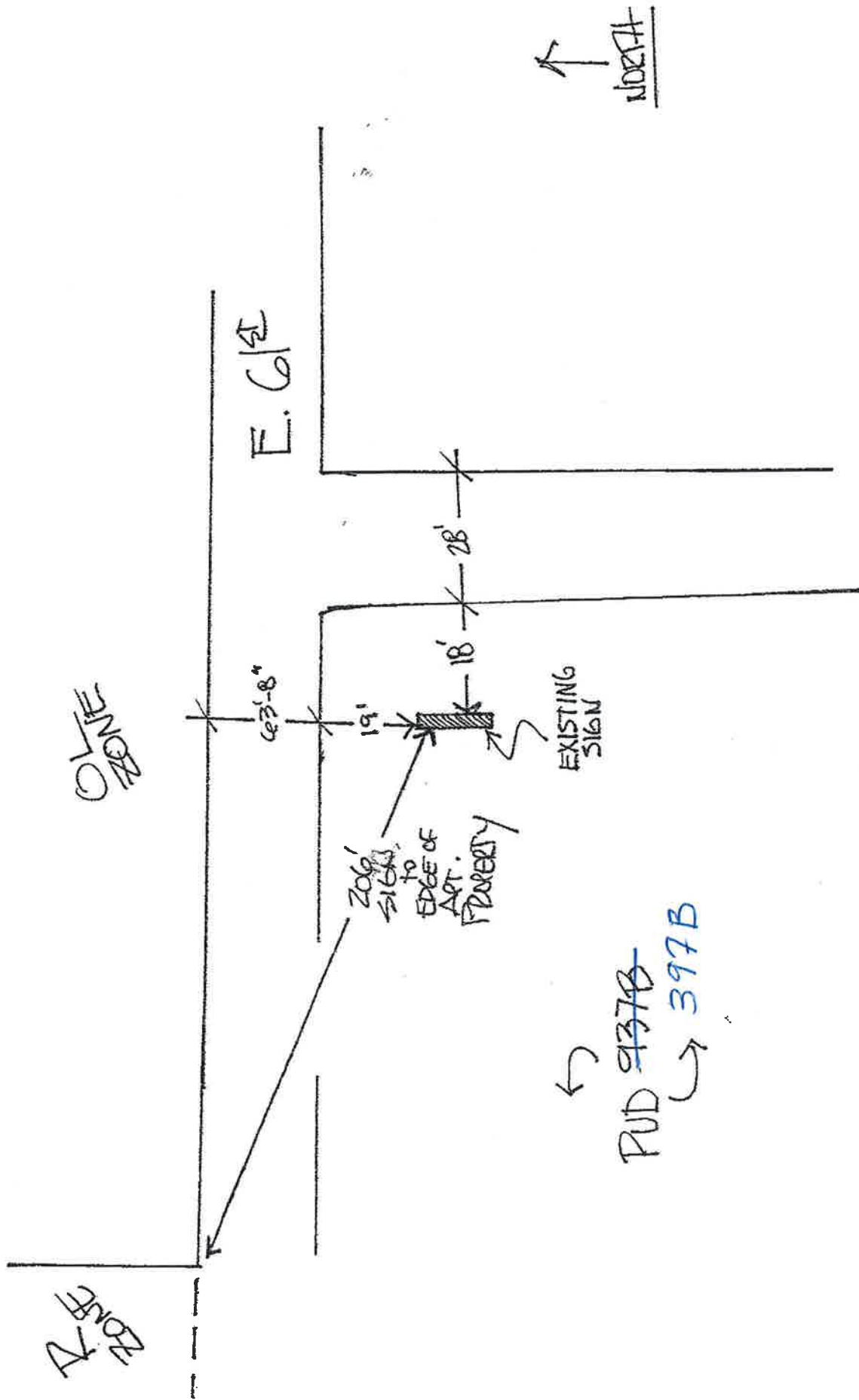
EXISTING SIGN STRUCTURE
SCALE: NTS



PROPOSED
SCALE: 3/16"=1'

DESIGNER: A-MAX SIGN COMPANY, INC.
PROJECT: CHILDREN'S DENTAL
LOCATION: TULSA, OK
ADDRESS: 61ST & MINGO
DATE: 2/28/12
FILE NAME: MAIN_ID_REV4
SALES REP: BOB DAIL
DRAWN BY: PW
SIGNAGE WILL BE BUILT TO MEET ALL SPECIFICATIONS
LISTED
CLIENT APPROVAL / DATE:
LANDLORD APPROVAL / DATE:
REVISIONS:
1.
2.
3.
4.
5.
6.
SHEET NUMBER
1 of 1
DWG
022812-05

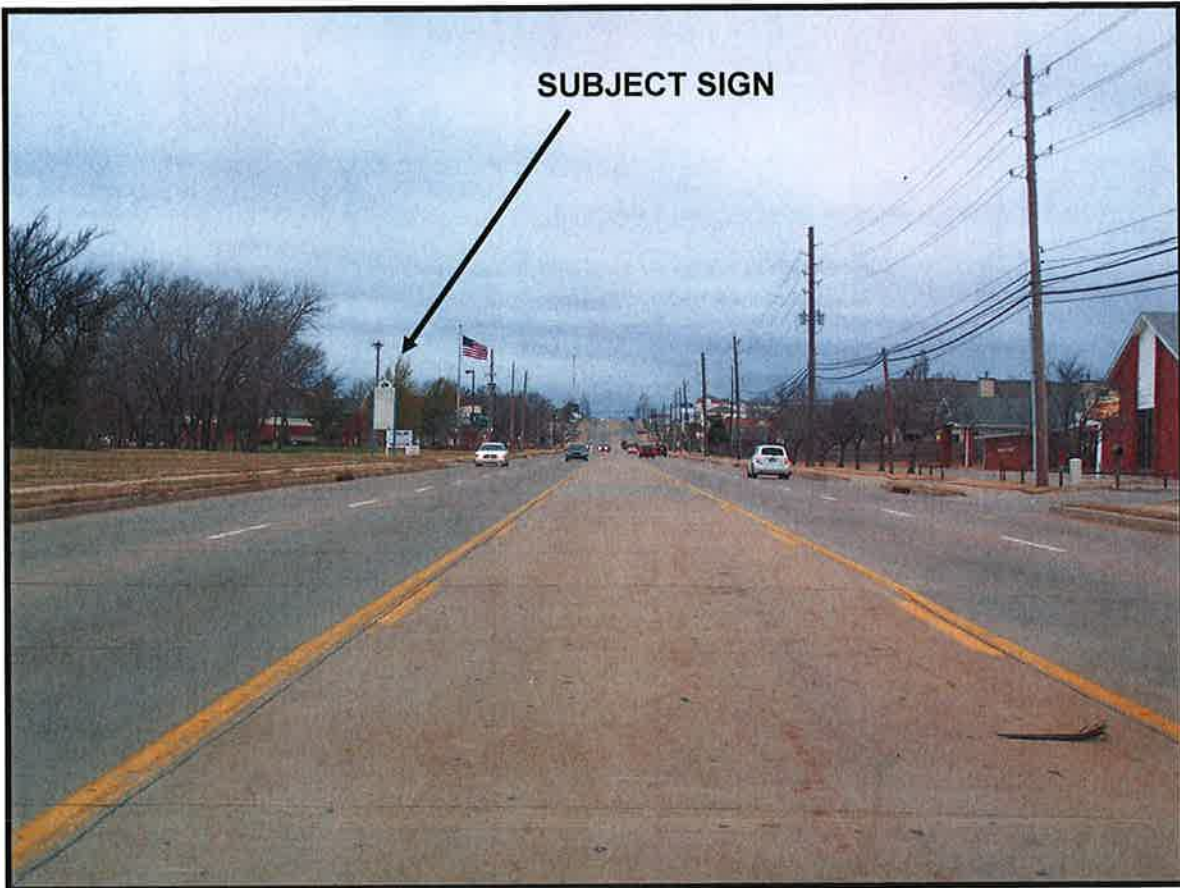
12.4



↑
NORTH

←
PUD 937B
→ 397B

ROUGH SITE SURVEY
WOODLAND VALLEY OFFICE PARK SIGN



SUBJECT SIGN

Looking west along 61st Street



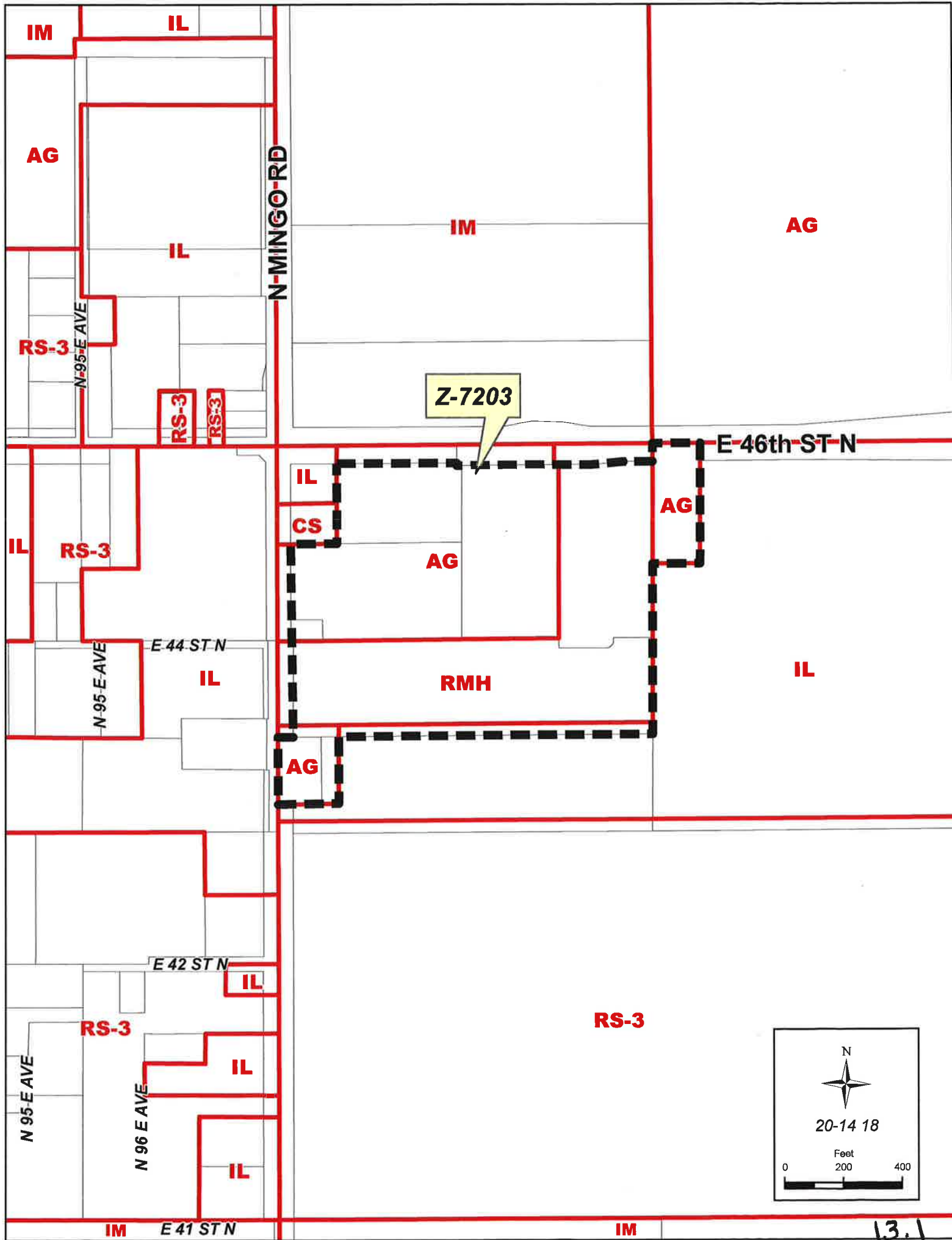
SUBJECT SIGN

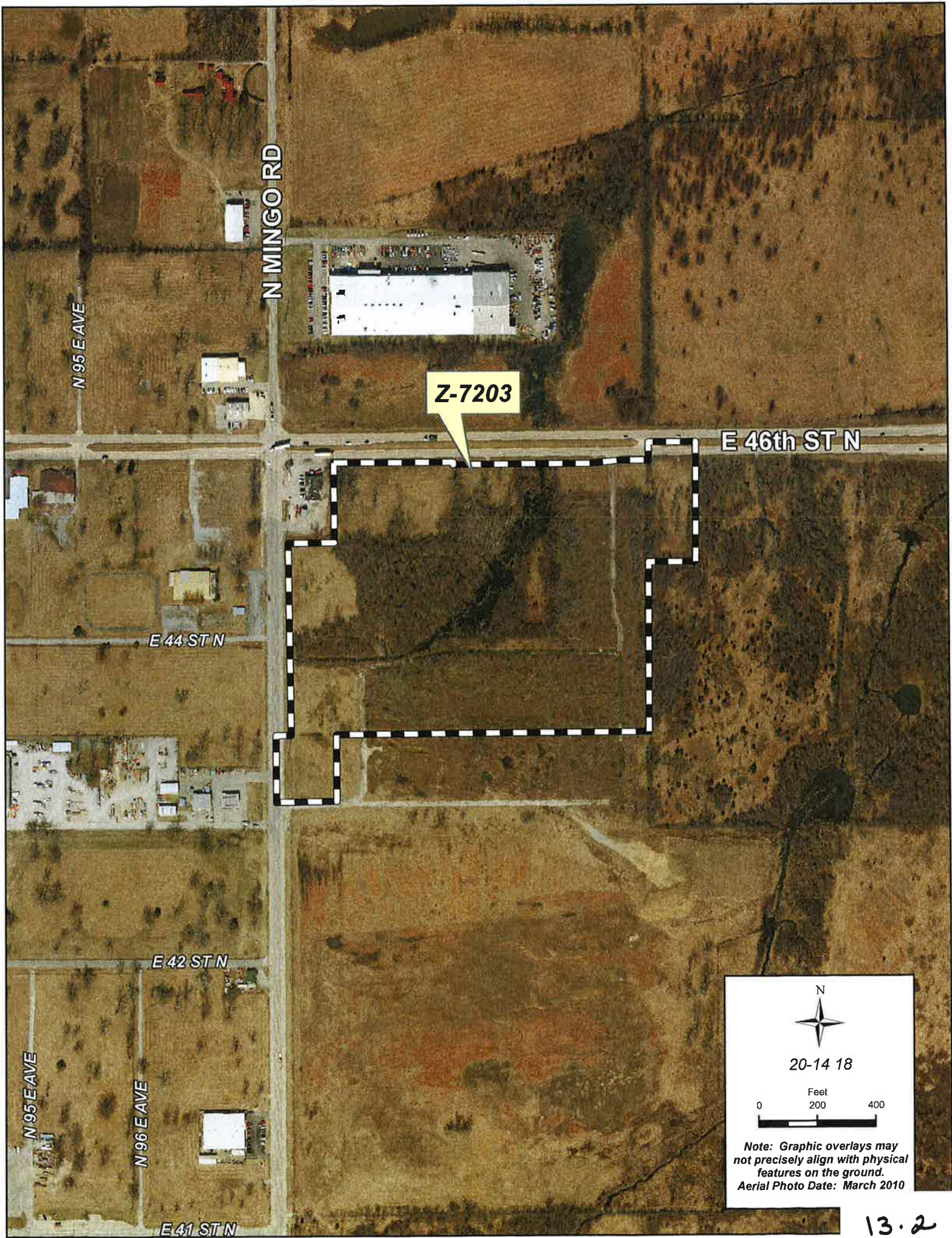


Looking at subject sign from the west



Looking east along 61st Street





Z-7203

N

20-14 18

0 200 400

Feet

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

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7203

TRS 0418

Atlas 729

CZM 24

CD-3

TMAPC Hearing Date: April 4, 2012

Applicant: Tulsa Airport Improvement Trust

Tract Size: 28.15± acres

ADDRESS/GENERAL LOCATION: South and east of the southeast corner of North Mingo Road and East 46th Street North

EXISTING ZONING: AG/RMH

EXISTING USE: Vacant

PROPOSED ZONING: IM

PROPOSED USE: Aviation use

ZONING ORDINANCE: Ordinance number 11804 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

BOA-18388 April 27, 1999: The Board of Adjustment approved a Special Exception to permit a convenience store (Use Unit 13) in an IL district, on property located at the southeast corner of East 46th Street and North Mingo Road.

Z-6596 July 1997: All concurred in approval of a request for rezoning a 7.5± acre tract of land from RS-3 to IL by the City of Tulsa, Tulsa Airport Authority for indoor recreation, on property located on the southwest corner of East 46th Street North and North Mingo Road and northwest of subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 28.15± acres in size and is located south and east of the southeast corner of North Mingo Road and East 46th Street North. The property appears to be vacant and is zoned AG/RMH.

SURROUNDING AREA: The subject tract is abutted on the east by vacant land, zoned IL; on the north by industrial and related uses, zoned IM; on the south by vacant land, zoned IL; and on the west by vacant and industrial/related uses, zoned IL.

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

TRANSPORTATION VISION:

The Comprehensive Plan designates this portion of East 46th Street North as a Primary Arterial and North Mingo Road as a Secondary Arterial. Each of these are seen as major carriers of traffic

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 46 th Street North	Primary arterial	120'	4
North Mingo Road	Secondary arterial	100'	2

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Comprehensive Plan designates this as an Employment Area and as an Area of Growth. These designations are to encourage further employment opportunities and investment in related infrastructure to support that growth, according to the types of development that occur. In this case, aviation uses are in the industrial category and also generate employment opportunities.

STAFF RECOMMENDATION:

Based on the Plan and surrounding existing and proposed land uses, staff can support the proposed IM zoning on this property. Therefore, staff recommends **APPROVAL** of IM zoning for Z-7203.

04/04/12

N MINGO RD

N 95 E AVE

N 95 E AVE

E 44 ST N













E 42 ST N

E 41 ST N

**Z-7203
LAND USE PLAN:
EMPLOYMENT**

E 46th ST N

Land Use Plan Categories

	Downtown		Neighborhood Center
	Downtown Neighborhood		Employment
	Main Street		New Neighborhood
	Mixed-Use Corridor		Existing Neighborhood
	Regional Center		Park
	Town Center		Open Space



20-14 18



N MINGO RD

N 95 E AVE

Z-7203

E 46th ST N

N 95 E AVE

E 44 ST N

E 42 ST N

N 95 E AVE

N 96 E AVE

E 41 ST N

Growth and Stability

-  Area of Growth
-  Area of Stability
-  Park
-  Open Space



20-14 18



TULSA INTERNATIONAL AIRPORT
R.L. JONES, JR. AIRPORT



Post Office Box 581838
Tulsa, Oklahoma 74158
918-838-5000
Fax: 918-838-5199
www.tulsaairports.com

January 18, 2012

TMAPC
c/o INCOG
2 West 2nd Street
Suite 800
Tulsa, OK 74103

To whom it may concern:

Tulsa Airports Improvement Trust (TAIT) and Tulsa Airport Authority (TAA) are requesting to rezone several parcels at Tulsa International Airport (TUL). The parcels in question are either owned by TAIT or the City of Tulsa and fall within TUL's property jurisdiction for aviation development.

As an entity of the City of Tulsa, we ask that all application fees be waived for the rezoning process. Please contact Jeff Hough at 918-838-5058 or jeffhough@cityoftulsa.org with any questions.

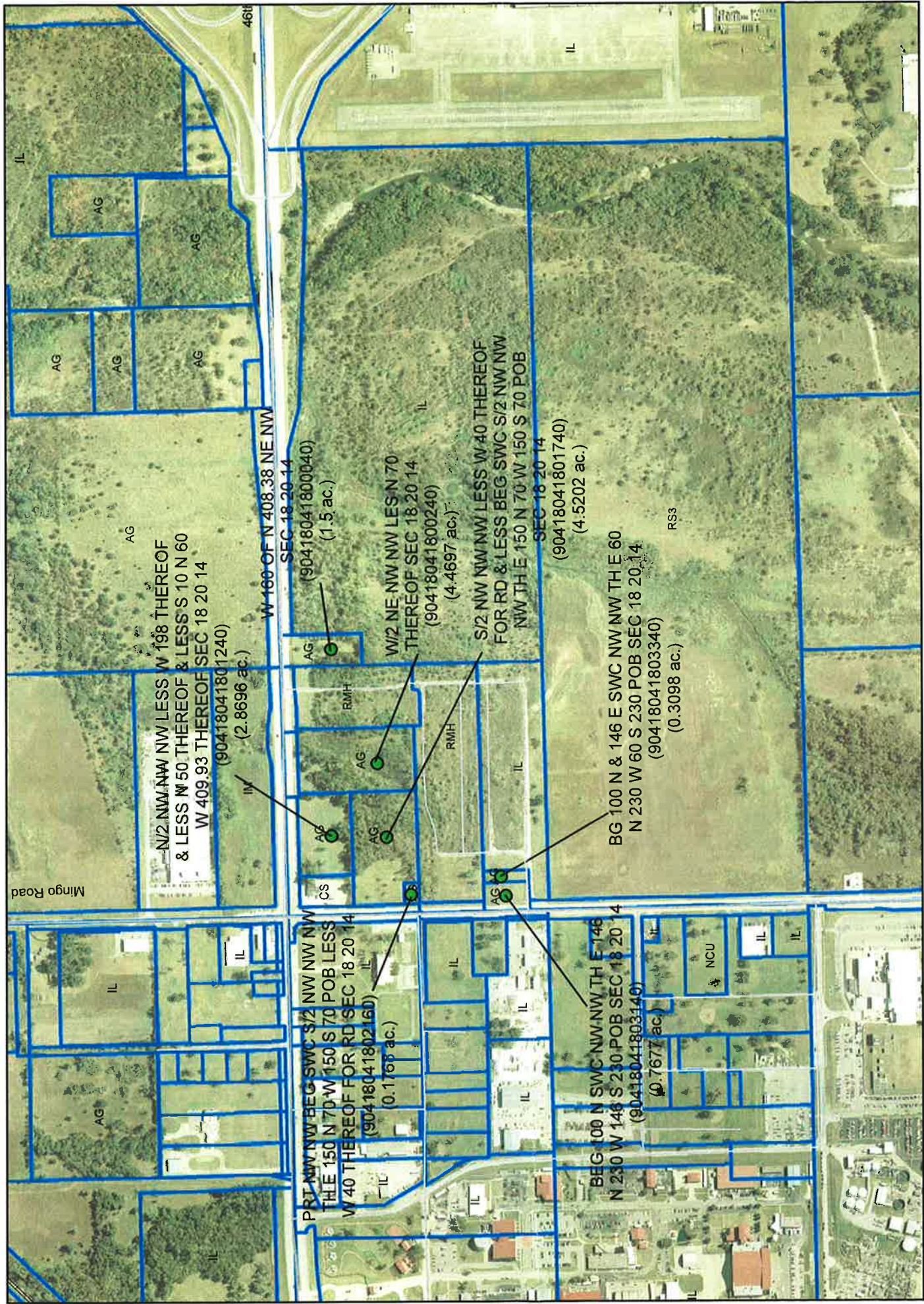
Sincerely,

TULSA AIRPORT AUTHORITY

Jeff Mulder
Airport Director

JTH/lmb

*Charles Sublett, Chair / Dewey F. Bartlett Jr., Mayor / Mary E. Smith, Vice-Chair
Jeff Stava, Trustee / Joe Robson, Trustee / Jeff Mulder, Airports Director*

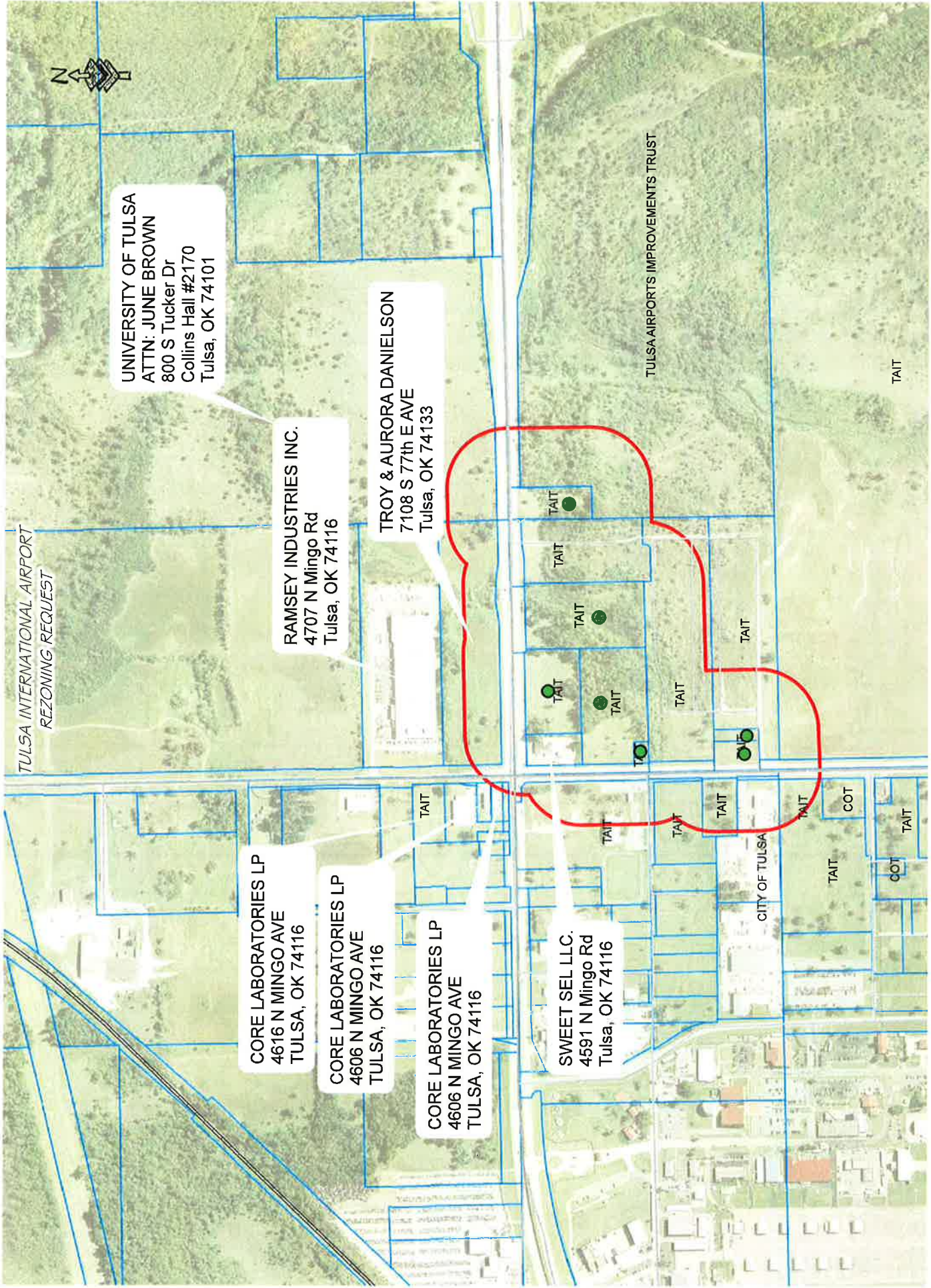


TULSA INTERNATIONAL AIRPORT
REZONING REQUEST

NOT TO SCALE
FOR REFERENCE ONLY

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01-10-2012 mrk

13:10

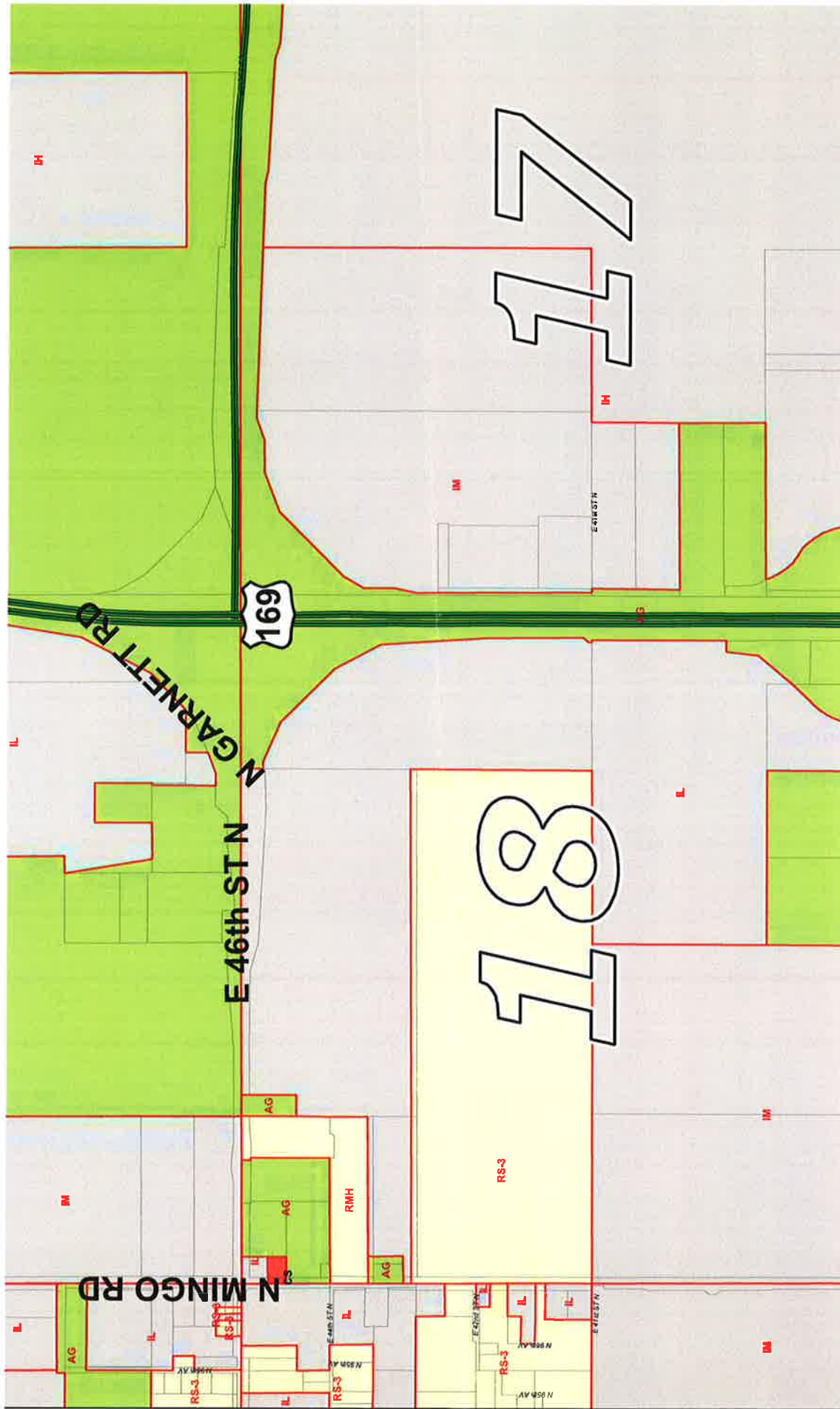


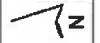
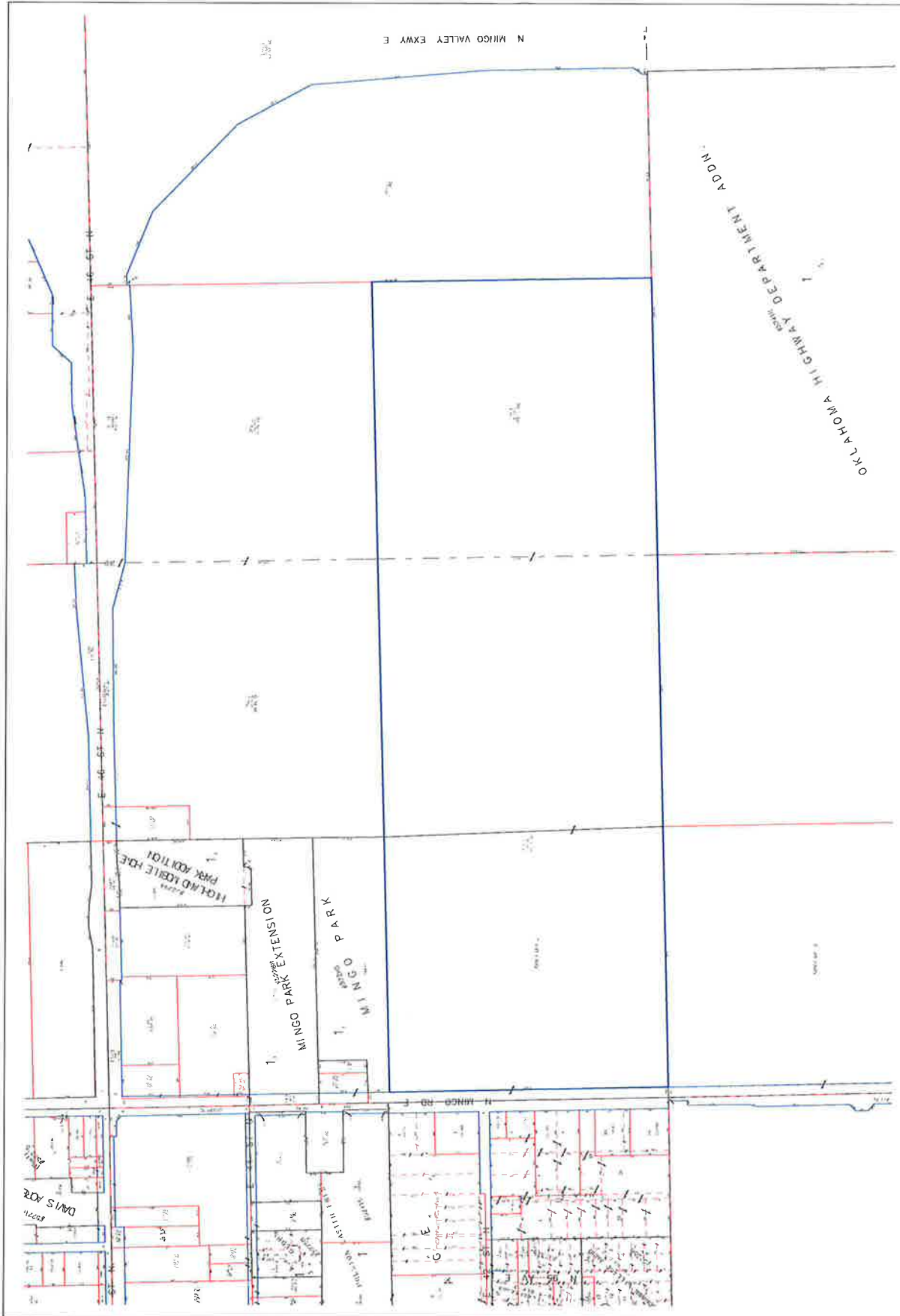
Land_Resuse.mdx
01-25-2012 mrk
NOT TO SCALE
FOR REFERENCE ONLY

"DATA DEPICTED IS TRUE &
CORRECT TO THE BEST OF
OUR ABILITY"

PROPERTY OWNERS WITHIN
300' OF SUBJECT PROPERTY

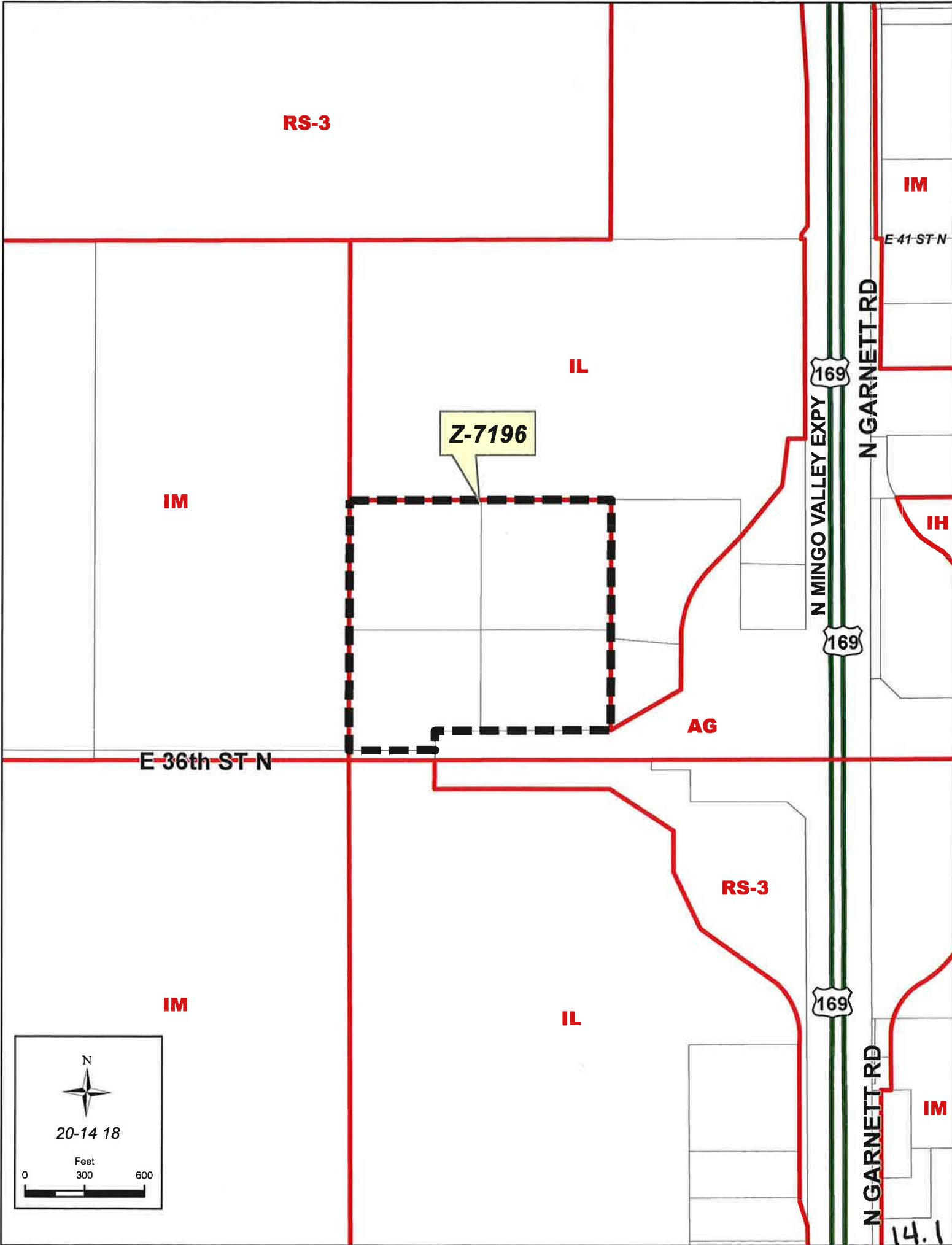
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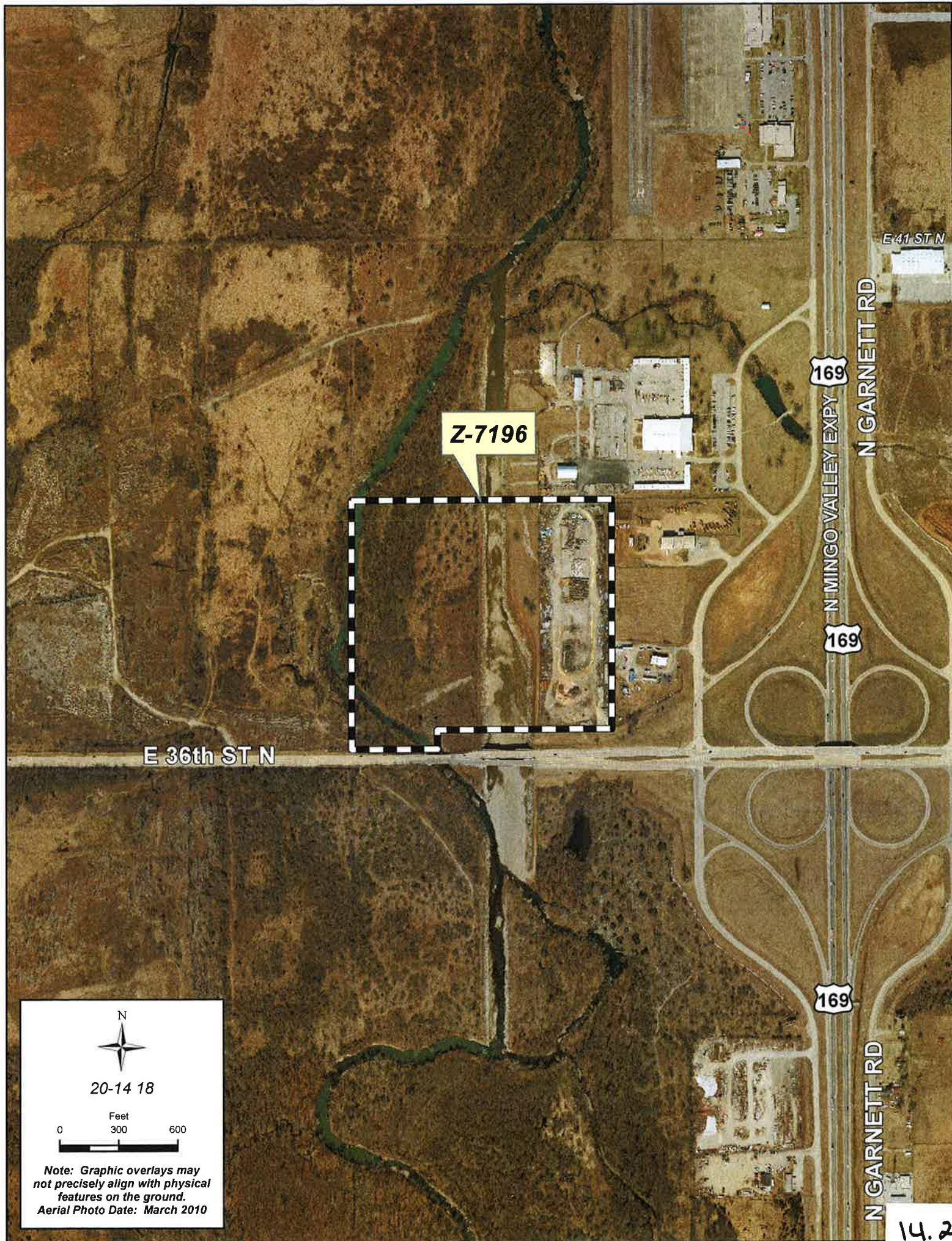




1 inch = 600'

Ken Yazel
Tulsa County Assessor





Z-7196

E 36th ST N

169

N MINGO VALLEY EXPY

169

N GARNETT RD

169

N GARNETT RD

E 41st ST N



20-14 18

Feet
0 300 600

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

14.2

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7196

TRS 0418

Atlas 732

CZM 24

CD-3

TMAPC Hearing Date: April 4, 2012

Applicant: Tulsa Airport Improvement Trust

Tract Size: 36.44± acres

ADDRESS/GENERAL LOCATION: West of northwest corner East 36th Street North and Highway 169 North

EXISTING ZONING: AG

EXISTING USE: Vacant

PROPOSED ZONING: IM

PROPOSED USE: Aviation Use

ZONING ORDINANCE: Ordinance number 11804 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-4511 October 1973: All concurred in approval of a request for rezoning a tract of land from AG to IL on property located north of the northwest corner of East 36th Street North and North Mingo Valley Expressway and abutting the subject property to the east.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 36.44± acres in size and is located west of the northwest corner East 36th Street North and Highway 169 North. The property appears to be vacant and is zoned AG.

SURROUNDING AREA: The subject tract is abutted on the east by vacant land and an expressway, zoned IL and AG, respectively; on the north by industrial and vacant land, zoned IL; on the south by vacant land and a portion of the expressway zoned IL, RS-3 and AG; and on the west by vacant land, zoned IM. Much of this area was bought out through past noise abatement programs (ANCLUC and FAR Part 150).

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

TRANSPORTATION VISION:

The Comprehensive Plan designates East 36th Street North as a secondary arterial, which leads into the North Mingo Valley Expressway.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 36 th Street North	Secondary arterial	100'	2

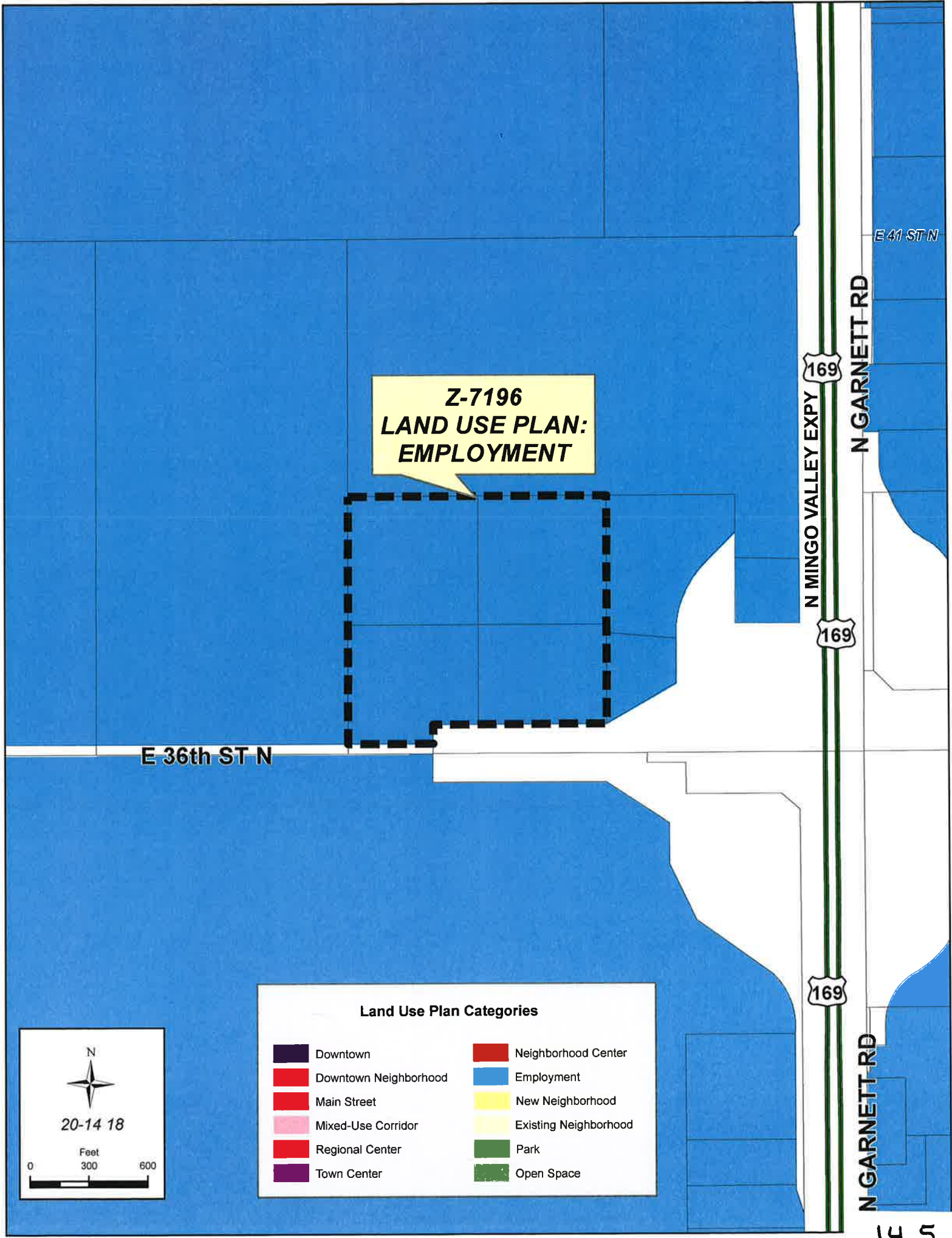
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Comprehensive Plan designates this as an Area of Employment and an Area of Growth. It is intended that employment opportunities and infrastructure to support the industries and related transportation needs would be provided, either publicly or privately, for the planned growth in this area. The requested IM zoning **is in accord** with the Plan. The expressed use, for aviation and related uses will support and possibly enhance current airport uses.

STAFF RECOMMENDATION:

Based on the Comprehensive Plan, which foresees this as an area of Employment and an Area of Growth, and that the TAIT already owns this property and has plans for aviation and related uses on these 36.44 acres. As noted above, it is in accord with the Plan. Staff therefore recommends **APPROVAL** of IM zoning for Z-7196.

04/04/12



**Z-7196
LAND USE PLAN:
EMPLOYMENT**

E 36th ST N

N MINGO VALLEY EXPY
169
N GARNETT RD
169
169
N GARNETT RD

E 41 ST N

Land Use Plan Categories

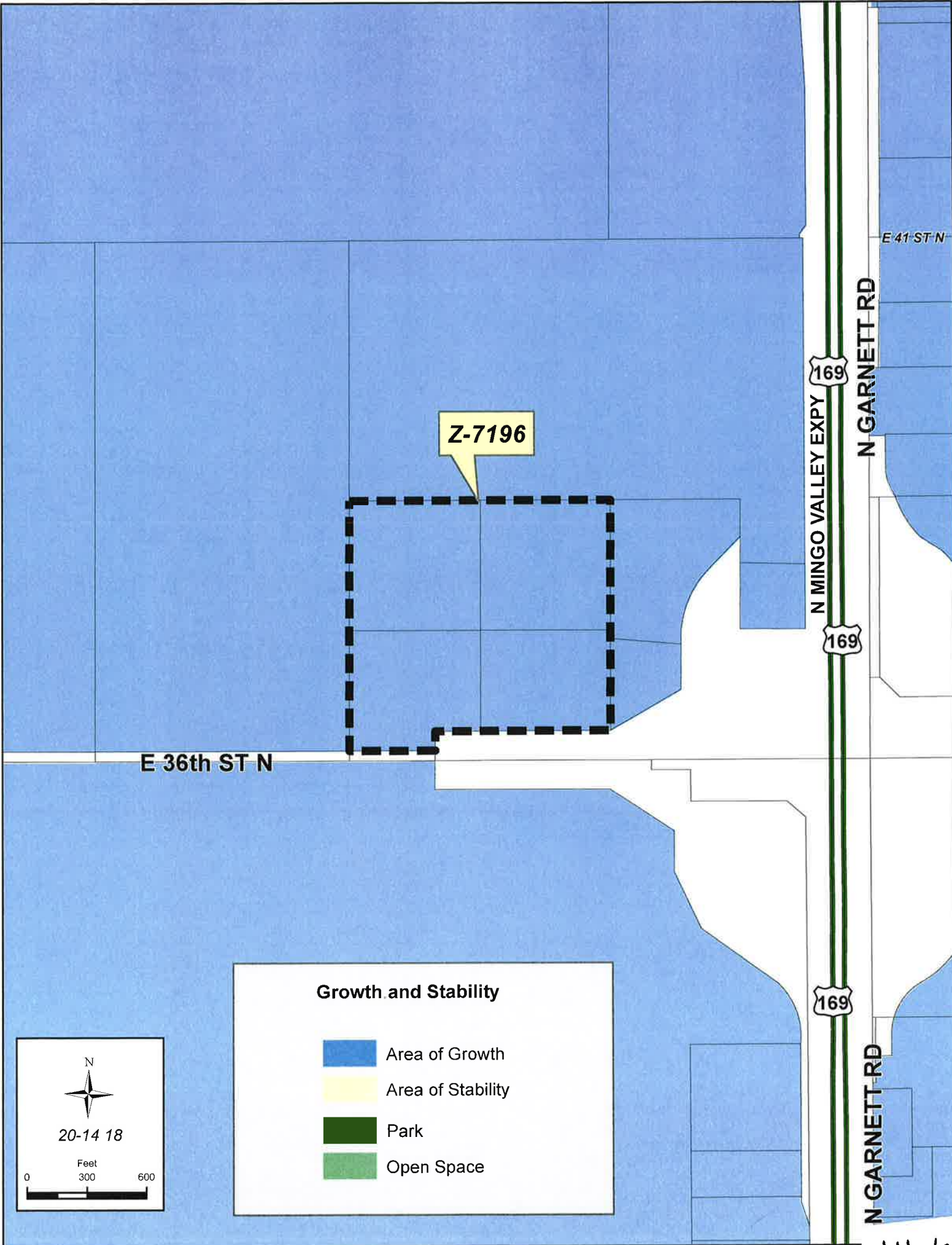
- | | |
|-----------------------|-----------------------|
| Downtown | Neighborhood Center |
| Downtown Neighborhood | Employment |
| Main Street | New Neighborhood |
| Mixed-Use Corridor | Existing Neighborhood |
| Regional Center | Park |
| Town Center | Open Space |

N

20-14 18

Feet

0 300 600



TULSA INTERNATIONAL AIRPORT
R.L. JONES, JR. AIRPORT



Post Office Box 581838
Tulsa, Oklahoma 74158
918-838-5000
Fax: 918-838-5199
www.tulsaairports.com

January 18, 2012

TMAPC
c/o INCOG
2 West 2nd Street
Suite 800
Tulsa, OK 74103

To whom it may concern:

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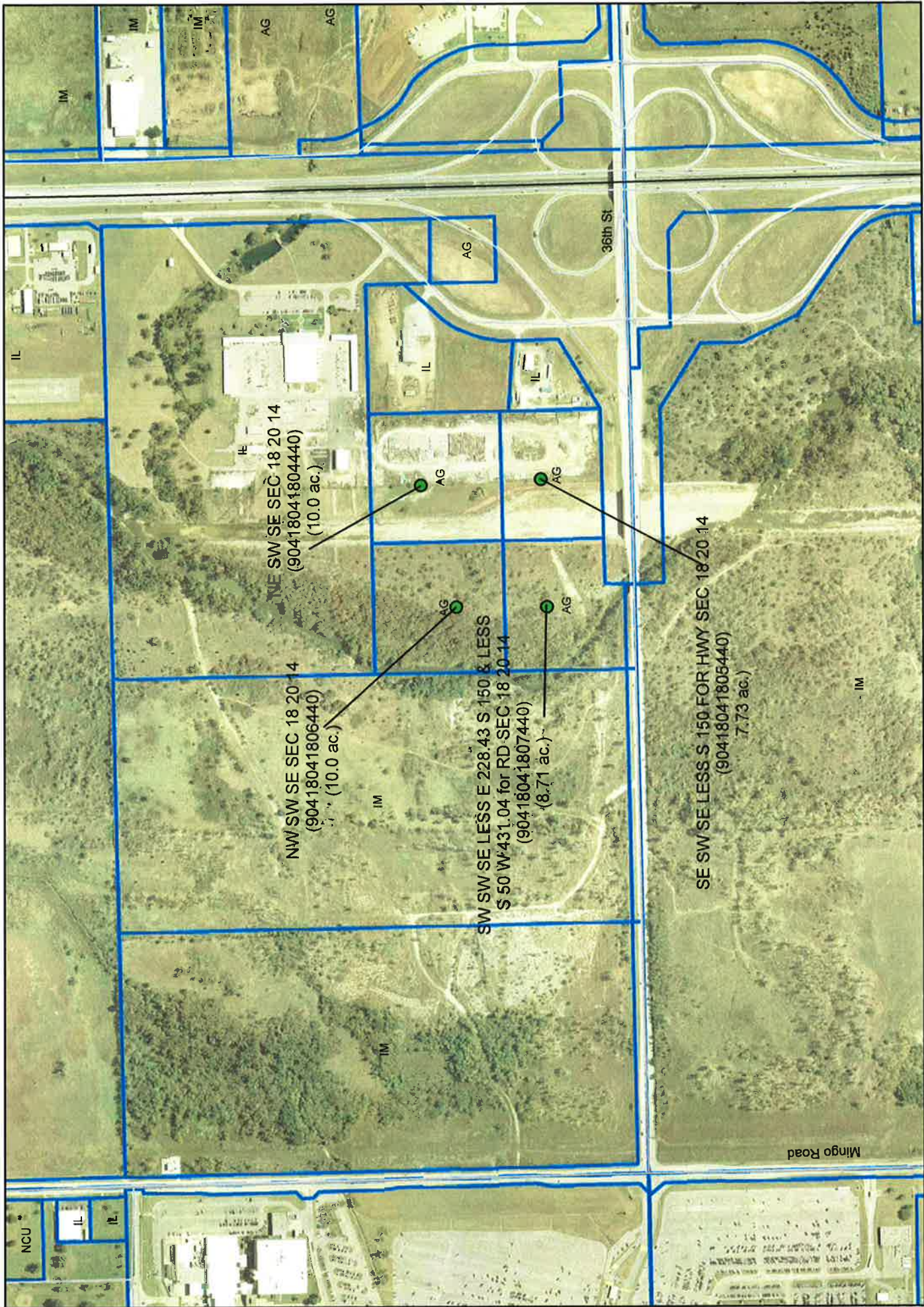
Sincerely,

TULSA AIRPORT AUTHORITY

Jeff Mulder
Airport Director

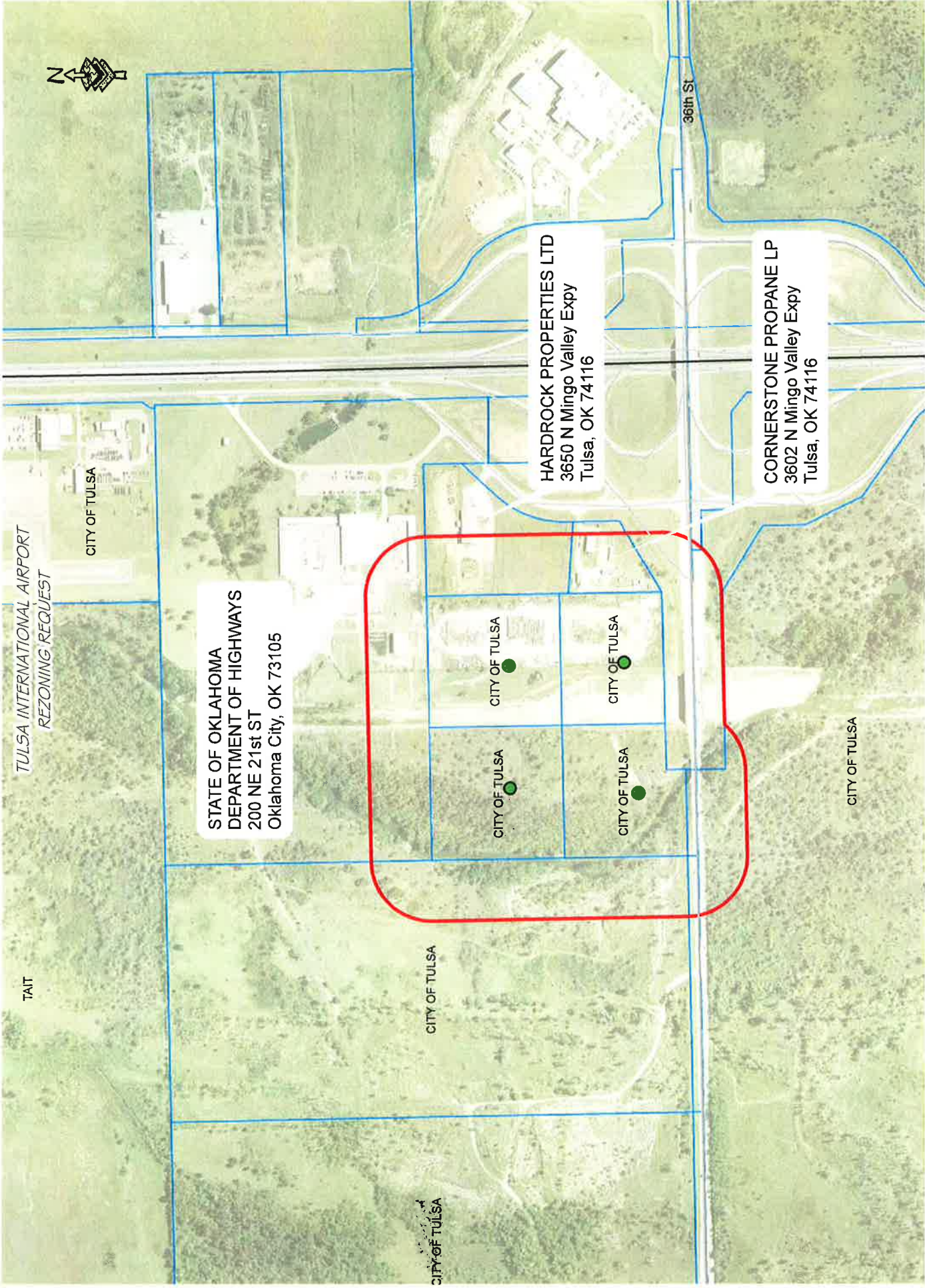
JTH/lmb

*Charles Sublett, Chair / Dewey F. Bartlett Jr., Mayor / Mary E. Smith, Vice-Chair
Jeff Stava, Trustee / Joe Robson, Trustee / Jeff Mulder, Airports Director*



TULSA INTERNATIONAL AIRPORT
REZONING REQUEST

NOT TO SCALE
FOR REFERENCE ONLY



Land_Resuse.mdx
01-25-2012 mtk
NOT TO SCALE
FOR REFERENCE ONLY











"DATA DEPICTED IS TRUE &
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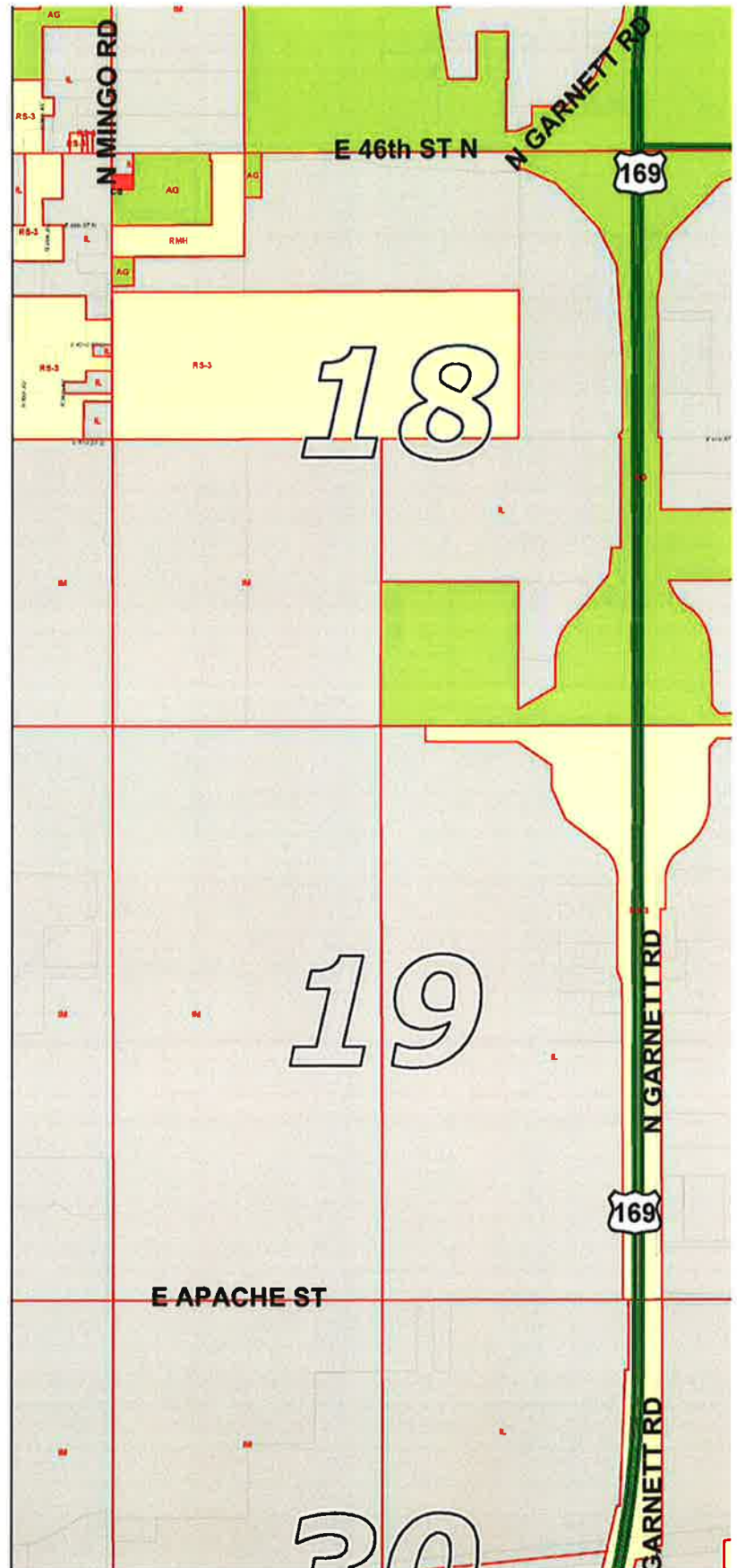
PROPERTY OWNERS WITHIN
300' OF SUBJECT PROPERTY

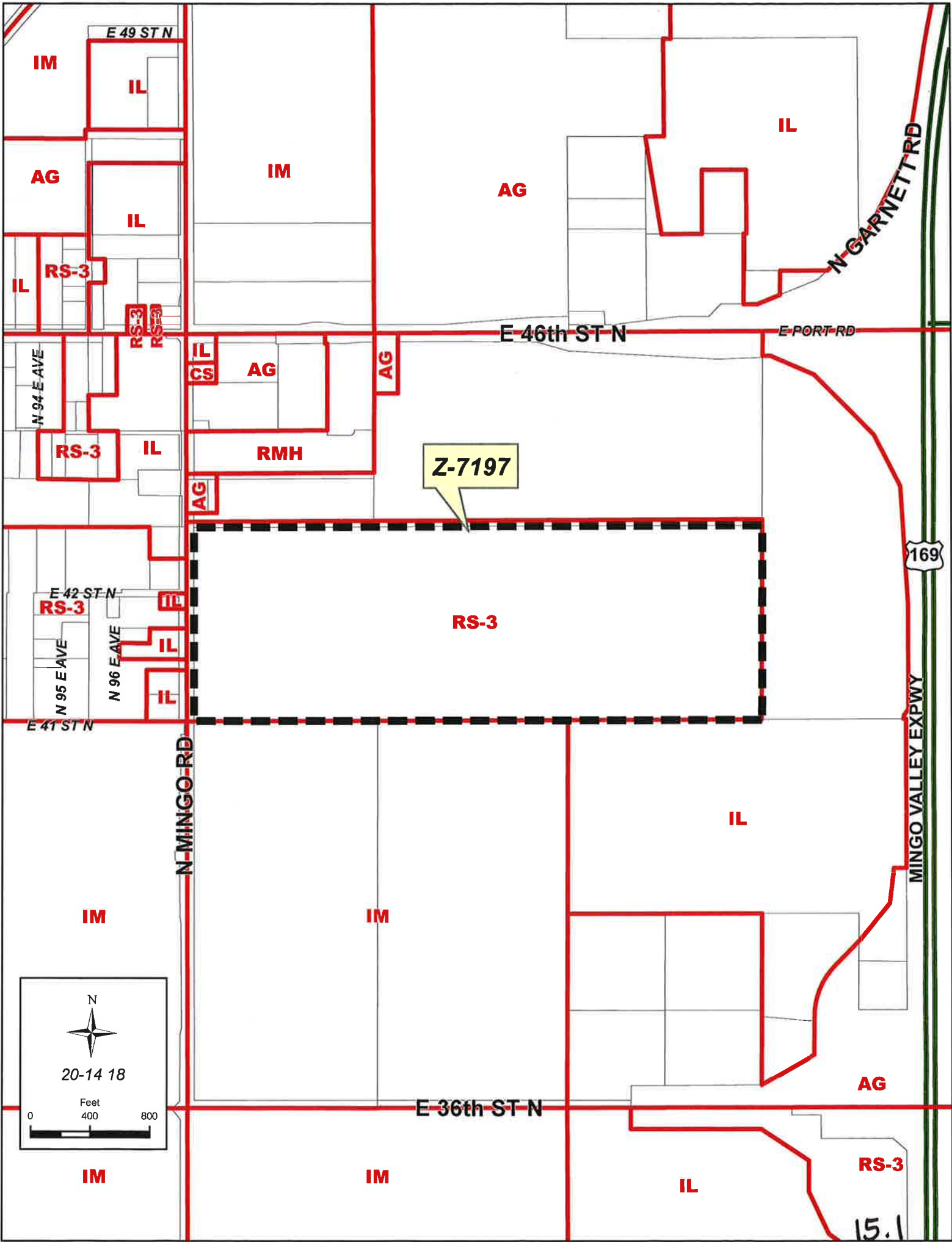
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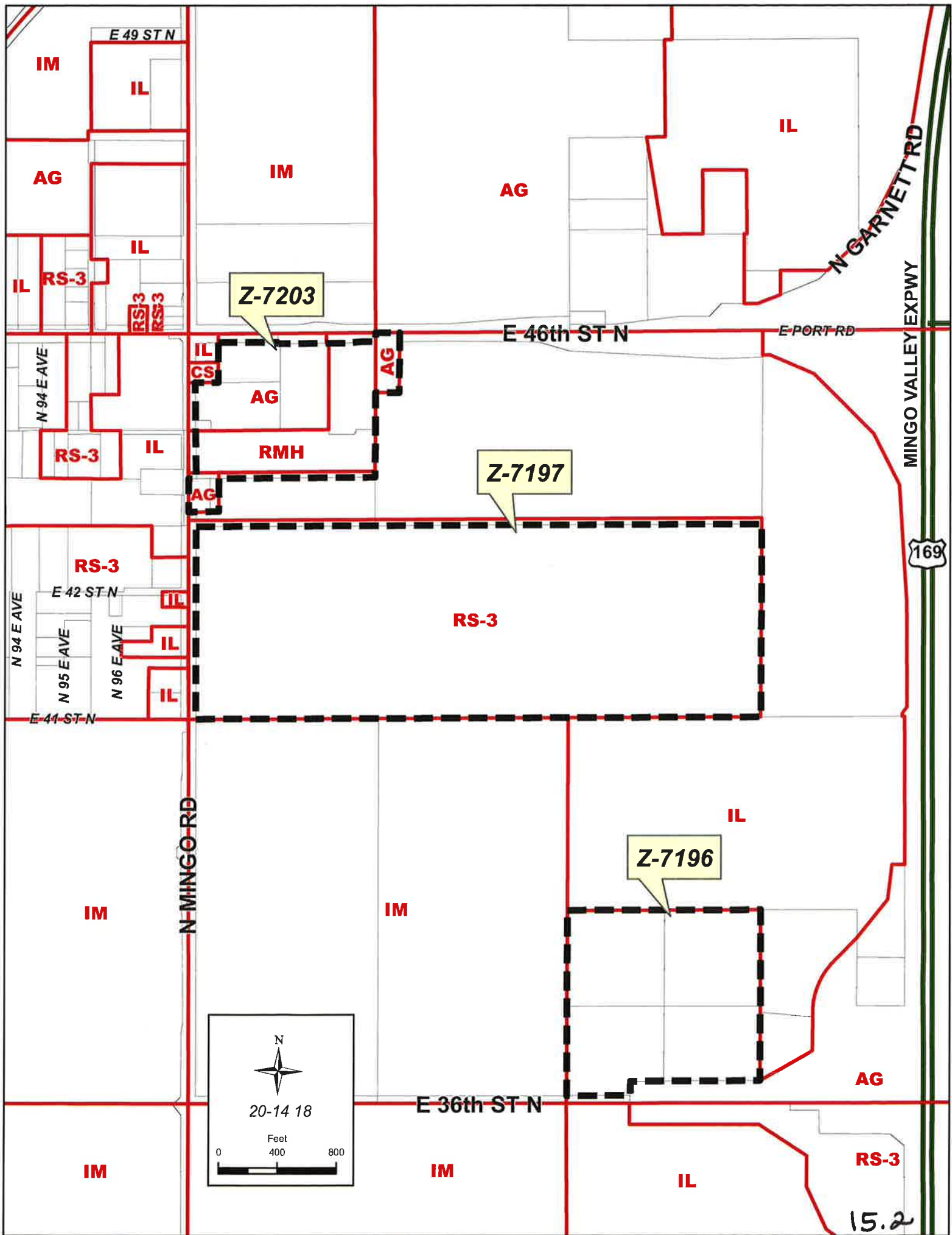
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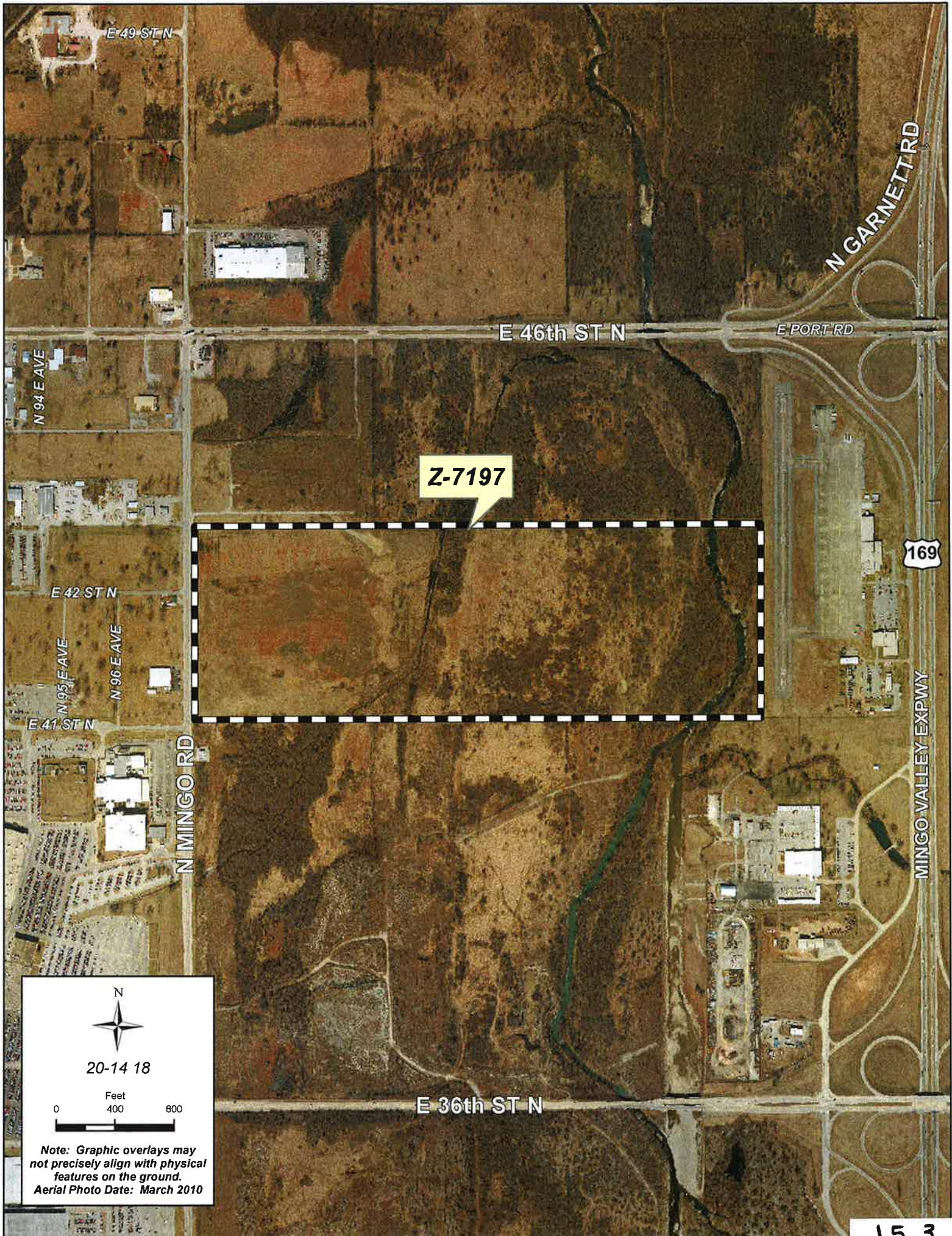
Legend

-  Historic Preservation
-  PUD
-  Agriculture
-  Commercial
-  Corridor
-  Office
-  Residential Single-Family
-  Residential Multi-Family
-  Industrial
-  Flood District









Z-7197



20-14 18

0 400 800
Feet

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

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7197

TRS 0418

Atlas 724

CZM 24

CD-3

TMAPC Hearing Date: April 4, 2012

Applicant: Tulsa Airport Improvement Trust

Tract Size: 120± acres

ADDRESS/GENERAL LOCATION: South of southeast corner of North Mingo Road and East 46th Street

EXISTING ZONING: RS-3

EXISTING USE: Vacant

PROPOSED ZONING: IM

PROPOSED USE: Aviation Use

ZONING ORDINANCE: Ordinance number 11804 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-6596 July 1997: All concurred in approval of a request for rezoning a 7.5± acre tract of land from RS-3 to IL by the City of Tulsa, Tulsa Airport Authority for indoor recreation, on property located on the southwest corner of East 46th Street North and North Mingo Road and northwest of subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 120± acres in size and is located south of southeast corner of North Mingo Road and East 46th Street. The property appears to be vacant and is zoned RS-3. This is the former Mingo School/neighborhood area that was since purchased in part with noise abatement funding.

SURROUNDING AREA: The subject tract is abutted on the east by vacant land, zoned IL; on the north by vacant land, zoned IL; on the south by vacant land, zoned IM and industrial and related uses, zoned IL; and on the west by a former residential area, zoned RS-3 and industrial uses, zoned RS-3 and IL..

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

TRANSPORTATION VISION:

The Comprehensive Plan designates North Mingo Road as a secondary arterial. The Plan envisions that most of the through-traffic will continue to use the Mingo Valley Expressway9/ (Highway 169).

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
North Mingo Road	Secondary arterial	100'	2

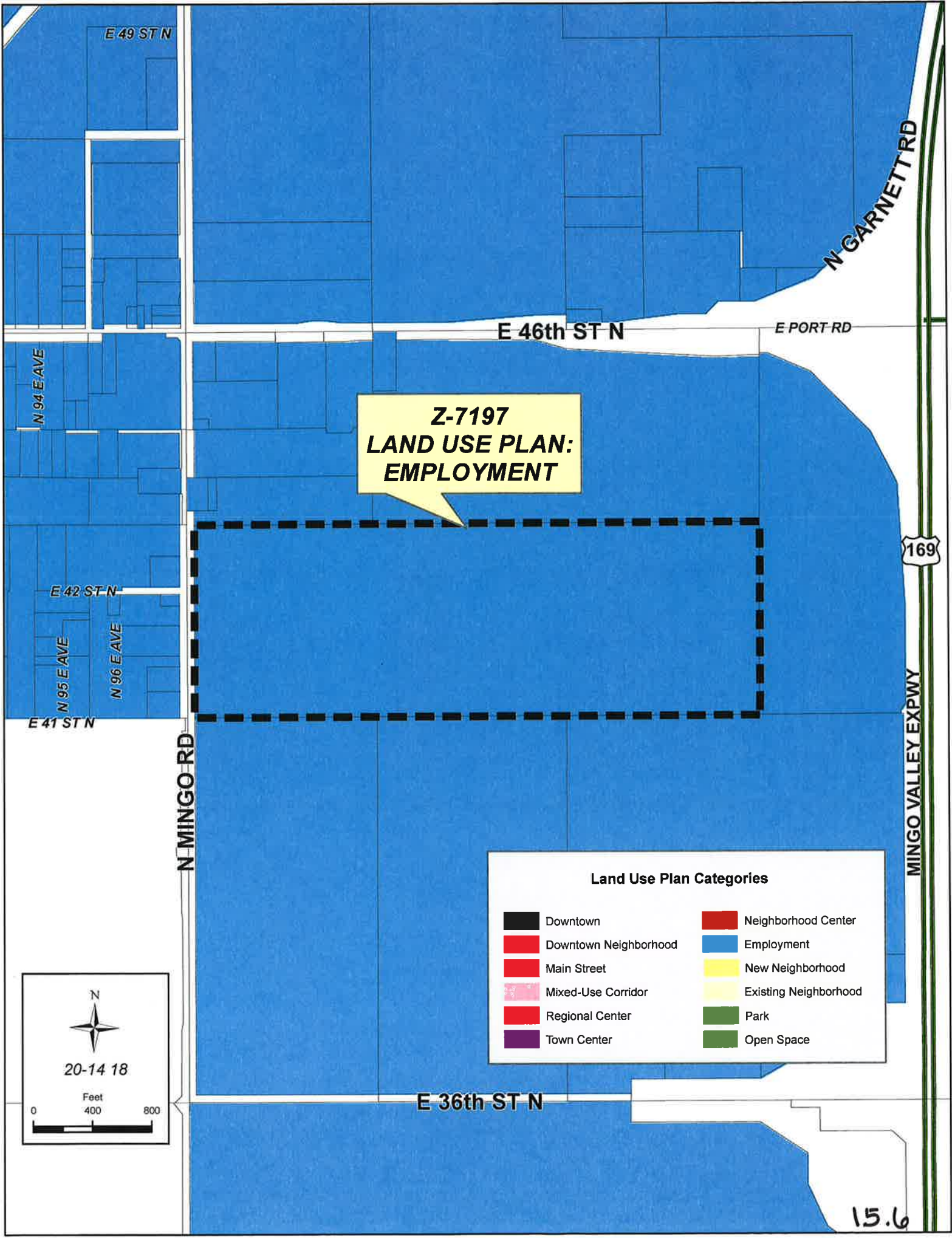
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

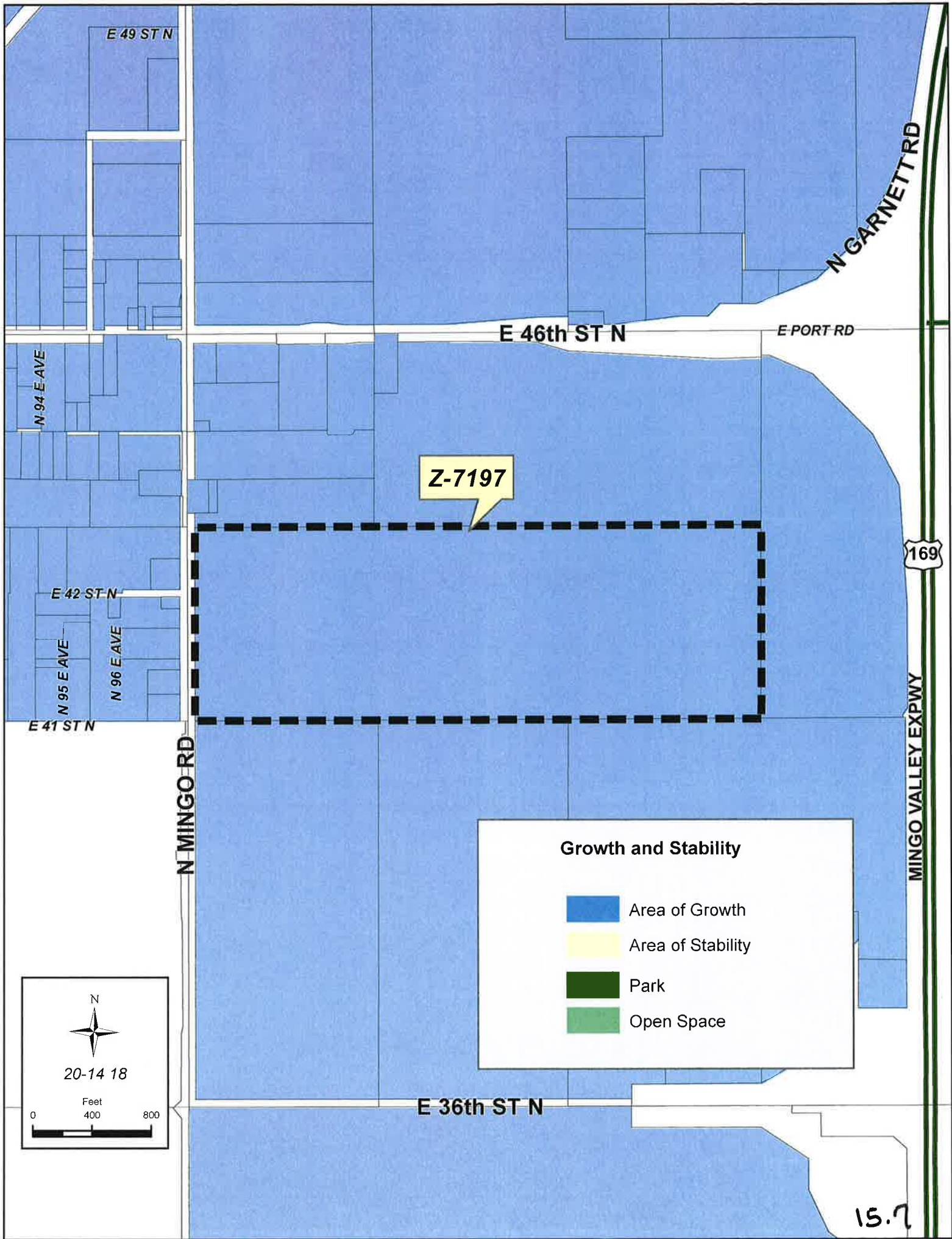
The Comprehensive Plan designates this as an Employment Area and an Area of Growth. These are to be areas in which public or private money is to be invested in infrastructure (water, sewer, streets, for example) to support the added employment and development that is anticipated to be developed here.

STAFF RECOMMENDATION:

Based on the Plan and trends/uses in the area, staff can support the requested IM zoning. It has been the airport's and the City's plan for many years to develop aviation and related uses on land nearby as they were able to acquire it. Therefore, staff recommends **APPROVAL** of IM zoning for Z-7197.

04/04/12





TULSA INTERNATIONAL AIRPORT
R.L. JONES, JR. AIRPORT



Post Office Box 581838
Tulsa, Oklahoma 74158
918-838-5000
Fax: 918-838-5199
www.tulsaairports.com

January 18, 2012

TMAPC
c/o INCOG
2 West 2nd Street
Suite 800
Tulsa, OK 74103

To whom it may concern:

Tulsa Airports Improvement Trust (TAIT) and Tulsa Airport Authority (TAA) are requesting to rezone several parcels at Tulsa International Airport (TUL). The parcels in question are either owned by TAIT or the City of Tulsa and fall within TUL's property jurisdiction for aviation development.

As an entity of the City of Tulsa, we ask that all application fees be waived for the rezoning process. Please contact Jeff Hough at 918-838-5058 or jeffhough@cityoftulsa.org with any questions.

Sincerely,

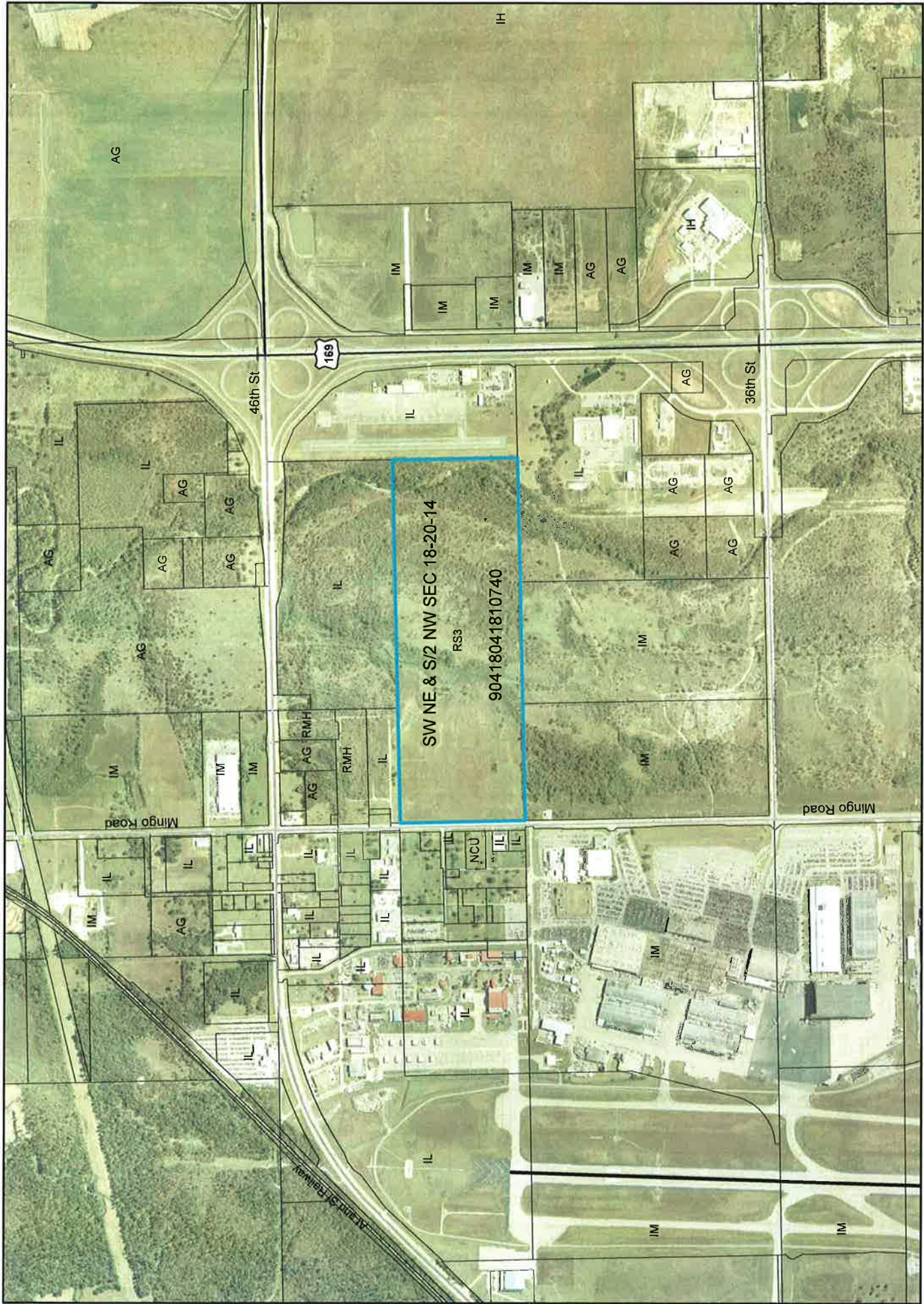
TULSA AIRPORT AUTHORITY



Jeff Mulder
Airport Director

JTH/lmb

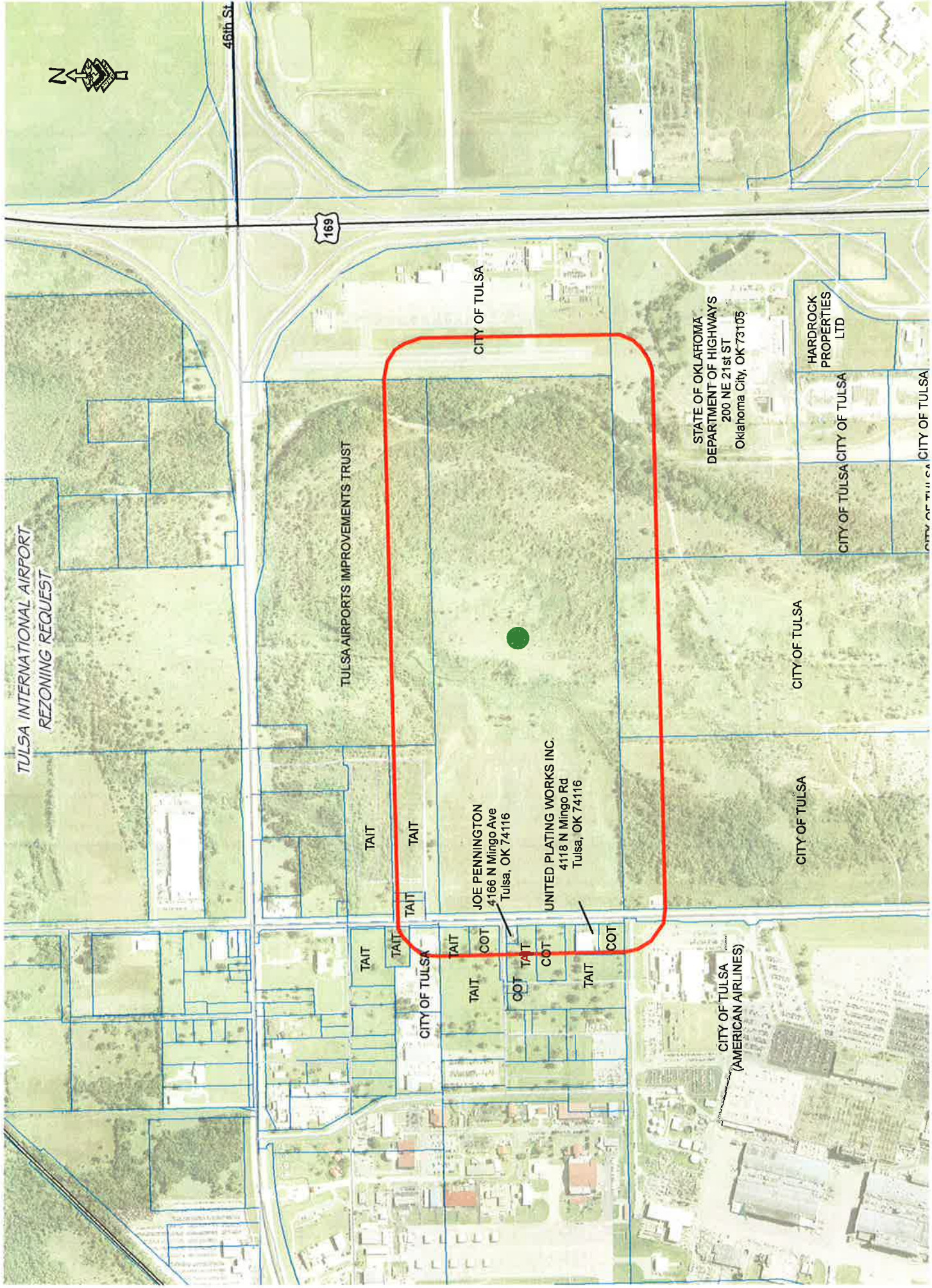
*Charles Sublett, Chair / Dewey F. Bartlett Jr., Mayor / Mary E. Smith, Vice-Chair
Jeff Stava, Trustee / Joe Robson, Trustee / Jeff Mulder, Airports Director*

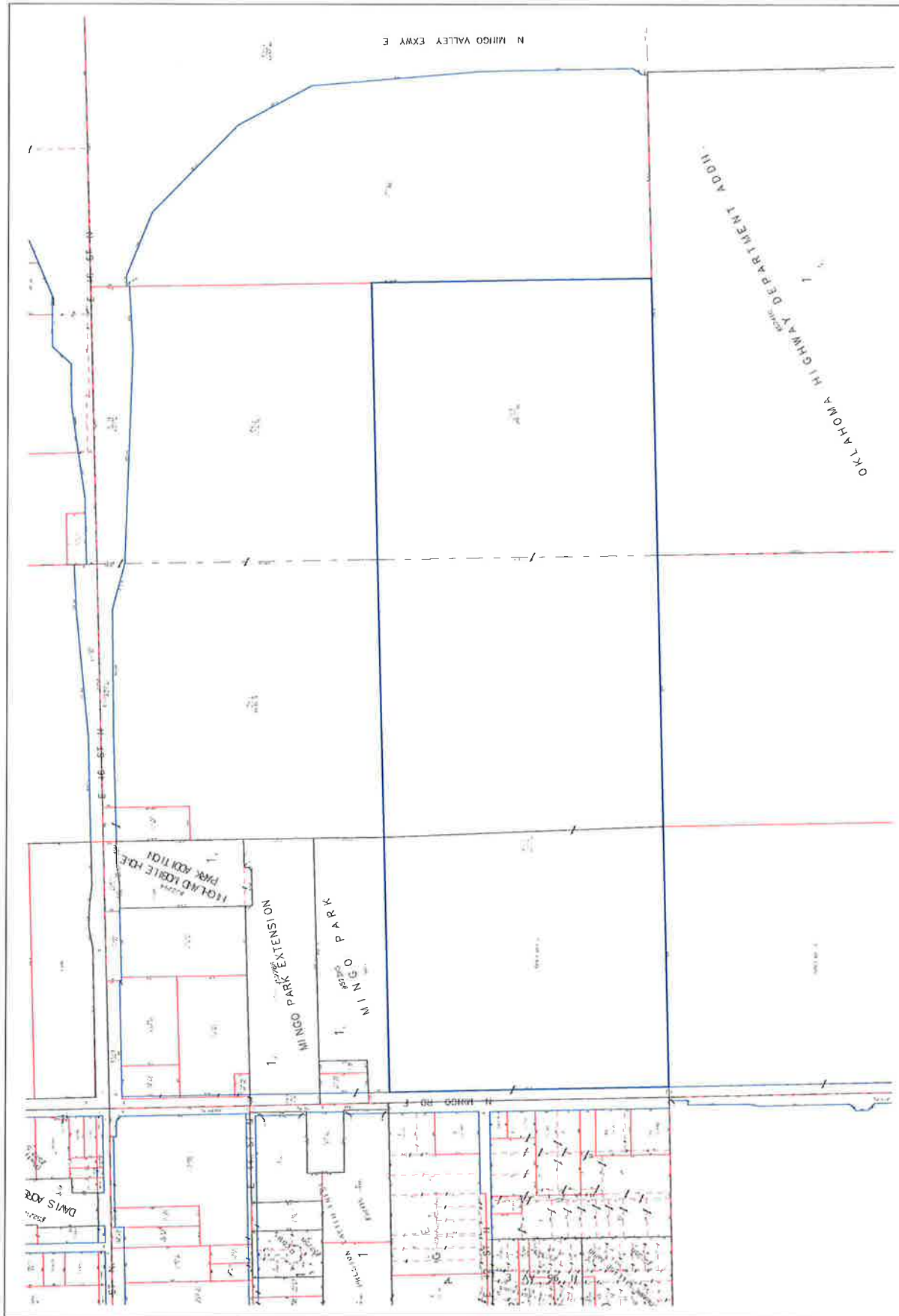


TULSA INTERNATIONAL AIRPORT
REZONING REQUEST

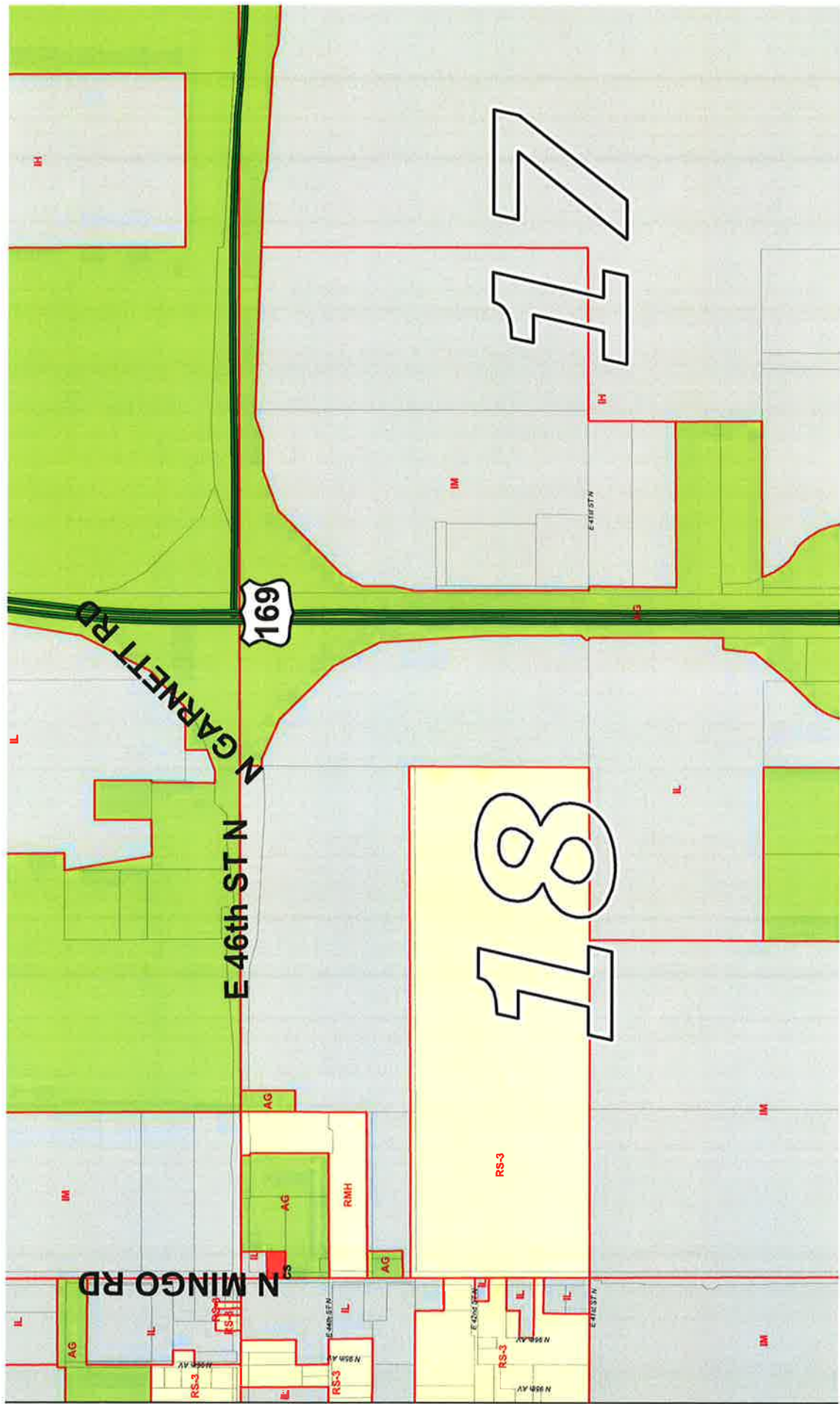
NOT TO SCALE
FOR REFERENCE ONLY

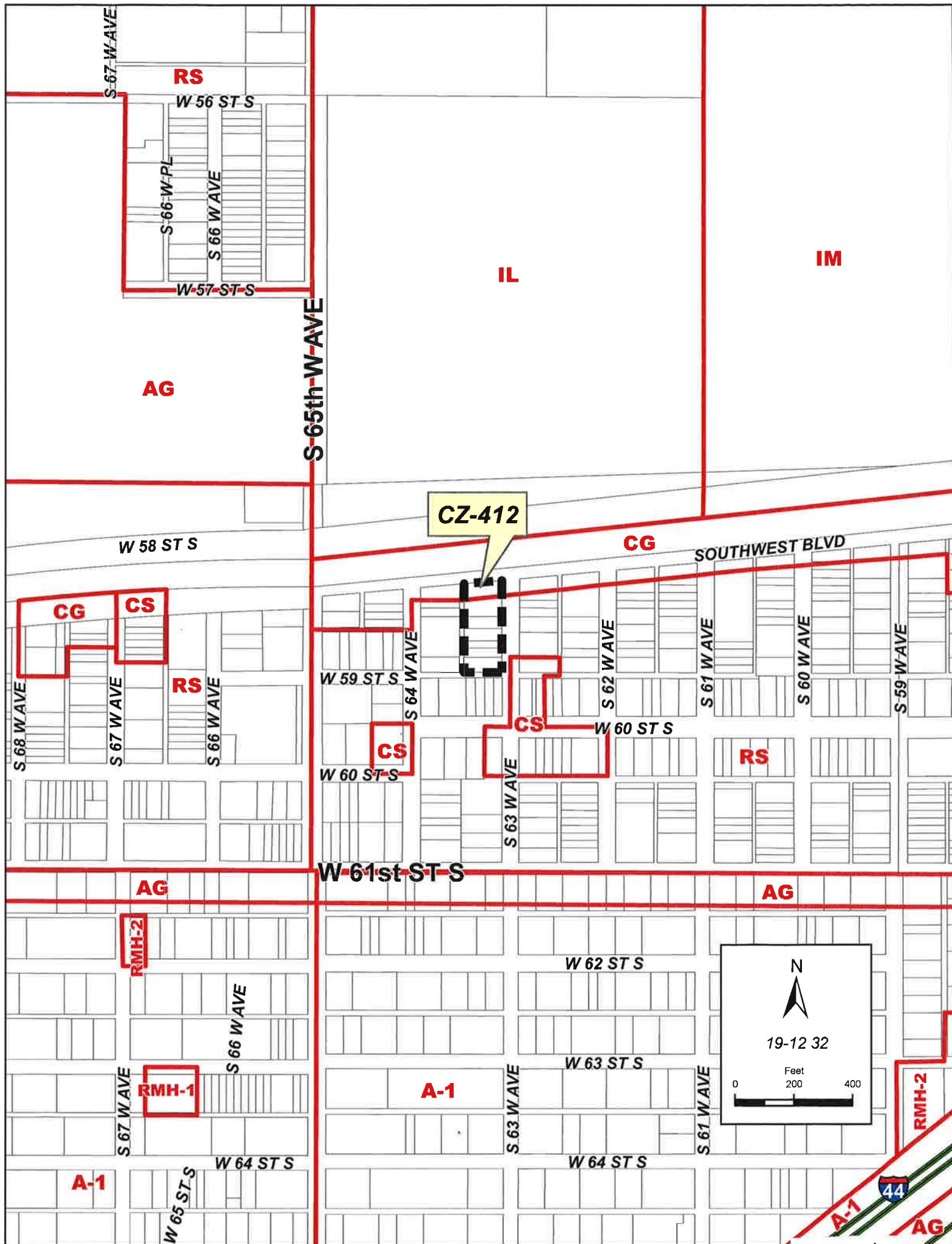
Land_Resuse.mdx
12-28-2011 mrk





Ken Yazel
Tulsa County Assessor









CZ-412

SOUTHWEST BLVD

S 64 W AVE

S 63 W AVE

W 59 ST S

W 60 ST S

W 60 ST S



19-12 32



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

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: CZ-412

TRS 9232

Atlas 673/780

CZM 45

County

TMAPC Hearing Date: April 4, 2012

Applicant: Jason Page

Tract Size: .85± acres
37,050± square feet

ADDRESS/GENERAL LOCATION: Southwest corner of Southwest Boulevard and South 63rd West Avenue

EXISTING ZONING: RS/CG

EXISTING USE: Auto repair/vacant

PROPOSED ZONING: CG

PROPOSED USE: Auto repair

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

RELEVANT ZONING HISTORY:

CZ-408 July 2011: All concurred in approval of a request for rezoning a .36± acre tract of land from RS to CG for commercial use, on property located south of the southeast corner of Southwest Blvd and South 68th West Avenue.

CBOA-2111 August 17, 2004: The Board of Adjustment denied an Appeal and uphold the decision of the County Inspector of noncompliance to the County Zoning Code to permit, on property located at 5912 South 63rd West Avenue and one of the lots of the subject property.

CZ-265 April 2000: All concurred in approval of a request for rezoning a .25± acre tract of land from RS to CG for a tire store and truck repair, on property located southwest corner of Southwest Boulevard and South 67th West Avenue.

CZ-261 February 2000: All concurred in approval of a request for rezoning a tract from RS to CG located on the southeast corner of Southwest Boulevard and South 68th West Avenue.

CZ-221 October 1995: All concurred in approval of a request for rezoning on Lot 22 and denial of the remainder of land from RS to CG, for used car lot and auto repair on property located on the southeast corner of South 61st West Avenue and Southwest Blvd.

CZ-184 September 1990: A request to rezone a tract located on the southeast corner of Highway 66 West and South 67th West Avenue, from RS to CG. Staff recommended denial of CG zoning and the Board of County Commissioners approved CS zoning of the property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately .85+ acres in size and is located at the southwest corner of Southwest Boulevard and South 63rd West Avenue. The property appears to be an auto repair business and vacant-and is zoned RS/CG.

SURROUNDING AREA: The subject tract is abutted on the east by scattered single-family residential uses and out-buildings, zoned RS; on the north by Southwest Boulevard, zoned CG; on the south by scattered single-family residential uses, zoned RS; and on the west by a large-lot single-family residential property and outbuildings, zoned RS and CG.

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

TRANSPORTATION VISION:

The Comprehensive Plan designates this as Special District 6 in the Planning District 9 Comprehensive Plan. Policies in this Plan call for this to be an industrial area. Therefore, the requested CG zoning **is in accord** with the Plan.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 63 rd West Avenue	N/A	N/A	2
Southwest Boulevard	Secondary arterial	100'	4

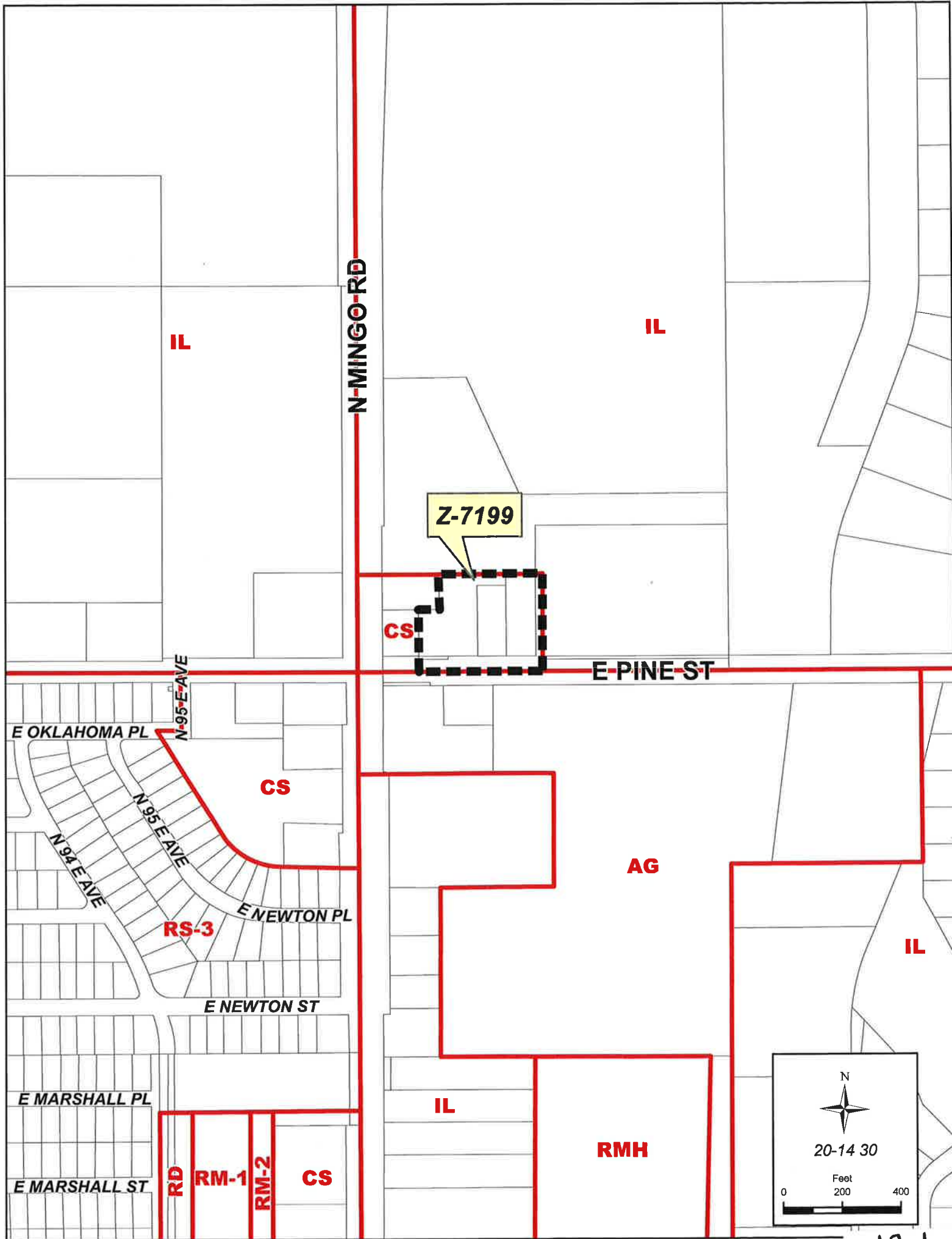
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

As noted above, the proposed CG zoning **is in accord** with the Plan. Industrial areas, particularly Special Districts, are envisioned as concentrations of heavier types of traffic, industrial collector streets and buffering from adjacent R districts (here, to the east, west and south).

STAFF RECOMMENDATION:

Based on the Comprehensive Plan, staff can support the requested rezoning and recommends **APPROVAL** of CG zoning for CZ-412.

04/04/12





20-14 30



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

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7199

TRS 0430

Atlas 633

CZM 31

CD-6

TMAPC Hearing Date: April 4, 2012

Applicant: Sisemore, Weisz & Associates, Inc.

Tract Size: 3± acres

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

EXISTING ZONING: CS

EXISTING USE: Vacant

PROPOSED ZONING: IL

PROPOSED USE: Future Industrial Use

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

RELEVANT ZONING HISTORY:

Z-7127 May 2009: All concurred in approval of a request for rezoning a 5.89± acre tract of land from AG to IL for light manufacturing on property located, south of southeast corner East Pine Street and North Mingo Road and south of subject property.

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

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

BOA-14525 June 25, 1987: The Board of Adjustment approved a Use Variance to permit a plating business in a CS district finding the area to be industrial in nature and subject to Stormwater Management approval, on property located north and east of the northeast corner of East Pine Street and North Mingo Road and a part of the subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 3± acres in size and is located east of northeast corner of North Mingo Road and East Pine Street. The property appears to be vacant and is zoned CS.

SURROUNDING AREA: The subject tract is abutted on the east by an industrial use, zoned IL; on the north by industrial uses, zoned IL; on the south by agricultural uses and a large-lot residential use, zoned AG; and on the west by commercial uses, zoned CS.

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

TRANSPORTATION VISION:

The Comprehensive Plan designates East Pine Street as a Secondary Arterial.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East Pine Street North	Secondary arterial	100'	4

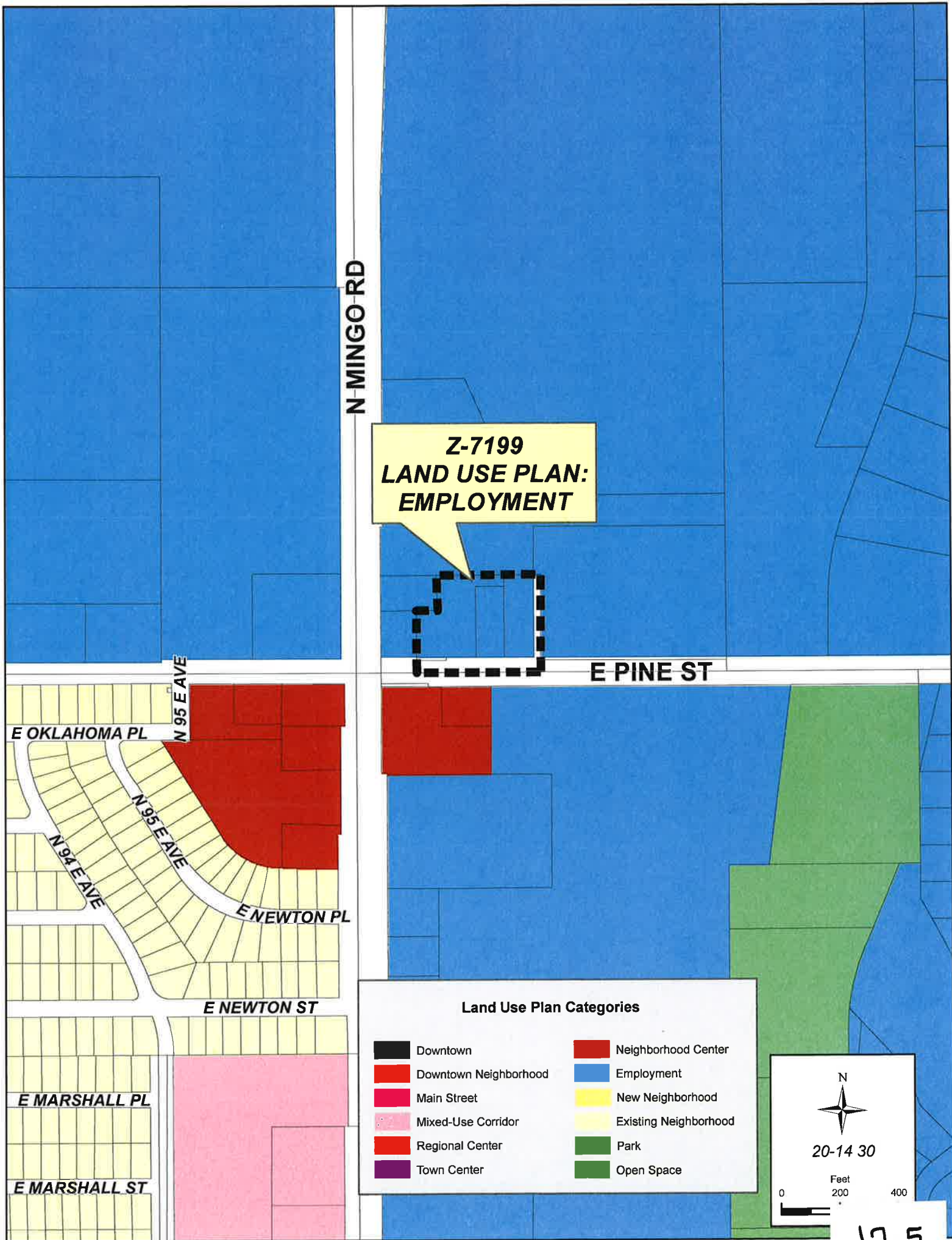
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

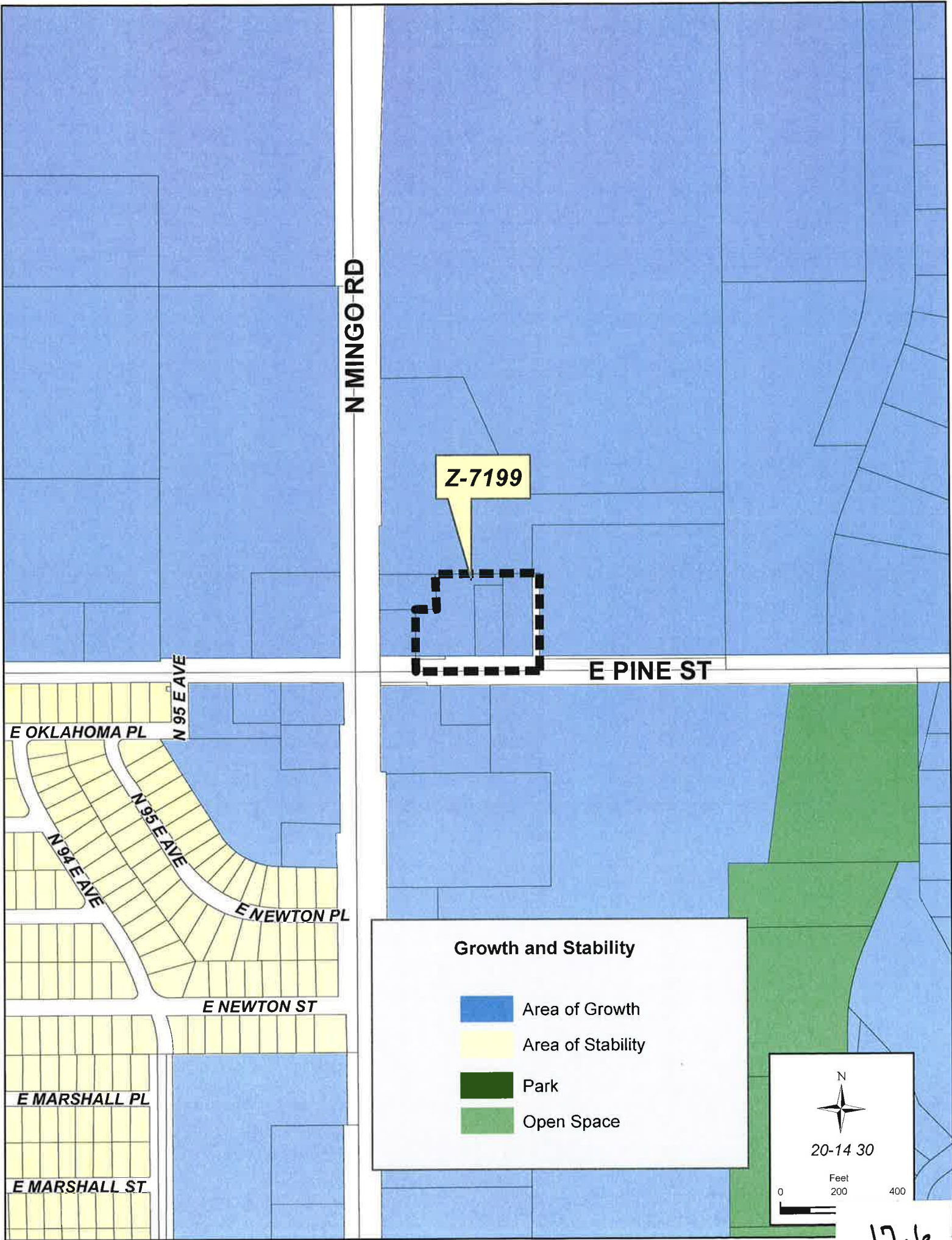
The Comprehensive Plan calls for this to be an Employment Area and an Area of Growth. The proposed future industrial use will likely be a source of employment and growth, and access to the site is good. The Plan calls for such areas to be publicly or privately funded for the infrastructure improvements needed to support future development for this proposed type of zoning. The applicant's representative has said that this use will be an expansion of the existing business to the north and east.

STAFF RECOMMENDATION:

Based on the Plan, existing land uses and zoning patterns, staff can support IL zoning for Z-7199 and therefore recommends **APPROVAL** of IL zoning on the site.

04/04/12





Huntsinger, Barbara

From: Branden F [pokerbike@gmail.com]
Sent: Monday, March 19, 2012 3:19 PM
To: esubmit
Subject: Zone # z7190

My name is Branden Fike and i currently live in Mountain Manor housing addition off 33rd West Ave between 61st s and 51st s.

I've been a tax paying Tulsa resident for over 11 years.

I've seen this entire town grow from a great town to one that is more modern.

With modernization there are benefits and pitfalls but in regards to Zoning # z7190 i can only see pitfalls.

My main concern is that the individuals who requested the zoning, stated they have "no idea" what they want to zone that space for.

In my experience when someone has an idea in their mind that is so specific that they go through the trouble to request zoning from the city, they already know exactly what they want to do with that space.

For the requested party to state that they don't know what they want that space for raises many red flags about their intentions.

There are so many commercial stores that they could erect in that location and most of them would bring the wrong element to our small community. (liquor store, smoke shop, check cashing store, etc.)

All i ask is that you force the requested party to divulge the truth about their plans before any zone measure is decided on?

Thanks in advance, Branden Fike

Huntsinger, Barbara

From: Jessica Keith [jessicak1313@yahoo.com]
Sent: Monday, March 19, 2012 2:15 PM
To: esubmit
Subject: Zone # Z7190

I am a resident of the Mountain Manor housing addition and am strongly opposed to the new zoning plan Z7190. This business has no concern for the well being of our neighborhood, which was evident in their last zoning attempt. Several of the neighbors are opposed to this idea of adding commercial businesses in our neighborhood. We are a hard working, family oriented neighborhood who are totally against any further encroachment of commercial business. Please keep our neighborhood and residents in mind when considering this Zoning project.

Thank you for your time,
Jessica Keith.

Huntsinger, Barbara

From: Leslie Davis [LDavis@sge-tulsa.com]
Sent: Monday, March 19, 2012 2:04 PM
To: esubmit
Subject: Zoning Change Z7190

Subject: Zoning Change Z7190

I'm writing about Zoning Z7190.

This property is located at 51st street and 33rd W Ave.

The applicants are asking for the zoning to be changed to Commercial.

I Live at 5645 S 33rd W Ave Tulsa, OK 74107. I grew up on the Westside and take daily walks up to this intersection. I am against any further encroachment on the neighborhood of Commercial use. I know when the Bank was approved the neighbors feared this very thing would happen. I realize along intersections of busy highway there is often commercial businesses on the corners. But I think the line has been drawn and it should not be able to expand. The last thing we need is another Pawn shop, pay day loan business or something else that would not be beneficial to the neighborhood and surrounding area.

I watching the last meeting and these owners have no idea what they want to do, but something. I think it is important that we know exactly what use they intend for this expansion if we were to consider it There are neighborhood all around this area and we have Churches and a Local school nearby.

Therefore I am absolutely against this expansion as is my Daughter that lives next door to me at 5631 S 33rd W Ave and my Mother and Dad that live across the street at 3333 W 57th St.

I would like the City to be sure this is considered before any rulings are made.

Thanks

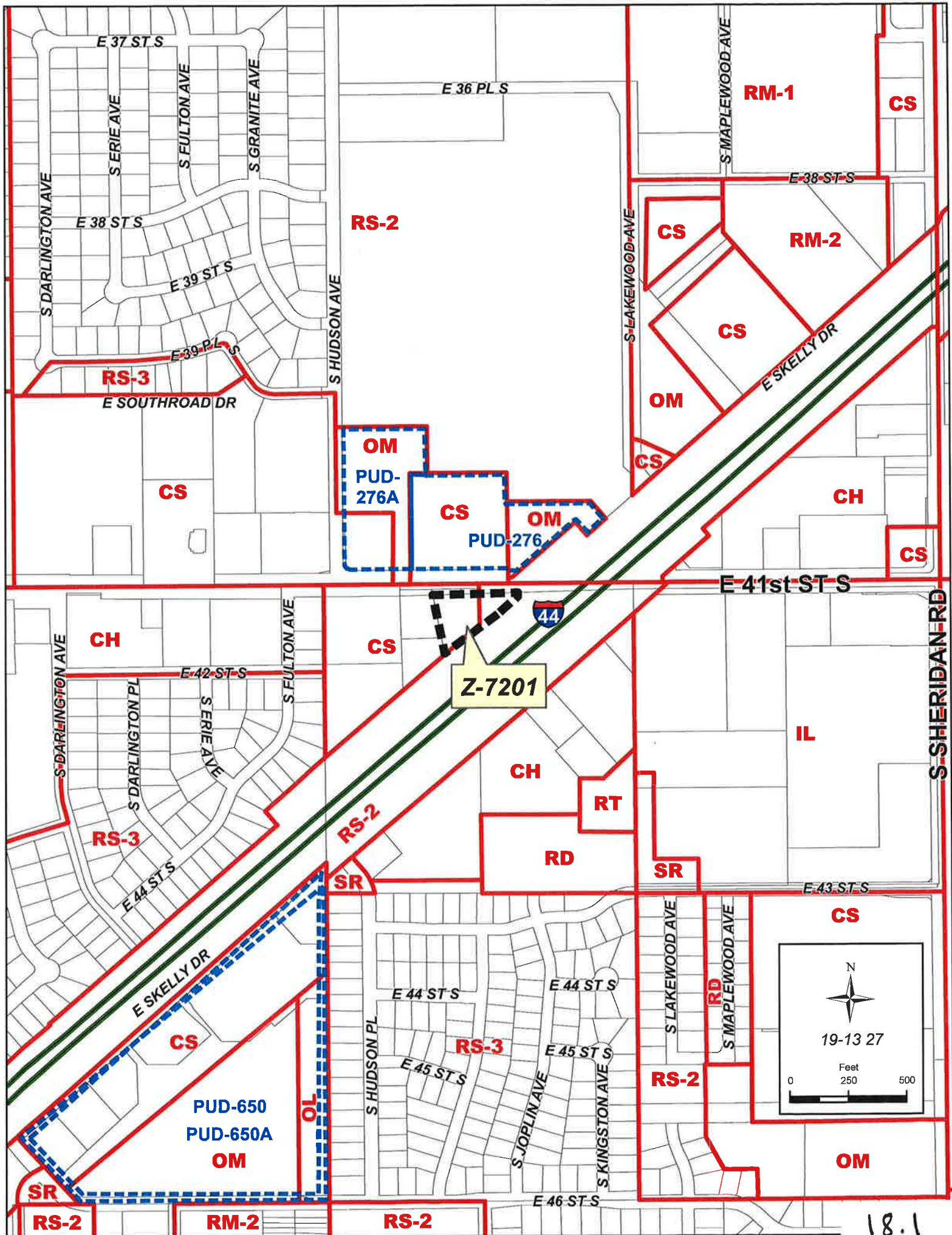
Leslie Davis

Sanguine Gas Exploration, LLC

Phone: (918) 496-4786

Fax: (918) 576-7552

LDavis@sge-Tulsa.Com





Z-7201



19-13 27

0 Feet 250 500

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

18.2

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7201

TRS 9327

Atlas 308

CZM 48

CD-5

TMAPC Hearing Date: April 4, 2012

Applicant: Crafton Tull/ Jason Mohler

Tract Size: 1.147± acres
49,963± square feet

ADDRESS/GENERAL LOCATION: Southwest corner of East 41st Street and I-44

EXISTING ZONING:	RS-2/CS	EXISTING USE:	Previous gas station/ Highway Right of Way* It should be noted that the highway right-of-way is the portion currently zoned RS-2.
PROPOSED ZONING:	CS	PROPOSED USE:	Commercial

ZONING ORDINANCE: Ordinance number 11824 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

No relevant history

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 1.2± acres in size and is located at the southwest corner of East 41st Street and I-44. The property appears to be vacant and is zoned RS-2/CS.

SURROUNDING AREA: The subject tract is abutted on the east by East Skelly Drive and I-44, zoned RS-2; on the north by a commercial development zoned CS; on the south by the, expressway zoned RS-2; and on the west by commercial development, zoned CS.

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

TRANSPORTATION VISION:

The Comprehensive Plan designates East 41st Street as a Secondary Arterial. These are higher volume roadways serving, in part, the commercial, office and industrial uses on each side.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 41 st Street	Secondary arterial	100'	4

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The westernmost part is designated as a Regional Center. The eastern triangular-shaped portion of the property, as well as some/all of the former gas station,, were used as a roadway staging facility during some roadway improvement projects. They have since been owned by the current owner of record. The area is also designated as an Area of Growth, no doubt owing to its location along a busy expressway and a secondary arterial street. The requested CS zoning **is in accord** with the Comprehensive Plan. Moreover, the zoning, if approved, will line up with the CS and OM to the north, across East 41st Street.

STAFF RECOMMENDATION:

The property in question was deeded to the current owner in exchange for its use during roadway improvement, when it was used as a staging facility. Since the proposal before the Planning Commission is in accord with the Comprehensive Plan, existing and expected trends in the area, staff can support the request and therefore recommends **APPROVAL** of CS zoning for Z-7201.

04/04/12



E 41st ST S

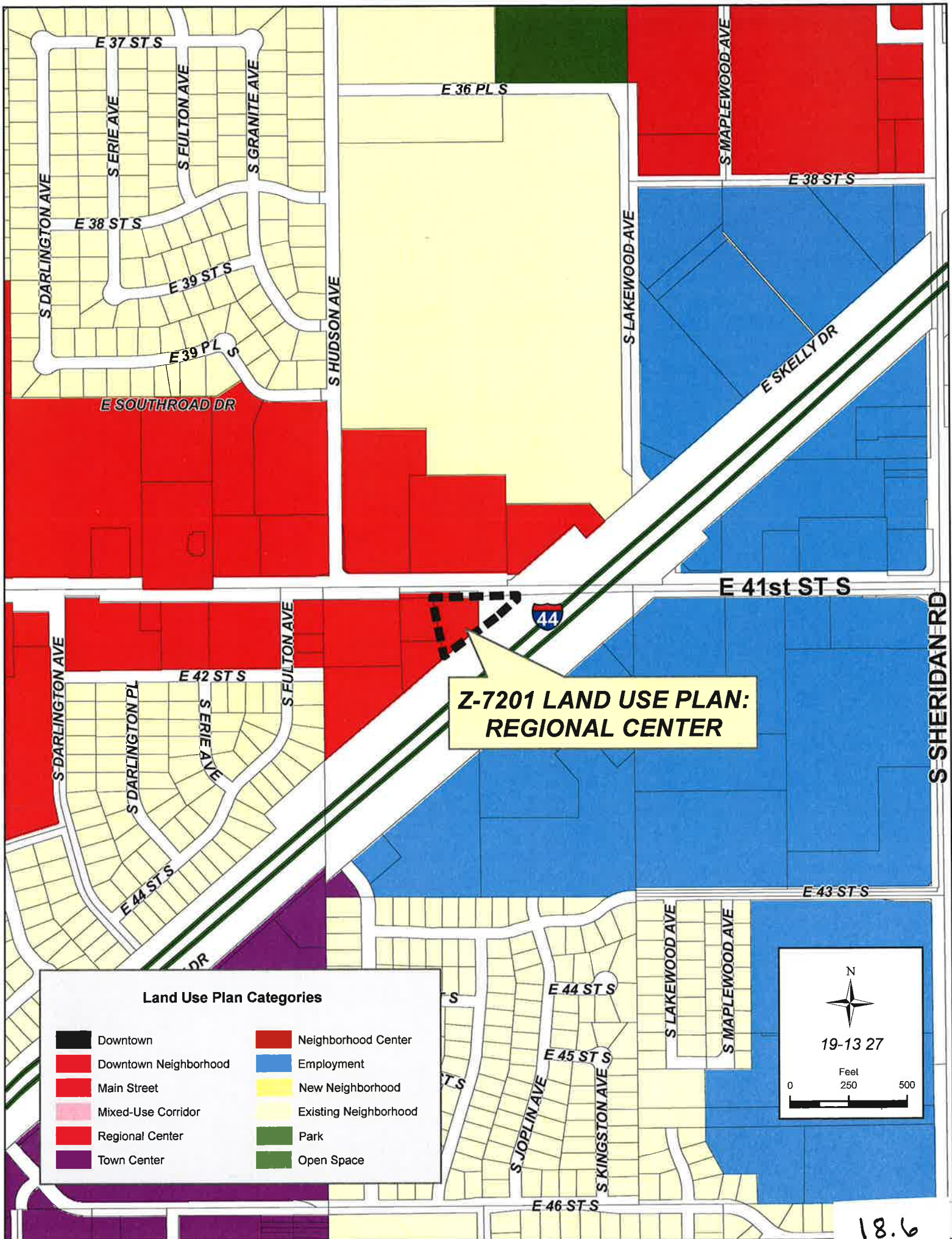
Z-7201



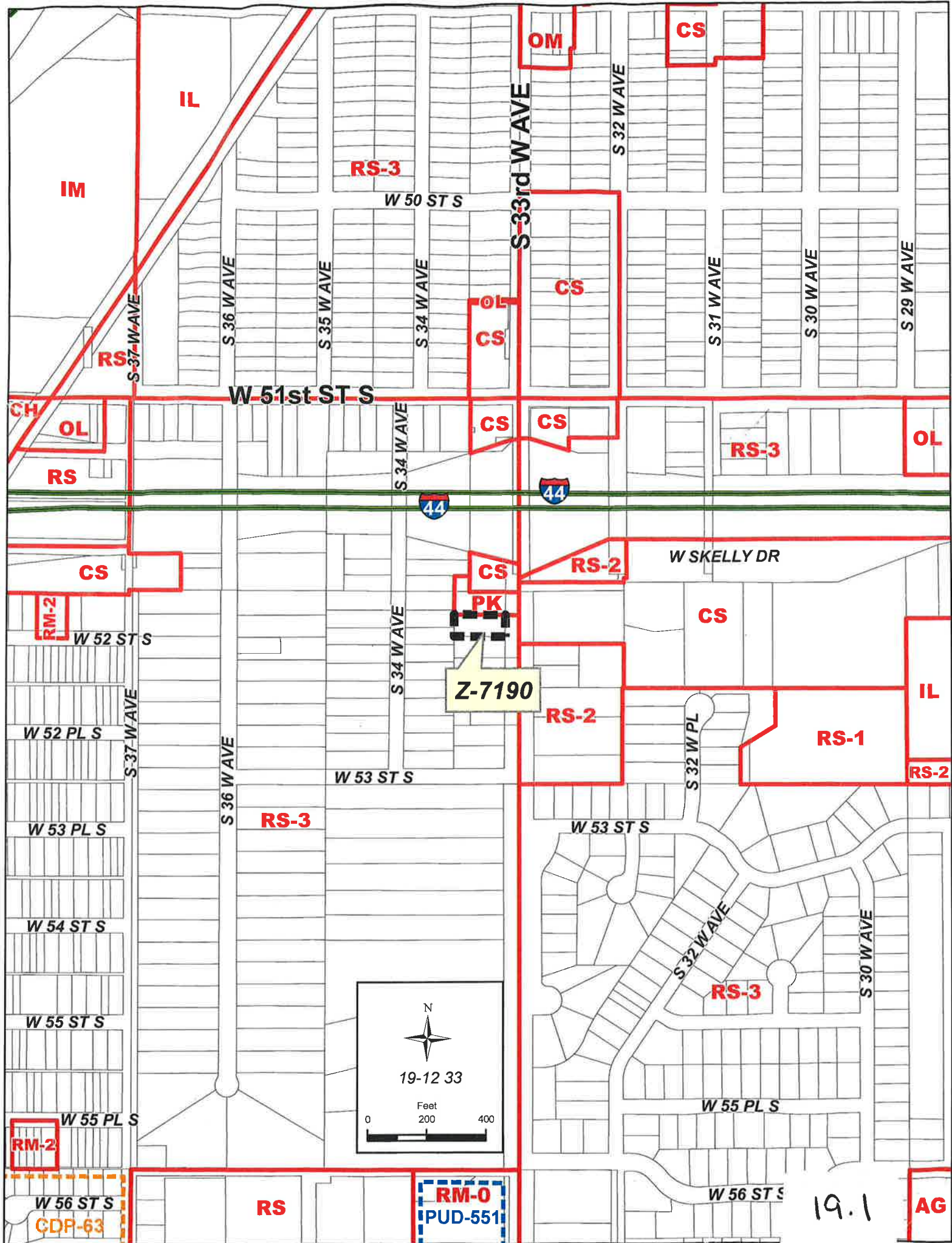
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Feet
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Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2010











19-12 33



Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo - Data - 11/11/2019

19.3

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7190

TRS 9233

Atlas 571

CZM 45

CD-2

TMAPC Hearing Date: April 4, 2012

(Continued from 1/4/12 and 2/1/12)

Applicant: Sajid S. Salimi

Tract Size: 12,600± square feet

ADDRESS/GENERAL LOCATION: South of southwest corner of South 33rd 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-7128 May 2009: All concurred in approval of a request for rezoning a .25± acre tract of land from RS-2 to CS for accessory parking on property located on southeast corner of South 33rd West Avenue and I-44 West.

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 33rd 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 33rd 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 south of the southwest corner of West Skelly Drive and South 33rd West Avenue and abutting north of the subject property.

Z-4037 January 1972: Staff recommended for denial of a request for rezoning a tract of land from RS-3 to CS on property located the southwest corner of South 33rd West Avenue and West Skelly Drive.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 12,600± square feet in size and is located south of southwest corner of South 33rd 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 33rd 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:

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

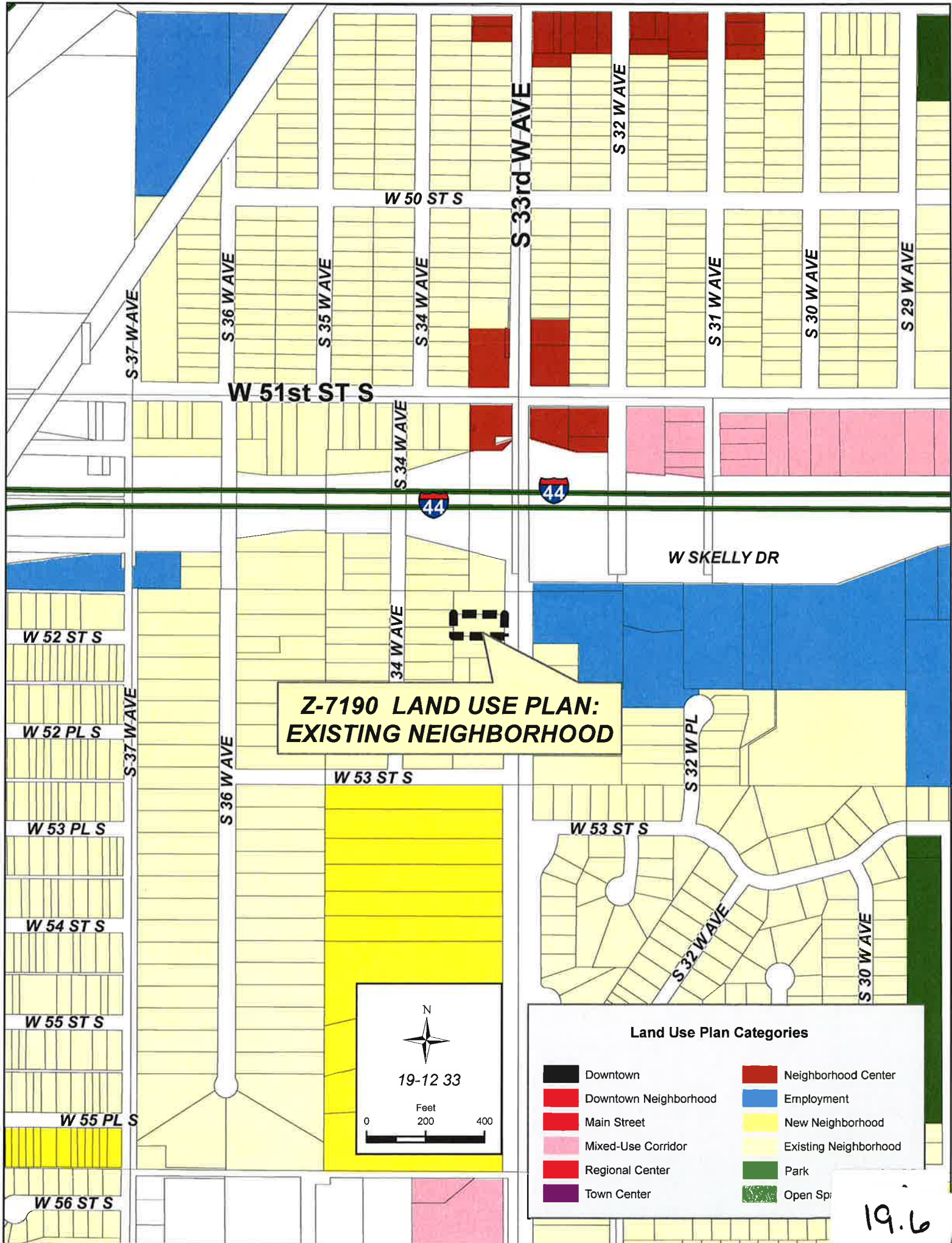
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

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 33rd 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 33rd 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.

04/04/2012





Huntsinger, Barbara

From: Branden F [pokerbike@gmail.com]
Sent: Monday, March 19, 2012 3:19 PM
To: esubmit
Subject: Zone # z7190

My name is Branden Fike and i currently live in Mountain Manor housing addition off 33rd West Ave between 61st s and 51st s.

I've been a tax paying Tulsa resident for over 11 years.

I've seen this entire town grow from a great town to one that is more modern.

With modernization there are benefits and pitfalls but in regards to Zoning # z7190 i can only see pitfalls.

My main concern is that the individuals who requested the zoning, stated they have "no idea" what they want to zone that space for.

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Thanks in advance, Branden Fike

Huntsinger, Barbara

From: Jessica Keith [jessicak1313@yahoo.com]
Sent: Monday, March 19, 2012 2:15 PM
To: esubmit
Subject: Zone # Z7190

I am a resident of the Mountain Manor housing addition and am strongly opposed to the new zoning plan Z7190. This business has no concern for the well being of our neighborhood, which was evident in their last zoning attempt.

Several of the neighbors are opposed to this idea of adding commercial businesses in our neighborhood. We are a hard working, family oriented neighborhood who are totally against any further encroachment of commercial business.

Please keep our neighborhood and residents in mind when considering this Zoning project.

Thank you for your time,
Jessica Keith.

Huntsinger, Barbara

From: Leslie Davis [LDavis@sge-tulsa.com]
Sent: Monday, March 19, 2012 2:04 PM
To: esubmit
Subject: Zoning Change Z7190

Subject: Zoning Change Z7190

I'm writing about Zoning Z7190.

This property is located at 51st street and 33rd W Ave.

The applicants are asking for the zoning to be changed to Commercial.

I Live at 5645 S 33rd W Ave Tulsa, OK 74107. I grew up on the Westside and take daily walks up to this intersection. I am against any further encroachment on the neighborhood of Commercial use. I know when the Bank was approved the neighbors feared this very thing would happen. I realize along intersections of busy highway there is often commercial businesses on the corners. But I think the line has been drawn and it should not be able to expand. The last thing we need is another Pawn shop, pay day loan business or something else that would not be beneficial to the neighborhood and surrounding area.

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Therefore I am absolutely against this expansion as is my Daughter that lives next door to me at 5631 S 33rd W Ave and my Mother and Dad that live across the street at 3333 W 57th St.

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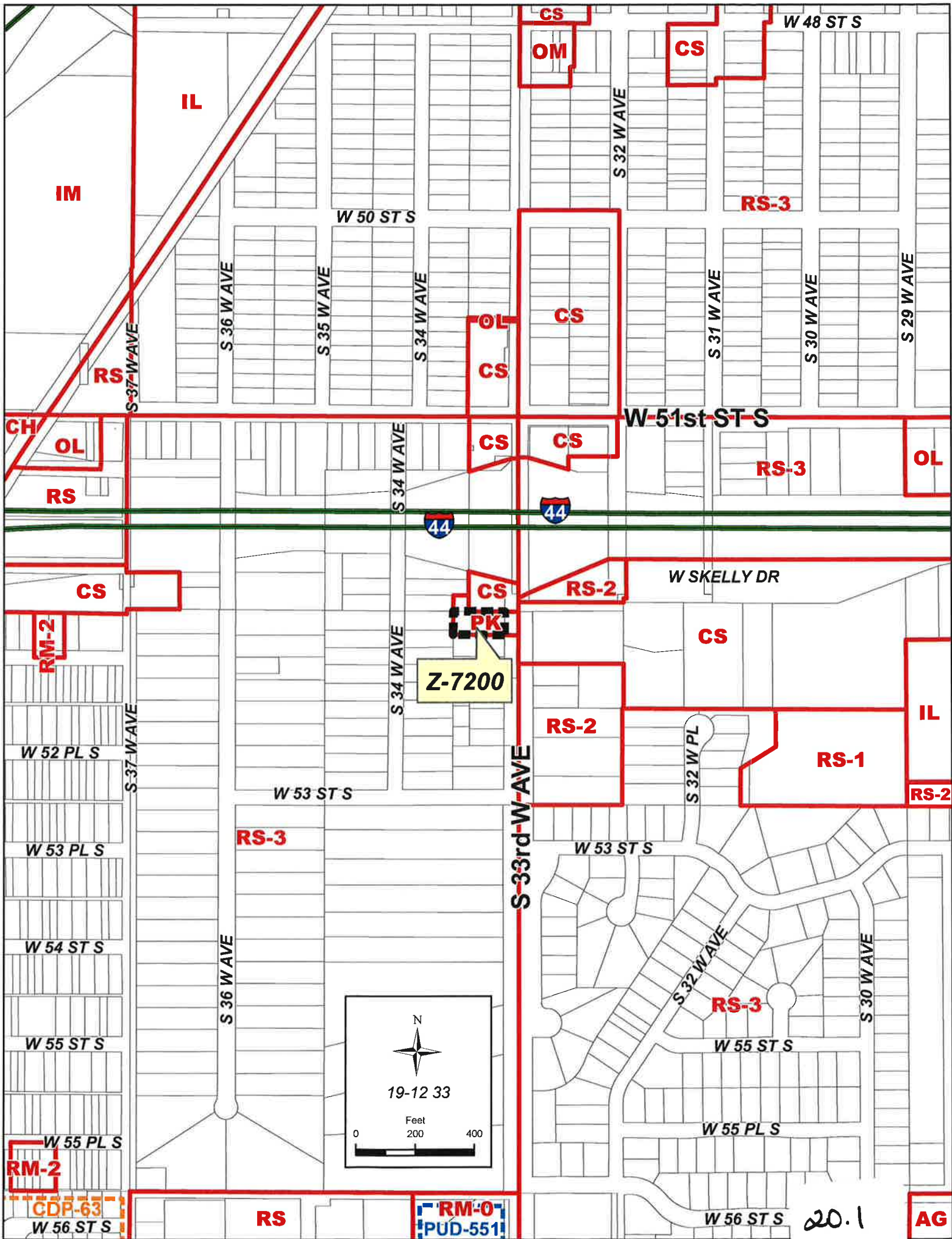
Leslie Davis

Sanguine Gas Exploration, LLC

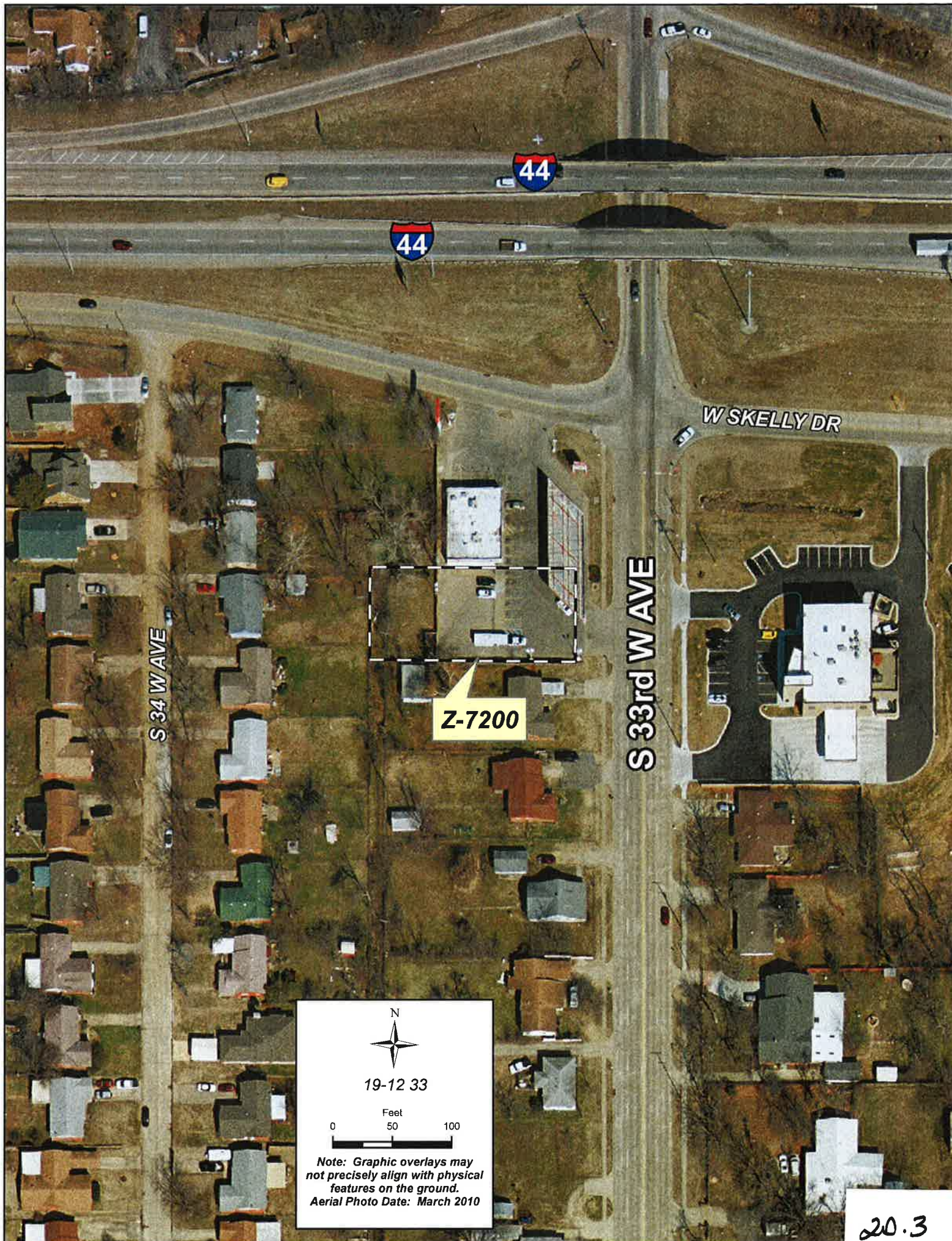
Phone: (918) 496-4786

Fax: (918) 576-7552

LDavis@sge-Tulsa.Com







N

19-12 33

Feet
0 50 100

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

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7200

TRS 9233

Atlas 480/571

CZM 45

CD-2

TMAPC Hearing Date: April 4, 2012

Applicant: Sisemore, Weisz & Associates, Inc.

Tract Size: 12,600± square feet

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

EXISTING ZONING: PK

EXISTING USE: Convenience store

PROPOSED ZONING: CS

PROPOSED USE: Retail/office building

ZONING ORDINANCE: Ordinance number 17586 dated October 3, 1991, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-7128 May 2009: All concurred in approval of a request for rezoning a .25± acre tract of land from RS-2 to CS for accessory parking on property located on southeast corner of South 33rd West Avenue and I-44 West.

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 33rd 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 33rd 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 south of the southwest corner of West Skelly Drive and South 33rd West Avenue and a part of the subject property.

Z-4037 January 1972: Staff recommended for denial of a request for rezoning a tract of land from RS-3 to CS on property located the southwest corner of South 33rd West Avenue and West Skelly Drive.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 12,600± square feet in size and is located southwest corner of West Skelly Drive and South 33rd West Avenue. The property appears to be a part of an existing convenience store and is zoned PK.

SURROUNDING AREA: The subject tract is abutted on the east by a bank use, zoned CS; on the north by I-44 zoned RS-3; 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 South 33rd West Avenue as a Secondary Arterial and does not designate West Skelly Drive. However, I-44, just north of the subject property is envisioned, and is in fact, a freeway, which carries much of the east-west traffic (freight and passenger), through and into the area.

STREETS:

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

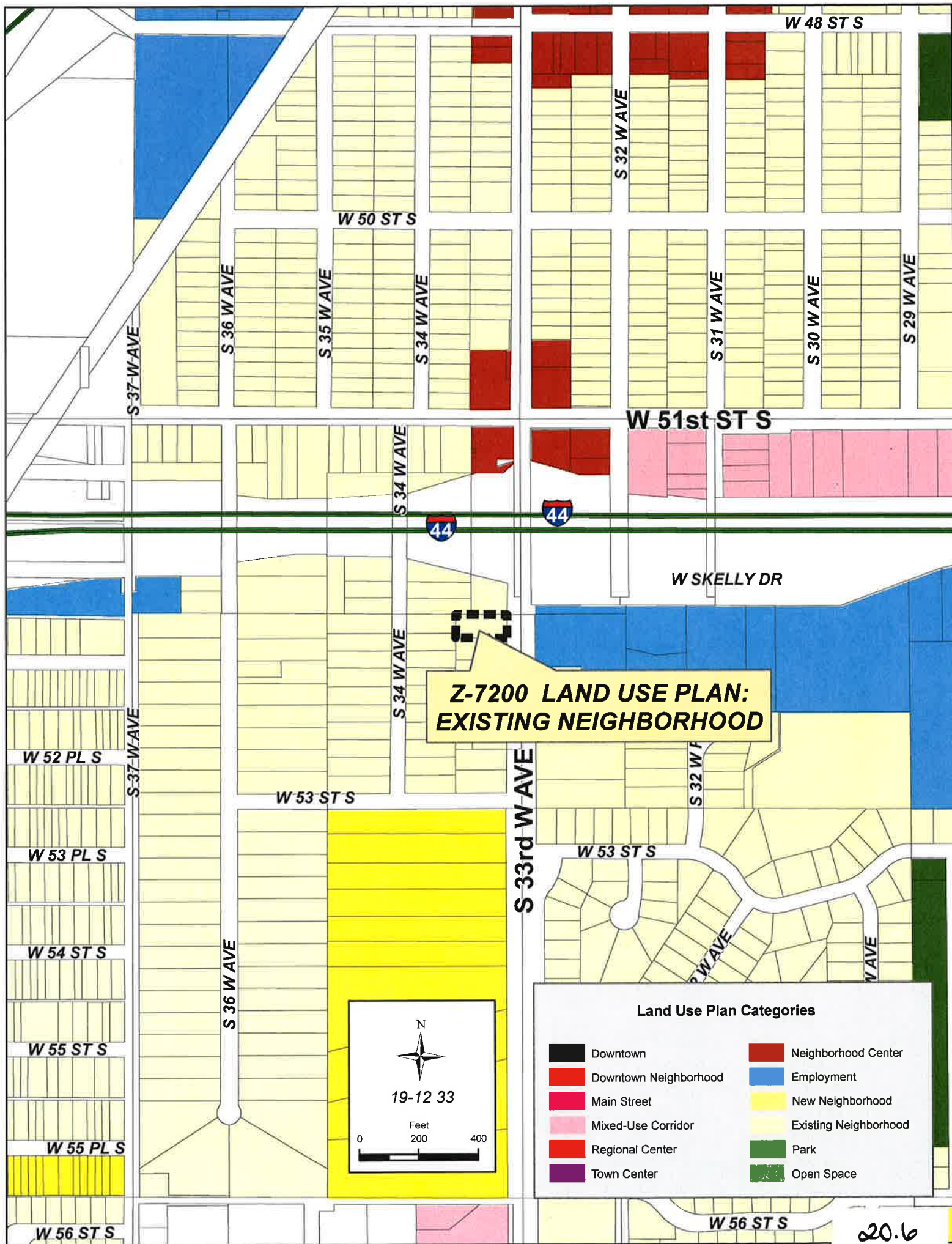
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

This is shown as an Existing Neighborhood and an Area of Stability. The proposed rezoning to CS is **not in accord** with the Plan.

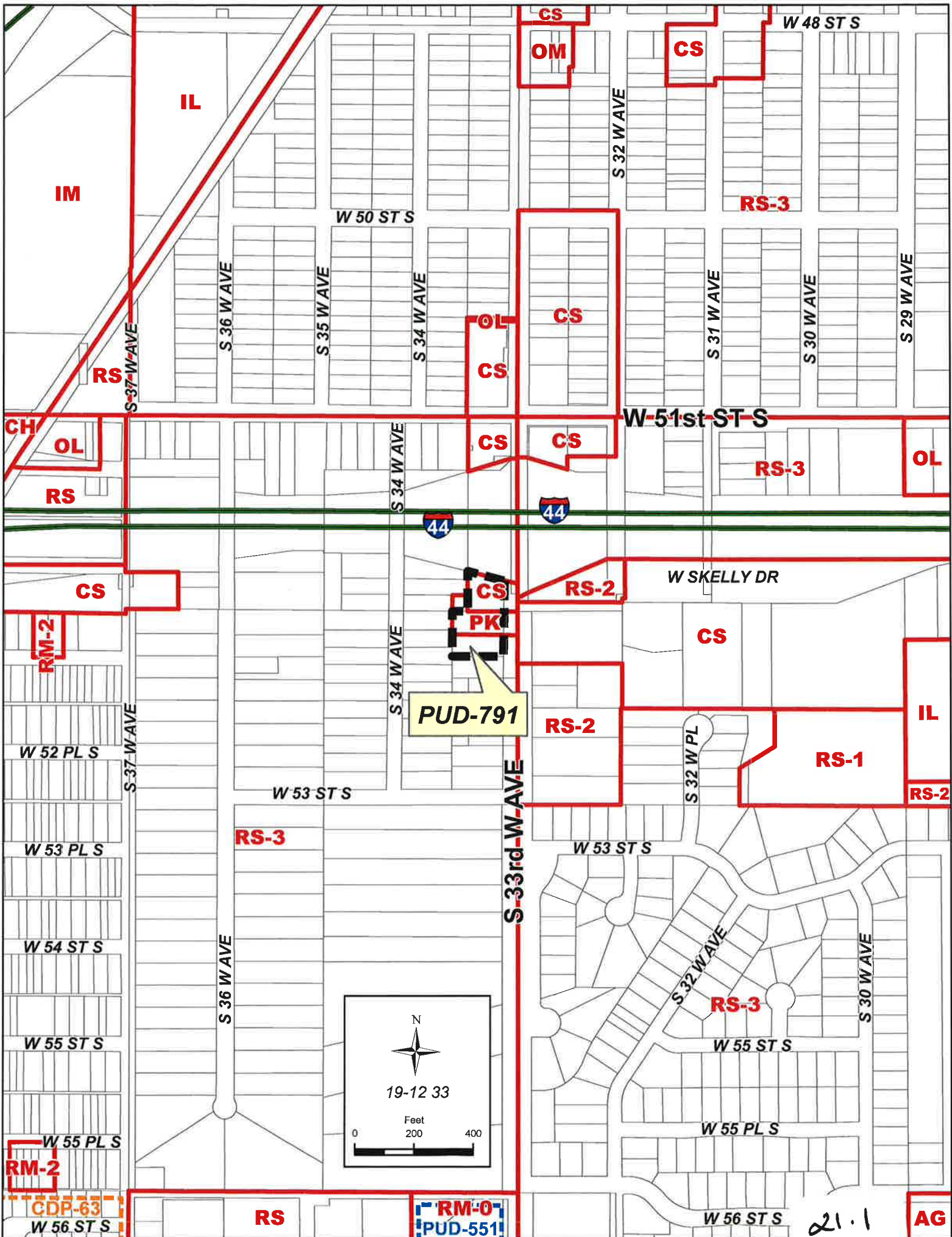
STAFF RECOMMENDATION:

A PUD has also been submitted on this property. It appears the applicant has adequate floor area to accommodate the proposed uses and does not need this rezoning. Therefore, staff recommends **DENIAL** of CS zoning on Z-7200.

04/04/12









N

19-12 33

Feet
0 200 400

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

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: PUD-791

TRS 9233

Atlas 480/571

CZM 45

CD-2

TMAPC Hearing Date: April 4, 2012

Applicant: Sisemore, Weisz & Associates, Inc.

Tract Size: 40,146± square feet

ADDRESS/GENERAL LOCATION: Southwest corner of West Skelly Drive and South 33rd West Avenue

EXISTING ZONING: RS-3/PK/CS

EXISTING USE: Convenience store

PROPOSED ZONING: CS/PUD

PROPOSED USE: Retail/office building

ZONING ORDINANCE: Ordinance number 17586 dated October 3, 1991, and 12335 dated January 17, 1972, and 11821 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-7128 May 2009: All concurred in approval of a request for rezoning a .25± acre tract of land from RS-2 to CS for accessory parking on property located on southeast corner of South 33rd West Avenue and I-44 West.

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 33rd 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 33rd 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 south of the southwest corner of West Skelly Drive and South 33rd West Avenue and a part of the subject property.

Z-4037 January 1972: Staff recommended for denial of a request for rezoning a tract of land from RS-3 to CS on property located the southwest corner of South 33rd West Avenue and West Skelly Drive and a part of the subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 40,146± square feet in size and is located at the southwest corner of West Skelly Drive/Interstate 44 and South 33rd West Avenue. The property is developed with a gas station and convenience store and one residential structure to the south of the store. The property is currently zoned CS/PK/RS-3.

SURROUNDING AREA: The subject tract is abutted on the east by 33rd West Avenue and then ODOT owned property, zoned RS-2. The property is also bordered on the east by Peoples Bank Carbondale, zoned CS/RS-2 and being used as a bank. To the north is Interstate 44, zoned RS-3. To the south and west is Valley Homes Addition, a single-family subdivision zoned RS-3. Also to the west is Anderson's Resub. Prt of Block 1 and all of Block 2 Richmond Acres, a single-family subdivision zoned RS-3.



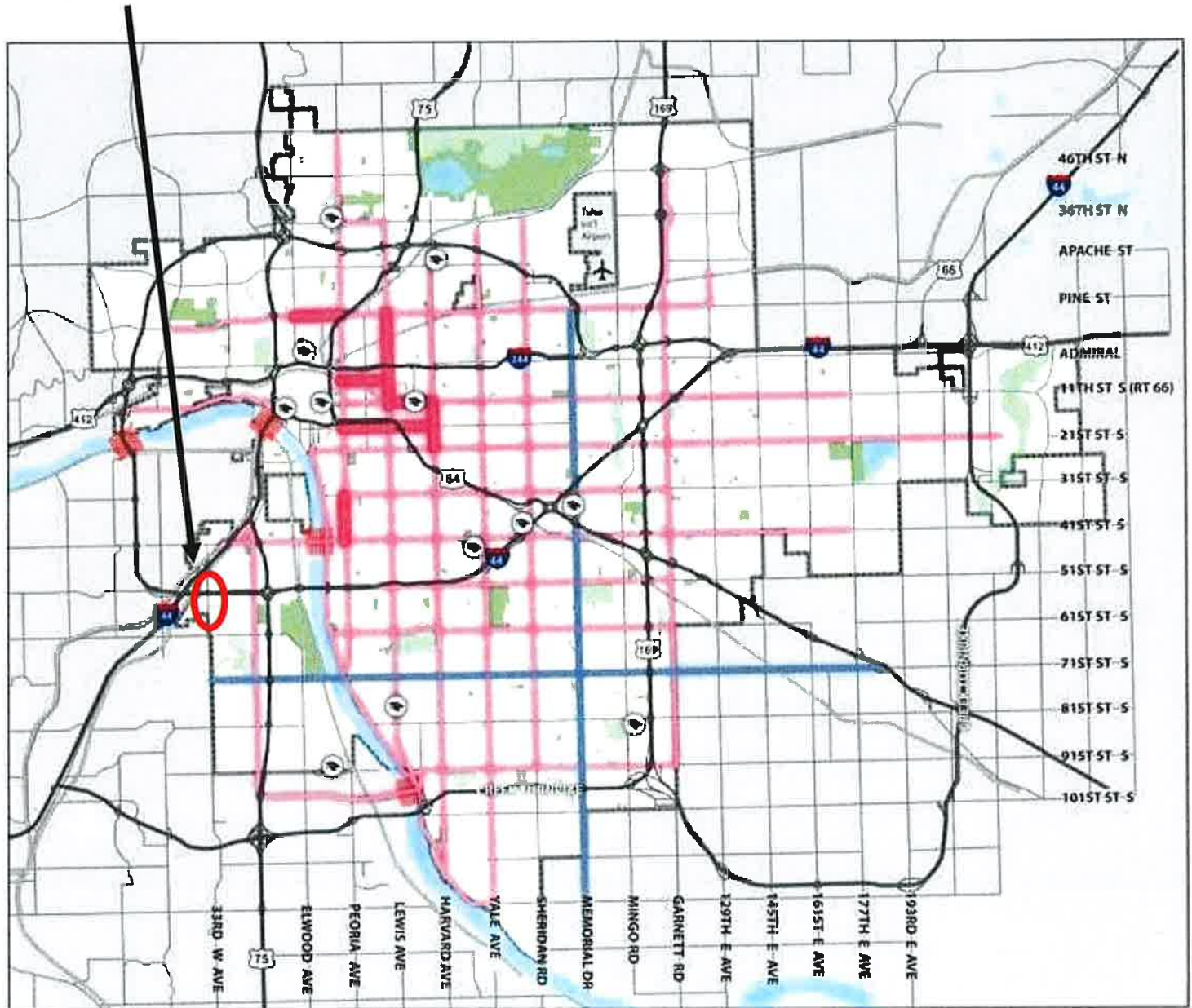
A large version of this graphic is attached.

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

TRANSPORTATION VISION:

The Tula Comprehensive Plan does not classify 33rd West Avenue or Skelly Drive. Interstate 44 is classified as an Existing/Planned Freeway.

SUBJECT AREA



ROADWAY

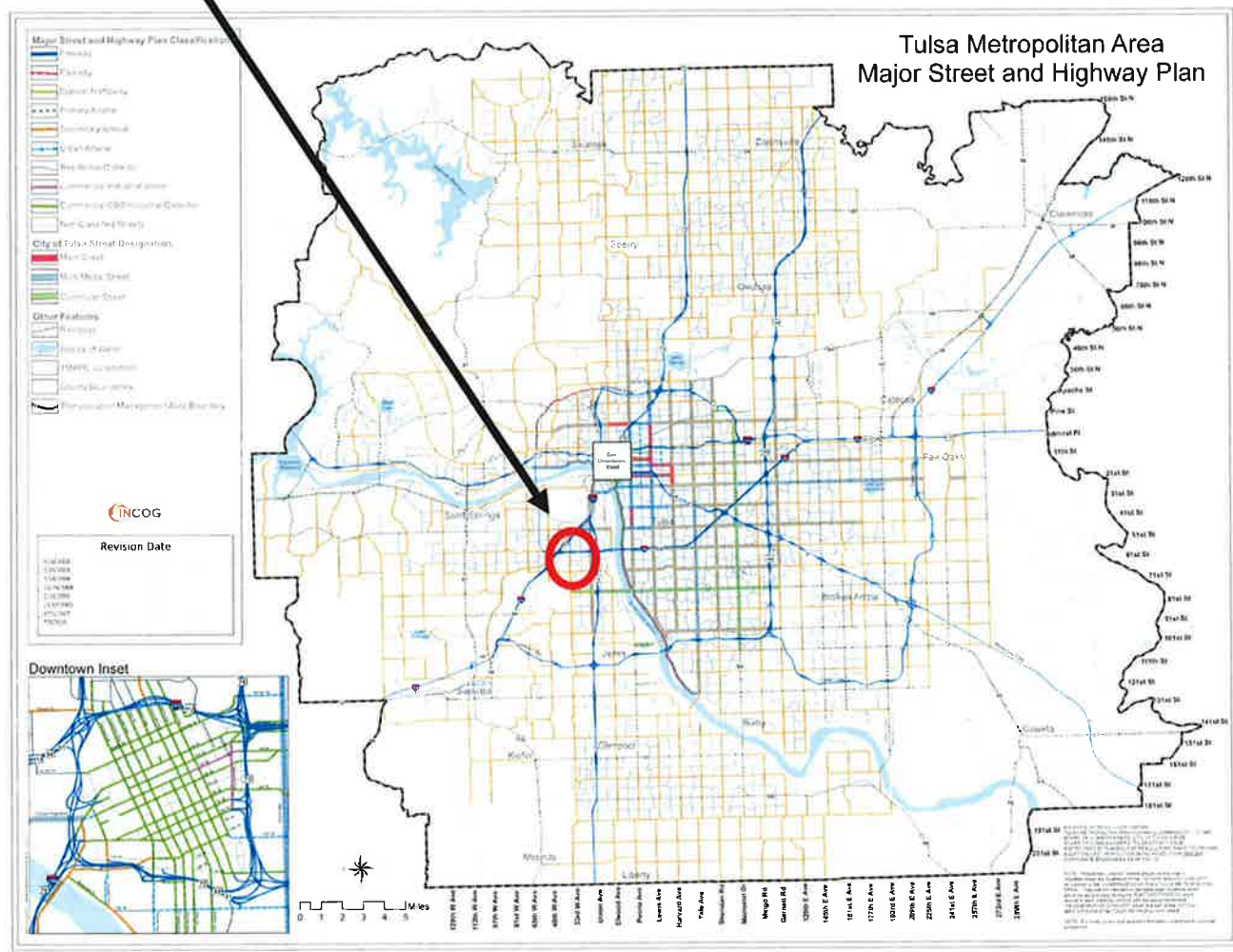
-  Main Street
-  Commuter Corridor
-  Multi-Modal Corridor
-  Possible Multi-Modal Bridge
-  Existing/Planned Freeway
-  Parks
-  Open Space

STREETS:

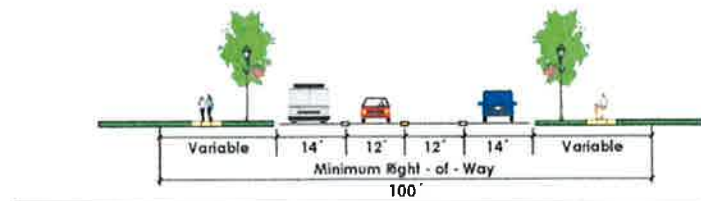
The Tulsa Metropolitan Area Major Street and Highway Plan designates 33rd West Avenue as a Secondary Arterial; does not designate Skelly Drive; and classifies Interstate 44 as a Freeway.

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South 33 rd West Avenue	Secondary Arterial	50'	4
West Skelly Drive	N/A	50'	2

SUBJECT AREA



 Secondary Arterial



RELATIONSHIP TO THE COMPREHENSIVE PLAN:

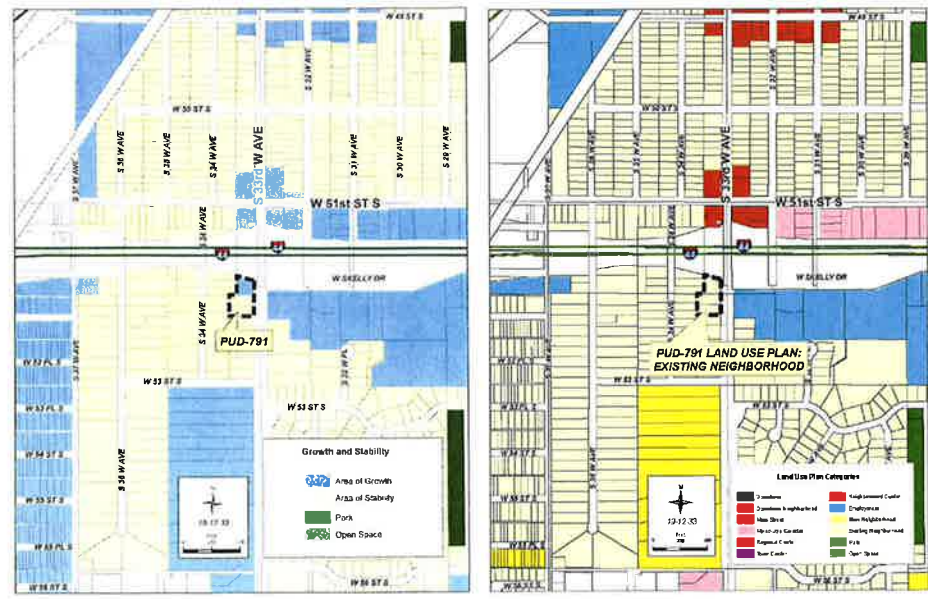
The Tulsa Comprehensive Plan designates the existing gas station/convenience store as an “Area of Growth”. The associated parking lot on the south side of the gas station/convenience store (the area zoned PK) and the residential lot to the south (also the subject of the PUD/rezone application) is designated as an “Area of Stability”.

The Comprehensive Plan designates the entire property that is subject of this PUD application as an “Existing Neighborhood”.

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

The **Areas of Stability** includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.



STAFF RECOMMENDATION:

The purpose of PUD-791 is to allow the existing commercial property at the southwest corner of I-44/West Skelly Drive and South 33rd West Avenue to expand 75-feet to the south to allow for the addition of 4,000 square feet (sf) of retail and office uses. This in-fill development proposes a 75-foot expansion to the south and includes a request to rezone a 75-foot wide by 168-foot lot zoned RS-3 to CS. The rezone is the subject of application Z-7200, also appearing on the April 4th agenda of the TMAPC.

As noted in the case report for application Z-7200, staff does not support the rezone request and has recommended denial. The existing commercial zoning on the property would allow for 9,730 sf of commercial floor area. The maximum commercial floor area proposed for PUD-791 is 7,000 sf (3,000 sf for the existing convenient store and 4,000 sf of additional retail/office space).

Situated at the hard-corner of an arterial street and a freeway access road at a traditional four-way freeway interchange, the subject property is flat and has been developed commercially and residentially. In addition to the aforementioned, the property is bordered on the west and south by single-family residential uses, necessitating the need for careful and deliberate site planning in relation to the existing neighborhood the development seeks to serve.

With sensitive site planning, a pronounced level of building/site development standards, limits being placed on the type of land uses that may occur (see below) and regular and continued site maintenance and upkeep, PUD-791 should prove to be a valuable, convenient retail & office center designed to serve the surrounding community.

In keeping with the Comprehensive Plan and the goals of more dense, pedestrian-friendly urban development, staff could support direct pedestrian and bicycle connection(s) to the neighborhood to the west. This would allow residents of the adjacent lots quick and easy access to the services offered without walking/bicycling north on 34th West Avenue to Skelly Drive and eventually into the PUD. However, staff contends it should be the choice of those living nearest the development whether direct connection would be beneficial. This could be determined prior to detail site plan review.

Letters of opposition are attached.

Should this connection be desired by the residents to the west, excepting at points of access along the west boundary, staff would recommend a minimum 6-foot, masonry style screening wall and excessive landscaping in substantial conformance with the attached Exhibit C to protect the residences to the west.

Staff has carefully reviewed this proposal, conducted several site visits and finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Zoning Code. Staff finds PUD-791 to be: (1) in harmony with the existing and expected development of surrounding areas; (2) a unified treatment of the development possibilities of the site; and (3) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of PUD-791 subject to the following conditions:

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

2. Development Standards:

DEVELOPMENT AREA A (Existing Convenience Store)

LAND AREA: 0.37 Ac. (16,084 SF)

PERMITTED USES:

Gasoline Service Station and Convenience Store only within Use Unit 14 – Shopping Goods and Services and uses customarily incidental to the principal permitted use.

MINIMUM LOT FRONTAGE: 140 feet

MAXIMUM BUILDING HEIGHT: 1 story not to exceed 20 feet

MINIMUM BUILDING SETBACKS:

From the easterly boundary of Development Area "A":	70 feet
From the northerly boundary of Development Area "A":	50 feet
From the westerly boundary of Development Area "A":	10 feet
From the southerly boundary of Development Area "A":	5 feet

MINIMUM LANDSCAPED AREA:

Per Chapter 10 of the Tulsa Zoning Code.

SCREENING / BUFFERING:

A six (6) foot high wooden solid screened fence shall be provided along the rear (west) boundary of the existing store site.

LIGHTING:

Per section 1303.C of the Tulsa Zoning Code.

OFF-STREET PARKING:

Per the applicable use unit within the City of Tulsa Zoning Code. A cross-parking and cross-access agreement with the proposed retail center land use within Development Area "B" may be executed as part of the proposed development project.

SIGNAGE:

Per the requirements of Chapter 11 of the Tulsa Zoning Code.

SIDEWALKS:

Upon expansion or future development within Development Area A, sidewalks shall be constructed where not existing and/or maintained where existing in accordance with

subdivision regulations along 33rd West Avenue and Skelly Drive. Direct pedestrian access from 33rd West Avenue and Skelly Drive to the storefront shall be provided in any future development.

TRASH ENCLOSURES:

All dumpsters shall be fully screened from the view of a person standing at ground level in any residentially zoned area.

***NOTE:** The Development Area "A" boundaries shown on Exhibit "B" of this report are conceptual in nature and minor modifications to such boundaries may be permitted pursuant to final platting; however, the acreage of Development Area "A" shall not be altered by more than 10% unless approved as a PUD Minor Amendment by the Tulsa Metropolitan Area Planning Commission.*

DEVELOPMENT AREA B

LAND AREA:

0.552 Ac. (24,062 SF)

PERMITTED USES:

Use Unit 11 - Offices, Studios & Support Services; Use Unit 12 - Eating Establishments other than Drive-Ins; Use Unit 13 - Convenience Goods and Services; Use Unit 14 - Shopping Goods and Services, and uses customarily accessory to the permitted principle uses.

USES EXPRESSLY FORBIDDEN:

Use Unit 9 – Mobile Home Dwelling; any use within Use Unit 12a – Adult Entertainment Establishments; Liquor Store within Use Unit 13; Pawn Shop within Use Unit 14 and Use Units 15 through 28.

MINIMUM LOT FRONTAGE:

90 feet

MAXIMUM BUILDING HEIGHT:

1-story, not to exceed 20 feet

MINIMUM BUILDING SETBACKS:

From the easterly boundary of Development Area "B":	70 feet
From the northerly boundary of Development Area "B":	15 feet
From the westerly boundary of Development Area "B":	35 feet
From the southerly boundary of Development Area "B":	35 feet

MINIMUM LANDSCAPED AREA:

Per landscaping requirements listed under the City of Tulsa zoning code. Additionally, along the southerly and westerly boundaries of Development Area "B", evergreen trees with a narrow-growth pattern shall be planted at a spacing distance of no greater than 10 feet apart. Such evergreen trees shall have a minimum 1.5" caliper and 6' height at the time of planting, and have a minimum 12' mature height.

SCREENING & BUILDING AESTHETIC REQUIREMENTS:

A six (6) foot high masonry style screening wall shall be required along the full length of the westerly and southerly property lines of Development Area B.

Within Development Area B, the entire building facade shall be fully constructed of masonry or masonry style finishing, Exterior Insulated Finished Systems (EIFS), stucco, or a combination thereof, with the exception of window or door openings.

LIGHTING:

All exterior lighting within Development Area B, including building mounted, shall be directed down and away from adjacent residential properties in a manner that the light producing element and/or reflector shall not be visible to a person standing at ground level in any residential area. Additionally, within the westerly 30 feet and the southerly 20 feet of the site, only bollard-style lighting units with a downward-directed lighting pattern shall be allowed, with such lighting units having a maximum height of three (3) feet. There shall be no building mounted lighting on the west or south building walls except security lighting which has full cut-off capability. Placement of freestanding light poles, if any, shall be limited to the easterly 25 feet of Development Area "B" (less the southerly 20 feet thereof), and shall not exceed a total of 12 feet in height as measured from the top of the lighting unit to grade level. Verification of such shall be through the submittal and approval by the TMAPC of a photometric plan and manufacturer's cut-sheets for the light fixtures showing all sight lighting to have full cut-off capability.

OFF-STREET PARKING:

As required by the applicable use unit within the City of Tulsa Zoning Code. A cross-parking and cross-access agreement with the existing convenience store/gas station within Development Area A may be executed as part of the retail center development project so long as over-all parking requirements are met within both development areas.

PEDESTRAIN ACCESS AND CIRCULATION:

Sidewalks shall be constructed along 33rd West Avenue in accordance with subdivision regulations. Direct pedestrian access shall be provided from the 33rd West Avenue sidewalk to the storefront. Where vehicular circulation paths and pedestrian access intersect, the pedestrian way shall be distinguished by the use of raised pavement or high contrast striping.

At the detail site plan review phase of development, consideration should be given to providing direct pedestrian access through the required six foot screening wall on the western boundary to allow those adjacent residential units a direct pathway into the development. Prior to development consultation with the neighbors shall be completed to determine the wishes of the neighbors.

SIGNAGE:

One monument style sign shall be allowed along the 33rd West Avenue frontage to identify the tenant or tenants within Development Area B. Such sign shall not exceed a total height of 12-feet with a maximum of 80 square feet of display area.

Wall signs shall be limited to 1.5 square feet per lineal foot of building wall/tenant space to which the sign is affixed. Wall signs shall not exceed 75% of the wall width/lease space width. There shall be no wall signs on the western or southern facing building walls.

TRASH and MECHANICAL EQUIPMENT AREAS:

All dumpsters and mechanical equipment areas, including building mounted shall be fully screened from the view of a person standing at ground level at the perimeter of the property. Such dumpster shall be located a minimum of 100 feet from the westerly boundary limits of Development Area "B". This shall not include franchise utility equipment areas.

NOTE: The Development Area "B" boundaries shown on Exhibit "B" of this report are conceptual in nature and minor modifications to such boundaries may be permitted pursuant to final platting; however, the acreage of Development Area "B" shall not be altered by more than 10% unless approved as a PUD Minor Amendment by the Tulsa Metropolitan Area Planning Commission.

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

11. There shall be no outside storage of recyclable material, trash or similar material outside a screened receptacle. Receptacle screening shall be constructed of materials having an appearance similar to the buildings themselves and be of complementary color. Trucks or truck trailers may not be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the PUD.

TAC Comments:

General: No comments.

Water: The proposed water service line for serving Tract "B" can not cross Tract "A's" lot line. The proposed water service line can only be allowed to leave the meter to enter into the tract being served only from the street right of way.

Fire: Canopy over entrance drive, if not being removed, shall be a minimum of 13' 6" high to allow fire truck access. All fuel tanks and fuel dispensers shall comply with the International Fire Code and NFPA 30.

Stormwater: 42" Storm Sewer does not have enough easement, and Off-site drainage flowing onto this PUD from the West and the South will have to be collected at the Property Lines and conveyed in a Public Drainage System and related Easements. If multiple lots are included in the Plat, then onsite drainage systems crossing lot lines are also Public Drainage Systems, and must be placed in the appropriate Public Easements.

Wastewater: Where the existing sanitary sewer line will be placed under a paved driving surface, the existing pipe must be replaced by Ductile Iron Pipe from Manhole to Manhole.

Transportation: No comments.

INCOG Transportation:

- **MSHP:** 33rd West Ave. is a designated secondary arterial.
- **LRTP:** 33rd West Avenue, between W. 61st Street South and West 51st Street S., existing 4 lanes. Per TMAPC subdivision regulations, sidewalks should be constructed if non-existing or maintained if existing.
- **TMP:** No comments
- **Transit:** Currently, Tulsa Transit operates existing routes on 33rd West Avenue, between W. 61st Street South and West 51st Street S. According to MTTA future plans, this location will continue to be served by transit routes. Therefore, consideration for access to public transportation should be included in the development.
- **Fast Forward Regional Transit Plan:** No comments.

Traffic: No comments.

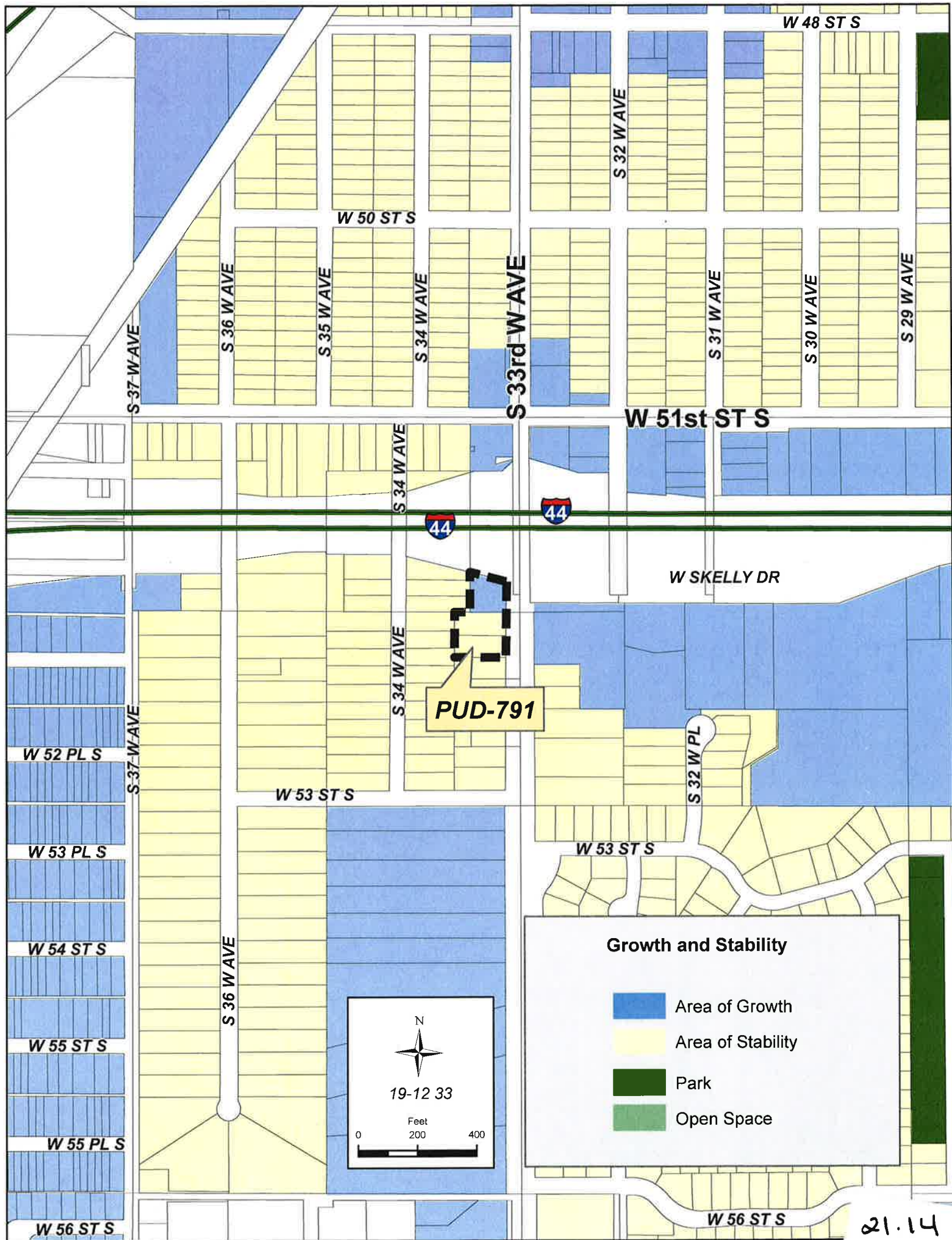
GIS: No comments.

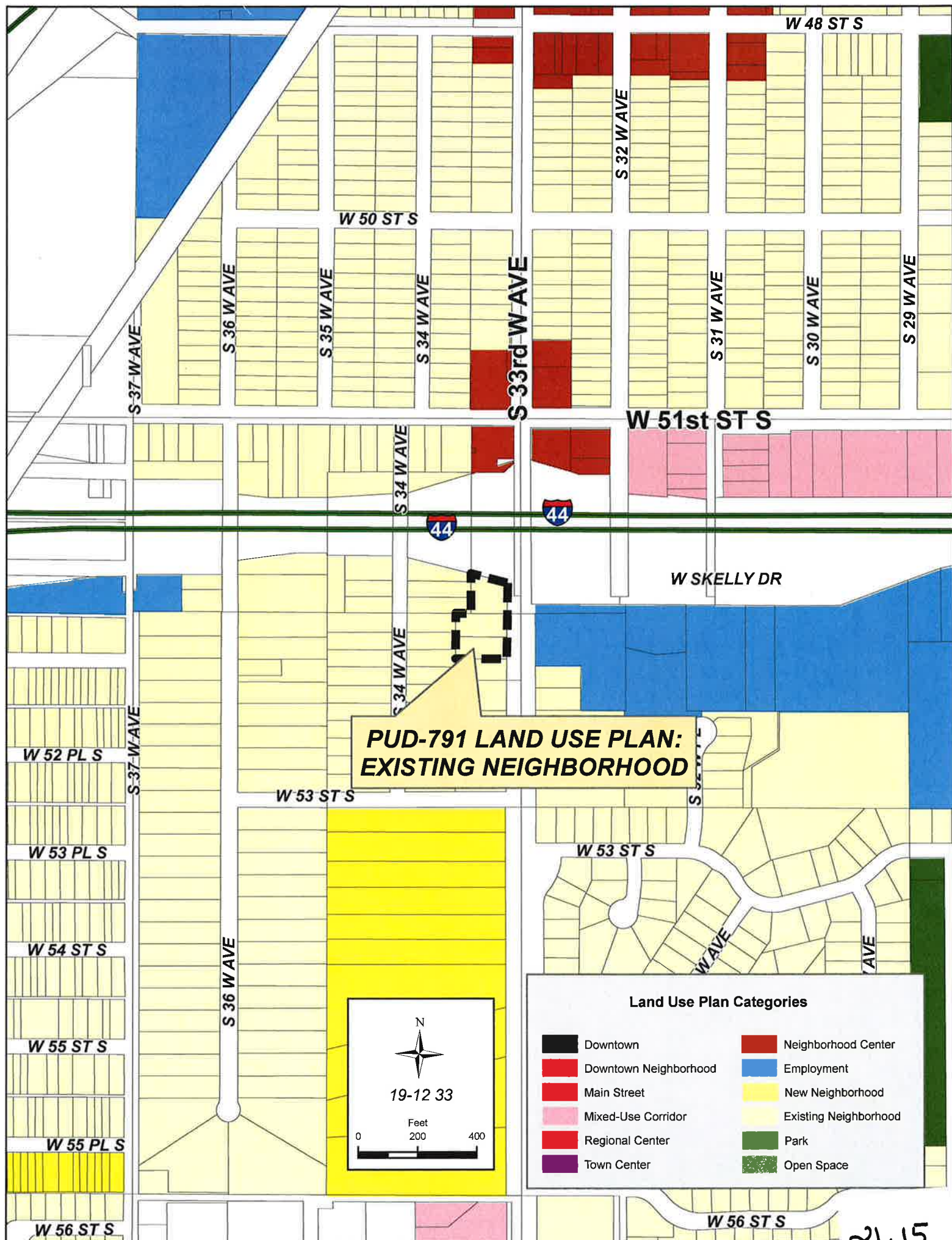
Street Addressing: No comments.

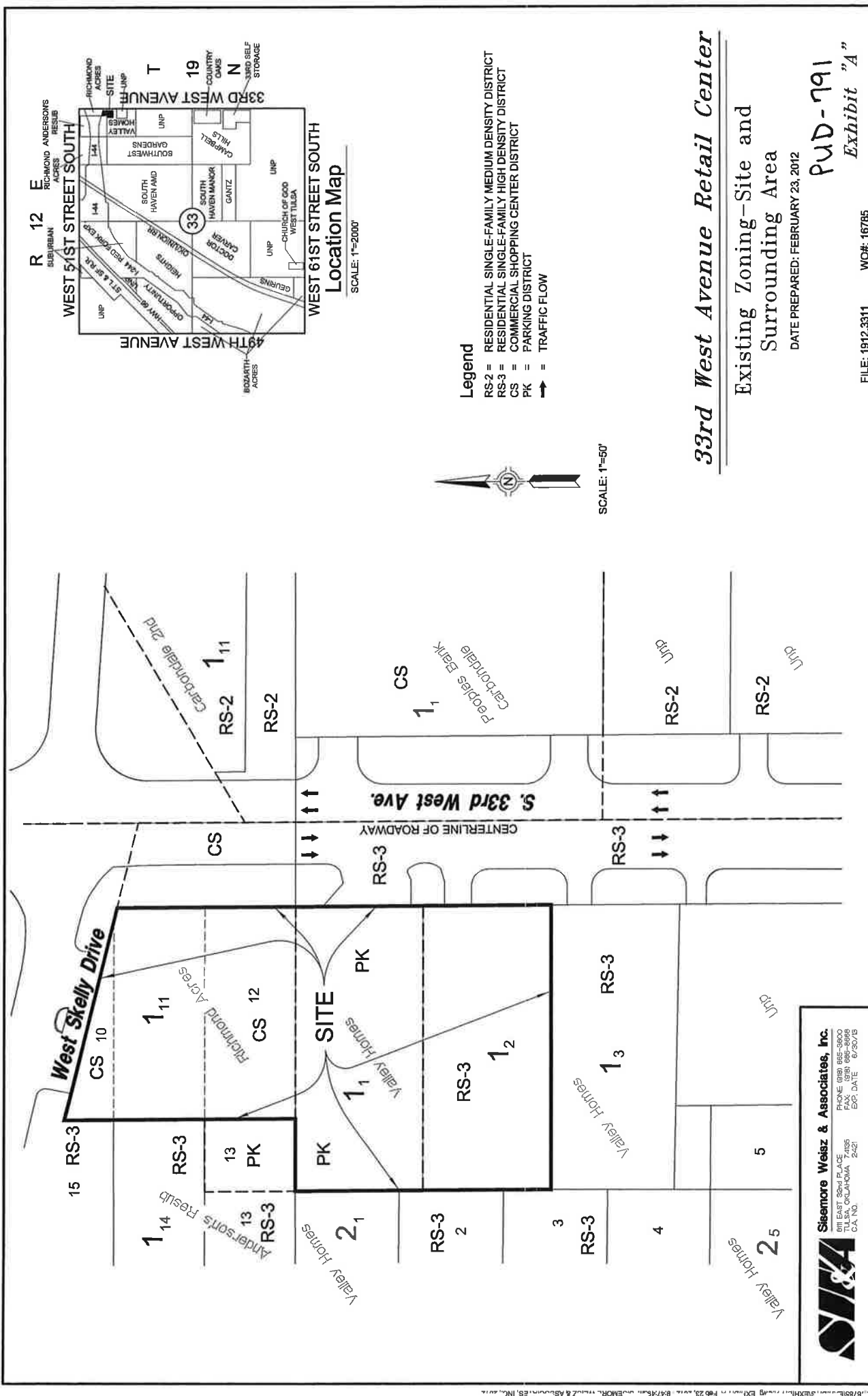
Inspection Services: No comments.

County Engineer: No comments.

04/04/12



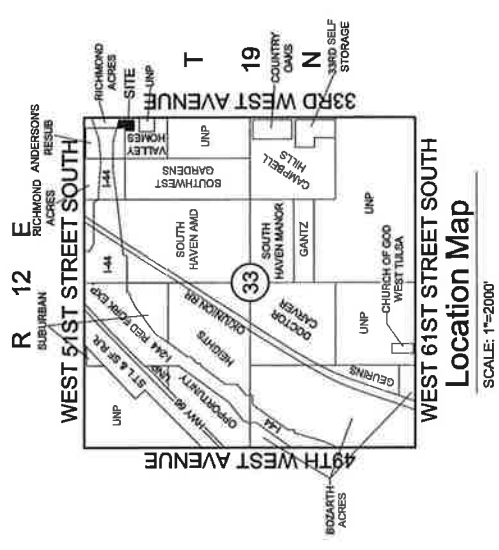




SCALE: 1"=50'

Legend

- RS-2 = RESIDENTIAL SINGLE-FAMILY MEDIUM DENSITY DISTRICT
- RS-3 = RESIDENTIAL SINGLE-FAMILY HIGH DENSITY DISTRICT
- CS = COMMERCIAL SHOPPING CENTER DISTRICT
- PK = PARKING DISTRICT
- = TRAFFIC FLOW



33rd West Avenue Retail Center

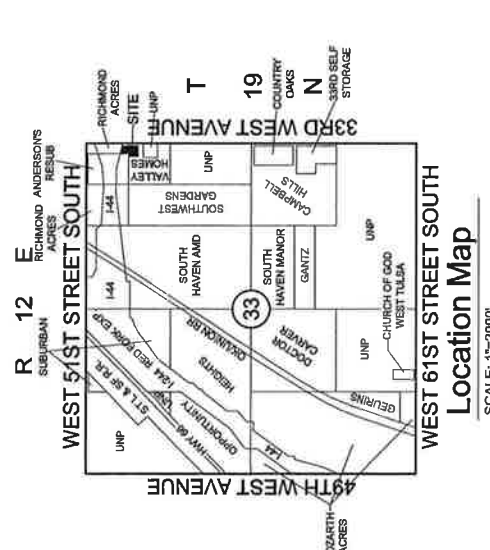
Existing Zoning-Site and Surrounding Area

DATE PREPARED: FEBRUARY 23, 2012

PUD-791
Exhibit "A"

FILE: 1912.3311 WO#: 16785

Sisemore Weisz & Associates, Inc.
 811 EAST 32ND PLACE
 TULSA, OKLAHOMA 74106
 PHONE (918) 685-9800
 FAX (918) 686-2698
 E-MAIL: INFO@SWA-OK.COM



Legend

- P.O.B. = POINT OF BEGINNING
- P.O.C. = POINT OF COMMENCEMENT
- RTW = RIGHT-OF-WAY
- ESMT. = EASEMENT
- CONC. = CONCRETE
- PH. = FIRE HYDRANT
- U.G. = UNDERGROUND
- LP. = LIGHT POLE
- WV. = WATER VALVE
- DGDI = DOUBLE GRATE DROP INLET
- SSMH = SANITARY SEWER MANHOLE
- SDMH = STORM SEWER MANHOLE
- RCP = REINFORCED CONCRETE PIPE
- RCB = REINFORCED CONCRETE BOX
- SBCMH = SOUTHWESTERN BELL TELEPHONE COMPANY MANHOLE
- WL. = EXISTING WATER LINE
- SS. = EXISTING SANITARY SEWER LINE
- TUG. = EXISTING U.G. TELEPHONE
- G. = EXISTING GAS LINE
- = TRAFFIC FLOW ARROW
- [Shaded Area] = LANDSCAPE AREA/ BUFFER ZONE

SCALE: 1"=40'

33rd West Avenue Retail Center

Conceptual Site and Utilities Plan

DATE PREPARED: FEBRUARY 23, 2012

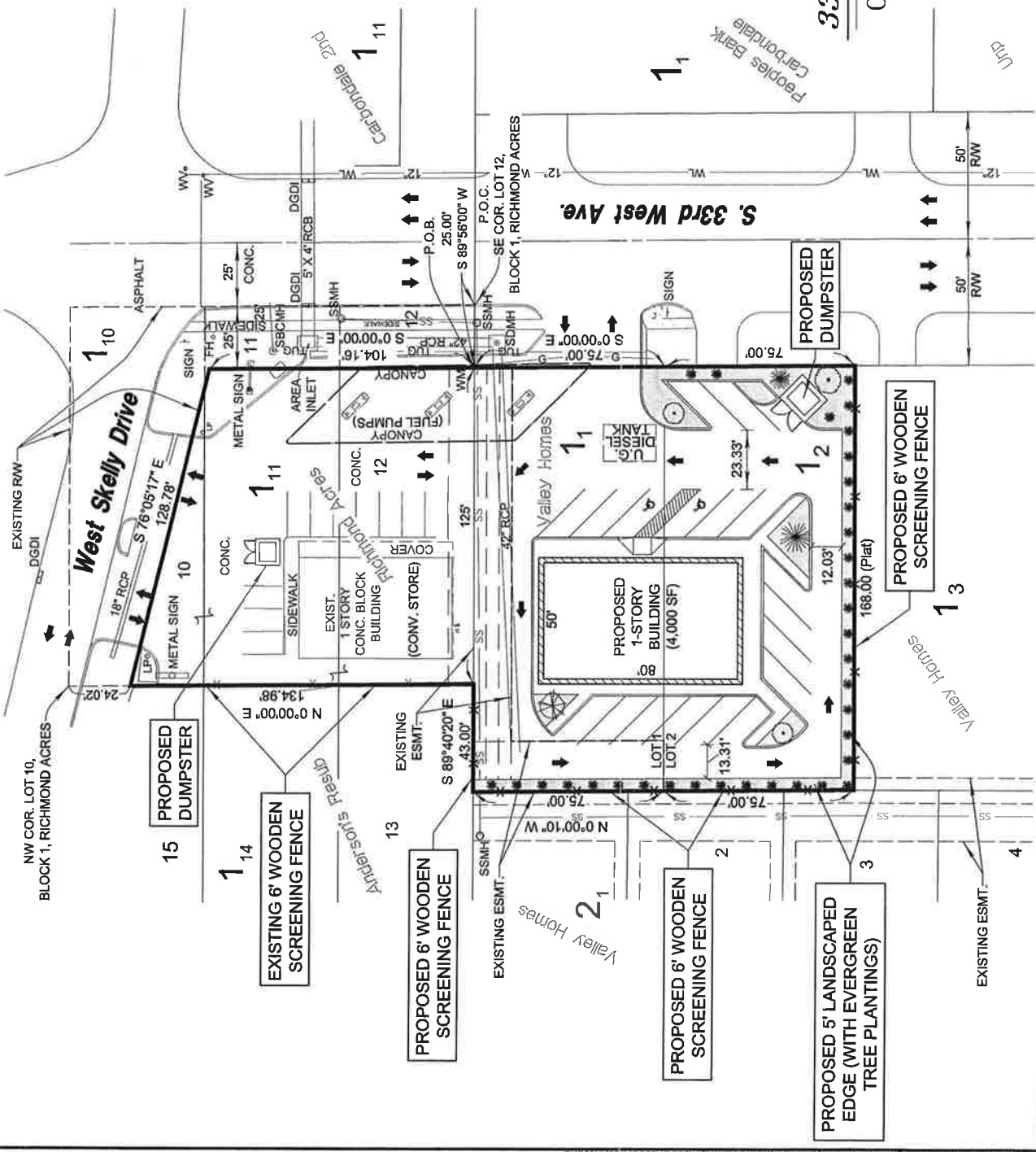
Exhibit "C"

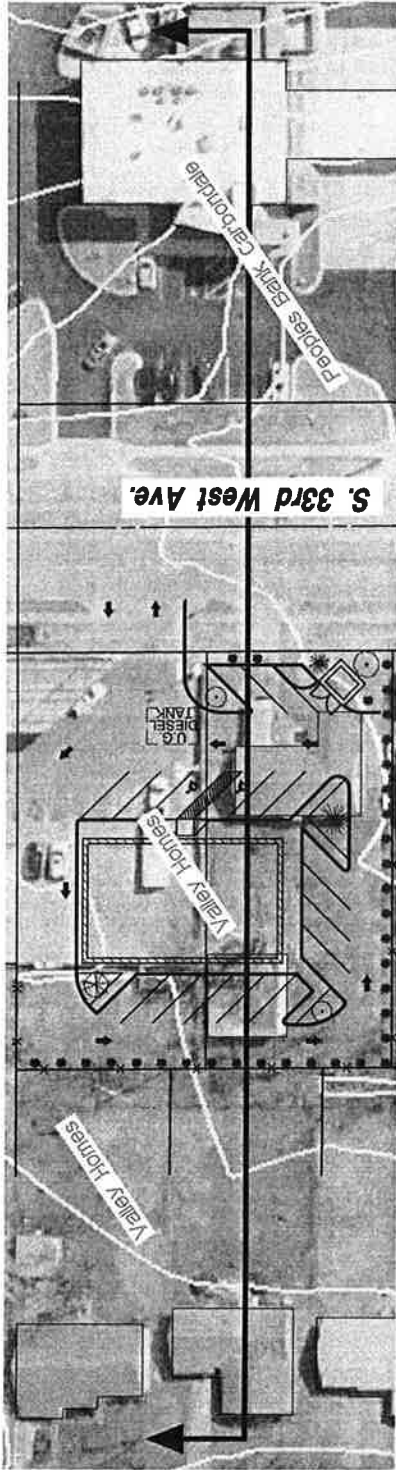
FILE: 1912.3311 WORK: 16785



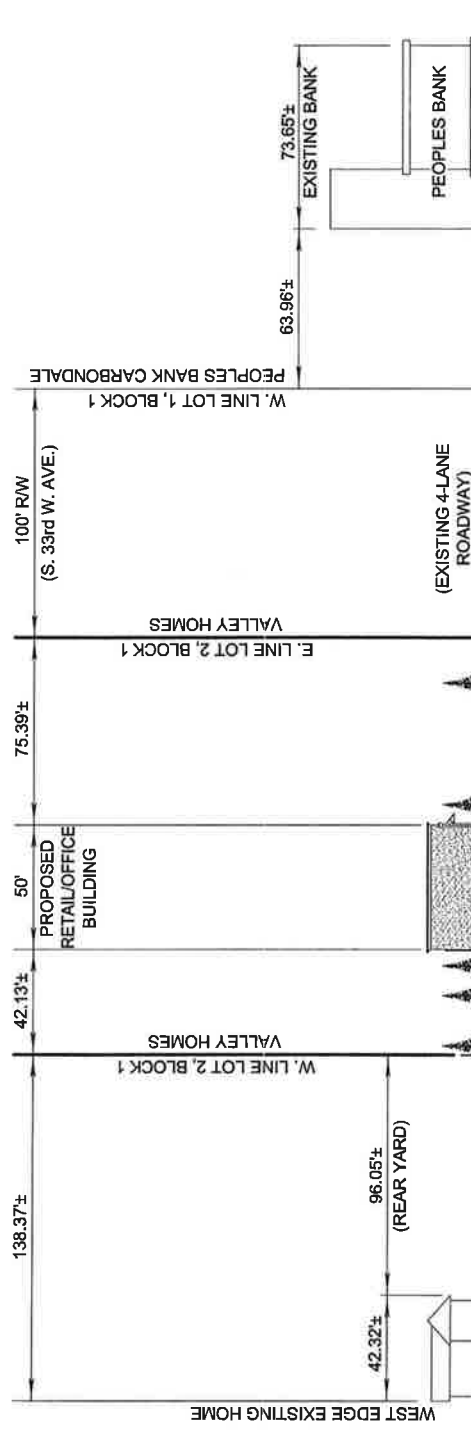
Sismore Weisz & Associates, Inc.
PHONE: (918) 665-9800
FAX: (918) 665-8888
TULSA, OKLAHOMA 74105
E.O. DATE: 6/20/75
CAL. NO.

PUD-791

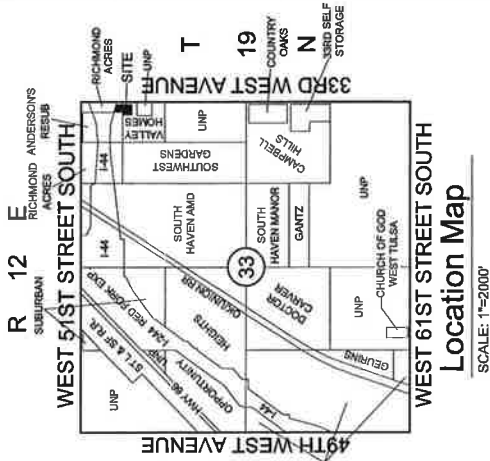




PLAN VIEW



PROFILE VIEW



SCALE: 1"=50'

33rd West Avenue Retail Center

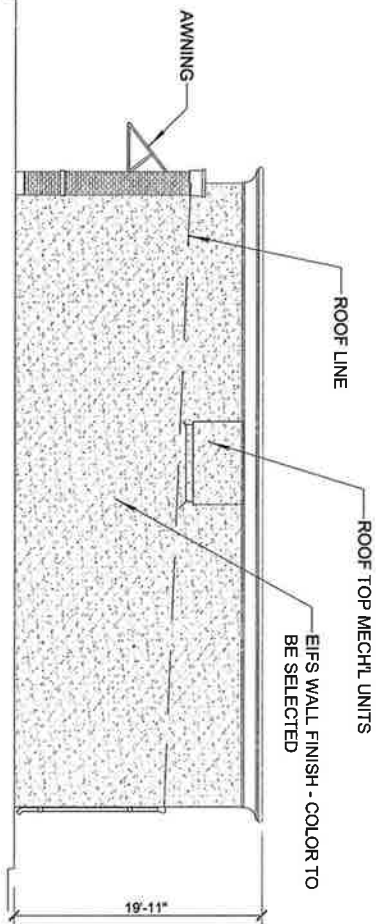
Cross-Elevation Exhibit:
Site & Adjacent Properties

DATE PREPARED: FEBRUARY 23, 2012 **PUD-991**
Exhibit "D"
FILE: 1912.3311 WO#: 16785

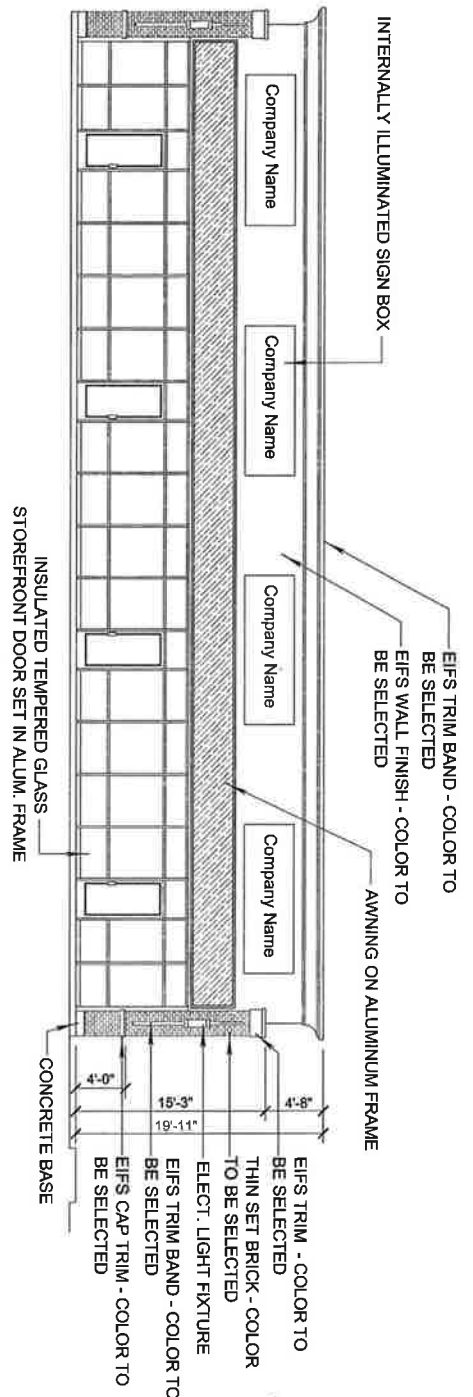
Sisemore Weisz & Associates, Inc.
811 EAST 32nd PLACE
TULSA, OKLAHOMA 74105
CA. NO. 2421
PHONE (918) 665-3800
FAX (918) 665-6668
EXP. DATE 6/30/18

PHONE (918) 665-3600
FAX (918) 665-8668
EXP. DATE 6/30/13

SCALE: 1" = 10'



SCALE: 1" = 10'



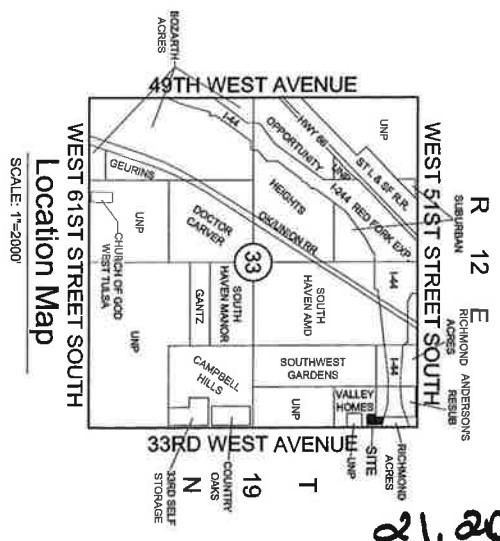
Conceptual Building Elevation

DATE PREPARED: FEBRUARY 23, 2012

FILE: 1912.3311

WO#: 16785

PU D-791
Exhibit "E"



21.20



DATE PREPARED: FEBRUARY 23, 2012

PUD-791
Exhibit "F"

FILE: 1912.3311 WO#: 16785



8111 EAST 32nd PLACE
TULSA, OKLAHOMA 74135
C.A. NO. 2421
PHONE (918) 665-3600
FAX (918) 665-8668
EXP. DATE 5/30/13



Aerial Photograph-
Site & Surrounding Area

DATE PREPARED: FEBRUARY 23, 2012

PUD-791
Exhibit "G"

FILE: 1912.3311 WO#: 16785



Sansone, Christopher

From: Jessica Keith [jessicak1313@yahoo.com]
Sent: Monday, March 19, 2012 2:15 PM
To: esubmit
Subject: Zone # Z7190

I am a resident of the Mountain Manor housing addition and am strongly opposed to the new zoning plan Z7190. This business has no concern for the well being of our neighborhood, which was evident in their last zoning attempt.

Several of the neighbors are opposed to this idea of adding commercial businesses in our neighborhood. We are a hard working, family oriented neighborhood who are totally against any further encroachment of commercial business.

Please keep our neighborhood and residents in mind when considering this Zoning project.

Thank you for your time,
Jessica Keith.

Huntsinger, Barbara

From: Branden F [pokerbike@gmail.com]
Sent: Monday, March 19, 2012 3:19 PM
To: esubmit
Subject: Zone # z7190

My name is Branden Fike and i currently live in Mountain Manor housing addition off 33rd West Ave between 61st s and 51st s.

I've been a tax paying Tulsa resident for over 11 years.

I've seen this entire town grow from a great town to one that is more modern.

With modernization there are benefits and pitfalls but in regards to Zoning # z7190 i can only see pitfalls.

My main concern is that the individuals who requested the zoning, stated they have "no idea" what they want to zone that space for.

In my experience when someone has an idea in their mind that is so specific that they go through the trouble to request zoning from the city, they already know exactly what they want to do with that space.

For the requested party to state that they don't know what they want that space for raises many red flags about their intentions.

There are so many commercial stores that they could erect in that location and most of them would bring the wrong element to our small community. (liquor store, smoke shop, check cashing store, etc.)

All i ask is that you force the requested party to divulge the truth about their plans before any zone measure is decided on?

Thanks in advance, Branden Fike

Huntsinger, Barbara

From: Leslie Davis [LDavis@sge-tulsa.com]
Sent: Monday, March 19, 2012 2:04 PM
To: esubmit
Subject: Zoning Change Z7190

Subject: Zoning Change Z7190

I'm writing about Zoning Z7190.

This property is located at 51st street and 33rd W Ave.

The applicants are asking for the zoning to be changed to Commercial.

I Live at 5645 S 33rd W Ave Tulsa, OK 74107. I grew up on the Westside and take daily walks up to this intersection. I am against any further encroachment on the neighborhood of Commercial use. I know when the Bank was approved the neighbors feared this very thing would happen. I realize along intersections of busy highway there is often commercial businesses on the corners. But I think the line has been drawn and it should not be able to expand. The last thing we need is another Pawn shop, pay day loan business or something else that would not be beneficial to the neighborhood and surrounding area.

I watching the last meeting and these owners have no idea what they want to do, but something. I think it is important that we know exactly what use they intend for this expansion if we were to consider it There are neighborhood all around this area and we have Churches and a Local school nearby.

Therefore I am absolutely against this expansion as is my Daughter that lives next door to me at 5631 S 33rd W Ave and my Mother and Dad that live across the street at 3333 W 57th St.

I would like the City to be sure this is considered before any rulings are made.

Thanks

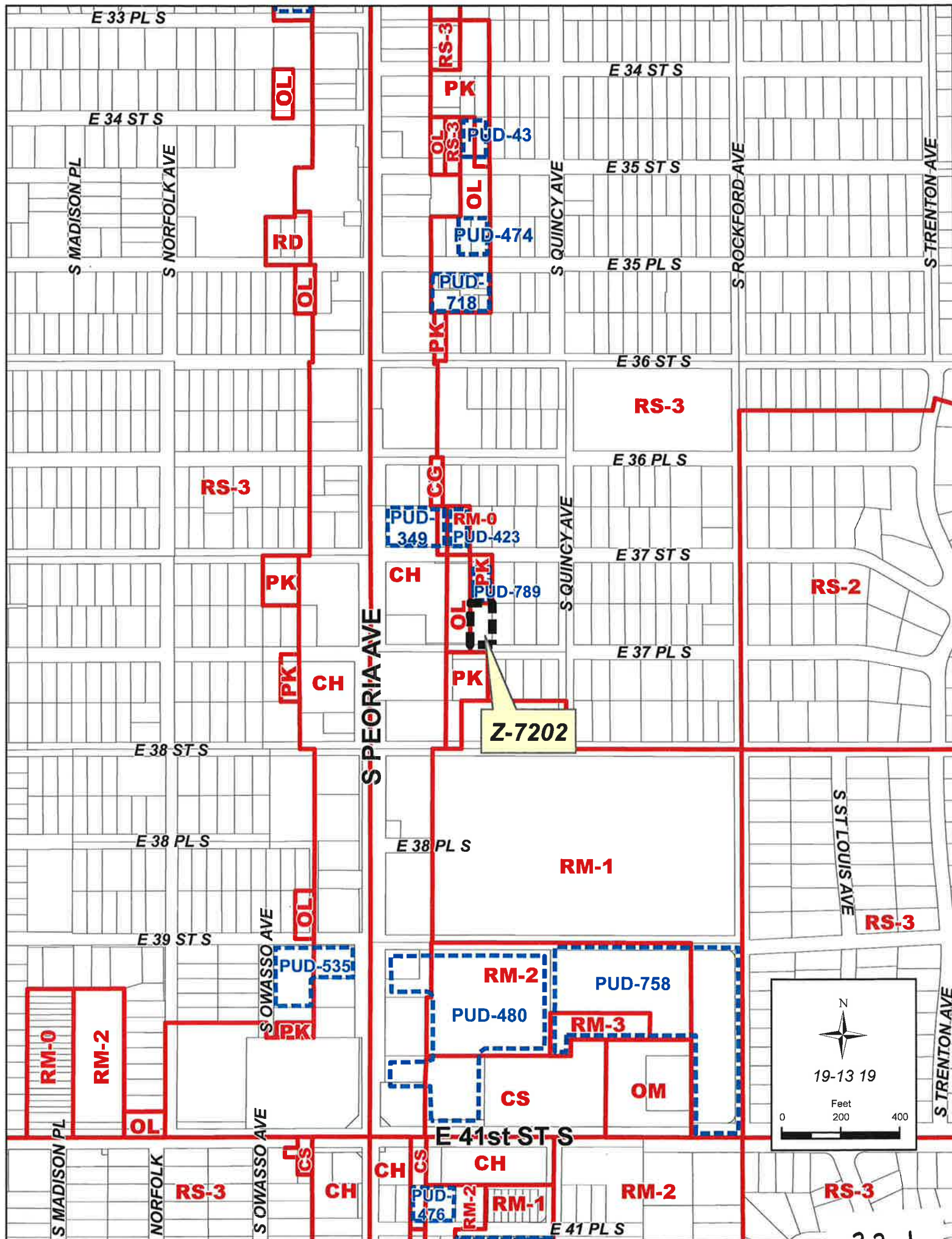
Leslie Davis

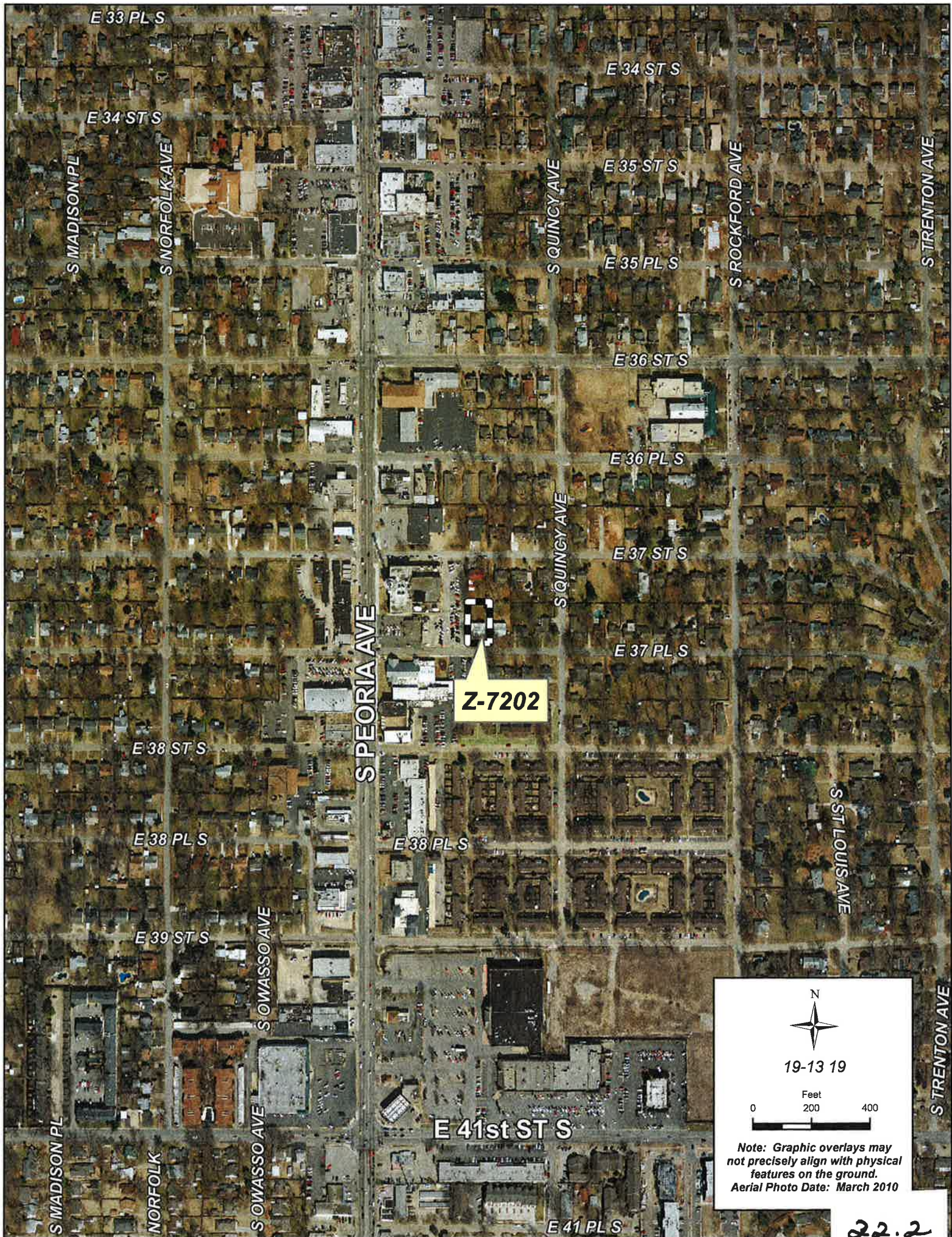
Sanguine Gas Exploration, LLC

Phone: (918) 496-4786

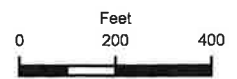
Fax: (918) 576-7552

LDavis@sge-Tulsa.Com





19-13 19



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

22.2



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19-13 19

Feet
0 50 100

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

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: Z-7202

TRS 9319

Atlas 189

CZM 47

CD-9

TMAPC Hearing Date: April 4, 2012

Applicant: Tanner Consulting/ KJRH

Tract Size: 10,537± square feet

ADDRESS/GENERAL LOCATION: East of northeast corner of South Peoria Avenue and East 37th Place

EXISTING ZONING: RS-3

EXISTING USE: Residential

PROPOSED ZONING: PK

PROPOSED USE: Off-street Parking & screening

ZONING ORDINANCE: Ordinance number 11823 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-7185/ PUD-789 January 2012: All concurred in approval of a request for rezoning a 10,538± square foot tract of land from RS-3 to PK and a Planned Unit Development for off-street parking and screening for KJRH, on property located east of southeast corner of South Peoria Avenue and East 37th Street, and a part of the subject property.

Z-6749 February 2000: All concurred in approval of a request for rezoning a .84± acre tract of land from RS-3/RM-1 to PK for parking purposes on property located east of South Peoria Avenue fronting East 37th Place and East 38th Street and south of subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 10,537± acres in size and is located east of the northeast corner of South Peoria Avenue and East 37th Place. The property appears to be residential and is zoned RS-3.

SURROUNDING AREA: The subject tract is abutted on the east by residential land uses, zoned RS-3; on the north by an off-street parking lot, zoned PK; on the south by an off-street parking lot, zoned PK and on the west by office and commercial uses, zoned OL and CH.

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

TRANSPORTATION VISION:

The Comprehensive Plan does not designate East 37th Place.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 37 th Place	N/A	N/A	2

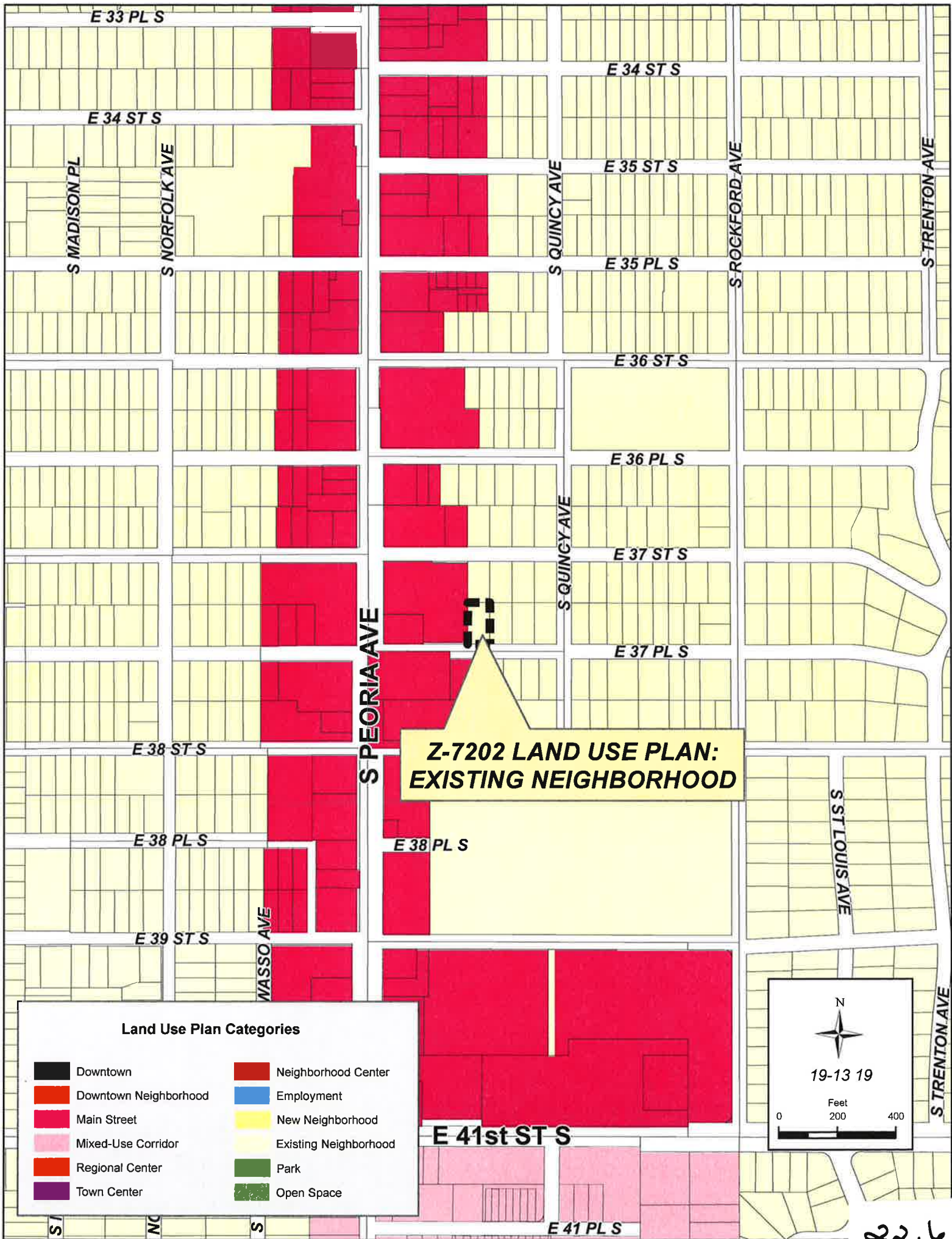
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

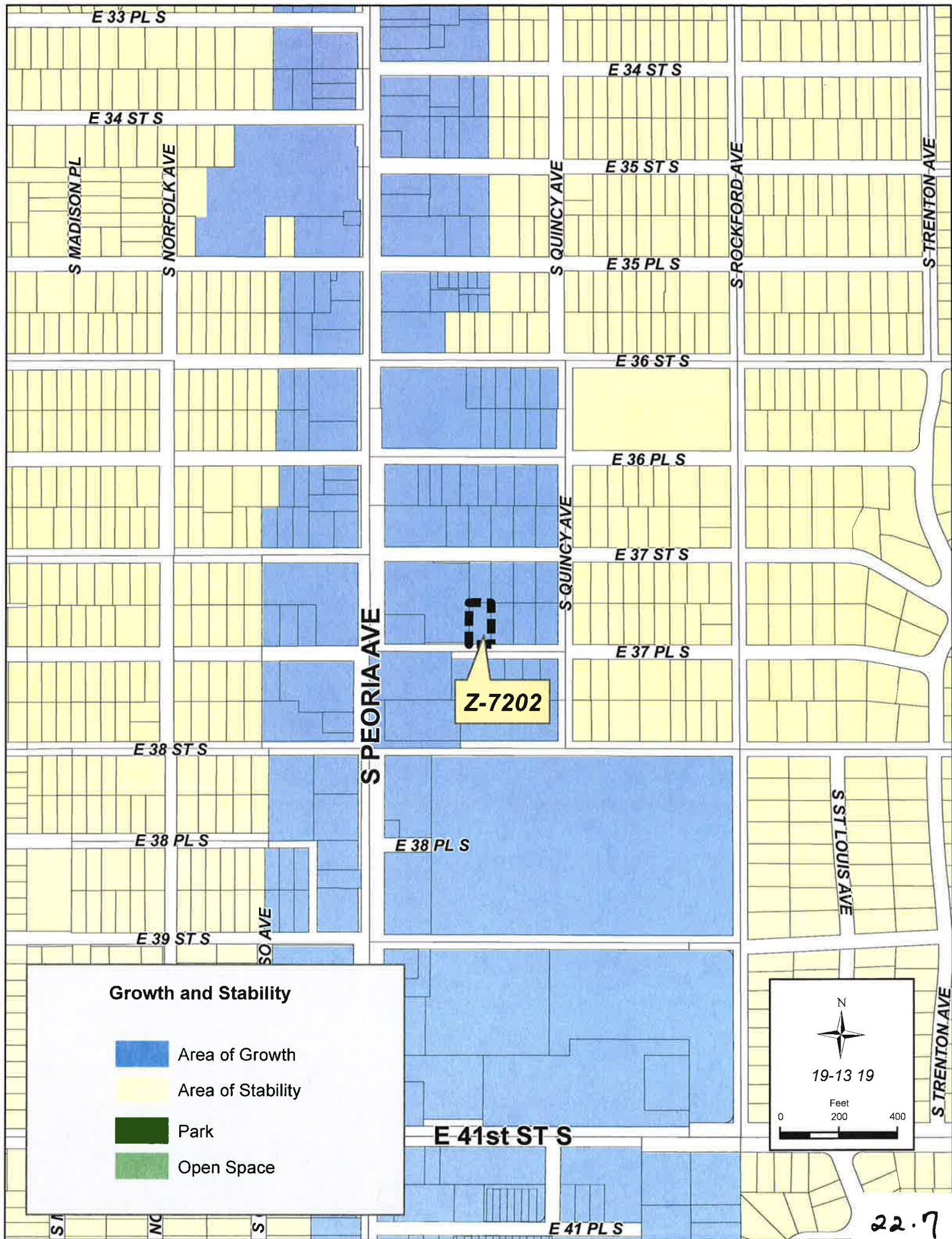
The Comprehensive Plan identifies this as being in an Existing Neighborhood within an Area of Stability. The Brookside Plan does not include this within the Brookside Business District boundaries because it was in single-family residential use at the time the plan was done. Conditions have changed, however, and the adjoining office uses (TV station) require more parking to accommodate their employees, which will thus reduce the current on-street parking congestion that results from employees who must park on-street, especially during shift changes. The requested PK rezoning **is not** in accord with the Comprehensive Plan.

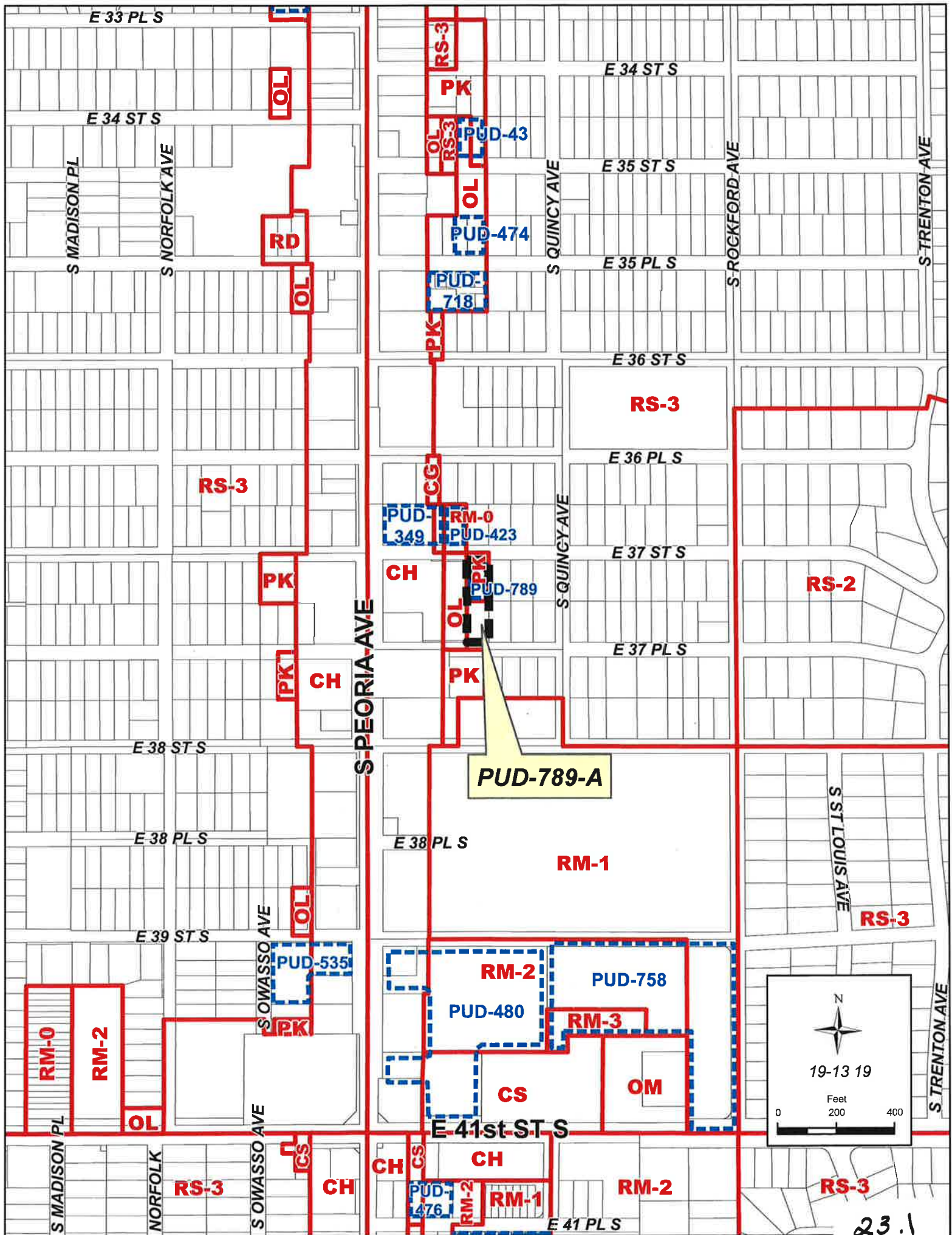
STAFF RECOMMENDATION:

Staff has long recognized the need for more off-street parking in the Brookside area. Several approaches have been suggested, to no avail. The Zoning Code requires that the parking lot be screened against the residentially zoned property to the east and that lighting be according to the Kennebunkport formula, which should offer protection to the neighbors. If approved for PK zoning, the lot lines of this and the lots immediately north and south of it will line up. This will require an amendment to the Brookside Plan and possibly the Comprehensive Plan. Nevertheless, staff recommends **APPROVAL** of PK zoning for Z-7202.

04/04/12







23.1



PUD-789-A



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

23.2



PUD-789-A

E 36 PL S

E 37 ST S

S PEORIA AVE

S QUINCY AVE

E 37 PL S

E 38 ST S



19-13 19



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

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: PUD-789-A

TRS 9319

Atlas 189

CZM 47

CD-9

TMAPC Hearing Date: April 4, 2012

Applicant: Tanner Consulting/ KJRH

Tract Size: 21,075± square feet

ADDRESS/GENERAL LOCATION: East of northeast corner of South Peoria Avenue and East 37th Place

EXISTING ZONING: RS-3/PK/PUD-789 **EXISTING USE:** Residential

PROPOSED ZONING: PK/PUD-789-A **PROPOSED USE:** Off-street Parking & screening

ZONING ORDINANCE: Ordinance number 22595 dated January 3, 2012, and 11823 dated June 26, 1970 established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-7185/ PUD-789 January 2012: All concurred in approval of a request for rezoning a 10,538± square foot tract of land from RS-3 to PK and a Planned Unit Development for off-street parking and screening for KJRH, on property located east of southeast corner of South Peoria Avenue and East 37th Street, and a part of the subject property.

Z-6749 February 2000: All concurred in approval of a request for rezoning a .84± acre tract of land from RS-3/RM-1 to PK for parking purposes on property located east of South Peoria Avenue fronting East 37th Place and East 38th Street and south of subject property.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 21,075± acres in size and is located east of northeast corner of South Peoria Avenue and East 37th Place. The property appears to be residential and is zoned RS-3.

SURROUNDING AREA: The subject tract is abutted on the east by Lee Dell Addition zoned RS-3 being used residentially; on the north by 37th Street and then Lee Dell Addition, zoned CH/OL/RM-0 being used commercially; on the south by 37th Place and then Rochelle Addition zoned CH/PK being used commercially and as a parking lot; and on the west by Lee Del Addition zoned CH/OL being used as the KJRH studios.



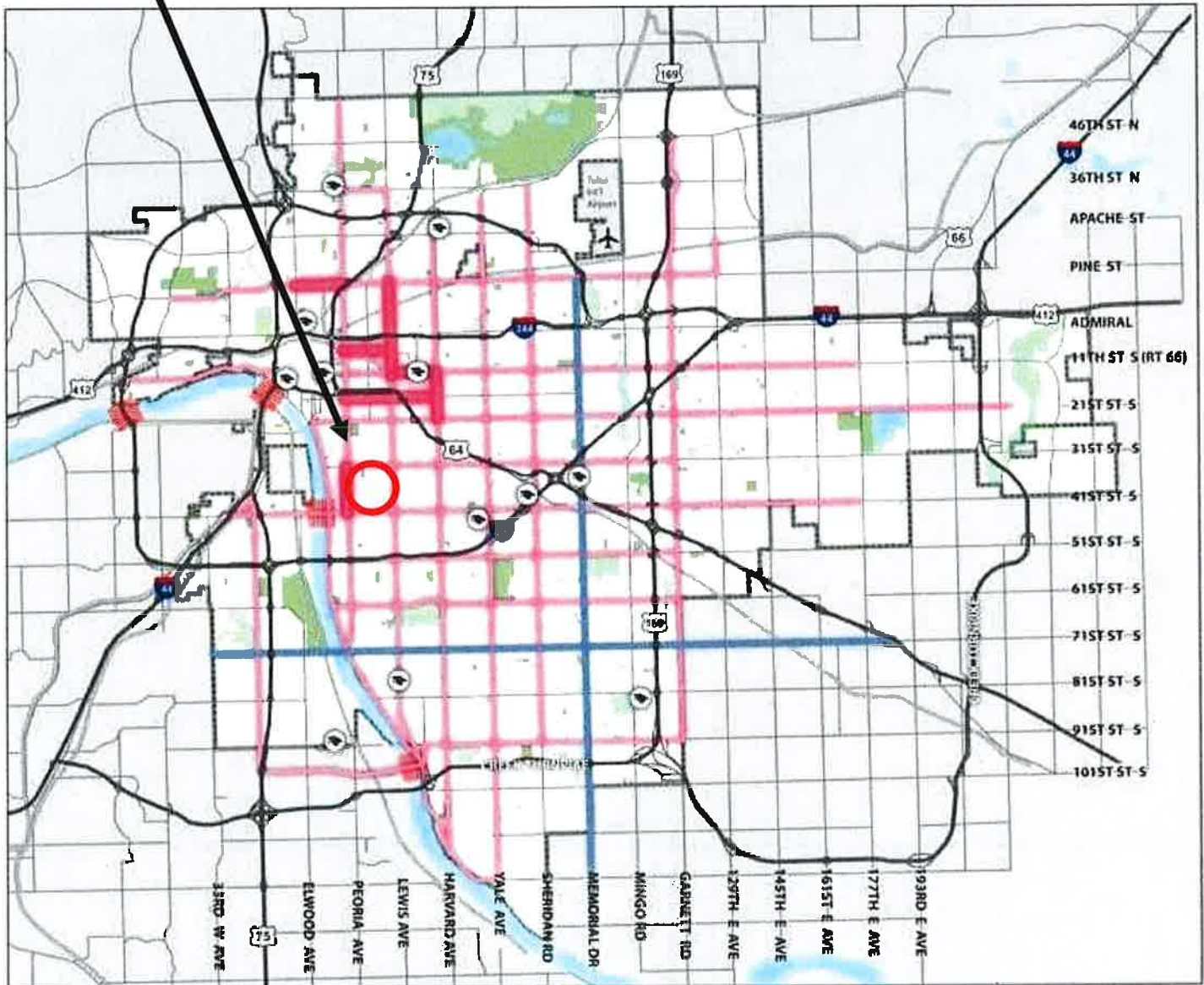
A larger version of this graphic is attached.

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

TRANSPORTATION VISION:

The Tulsa Comprehensive Plan does not designate 37th Street South or 37th Place South.

SUBJECT AREA



ROADWAY

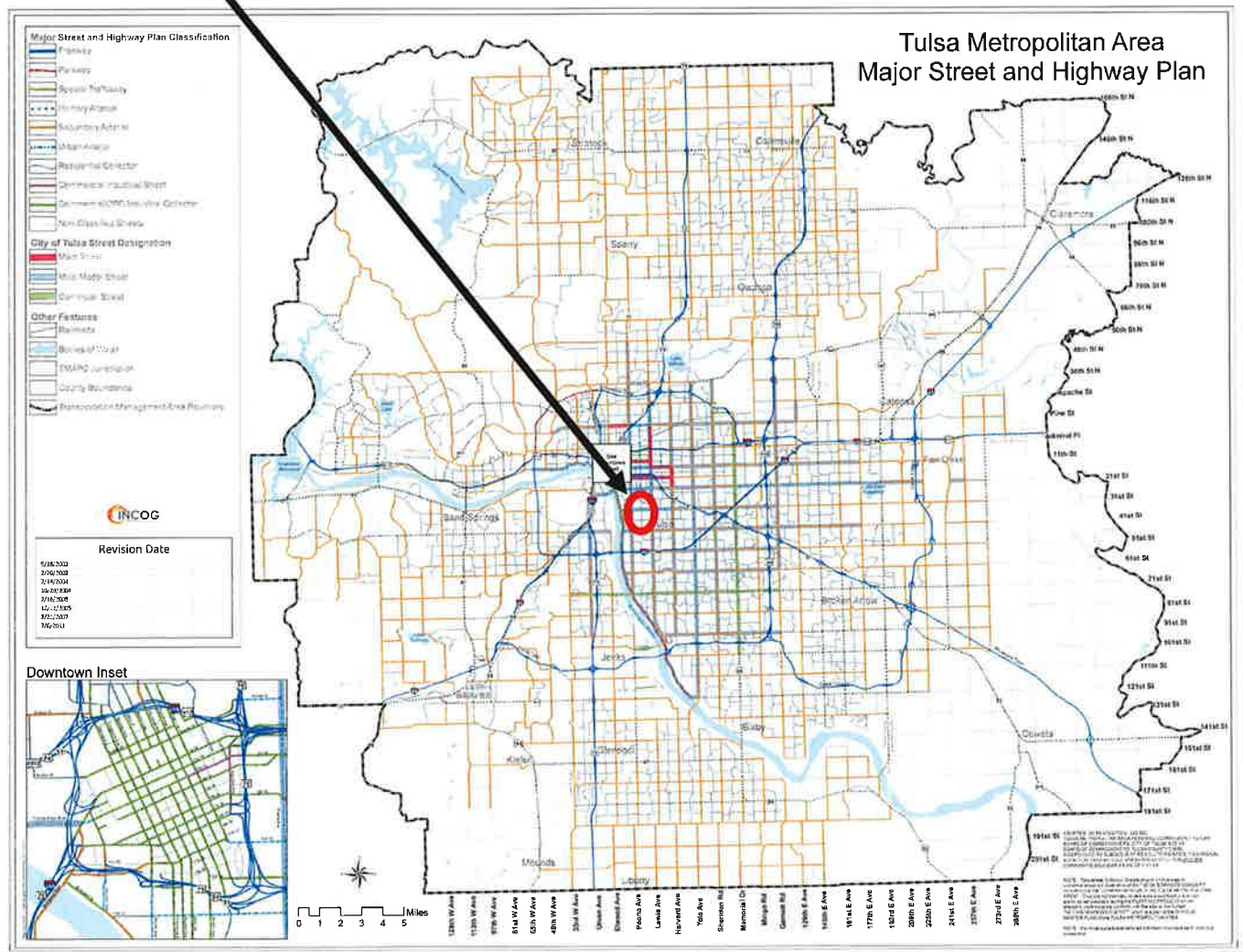
- Main Street
- Commuter Corridor
- Multi-Modal Corridor
- Possible Multi-Modal Bridge
- Existing/Planned Freeway
- Parks
- Open Space

STREETS:

The Tulsa Metropolitan Area Major Street and Highway Plan classifies 37th Street South as a residential collector and does not classify 37th Place South.

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 37 th Place	N/A	N/A	2
East 37 th Street	Residential Collector	50'	2

SUBJECT AREA



Residential Collector Residential Collector



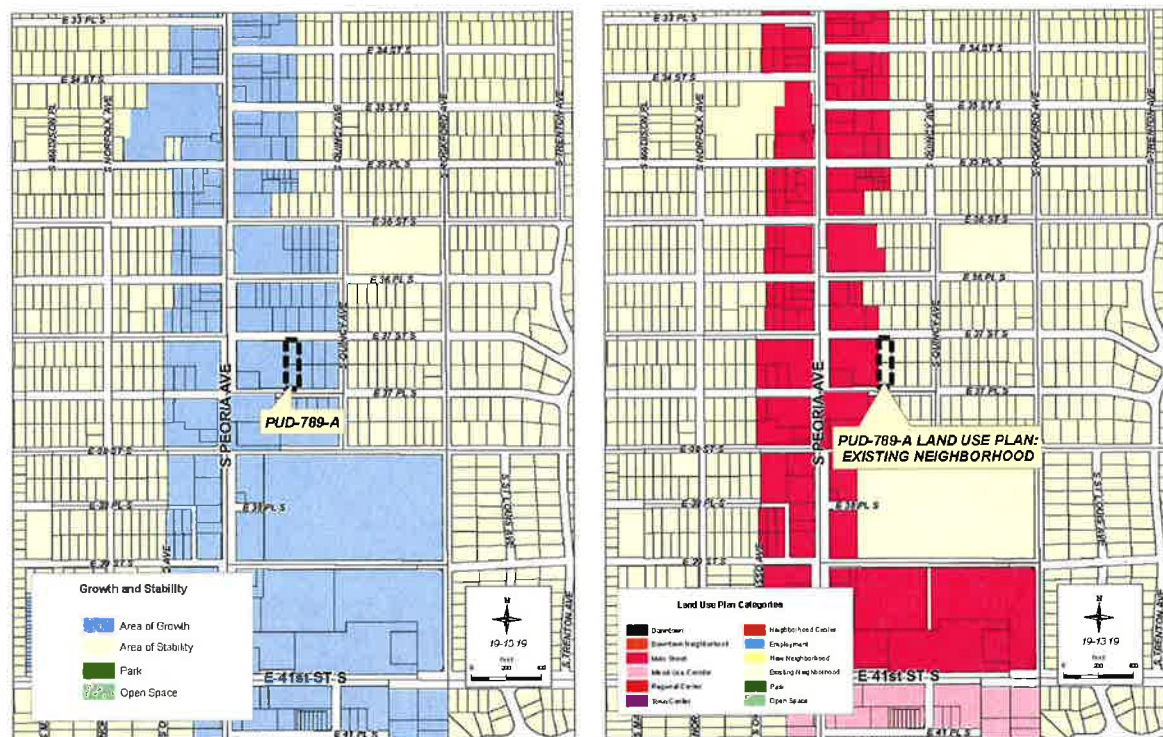
RELATIONSHIP TO THE COMPREHENSIVE PLAN:

The Tulsa Comprehensive Plan designates the subject property as an “Area of Growth” with a Land Use designation of “Existing Neighborhood”.

The purpose of **Areas of Growth** is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. “Areas of Growth” are parts of the city where a general agreement exists stating that development, or redevelopment, is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

The **Existing Residential Neighborhood** land use category is intended to preserve and enhance Tulsa's existing single family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code. In cooperation with the existing community, the city should make improvements to sidewalks, bicycle routes, and transit so residents can better access parks, schools, churches, and other civic amenities.



RELATIONSHIP TO THE BROOKSIDE INFILL NEIGHBORHOOD IMPLEMENTATION PLAN:

Comments provided City of Tulsa Planning Department.

OVERVIEW

The Brookside area is one of the most recognized, distinctive communities within the City of Tulsa. Guidance for zoning, development and land use issues is provided by the Tulsa Comprehensive Plan and the Brookside Infill Development Design Recommendations – A Component of the Brookside Infill Neighborhood Detailed Implementation Plan.

The Tulsa Comprehensive Plan recognizes this area as important to development and quality of life issues for Tulsa and the midtown area and provides guidance for land use, areas of growth and stability, and transportation. In particular, the Comprehensive Plan considered the recommendations of the Brookside Plan in defining the boundary of growth and stability in the area.

Guidance of development design is particularly important to the area and is expressed in detail in the Brookside Infill Development Design Recommendations. The overall design policies state that “the Brookside area is an urban village with its own special identity, sense of community, pattern of development and unique characteristics. The protection, preservation and enhancement of this urban village are of paramount importance.” Developed by a broad base of stakeholders over a two year study and adoption process, these policies continue to provide guidance to area development.

PLANNING CONSIDERATIONS

Careful consideration of these plans is important as redevelopment continues. Planning and development considerations regarding PUD789A and the PK rezoning are many and those of particular relevance include the following:

1. The vibrancy, quality and diversity of Brookside's living, shopping, learning, worship, work, and educational opportunities will continue to foster pressures for change. Some change may be appropriate and some will not be. However, pressure for change will continue and most likely along the boundary of stability and growth.
2. Extensive citizen stakeholders input (via the Brookside Infill Task Force) resulted in preparation and adoption of a neighborhood / small area plan that continues to provide design guidance that has aided infill development, protected and enhanced Brookside's quality of life, and assisted in stabilizing area neighborhoods, both residential and business.
3. A history of continued requests for and contentious challenges to extending businesses into residential areas served as one of the major catalysts for the Brookside Plan. Through the planning process, recognized areas of primarily residential and business were reaffirmed, boundaries between the areas were refined, and design guidelines within and along those areas were established. The updated Tulsa Comprehensive Plan incorporates recommendations of the Brookside Plan into the Comprehensive Plan's Areas of Growth and Stability maps. Any change in this boundary should not be readily made or viewed as perfunctory. Change should occur only after consensus is achieved that area-wide short and long term interests are protected.

4. The proposed design components presented in PUD789 and PUD789A meet many provisions in the Brookside plan including:
 - a. Providing attractive, long term screening and buffering between the Residential and Business Areas;
 - b. Providing relief from on-street parking pressures in Northern Residential areas through provision of off-street parking, albeit through extension of the Northern Business Area;
 - c. Directing parking lot access from 37th Street and 37th Place South towards the S. Peoria Avenue away from the established residential area; and
 - d. Providing design elements that help establish a sense of entry in and out of the Residential and Business Areas, and which could be enhanced further via provision of identity plaques or related elements similar to those conceptually depicted in the Brookside plan (pages page 36-43).

PLAN GUIDELINES

Brookside Infill Development Design Recommendations which are particularly salient to PUD789A include:

"B. Residential Areas (Special Consideration Areas).

"(1) Continue support for and continuation of the established Northern Brookside and Southern Brookside Residential Areas (Special Consideration Areas) as viable, attractive residential neighborhoods The Northern Brookside Residential Area (Northern Brookside Special Consideration Area) will herein be referred to as the Northern Residential Area, and the Southern Brookside Residential Area (Southern Brookside Special Consideration Area) will herein be referred to as the Southern Residential Area. Refer to Exhibit 1.

"(2) Existing established, sound residential development is encouraged to continue and high quality infill residential development and redevelopment are encouraged at appropriate densities. Residential development or redevelopment along the boundary of the Residential Areas and Business Areas may be developed at higher densities if (a) appropriate design elements and improvements are provided in conformance with area design guidelines to enhance the value, image and function of area properties

"(3) Continue to buffer and separate residential land uses and nonresidential land uses as identified in the District 6 Plan.

"(5) Discourage nonresidential traffic and parking in the Northern and Southern Residential Areas;

"(6) Establish a strong sense of entry into and out from the Northern and Southern Residential Areas. Visual clues are to be provided which emphasize these "living areas," further establish their residential character and use, and discourage the entrance into or use of these areas by nonresidential pedestrian and vehicle traffic, parking and activity. These entry treatments are to be designed and provided in conjunction with screening, buffering and separation of residential and nonresidential land uses. Refer to Exhibits 22, 23 and 23"

"C. Business Areas (Special Districts).

"(1) Continue support for and continuation of the established Northern and Southern Brookside Business Areas (Special Districts) as viable, attractive destinations for commerce and enhance the sense of marketplace (refer to District 6 Plan). The Northern Brookside Business Area (Northern Brookside Special District) will herein be referred to as the Northern Business Area, and the Southern Brookside Business Area (Southern Brookside Special District) will herein be referred to as the Southern Business Area. Refer to Exhibit 1."

"2. Crow Creek to 38th Street South Along S. Peoria Avenue Subarea

"This portion of Brookside is located between 32nd Place South and 38th Street South in the Northern Business Area and Northern Residential Area (Special Consideration Area). The business area is a village marketplace. . . . The adjoining residential areas are strong and vibrant, consisting generally of bungalows and cottages. Incursion of business traffic into the residential areas continues to occur and place stress on the residential uses.

"C. A clear sense of separation is to be provided between the residential areas and the business areas. Entry features are to be provided in and out from the residential areas into the business area to provide positive identity, attractive pedestrian features and visual clues defining entry into the different uses. These features are to be provided along the residential street entrances. Standards are depicted in Exhibits 22, 23 and 24.

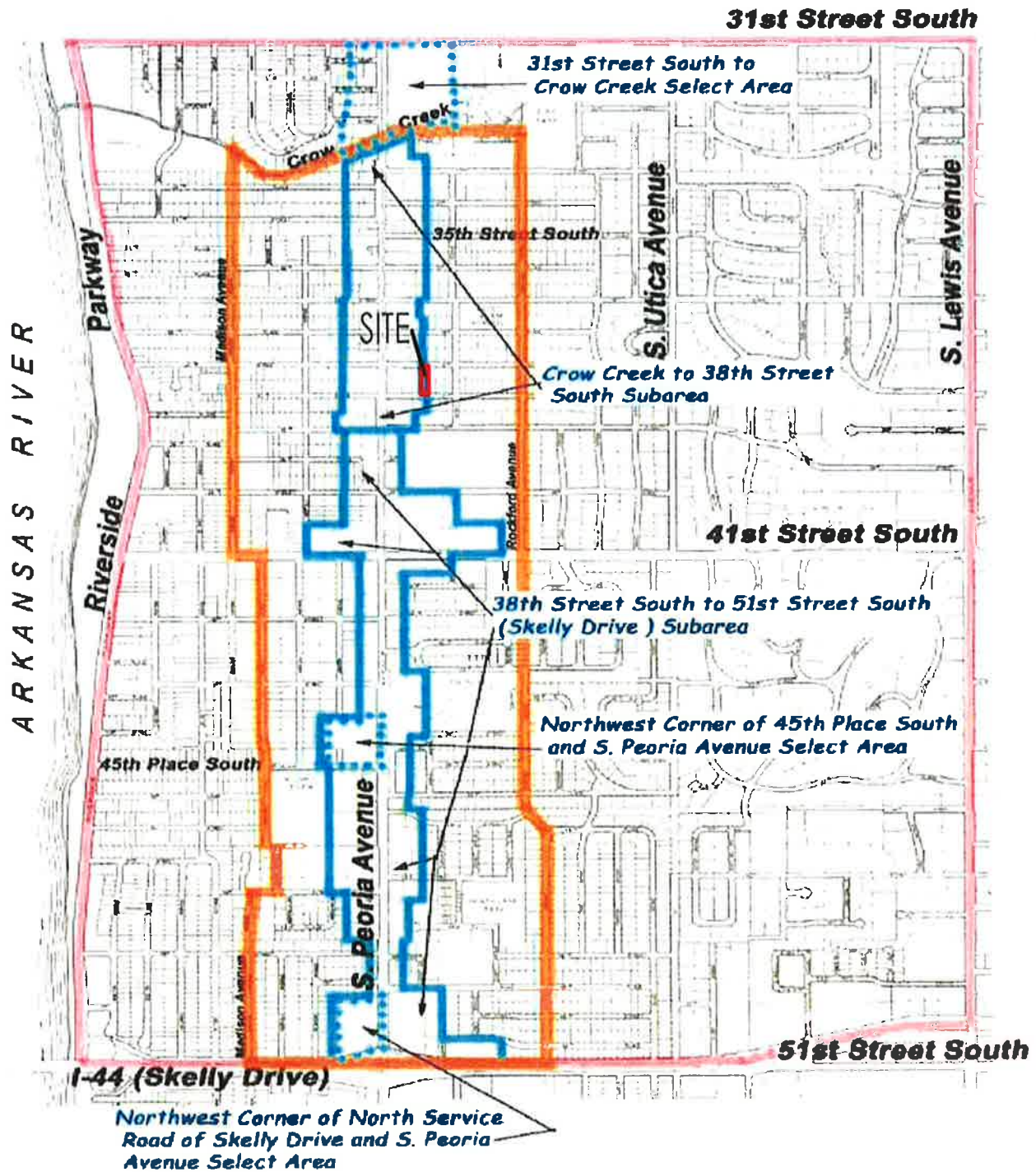
"H. The boundary of the Northern Business Area (Special District) and the Northern Residential Area (Special Consideration Area) is to be clearly defined on a map depicting lots and block in the area. It is intended that the Tulsa Metropolitan Area Planning Commission, the Tulsa Board of Adjustment, and the Tulsa City Council continue the policy of separation of uses along this boundary line as depicted in Exhibit 25. No extension of commercial, office, or parking uses are to occur into the Northern Residential Area."

SUMMARY

As indicated above and throughout the Brookside Plan, establishing a physical boundary and a City policy for protecting and enhancing the boundary between the Northern Residential and Business Area is most important and is crucial to "the protection, preservation and enhancement of this urban village". The designated boundary has historically been and continues to be a matter of great importance. It was carefully studied and its location recommended by area stakeholders. TMAPC considered it so important that it added a detailed exhibit depicting this boundary which was included with the Plan at the time of adoption. (Refer to Exhibit B).

Compliance with this boundary has continued since with few exceptions. In those instances that TMAPC and the City allowed business uses into previously designated residential areas, it was determined that conditions warranted revision, and the Tulsa Comprehensive Plan reflects those changes.

Any change in the boundary between the Northern Residential and Business Areas in Brookside should not be readily made or viewed as perfunctory. Change should only occur after consensus is achieved that area goals and short and long term interests are protected and enhanced.



- BROOKSIDE NEIGHBORHOOD BOUNDARY LINE
- NEIGHBORHOOD DETAILED IMPLEMENTATION PLAN STUDY AREA BOUNDARY
- SUBAREA BOUNDARY LINE
- SELECT AREA BOUNDARY LINE

STAFF RECOMMENDATION:

The purpose of PUD-789-A is to allow the KJRH television studios to expand their existing parking lot. According to the applicant, construction of the new parking lot will allow KJRH employees to park in a secured lot rather than using on-street parking. The parking is designed in such a fashion as to attempt to minimize negative impact by using both screening and landscaping as buffering techniques. The applicant also attempts to minimize impact by providing no direct access to East 37th Street or 37th Place from the subject tracts.

In November of 2011 the TMAPC recommended approval of PUD-789 which was consequently approved by the Tulsa City Council in December 2011. That proposal was to convert the existing residential lot located adjacent to the KJRH studio property along 37th Street from a residential single-family lot to a parking lot. Considering the lot's location across the street from residential zoning and residential zoning located adjacent to the east in conjunction with the stated goals and objectives of the Tulsa Comprehensive Plan as well as, the Brookside Neighborhood Infill Development Plan, staff recommended denial of the PUD.

PUD-789-A seeks to add one residentially zoned lot to PUD-789. The lot is located to the east of the KJRH Studios along 37th Place, immediately adjacent to the south of PUD-789. This proposal would "square off" of the PK zoning located to the north (PUD-789) and to the south (Trinity Church parking lot) as shown on the attached zoning map. The axis

The applicant contends that additional parking in Brookside will help reduce non-resident traffic parking on neighborhood streets. Meetings have been held with the Brookside Business Association and the Brookside Neighborhood Association and the proposal has received a favorable response from both organizations. Letters of support are attached as Exhibits G and H.

Please refer to the attached Exhibit F and the comments above from the City of Tulsa Planning Department. The exhibit is the Brookside Business/Residential Area boundary map which was adopted with the Brookside Infill Development Design Recommendations as well as being made part of the Tulsa Comprehensive Plan. The map serves as the official guide for the separation between business and residential areas in the Brookside community. This boundary has "held true" for many years as the demarcation between these different major areas of the Brookside neighborhood and assists in preserving a sense of stability for the residential areas.

Should there be a decision to support the PUD major amendment, it would seem most appropriate to incorporate the design guidelines from the Brookside Plan and amend this boundary to bring the decision in to conformance with the Plan. Modification of this boundary should be considered very carefully and take into consideration the potential impact on existing development patterns of the area and the precedence that may be set for possible future requests to change the boundary.

Staff has carefully reviewed this proposal and sees the merits of the subject application. Concurrently, there are shortcomings to the proposal as it relates to planning principals for the area as outlined in both the Brookside Plan and the property's land use designation in the Tulsa Comprehensive Plan. There is general agreement about the significant parking related issues in the Brookside area in addition to the safety concerns for many of the KJRH "on-air" personalities. Following the stated design recommendations of the Brookside Plan would give the proposal further value.

Given the previous approval of PUD-789, the support for this current proposal by the Brookside Neighborhood Association, the Brookside Business Association, and KJRH's willingness to adhere to the basic design principals outlined in the Brookside Plan, staff can support this request.

Staff finds the uses and intensities of development proposed to be in harmony with the spirit and intent of the Code. Staff finds PUD-789-A to be: (1) consistent with the design principals of the Brookside Plan; (2) in harmony with the existing and expected development of surrounding areas; (3) a unified treatment of the development possibilities of the site; and (4) consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, staff recommends **APPROVAL** of PUD-789-A subject to the following conditions:

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

Gross Land Area:	24,825 SF / .57 Acres
Net Land Area:	21,075 SF / .48 Acres

Permitted Uses:

Uses permitted as a matter of right in Use Unit 10, Off-Street Parking and similar uses and those uses customarily accessory to the permitted uses.

Minimum Parking Area Setbacks:

From North PUD Perimeter Boundary:	5 Feet
From West PUD Perimeter Boundary:	0 Feet
From East PUD Perimeter Boundary:	5 Feet
From South PUD Perimeter Boundary:	5 Feet

Minimum Landscaped Area:	10% of Net Land Area
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Landscaping and Screening:

A screening wall of no less than 6' in height shall be constructed along the entire east boundary of the PUD. The northern ½ of the wall shall be of masonry like construction while the southern ½ of the wall/fence shall be a high quality, highly durable wooden fence as noted in the Brookside Plan design guidelines. Within the section of the screening wall/fence that "steps down" near the ROW line (see below and attached Exhibit I), the wall/fence shall be a masonry base with a four (4) foot wrought iron fence on top.

In order to achieve a strong sense of entry to the neighborhood, as outlined in the Brookside Plan for the Residential Areas (Special Consideration Areas), within approximately 14.5' of the street right of way landscaping and screening along the boundary in common with the residential district shall be in substantial conformance with the attached Exhibit I and section 1.B.6 of the Brookside Infill Neighborhood Plan.

Within the masonry column located at or near the two street ROW lines, an approximately 3 square foot area shall be dedicated to the installation of a plaque identifying the Brookside Neighborhood in conformance with Exhibit 23 – Detail

Illustration – Pilasters and Screening Fence of the Brookside Plan (Attached as Exhibit J). Design of such sign shall be mutually agreed upon by KJRH and the Brookside Neighborhood Association.

An evergreen hedge row shall be located inside portion of the wrought iron/aluminum fences. Trees shall be planted on the west side of the screening wall which will grow to a mature height exceeding the 6' tall wall/fence. This additional landscaping shall help buffer impacts from the parking lot to the abutting residential properties.

Conformance with the aforementioned will be established by the TMAPC at detail site and sign plan reviews.

Vehicular Access and Circulation:

Vehicular Access to the proposed parking lot shall be limited through the existing KJRH parking lot to the west. No access shall be permitted directly on to East 37th Street from lot 4 or directly on to East 37th Place from lot 9. Security gates (final location to be determined at the PUD Detail Site Plan review) shall be installed in order to restrict unauthorized parking.

Utilities:

All utilities are currently available to the subject tract. No additional services are anticipated other than the electric to service the light poles and water to service the irrigation system. Stormwater runoff shall be collected in a method approved by the City of Tulsa.

Lighting:

Lighting used to illuminate an off-street parking area shall be so arranged as to shield and direct away from properties within an R District which do not contain uses for which the parking is being provided. Shielding of such light shall be designed so as to prevent the light-producing element of the light fixture from being visible to a person standing in an R District.

3. No zoning clearance permit shall be issued until a detail site plan for the lots, which includes all buildings, parking and landscaping areas, has been submitted to the TMAPC and approved as being in compliance with the approved PUD development standards.
4. A detail landscape plan shall be approved by the TMAPC prior to issuance of a building permit. A landscape architect, architect or engineer registered in the State of Oklahoma shall certify to the zoning officer that all required landscaping and screening will be installed by a specific date in accordance with the approved landscape plan, prior to issuance of an occupancy permit. The landscaping materials required under the approved plan shall be maintained and replaced as needed, as a continuing condition of the granting of an occupancy permit.
5. The Department of Public Works or a professional engineer registered in the State of Oklahoma shall certify to the appropriate City official that all required

stormwater drainage structures or existing stormwater drainage structures and detention areas serving the development area have been installed in accordance with the approved plans prior to issuance of an occupancy permit on that lot.

6. No building permit shall be issued until the platting requirements of Section 1107.F of the Zoning Code have been satisfied or a plat waiver is approved by the TMAPC. Should the property be platted, the plat shall be filed of record in the County Clerk's office, incorporating within the restrictive covenants the PUD conditions of approval and making the City beneficiary to said covenants that relate to PUD conditions.
7. Subject to conditions recommended by the Technical Advisory Committee during the subdivision platting/plat waiver process which are approved by TMAPC.
8. Approval of the PUD is not an endorsement of the conceptual layout. This will be done during detail site plan review or the subdivision platting process.
9. There shall be no outside storage of recyclable material, trash or similar material within this PUD. Trucks or truck trailers may not be parked in the PUD except while they are actively being loaded or unloaded. Truck trailers and shipping containers shall not be used for storage in the PUD.

TAC Comments:

General: No comments.

Water: No comments.

Fire: No comments.

Stormwater: Stormwater Drainage and the Regulatory Floodplain should be addressed in the narrative. Additional drainage into the street may be a problem. The City of Tulsa Regulatory Floodplain Map Atlas, Panel 47, shows both of the additional lots to be located in the Perryman Ditch Regulatory Floodplain shallow flooding area.

Wastewater: Where the existing sanitary sewer line will be placed under a paved driving surface, the existing pipe must be replaced by Ductile Iron Pipe from Manhole to Manhole. No objection to the PUD Amendment.

Transportation: No comments.

INCOG Transportation:

- **MSHP:** No comments.
- **LRTP:** Per Subdivision regulations, sidewalks should be constructed if non-existing or maintained if existing.
- **TMP:** No comments
- **Transit:** No comments.
- **Fast Forward Regional Transit Plan:** No comments.

Traffic: No comments.

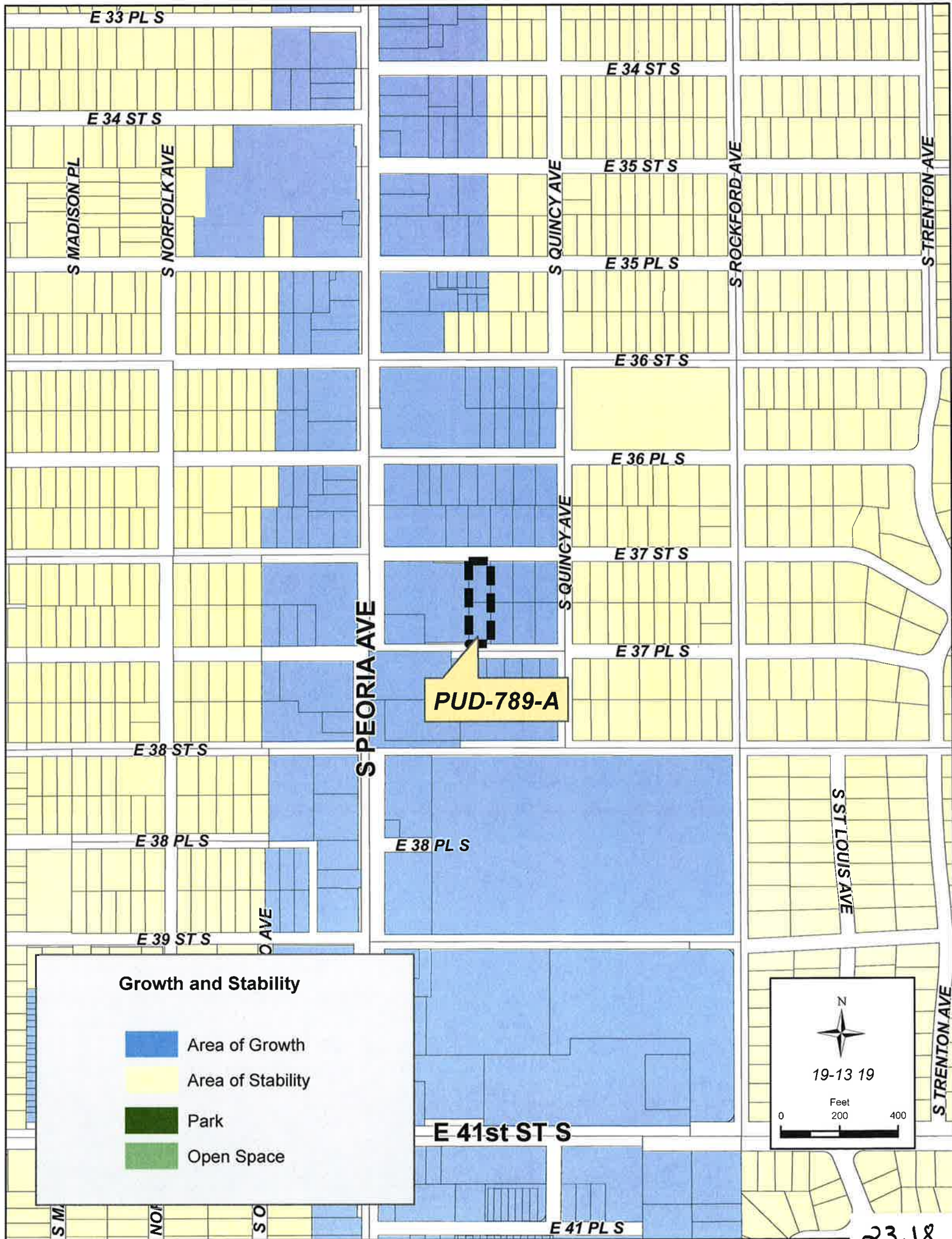
GIS: No comments.

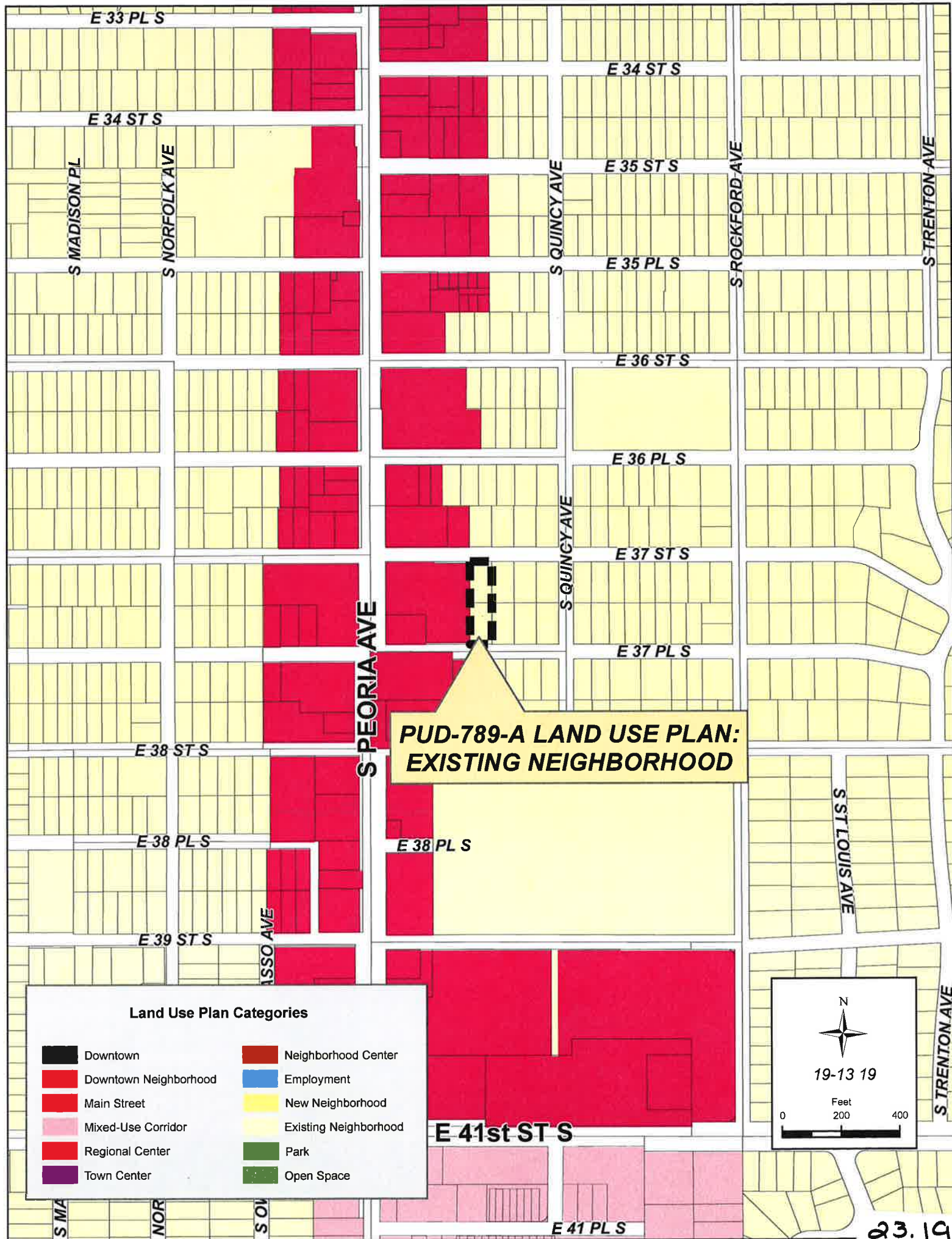
Street Addressing: No comments.

Inspection Services: No comments.












County Engineer: No comments.

04/04/12





Land Use Plan Categories

- | | |
|---|---|
|  Downtown |  Neighborhood Center |
|  Downtown Neighborhood |  Employment |
|  Main Street |  New Neighborhood |
|  Mixed-Use Corridor |  Existing Neighborhood |
|  Regional Center |  Park |
|  Town Center |  Open Space |



19-13 19

0 200 400
Feet

23.19

1326 East 37th Street and 1327 East 37th Place

PARKING LOT EXPANSION



NORTH

SCALE: NONE

E. 37TH ST. S.											
6	5	4	3	2	1	S. PEORIA AVE.					
7	8	9	10	11	12	S. QUINCY AVE.					



E. 37TH PL. S.

KEY MAP

Exhibit A

Surrounding Area Aerial Photograph



DATE: 2-23-2012



Tanner Consulting, LLC

5323 SOUTH LEWIS AVENUE • TULSA, OKLAHOMA 74105 • (918) 745-9929

23.20

1326 East 37th Street and 1327 East 37th Place

PARKING LOT EXPANSION



NORTH

SCALE: 1"=35'

S. PEORIA AVE.

E. 37TH ST. S.

6	5	4	3	2	1
7	8	9	10	11	12

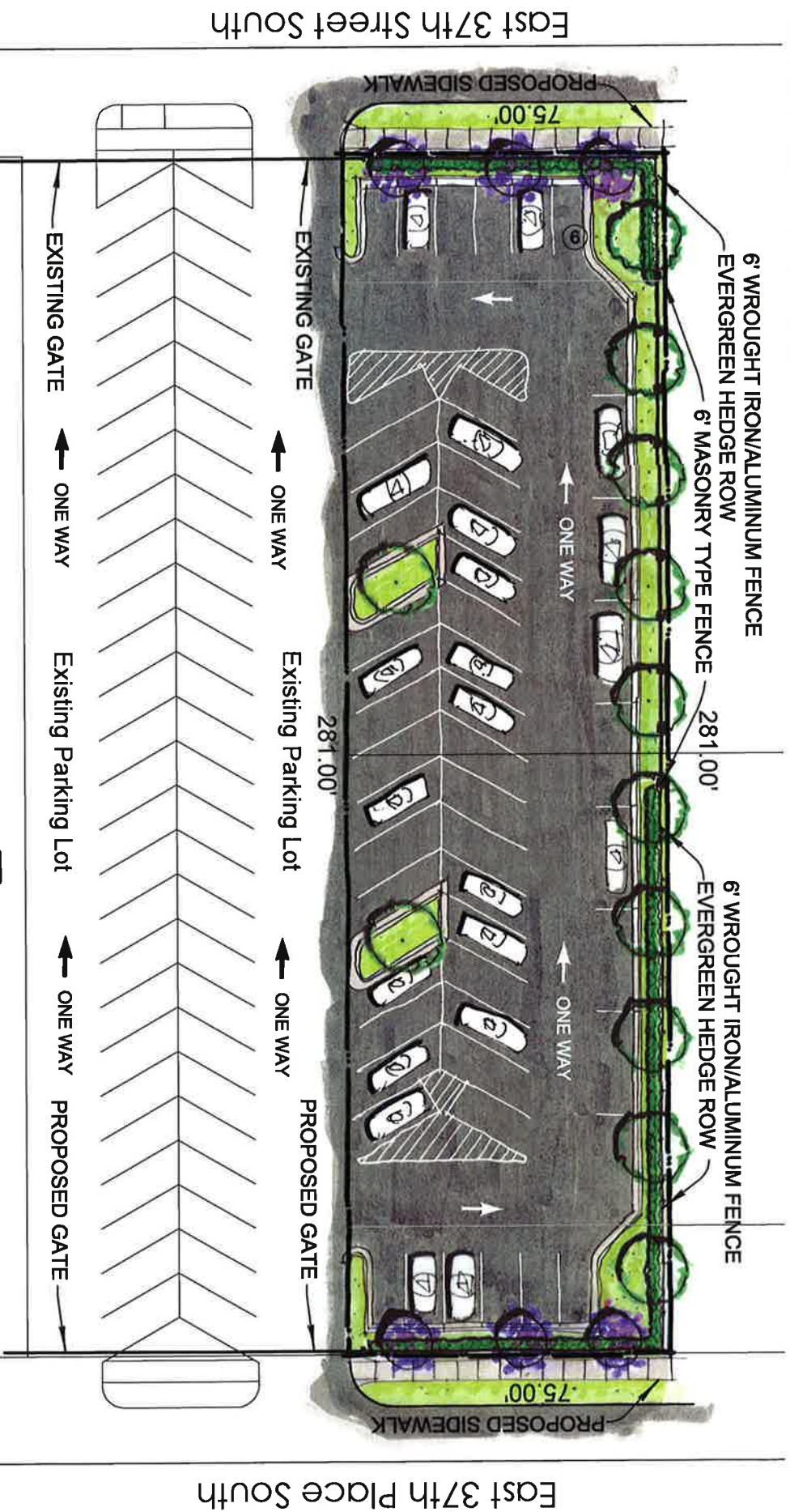
S. QUINCY AVE.

E. 37TH PL. S.

KEY MAP

Exhibit B

Conceptual Site Plan and Landscape Screening Plan



Note: Evergreen Hedge row will be located only in the location of the 6 Foot wrought iron/aluminum fence

DATE: 2-23-2012



Tanner Consulting, LLC

5323 SOUTH LEWIS AVENUE • TULSA, OKLAHOMA 74105 • (918) 745-8929

1326 East 37th Street and 1327 East 37th Place

PARKING LOT EXPANSION



NORTH

S. PEORIA AVE.

6	5	4	3	2	1
7	8	9	10	11	12

S. QUINCY AVE.

E. 37TH ST. S.

E. 37TH PL. S.



KEY MAP

SCALE: 1"=100'

Exhibit C

Aerial Photograph



DATE: 2-23-2012

1326 East 37th Street and 1327 East 37th Place

PARKING LOT EXPANSION



NORTH

SCALE: NONE

E. 37TH ST. S.

6	5	4	3	2	1
7	8	9	10	11	12

S. PEORIA AVE. S. QUINCY AVE.

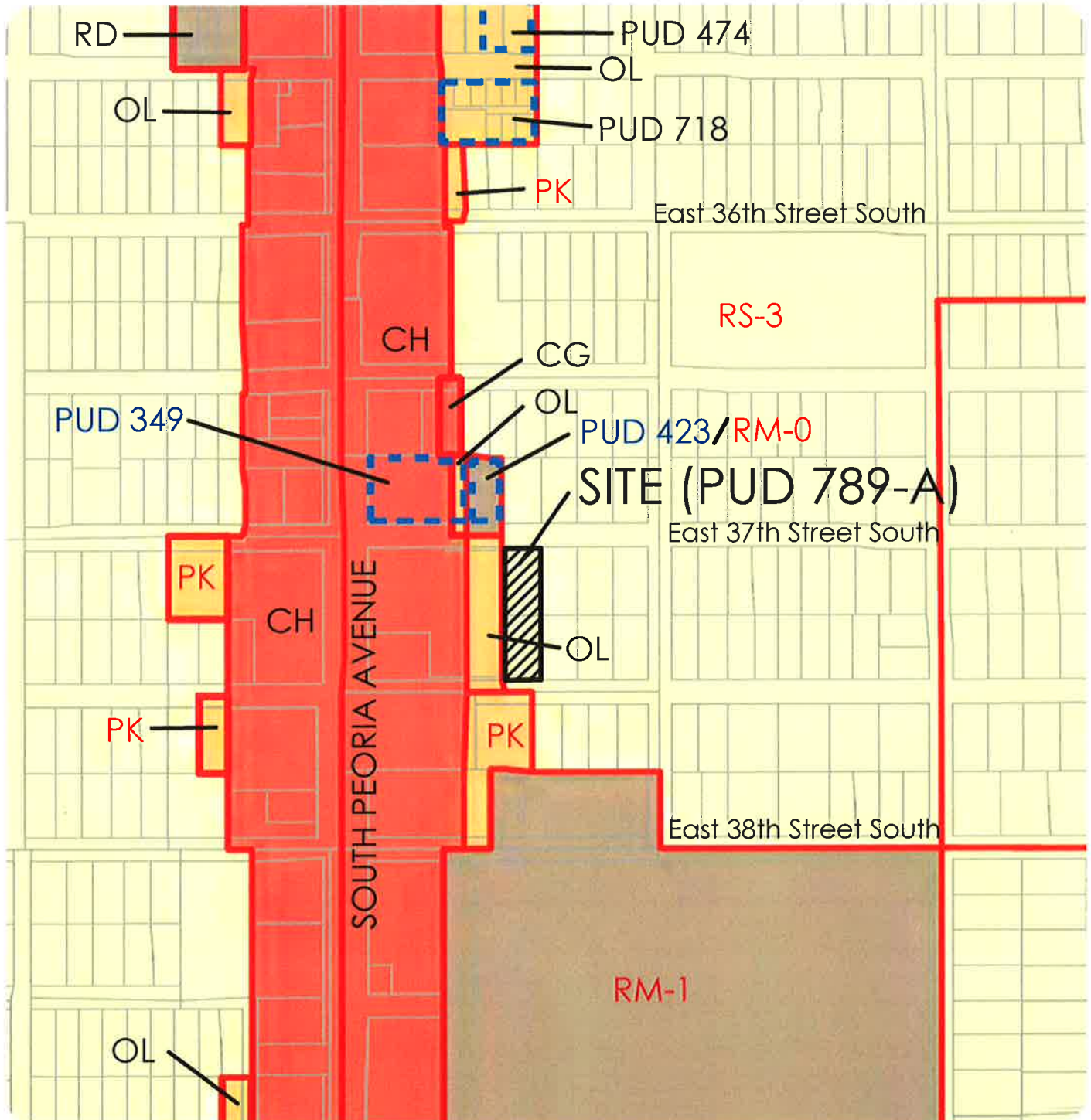


E. 37TH PL. S.

KEY MAP

Exhibit D

Existing Zoning Map



DATE: 2-23-2012



Tanner Consulting, LLC

5323 SOUTH LEWIS AVENUE • TULSA, OKLAHOMA 74105 • (918) 745-9929

23.23

1326 East 37th Street and 1327 East 37th Place

PARKING LOT EXPANSION



NORTH

SCALE: NONE

E. 37TH ST. S.											
6	5	4	3	2	1						
7	8	9	10	11	12						

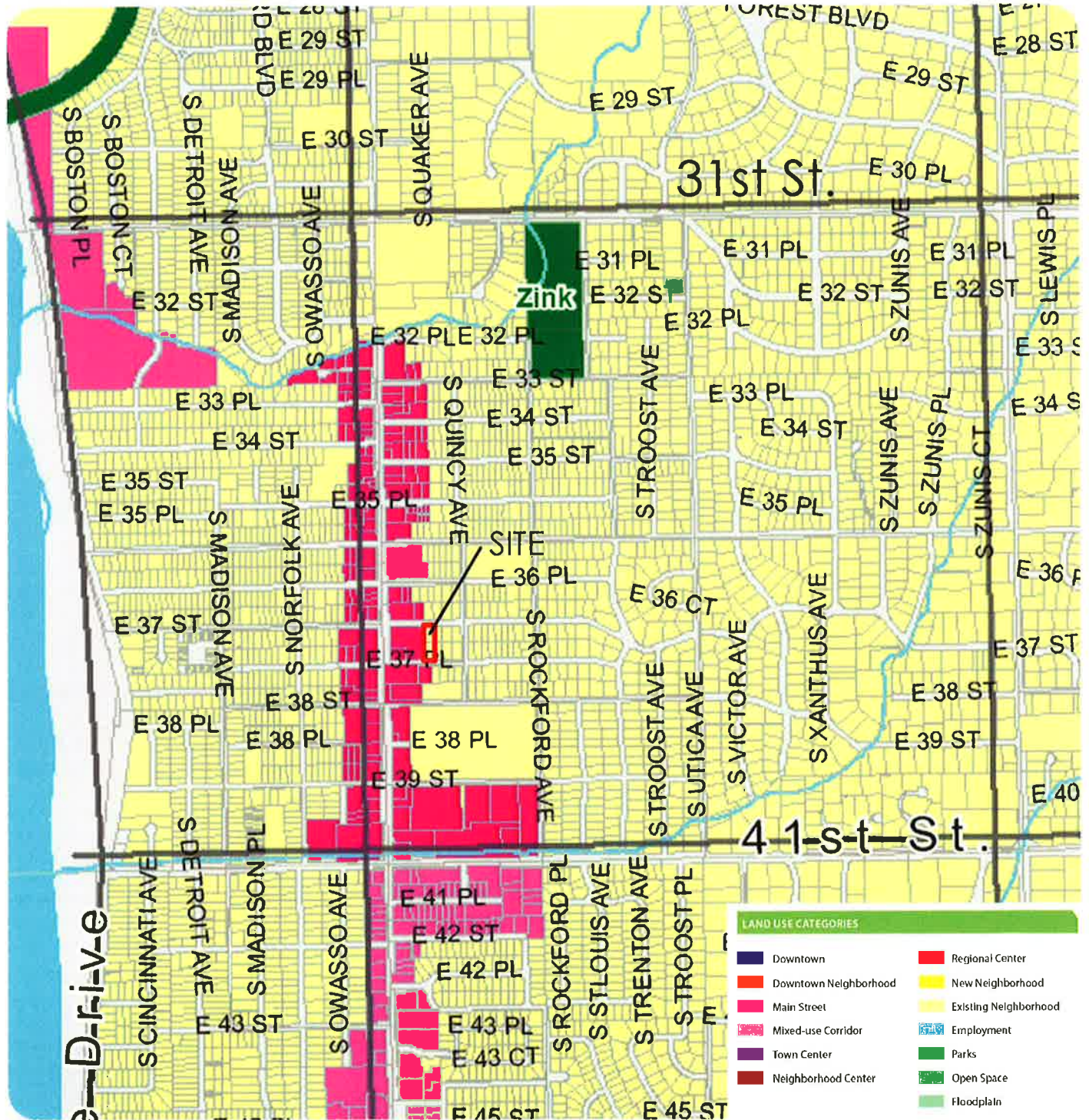


E. 37TH PL. S.

KEY MAP

Exhibit E

Comprehensive Plan Map



DATE: 2-23-2012



Tanner Consulting, LLC

5323 SOUTH LEWIS AVENUE • TULSA, OKLAHOMA 74105 • (918) 745-0929

23.24

1326 East 37th Street and 1327 East 37th Place

PARKING LOT EXPANSION



NORTH

SCALE: NONE

E. 37TH ST. S.											
6	5	4	3	2	1						
7	8	9	10	11	12						

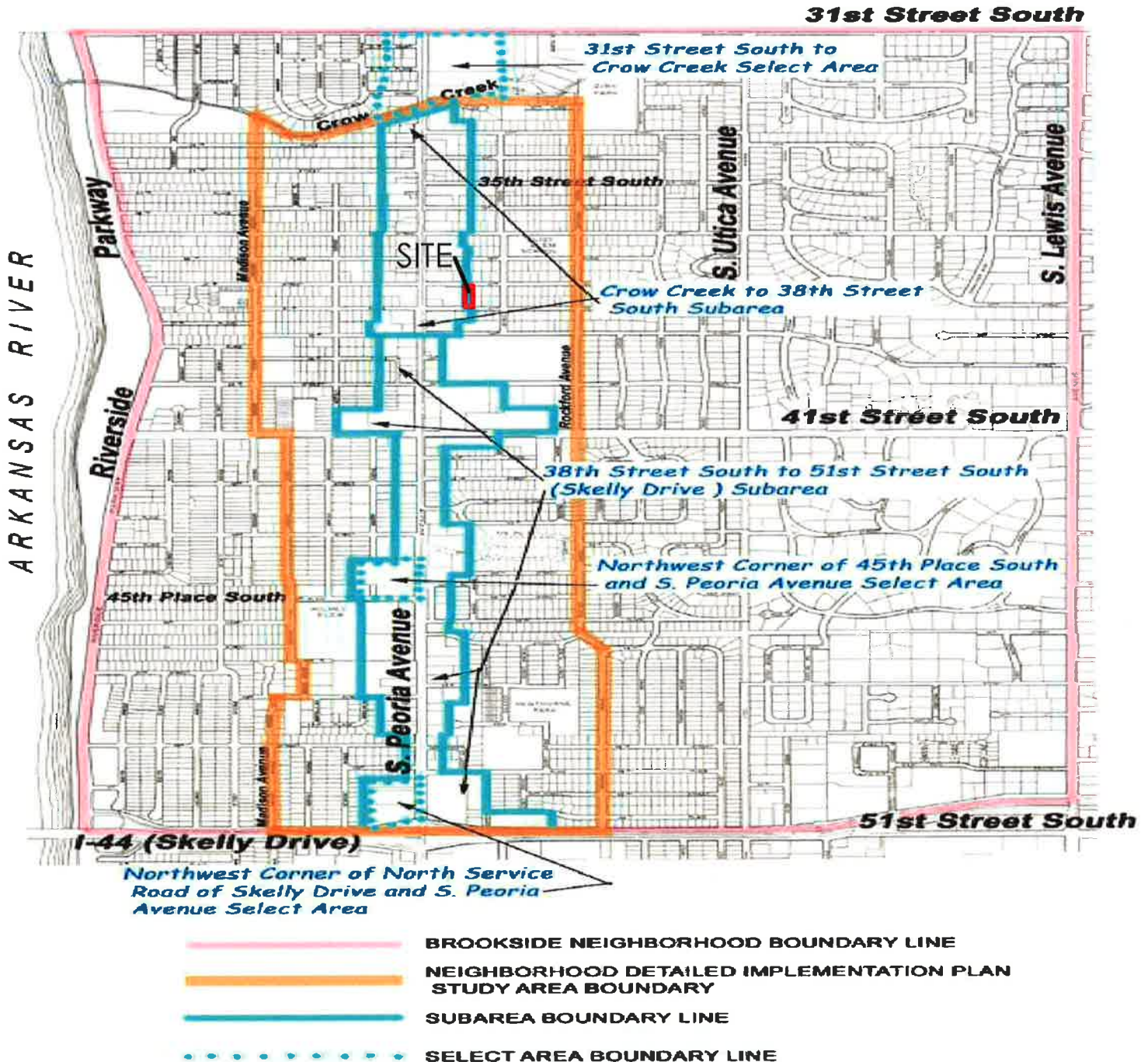


E. 37TH PL. S.

KEY MAP

Exhibit F

Brookside Study Map



DATE: 2-23-2012



Tanner Consulting, LLC

5323 SOUTH LEWIS AVENUE • TULSA, OKLAHOMA 74105 • (918)745-9929

23.25



March 18, 2012

Mr. Joshua Walker
Tulsa Metropolitan Area Planning Commission
Williams Tower II
Two West Second Street, Suite 800
Tulsa, OK 74103

Mr. Walker:

The Brookside Neighborhood Association supports the proposed parking lot expansion of KJRH. We are in agreement that the lot will help to alleviate parking stress in the neighborhood.

If you have any questions, please call me at 918-520-2258 or email me at shannon.h2oh@sbcglobal.net.

Sincerely,

R.Shannon Hall

President

Brookside Neighborhood Association

Cc: Tanner Consulting

Exhibit 4

March 20, 2012

Dear City Councilors,

The Brookside Business Association has reviewed the parking issues facing KJRH, the street parking problem, the vandalism/theft, and the security issues.

We fully and completely support the proposed rezoning/PUD submitted by KJRH. Along with the proposal, they have also included issues of landscaping, sound, and lighting. KJRH has been a valued member of the Brookside Business Association and community for numerous years and has made great strides in improving and involving the community.

Please feel free to call me with any questions. We 100% support this effort.

Thank You!



Jim Moss, President

Brookside Business Association

EXHIBIT 22 - CROSS-SECTION ILLUSTRATION - SCREENING, BUFFER AND ENTRY

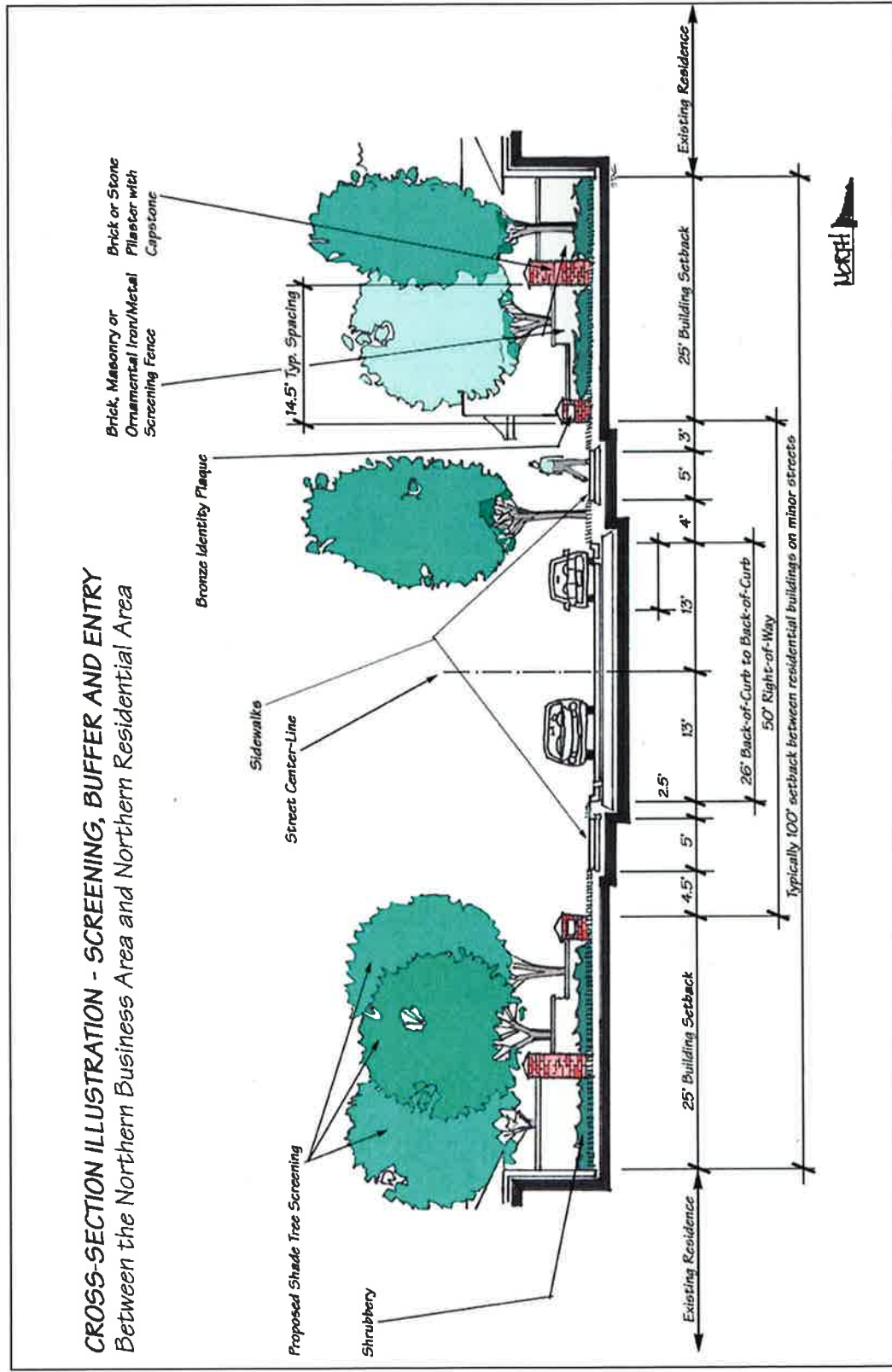


Exhibit I

23.28

EXHIBIT 23 - DETAIL ILLUSTRATION - PILASTERS AND SCREENING FENCE

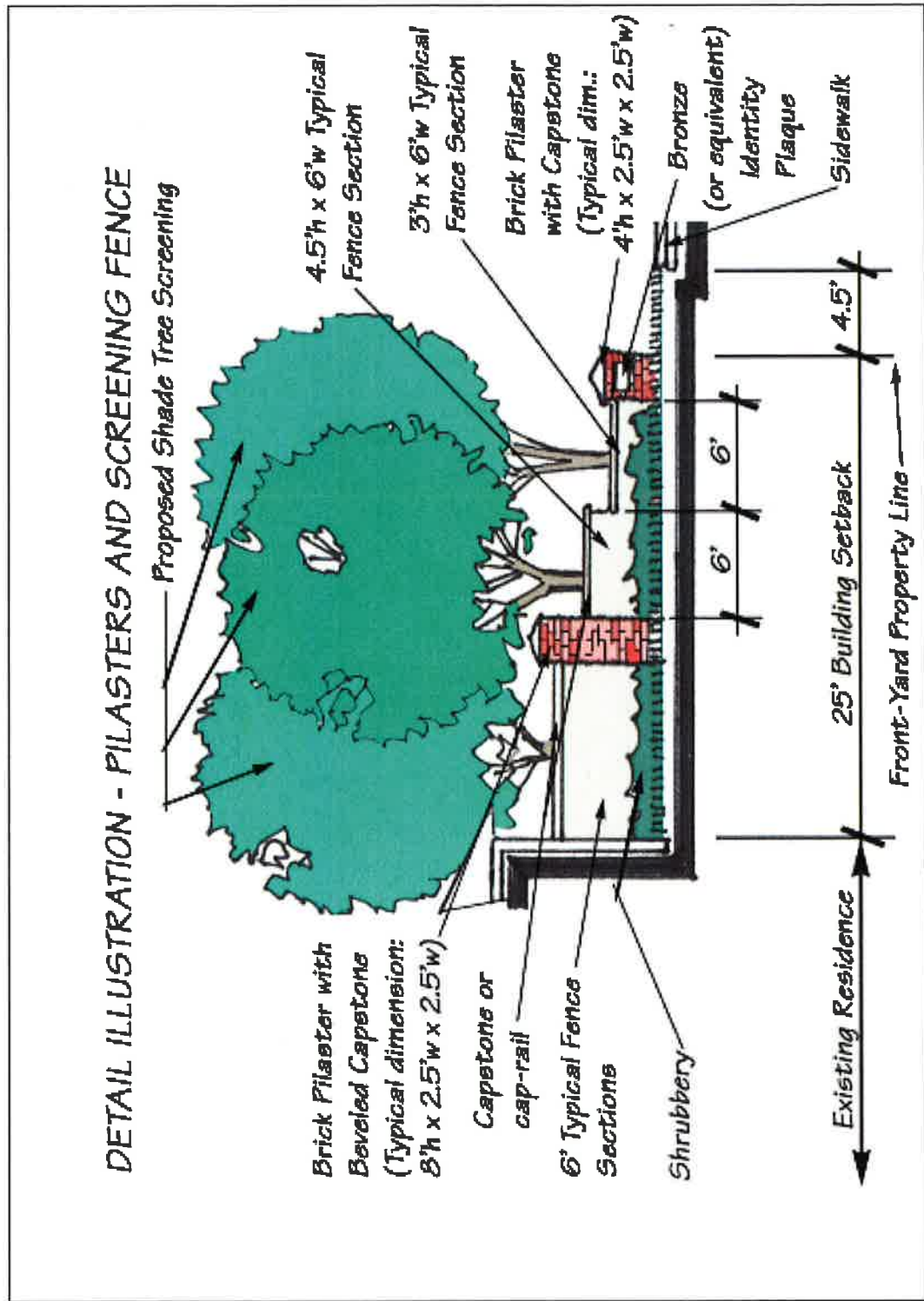


EXHIBIT 24 - PLAN VIEW ILLUSTRATION - SCREENING, BUFFER AND ENTRY (Refer to Exhibit 22)

