

**TULSA METROPOLITAN AREA PLANNING  
COMMISSION**

**Meeting No. 2768**

**April 18, 2018, 1:30 PM**

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

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

Call to Order:

**REPORTS:**

**Chairman's Report:**

**Work session Report:**

**Director's Report:**

1. Minutes of April 4, 2018, Meeting No. 2767

**CONSENT AGENDA:**

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

2. **LC-1001** (Lot-Combination) (CD 6) – Location: South of the southeast corner of East 11<sup>th</sup> Street South and South 129<sup>th</sup> East Avenue
3. **LC-1003** (Lot-Combination) (CD 4) – Location: Northwest corner of East 31st Street South and South Harvard Avenue (Related to LS-21123)
4. **LS-21123** (Lot-Split) (CD 4) – Location: Northwest corner of East 31st Street South and South Harvard Avenue (Related to LC-1003)
5. **LC-1004** (Lot-Combination) (CD 4) – Location: Southwest corner of South Denver Avenue and West 11<sup>th</sup> Street South
6. **LC-1005** (Lot-Combination) (CD 4) – Location: West of the northwest corner of South Trenton Avenue and East 3rd Street South

7. **LC-1006** (Lot-Combination) (CD 5) – Location: East of the southeast corner of East 13<sup>th</sup> Street South and South Sheridan Road (Related to LS-21124)
8. **LS-21124** (Lot-Split) (CD 5) – Location: East of the southeast corner of East 13<sup>th</sup> Street South and South Sheridan Road (Related to LC-1006)
9. **LC-1007** (Lot-Combination) (CD 4) – Location: East of the northeast corner of North Boulder Avenue and West Cameron Street
10. **LC-1008** (Lot-Combination) (County) – Location: East of the northeast corner of North Sheridan Road and East 76<sup>th</sup> Street North (Related to LS-21127 on Public Hearing)
11. **LC-1009** (Lot-Combination) (CD 9) – Location: East of the southeast corner of East 51<sup>st</sup> Street South and South Delaware Place
12. **LC-1010** (Lot-Combination) (CD 2) – Location: Northwest corner of West 47<sup>th</sup> Street South and South 27<sup>th</sup> West Avenue
13. **LS-21125** (Lot-Split) (CD 8) – Location: South of the intersection of South Toledo Avenue and East 111<sup>th</sup> Street South
14. **LS-21126** (Lot-Split) (CD 9) – Location: Northwest corner of South Granite Avenue and East 71<sup>st</sup> Street
15. **LS-21128** (Lot-Split) (CD 9) – Location: North of the northwest corner of East 32<sup>nd</sup> Street South and South Utica Avenue
16. **PUD-677-A-4 Guy McAnally** (CD 8) Location: West of the northwest corner of East 121<sup>st</sup> Street South and South Sheridan Road requesting a **PUD Minor Amendment** to reduce the street setback along Lakewood Avenue to 15 feet to allow a pool (Continued from April 4, 2018)
17. **PUD-677-A-5 Ashley Martin/Baker Pools** (CD 8) Location: West of the northwest corner of East 121<sup>st</sup> Street South and South Sheridan Road requesting a **PUD Minor Amendment** to reduce the street setback along Lakewood Ave to 15 feet to allow a pool
18. **PUD-712-4 Larry McCool** (CD 6) Location: Northwest corner of East 51<sup>st</sup> Street and South 193<sup>rd</sup> East Avenue requesting a **PUD Minor Amendment** to remove 11-foot landscape strip along northern boundary
19. **PUD-405-25 Birkie Ayer** (CD 8) Location: Southwest corner of East 91<sup>st</sup> Street South and South Memorial Drive and requesting a **PUD Minor Amendment** to modify display, setback and landscape requirements

20. **91<sup>st</sup> & Elwood** (CD 2) Final Plat, Location: Northwest corner of West 91<sup>st</sup> Street South and South Elwood Avenue
21. **QTD/K Addition** (CD 3) Final Plat, Location: East of the southeast corner of East 43<sup>rd</sup> Street North and North Garnett Road

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

**PUBLIC HEARINGS:**

22. **LS-21127** (Lot-Split) (County) – Location: East of the northeast corner of North Sheridan Road and East 76<sup>th</sup> Street North (Related to LC-1008 on Consent Agenda)
23. **38<sup>th</sup> & Riverside** (CD 9) Preliminary Plat, Location: Northeast corner of East 38<sup>th</sup> Place South and South Riverside Drive
24. **The Vineyard Office Park** (CD 8) Preliminary Plat, Location: West of South Memorial Drive at East 108<sup>th</sup> Street South
25. **CZ-469 Denny Bullington** (County) Location: North and East of the northeast corner of South 97<sup>th</sup> West Avenue & West 61<sup>st</sup> Street South requesting rezoning from **RS to AG**
26. **Z-7438 Tulsa City Council/Matt Morgan** (CD 9) Location: Southeast corner of South Peoria Avenue and East 37<sup>th</sup> Place South requesting rezoning from **CH/PK to MX1-P-U**

**OTHER BUSINESS**

27. Adopt proposed revisions to Fee Schedule for TMAPC to reflect changes in the recently adopted Subdivision and Development Regulations.

28. **Commissioners' Comments**

**ADJOURN**

CD = Council District

**NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526. Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Land Development Services, INCOG. Ringing/sound on all cell phones and paggers must be turned off during the Planning Commission.**

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

email address: [esubmit@incoq.org](mailto:esubmit@incoq.org)

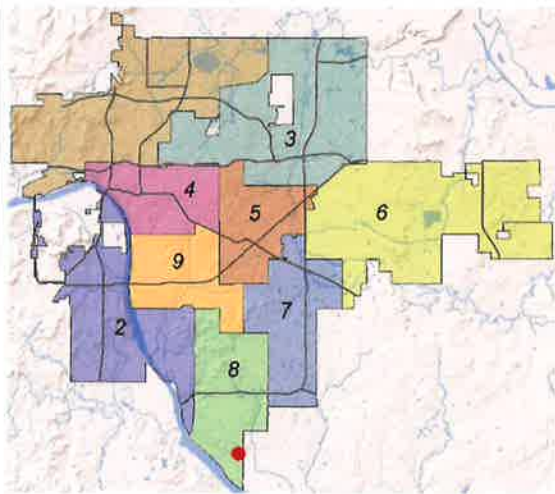
**TMAPC Mission Statement:** The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development 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.

**Case Number:** PUD-677-A-4  
**Minor Amendment**  
**(Continued from 4/4/18)**  
**Hearing Date:** April 18, 2018

**Case Report Prepared by:**  
Jay Hoyt

**Owner and Applicant Information:**  
Applicant: Guy McAnally  
  
Property Owner: Rex & Tara Linville

**Location Map:**  
(shown with City Council Districts)



**Applicant Proposal:**

Concept summary: PUD minor amendment to reduce the street setback along Lakewood Ave to 15 feet to allow a pool.

Gross Land Area: 0.33 acres

Location: West of the NW/c E 121<sup>st</sup> St S and S Sheridan Rd

Lot 1, Block 1, Crestwood At The River II  
12007 S. Kingston Pl. E.

**Zoning:**  
Existing Zoning: RS-1/PUD-677-A  
Proposed Zoning: No Change

**Comprehensive Plan:**  
Land Use Map: Existing Neighborhood  
Growth and Stability Map: Stability

**Staff Recommendation:**  
Staff recommends **approval**.

**Staff Data:**  
TRS: 8314  
CZM: 57  
  
Atlas: 3575

**City Council District:** 8  
*Councilor Name:* Phil Lakin  
  
**County Commission District:** 3  
*Commissioner Name:* Ron Peters

**SECTION I:** PUD-677-A-4 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Revise the PUD Development Standards to reduce the required yard along Lakewood Ave from 25 feet to 15 feet to allow a pool to be constructed.

Currently, the yard along Lakewood is considered a street yard and a rear yard for the home, requiring a 25 ft setback. The unique configuration of the subject lot, with streets on three sides, makes placing a pool on the lot difficult and with limited space to work with, without utilizing a reduced setback on the yard adjacent to Lakewood Ave.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) of the City of Tulsa Zoning Code.*

*“Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved standards and the character of the development are not substantially altered.”*

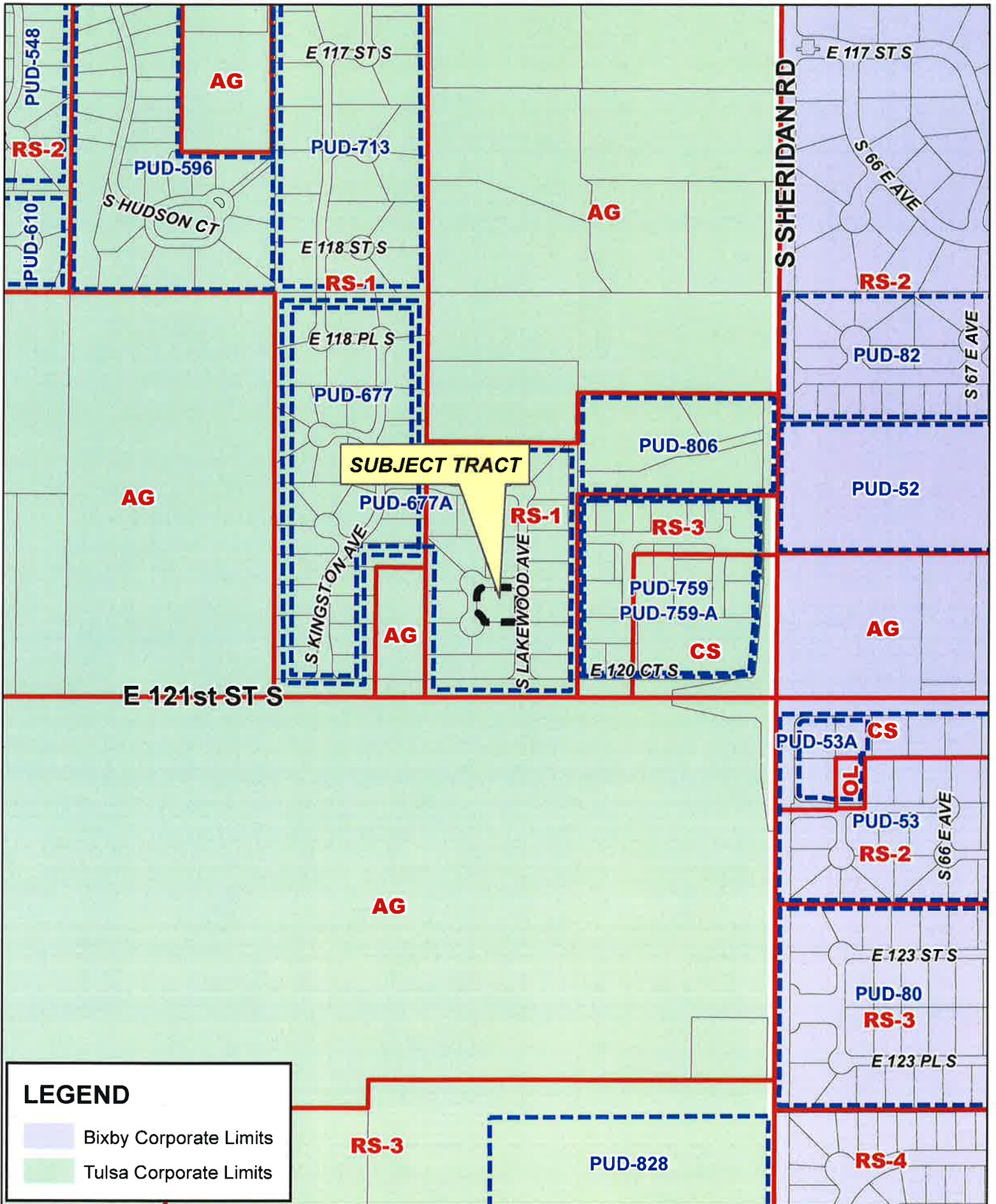
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-677-A and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

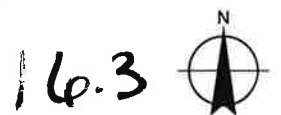
INCOG zoning case map  
INCOG aerial photo  
INCOG aerial photo (enlarged)  
Applicant Site Plan

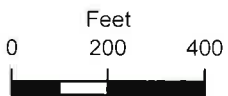
With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the setback along Lakewood Ave from 25 feet to 15 feet.



**PUD-677-A-4**

18-13 34





Subject  
Tract

**PUD-677-A-4**

18-13 34

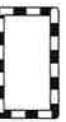
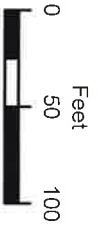
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Aerial Photo Date: February 2016



164





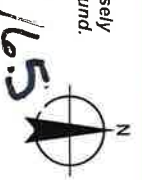
Subject  
Tract

**PUD-677-A-4**

18-1334

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

Aerial Photo Date: February 2016







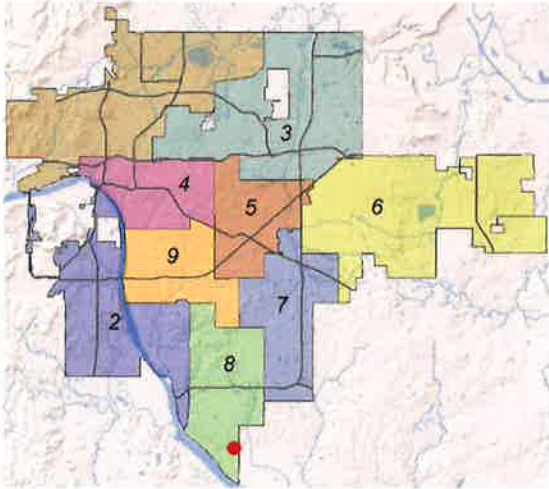
**Case Number:** PUD-677-A-5  
**Minor Amendment**

**Hearing Date:** April 18, 2018

**Case Report Prepared by:**  
 Jay Hoyt

**Owner and Applicant Information:**  
 Applicant: Ashley Martin, Baker Pools  
 Property Owner: Albert & Cody Carrillo

**Location Map:**  
 (shown with City Council Districts)



**Applicant Proposal:**

Concept summary: PUD minor amendment to reduce the street setback along Lakewood Ave to 15 feet to allow a pool.

Gross Land Area: 0.31 acres

Location: West of the NW/c E 121<sup>st</sup> St S and S Sheridan Rd

Lot 2, Block 1, Crestwood At The River II  
 12013 S. Kingston Pl. E.

**Zoning:**  
 Existing Zoning: RS-1/PUD-677-A  
 Proposed Zoning: No Change

**Comprehensive Plan:**  
 Land Use Map: Existing Neighborhood  
 Growth and Stability Map: Stability

**Staff Recommendation:**  
 Staff recommends **approval**.

**Staff Data:**  
 TRS: 8314  
 CZM: 57  
 Atlas: 3575

**City Council District: 8**  
*Councilor Name:* Phil Lakin  
**County Commission District: 3**  
*Commissioner Name:* Ron Peters

**SECTION I:** PUD-677-A-5 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Revise the PUD Development Standards to reduce the required yard along Lakewood Ave from 25 feet to 15 feet to allow a pool to be constructed.

Currently, the yard along Lakewood is considered a street yard and a rear yard for the home, requiring a 25 ft setback. The unique configuration of the subject lot, with streets on two sides, makes placing a pool on the lot difficult and with limited space to work with, without utilizing a reduced setback on the yard adjacent to Lakewood Ave.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) of the City of Tulsa Zoning Code.*

*“Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved standards and the character of the development are not substantially altered.”*

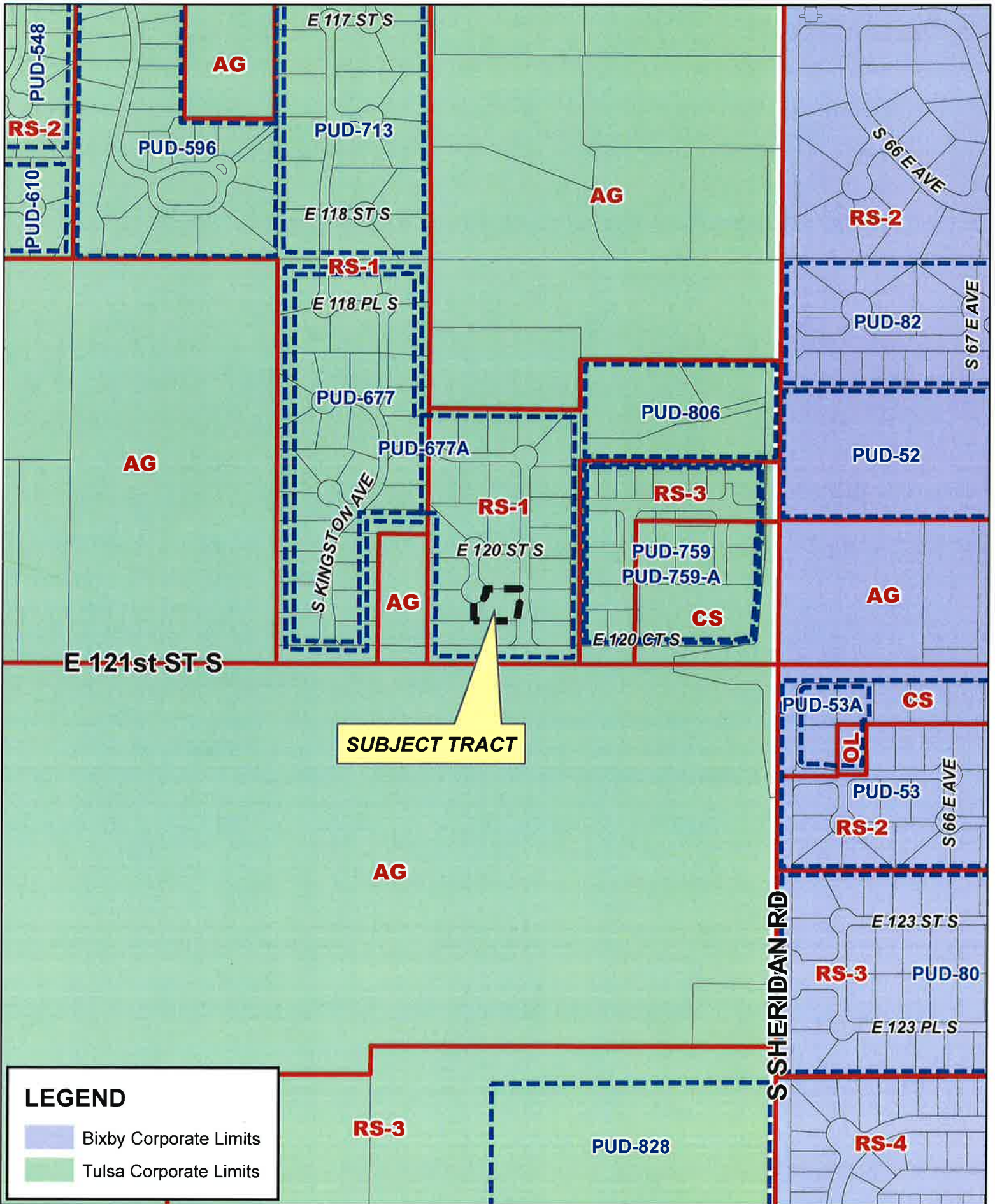
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-677-A and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map  
INCOG aerial photo  
INCOG aerial photo (enlarged)

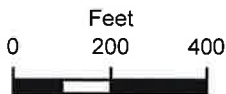
With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the setback along Lakewood Ave from 25 feet to 15 feet.



**SUBJECT TRACT**

**LEGEND**

- Bixby Corporate Limits
- Tulsa Corporate Limits



**PUD-677-A-5**

18-13 34

17.3



Subject Tract

**PUD-677-A-5**

18-13 34

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

Aerial Photo Date: February 2016





Subject  
Tract

**PUD-677-A-5**

18-13 34

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

Aerial Photo Date: February 2016









**Case Number:** PUD-712-4  
**Minor Amendment**

**Hearing Date:** April 18, 2018

**Case Report Prepared by:**  
 Jay Hoyt

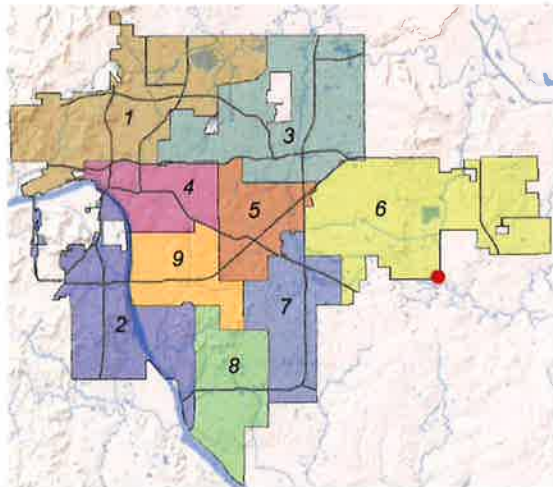
**Owner and Applicant Information:**

Applicant: Larry D. McCool

Property Owner: Builders Development Co. LLC

**Location Map:**

(shown with City Council Districts)



**Applicant Proposal:**

Concept summary: PUD minor amendment to remove 11 ft landscape strip along northern boundary.

Gross Land Area: 3.14 acres

Location: NW/c of E 51<sup>st</sup> St S and S 193<sup>rd</sup> E Ave

Lot 4, Block 1, Stone Creek Commercial Center

Development Area B

**Zoning:**

Existing Zoning: OL/PUD-712  
 Proposed Zoning: No Change

**Comprehensive Plan:**

Land Use Map: Neighborhood Center  
 Growth and Stability Map: Growth

**Staff Recommendation:**

Staff recommends **denial**.

**Staff Data:**

TRS: 9425

CZM: 50

Atlas: N/A

**City Council District: 6**

*Councilor Name:* Connie Dodson

**County Commission District: 1**

*Commissioner Name:* John Smaligo

18.1

**SECTION I:** PUD-712-4 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Revise the PUD Development Standards to remove the requirement for a landscape area not less than 11 feet in width along the Northern boundary of the PUD.

Currently, the Development Standards call for a landscape area of not less than 11 feet in width along the West and Northern boundaries of the PUD. The applicant is proposing to remove this requirement along the North boundary, leaving the requirement along the West boundary in place. A screening wall of not less than 6 feet in height is also required along the West and North boundary. The North walls of the Northern most mini-storage buildings and the West walls of the Western most mini-storage buildings are to have a masonry exterior finish. This can be seen on the proposed elevations included with this report.

The required landscape area helps serve to buffer the residences to the North from the mini-storage use proposed. To lessen the impact on those neighbors of the development, the minimum 11 ft landscape area along the Northern boundary should remain a requirement. For reference, the Zoning code calls for parking areas, including the drives to maneuver around them, have a landscape buffer of 10 ft and S1 screening when adjacent to residential zones.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) of the City of Tulsa Zoning Code.*

*“Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved standards and the character of the development are not substantially altered.”*

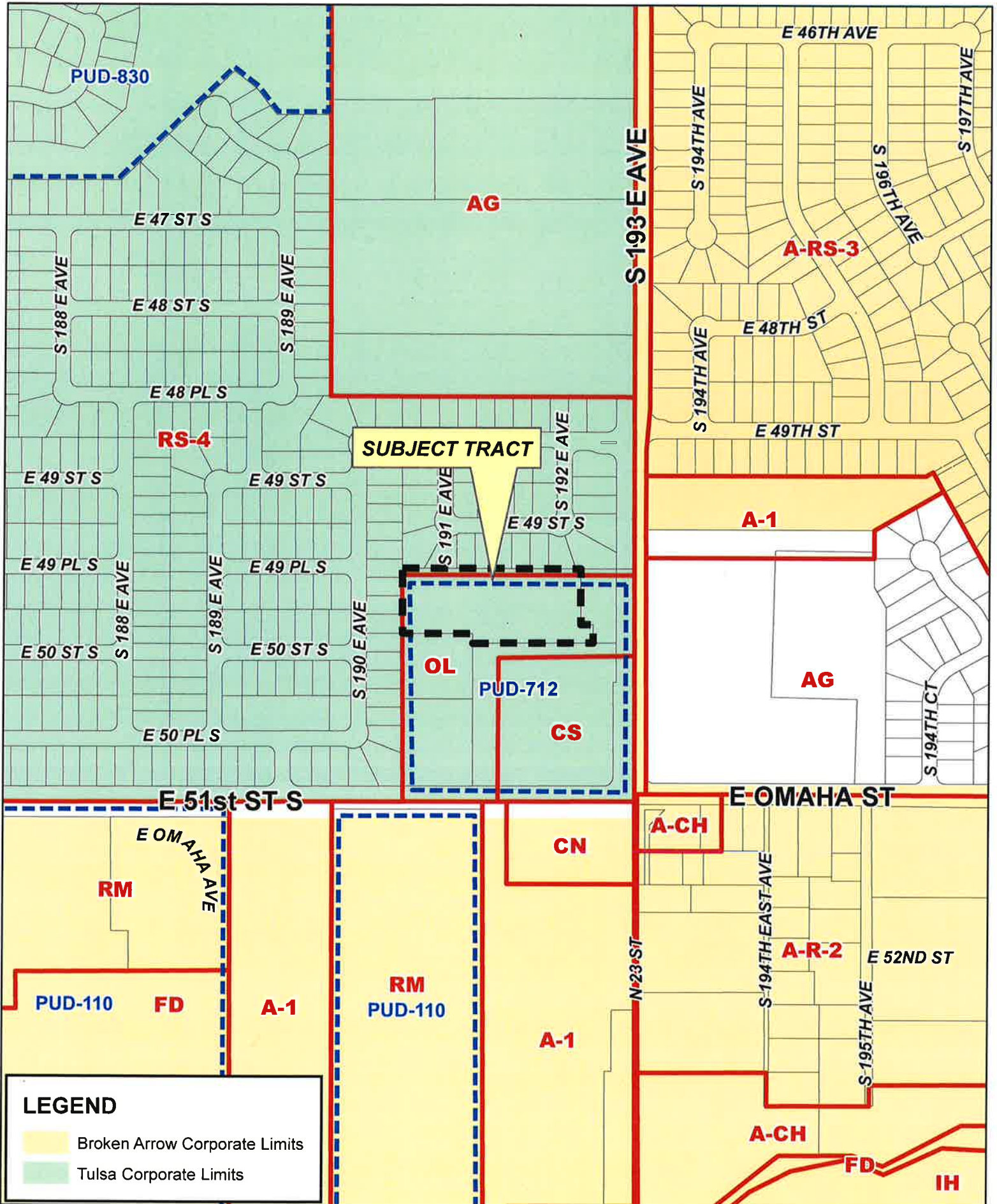
Staff has reviewed the request and determined:

- 1) The requested amendment represents a departure from the approved development standards in the PUD.
- 2) The required 11 ft landscape area along the Northern boundary should remain. Removal would have an adverse impact on the adjacent homes.
- 3) If approved, all remaining development standards defined in PUD-712 and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map  
INCOG aerial photo  
INCOG aerial photo (enlarged)  
Applicant Minor Amendment Description  
Applicant Site Plan  
Applicant Elevations

With considerations listed above, staff recommends **denial** of the minor amendment request to remove the requirement for a landscape area not less than 11 feet in width along the Northern boundary of the PUD.

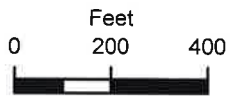


**SUBJECT TRACT**

**PUD-712-4**

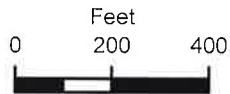
19-14 25

18.4



**LEGEND**

- Broken Arrow Corporate Limits
- Tulsa Corporate Limits



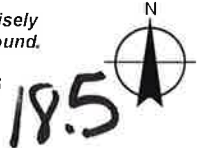
Subject Tract

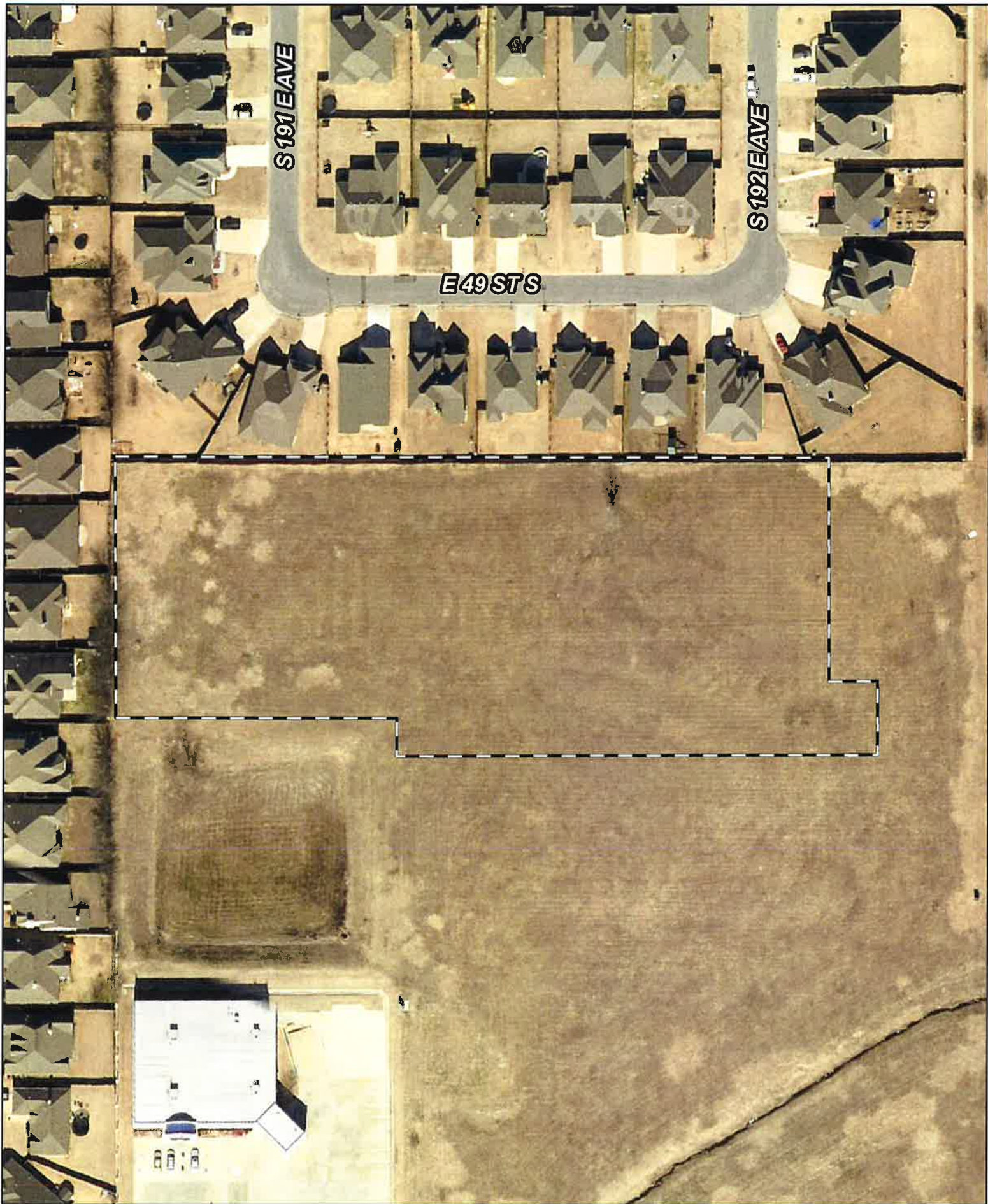
# PUD-712-4

19-14 25

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

Aerial Photo Date: February 2016

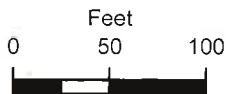




S 191 E AVE

S 192 E AVE

E 49 STS



Subject Tract

**PUD-712-4**

19-14 25

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

Aerial Photo Date: February 2016



**PUD-712 PROPOSED MINOR REVISION DESCRIPTION:**

March 27, 2018

RE: Lot 4, Block 1, Stone Creek Commercial Center - Stone Creek MiniStorage:

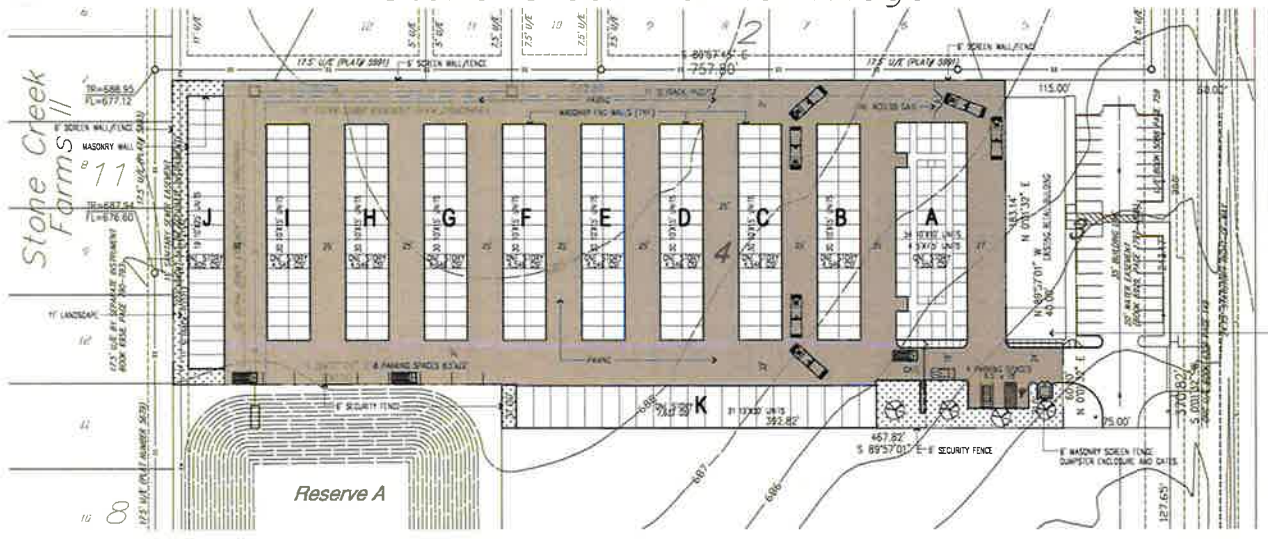
The approved PUD calls for an 11' "landscape area" along the North Property Line. This was in conjunction with the proposed building layout showing a ministorage building located adjacent to the 11' landscape area and proposing the building wall facing the adjacent residential area to be "masonry" and also serve as the required "screen wall" along that property line. See Exhibit "D" of the original PUD-712. Copy Attached.

We are proposing a change in the layout of the buildings such that there will be "no" building along the 11' landscape area. Rather there will be a 31' drive with the ministorage buildings facing each other with only their end walls facing the residential area to the North. The North end walls of Buildings A thru J will have a masonry finish facing the Residential area. There will be no vehicle parking allowed along the North property line screen wall as this will be a dedicated fire lane.

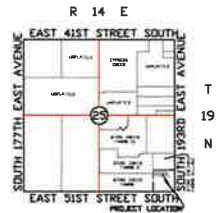
Even with this change, the proposed development complies with the required "minimum landscape area" of 4.5% of the net lot area stipulated in the PUD.

18.8

# Stone Creek Farms Village



**A** PROPOSED SITE PLAN  
1" = 40'



Location Map  
SCALE: 1" = 1000'

STORAGE UNIT SIZE SUMMARY	
CLIMATE CONTROLLED	54 UNITS
1200'±	4 UNITS
5747'±	
NON-CLIMATE CONTROLLED	240 UNITS
1076'±	18 UNITS
12420'	21 UNITS
TOTAL	338 UNITS
MINI-STORAGE BUILDING DATA	
BUILDING A	7,550 S.F.
BUILDING B	4,546 S.F.
BUILDING C	4,546 S.F.
BUILDING D	4,546 S.F.
BUILDING E	4,546 S.F.
BUILDING F	4,546 S.F.
BUILDING G	4,546 S.F.
BUILDING H	4,546 S.F.
BUILDING I	4,546 S.F.
BUILDING J	4,546 S.F.
BUILDING K	4,825 S.F.
BUILDING L	7,412 S.F.
TOTAL BLDG AREA	76,330 S.F.

BUILDING & SITE DATA	
<b>LEGAL DESCRIPTION:</b> LOT FOUR (4), BLOCK ONE (1), STONE CREEK COMMERCIAL CENTER AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAN NO. 0048	
<b>SITE AREA:</b>	136,941 S.F. (3.144 ACRES)
<b>BUILDING AREA:</b>	58,352 G.S.F.
<b>FLOOR/AREA RATIO:</b>	41.12%
<b>ZONING DISTRICT:</b>	O6 Per PUD 712 - Development Area 'B'
<b>ZONING USE UNIT:</b>	Self-service Storage Facility
<b>NEIGHBOR SECTORS:</b>	1st Western Boundary PUD712 1st Northeastern Boundary 0' All other Boundaries
<b>MAXIMUM HEIGHT:</b>	One Story
<b>PARKING:</b>	
Spaces Required:	12 spaces (58,355/5000 x 1)
Spaces provided:	12 spaces
Handicap spaces Required:	1 space per 1 to 25 required spaces
Handicap spaces provided:	1 van space per 6 handicap spaces 1 van accessible space provided
<b>LANDSCAPE:</b>	4.5% of the net lot area Per PUD 712 + (58,355/5000 x 4.5) = 11 required (641) provided
<b>LIGHTING:</b>	See exterior elevations for locations. All lights are well maintained from 7'-2" to 9'-0" A.F.F. There are no lights on the North end West side of Building 7' There are lights on the ends of Buildings A thru I



MFCool and Associates, P.C.  
Architectural & Planning  
1701 East Shady Drive, Suite 107  
Tulsa, Oklahoma 74105  
Voice: (918) 884-2842  
Fax: (918) 884-2842

PRELIMINARY DRAWING



Project #: 2016.03

## STONE CREEK MINI-STORAGE

5187 STREET & 163RD EAST  
TULSA OKLAHOMA



Sheet Title

## PROPOSED SITE PLAN

Issued: APRIL 06, 2016

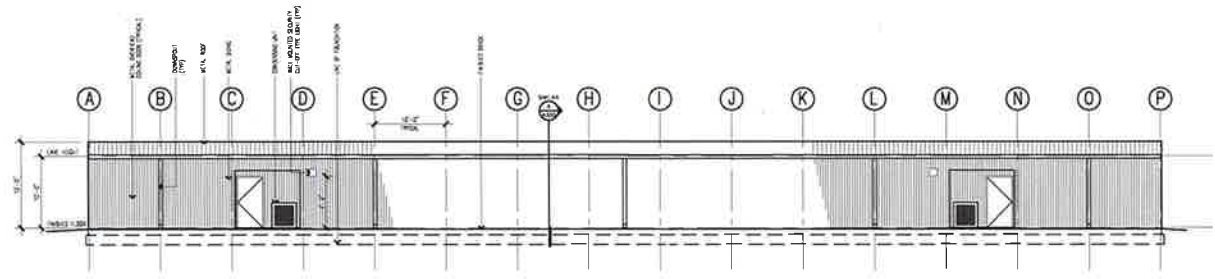
Revision	Date

Sheet Number

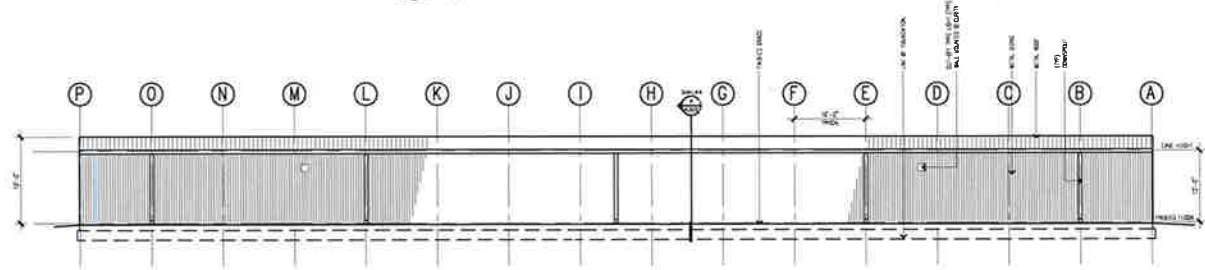
A001



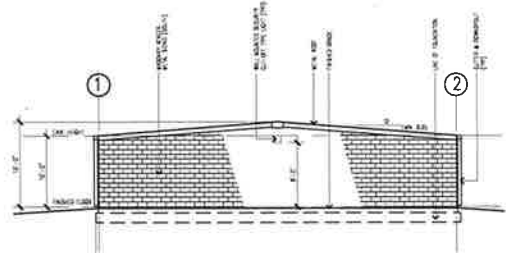
18.9



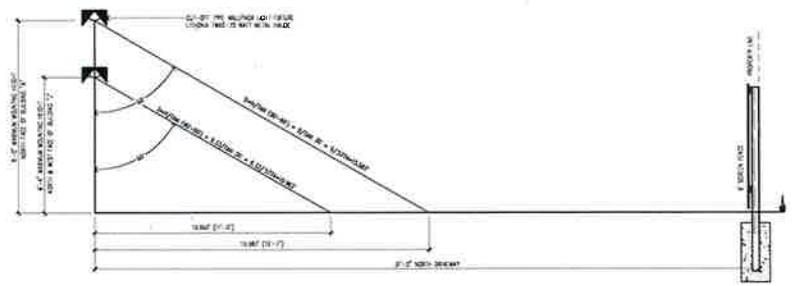
**A** BUILDING "A" WEST ELEVATION  
1/8" = 1'-0"



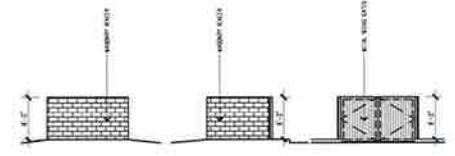
**B** BUILDING "A" EAST ELEVATION  
1/8" = 1'-0"



**C** BUILDING "A" NORTH ELEVATION  
1/8" = 1'-0"



**D** WALL MOUNTED LIGHT FIXTURE - KENNYBUNKPORT FORMULA  
1/8" = 1'-0"



**E** DUMPSTER ENCLOSURE ELEVATIONS  
1/8" = 1'-0"

PRELIMINARY DRAWING

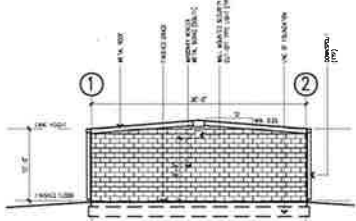
Project # 2018.03

**STONE CREEK  
MINI-STORAGE**

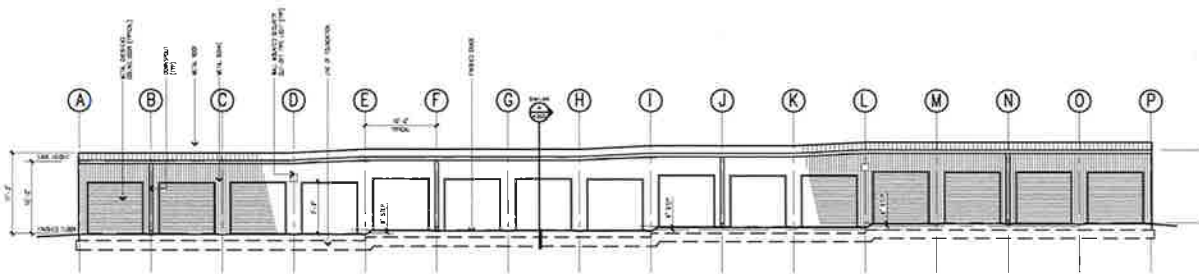
51ST STREET & 163RD EAST  
AVE.  
TULSA OKLAHOMA

**PROPOSED  
EXTERIOR  
ELEVATIONS  
BUILDING "A"**

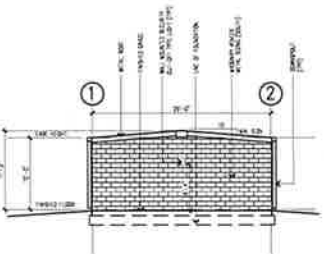
Issued:	APRIL 09, 2018
Revision:	Date



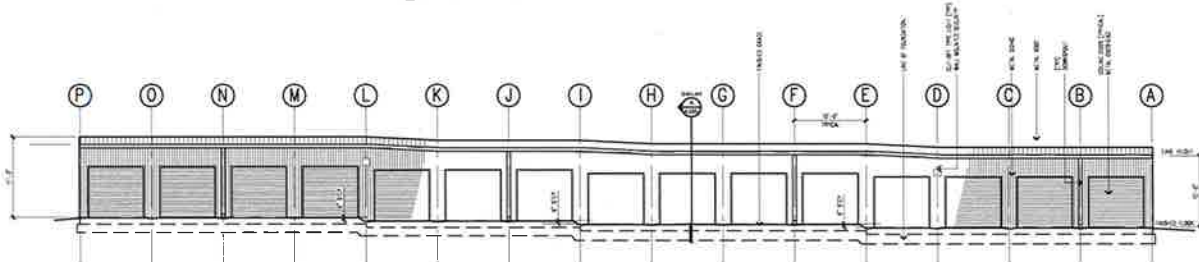
**A** BUILDING "B" THRU "I" NORTH ELEVATION  
1/8" = 1'-0"  
SOUTH ELEVATION SM/DPP



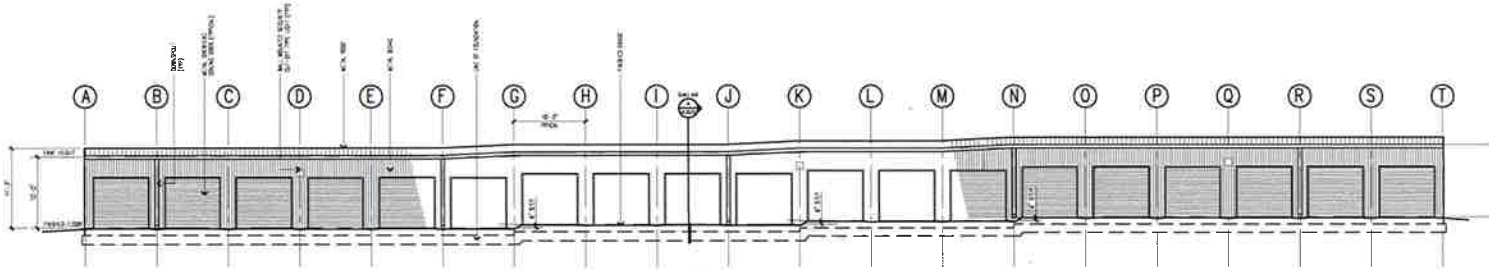
**B** BUILDING "B" THRU "I" EAST ELEVATION  
1/8" = 1'-0"



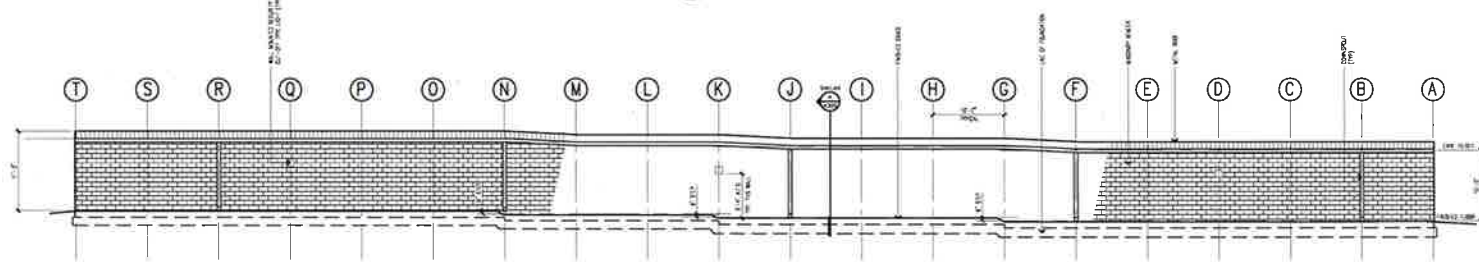
**C** BUILDING "J" NORTH ELEVATION  
1/8" = 1'-0"  
SOUTH ELEVATION SM/DPP



**D** BUILDING "B" THRU "I" WEST ELEVATION  
1/8" = 1'-0"



**E** BUILDING "J" EAST ELEVATION  
1/8" = 1'-0"



**F** BUILDING "J" WEST ELEVATION  
1/8" = 1'-0"

PRELIMINARY DRAWING

Project #: 2018.02

**STONE CREEK  
MINI-STORAGE**

51ST STREET & 193RD EAST  
AVE  
TULSA OKLAHOMA

**JBC** *an builder construction*

PROPOSED  
EXTERIOR  
ELEVATIONS  
BUILDINGS "B" - "I"  
BUILDING "J"

Issued	APRIL 06, 2018
Revision	Date

Sheet Number  
**A201**

18.10

**Hoyt, Jay**

---

**From:** Keith Johnston <johnston\_keith18@yahoo.com>  
**Sent:** Tuesday, April 10, 2018 10:17 PM  
**To:** Hoyt, Jay  
**Subject:** Re:Case Number PUD-712-4

Hello Mr. Hoyt, my name is Keith Johnston. I am writing you with strong opposition to all the foreseeable plans for the NW corner of E 51st St S and S 193rd E Ave. My house (19128 E 49th St S), backs up to the newly still unfinished business that looks to be retail businesses. Not only have the workers thrown trash in my yard but have started work banging and all the regular construction noise before 7am. The workers have also been walking along the fence peering into yards with suspicious looking intents. They have pestered my dog and play their music at bothersome levels that hinder my young children's nap time. My family and I no longer feel comfortable even being in our backyard with this building and future construction plans coming right up to the fence. The addition of this construction has also brought many vehicles around behind the building away from the road right behind my fence to do who knows what once it gets dark. The property values are sure to go down as a result of whatever is put on the other side of the fence unless it was just a park. There is absolutely no need for another storage unit facility when there is one a quarter mile down the road to the east and another to the south and there is one that is a mile north at 41st on the east side which just so happens to be the storage facility my neighbor across the street had his travel trailer stolen by people who cooked meth out of it when they hauled it off somewhere. Have the rich person(s) looking for a tax shelter to go elsewhere or find other means of sheltering their money.

A reply would be appreciated. Thank you.

An Upset Citizen and Taxpayer

Keith Johnston  
johnston\_keith18@yahoo.com  
918.691.4797

**Hoyt, Jay**

---

**From:** Cynthia Fields <cfields711@gmail.com>  
**Sent:** Tuesday, April 10, 2018 10:40 PM  
**To:** Hoyt, Jay  
**Subject:** Concrete Wall

Dear Jay,

As a resident of Stone Creek Farms Village, I was given your email as the contact person to register my complaint regarding the mini storage complex fence line.

I do not feel a wooden fence is in the best interest of our neighborhood. The concrete wall should be built to protect the value of our homes and I was advised this was the original agreement,

Our property (my backyard) is negatively impacted by the complex and a concrete wall would provide privacy as well as noise reduction, and less of an eye sore. The construction of the a concrete wall similar to the one at Goodwill and WalMart is requested.

Please represent my opinion and opposition to any amendment regarding the wooden fence vs the concrete wall.

Should you need to contact me.... Norvell Fields 918 606 3490 or Cynthia Fields@ 214-641-1156. Our email address : cfields711@ gmail.com and address 19104 E.49th St Tulsa OK 74134.

Cynthia Fields

**Hoyt, Jay**

---

**From:** Stilesmeyer@aol.com  
**Sent:** Tuesday, April 10, 2018 10:50 PM  
**To:** Hoyt, Jay  
**Subject:** Assessment Hearing

April 10, 2018

Stone Creek Farms/McCool

Mr Hoyt,

We're writing in regards to the change in the perimeters that back up to our back property and fence line. We take a great deal of pride in our properties and some are retired and older, whereas they cannot afford to move. There are people that made the village their home and we're watch out for each other. We don't want the value of our homes to be lessened more than the fact that the mini-storage will be behind us. I want to see a concrete wall like Goodwill and the Walmart on 61st put up. This at least will help to maintain some value and will help with the water run-off. Building up the property behind us will cause more water retention when it rains. A concrete wall with proper water drainage will also help our lots as well.

I do not want anything other than a concrete wall behind the entire area up against the fence that we maintain.

Thank you for your time in this matter

Respectfully,

Gwendolyn Stiles & Linda Stiles-Meyer  
19108 E 49th Street  
Tulsa, OK 77134-7215  
918 286-3918

**Sawyer, Kim**

---

**From:** Hoyt, Jay  
**Sent:** Thursday, April 12, 2018 8:12 AM  
**To:** Sawyer, Kim  
**Subject:** FW: PUD-712-4

**From:** Stilesmeyer@aol.com [mailto:Stilesmeyer@aol.com]  
**Sent:** Wednesday, April 11, 2018 9:50 PM  
**To:** Hoyt, Jay <JHoyt@incog.org>  
**Subject:** PUD-712-4

Dear Jay Hoyt,

I knew his name sounded familiar as in 2013 he started building 2 homes on the last lots that were here in The Village in Stone Creek Farms. He knew exactly what he was doing and built too far back and too close to the street as we were zoned RS-3 and because of his actions we all went down to RS-4. He also went too close to another property line. Every other word to his worker was F this and F you and one neighbor went over to talk to him saying that we don't talk like that here. We also had to tell him that he could not start construction until 0800 due to The Association by-laws. Unfortunately, this man does what he wants to do as we have found out and we went to meetings because of his actions.

**IMPORTANT:** Yesterday 4/10/2018 the area **DIRECTLY NEAR EVERYONE'S BACK FENCE** was augured! This is the same scenario above as he knows what he's doing and doesn't care about codes. I watched the machine do just that and yet there has been no approval. I implore INCOG not to let this happen. Mr McCool has other ideas and to him, he IS going ahead with this. I would appreciate someone checking on this situation in the back of us. The end of last year two of us had to have our fences fixed and the man that did the work had to drive his truck back there. Our metal poles are back there and they needed to be re-concreted. **WE HAVE** to maintain that access under no circumstances. So now he has dug holes as if he knows that the approval will come through.

There is also the concern of drainage and we do not want roads behind us and he destroyed us enough and no more.

Respectfully,

Linda Stiles-Meyer  
19108 E 49th St  
Tulsa, OK 74134  
918 286-3918

**Sawyer, Kim**

---

**From:** Hoyt, Jay  
**Sent:** Thursday, April 12, 2018 9:52 AM  
**To:** Sawyer, Kim  
**Subject:** FW: Stone Creek Farms Village fence/wall issue Case #PUD-712-4

-----Original Message-----

**From:** Debbie Stevenson [mailto:dastevenson11@cox.net]  
**Sent:** Thursday, April 12, 2018 9:51 AM  
**To:** Hoyt, Jay <JHoyt@incog.org>  
**Subject:** Stone Creek Farms Village fence/wall issue Case #PUD-712-4

Mr. Hoyt,

We received a letter in the mail for amendments to be made with the property on the NW corner of 51st & 193rd. We do not agree with the removal of the 11' landscape strip due to we already have water run off issues. We also do not agree with changing the concrete wall that was originally promised, we do not feel like a 6' wooden fence is sufficient - it is not acceptable.

Sincerely,  
Steve & Debbie Stevenson

Sent from my iPhone







**Case Number:** PUD-405-25  
**Minor Amendment**

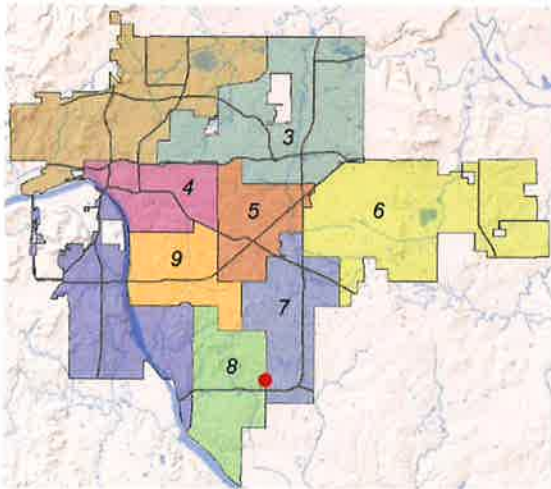
**Hearing Date:** April 18, 2018

**Case Report Prepared by:**  
 Jay Hoyt

**Owner and Applicant Information:**  
 Applicant: Birkie Ayer

Property Owner: Robert E. Howard II,  
 REHCO East LLC.

**Location Map:**  
 (shown with City Council Districts)



**Applicant Proposal:**

Concept summary: PUD minor amendment to modify display, setback and landscape requirements.

Gross Land Area: 0.77 acres

Location: SW/c E 91<sup>st</sup> St S and S Memorial Dr

Lot 3, Block 2, 9100 Memorial

7854 East 91<sup>st</sup> Street S

**Zoning:**  
 Existing Zoning: CS/PUD-405  
 Proposed Zoning: No Change

**Comprehensive Plan:**  
 Land Use Map: Town Center  
 Growth and Stability Map: Growth

**Staff Recommendation:**  
 Staff recommends approval.

**Staff Data:**  
 TRS: 8321  
 CZM: 57 Atlas: 1905

**City Council District:** 8  
 Councilor Name: Phil Lakin  
  
**County Commission District:** 3  
 Commissioner Name: Ron Peters

19.1

**SECTION I:** PUD-405-25 Minor Amendment

**STAFF RECOMMENDATION**

Amendment Request: Revise the PUD Development Standards to modify the requirement of the number of automobiles allowed on display between the front and side lot lines, reduce the setback from 40 ft to 10 ft for display of merchandise and modify the landscape requirements.

The subject lot currently contains a fuel station. The current auto dealership to the south has acquired the subject lot and would like to integrate it into their auto display area. The proposed development standards are in line with those that were approved on 10/1/14 for the current dealership in minor amendment PUD-405-23, and would help create a consistent look between the existing dealership and the new proposed area. The Zoning code requires an S1 screening along the street frontages. While the landscape plan is conceptual, at this time, it appears to conform to the S1 screening standard.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 30.010.1.2.c(9) of the City of Tulsa Zoning Code.*

*“Changes in structure heights, building setbacks, yards, open spaces, building coverage and lot widths or frontages, provided the approved PUD development plan, the approved standards and the character of the development are not substantially altered.”*

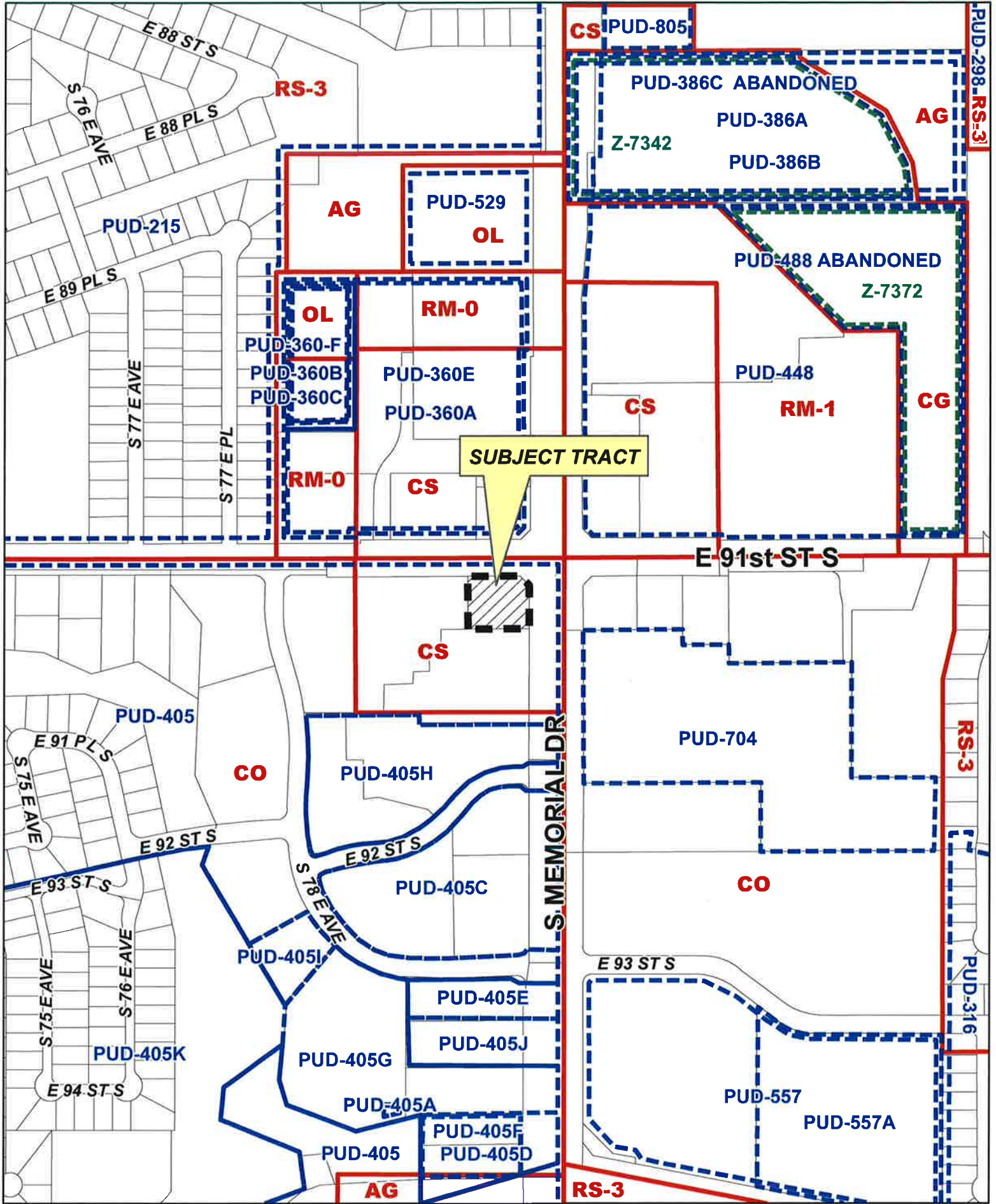
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the PUD.
- 2) All remaining development standards defined in PUD-405 and subsequent amendments shall remain in effect.

Exhibits included with staff recommendation:

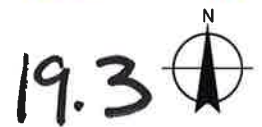
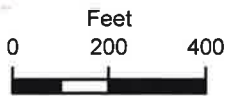
INCOG zoning case map  
INCOG aerial photo  
INCOG aerial photo (enlarged)  
Proposed Revised Development Standards  
Conceptual Site Plan  
Conceptual Landscape Plan

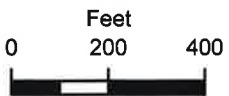
With considerations listed above, staff recommends **approval** of the minor amendment request to modify the requirement of the number of automobiles allowed on display between the front and side lot lines, reduce the setback from 40 ft to 10 ft for display of merchandise and modify the landscape requirements.



SUBJECT TRACT

PUD-405-25





Subject  
Tract

**PUD-405-25**

18-13 23

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

Aerial Photo Date: February 2016



19.4



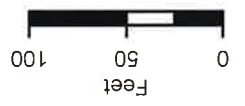
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

18-13 23

**PUD-405-25**

Subject Tract



**S MEMORIAL DR**

**E 91st ST'S**



**PUD Minor Amendment  
PUD - 405  
9100 Memorial (Block 2; Lot3)  
South Pointe Honda  
7854 East 91st Street**

**REVISED DEVELOPMENT STANDARDS:**

Maximum Number of Autos to Be Displayed Between a Front or Side Building Line and a Public Street (Arterial) R/W:

Number of Auto display between Front or Side building line and Arterial R/W is not limited.

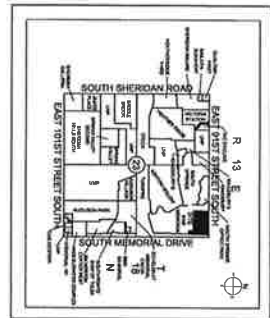
Minimum distance from (Arterial) R/W for auto display

10' Minimum setback from R/W

Landscape Requirements:

10' Minimum Landscape Strip from R/W  
Replacing required Street Trees with a tiered, layered streetscape consisting of trees, shrubs and perennials along the Arterial R/W 10' street yard as shown on the attached Conceptual Landscape Plan exhibit. Interior landscape islands not required.

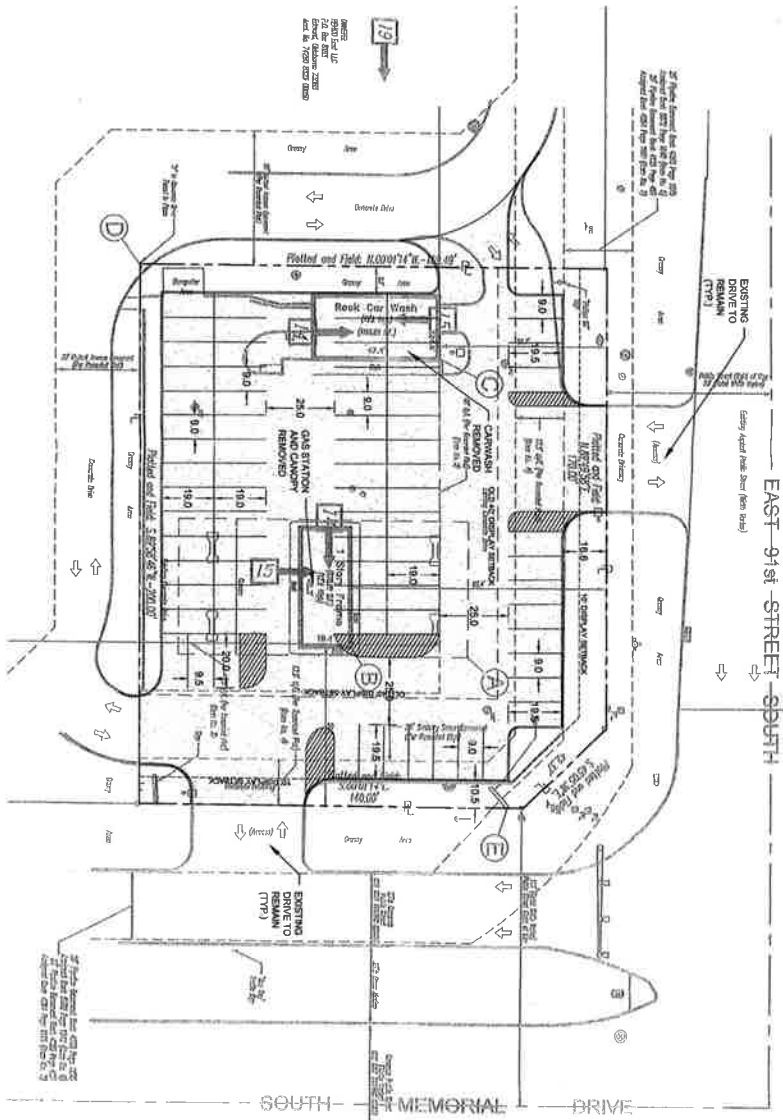
19.7



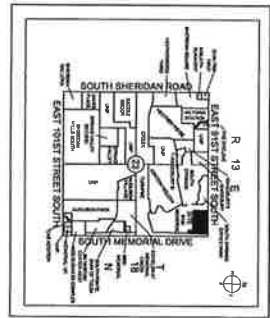
VICINITY MAP  
SCALE: 1"=500'

SITE DESIGN DATA

- 1. TOTAL SITE AREA: 5.29 ACRES
- 2. PROPERTY IS LOCATED IN THE ORIGINAL SUBDIVISION, BLOCK 2, LOT 1, TRACT 2, EAST 91ST STREET SOUTH, TULSA, OKLAHOMA 74106-0000
- 3. CURRENT ZONING: C-2 (COMMERCIAL CENTER DISTRICT) AND M-1 (MUNICIPAL OFFICE BUILDINGS AND RELATED USES) DISTRICT
- 4. SURVEY: 1988 SURVEY BY [REDACTED]
- 5. ASSESSOR'S PARCEL IDENTIFICATION NUMBER (APN): 10-000-000-000-000
- 6. ADJACENT UTILITIES:
  - 7. UTILITY AND SERVICE COMPANY: CITY OF TULSA
  - 8. WATER SUPPLY: TULSA WATER DEPARTMENT
  - 9. SEWER: TULSA WATER DEPARTMENT
  - 10. GAS: TULSA NATURAL GAS COMPANY
  - 11. ELECTRIC: TULSA ELECTRIC COMPANY
- 12. ADJACENT LAND USES:
  - 13. TO THE NORTH: [REDACTED]
  - 14. TO THE SOUTH: [REDACTED]
  - 15. TO THE EAST: [REDACTED]
  - 16. TO THE WEST: [REDACTED]



<b>SITE PLAN</b> SHEET: 1 of 2	PUD MINOR AMENDMENT FOR <b>SOUTH POINTE HONDA          INVENTORY DISPLAY LOT</b> 7854 EAST 91ST STREET TULSA, OKLAHOMA			<b>AYER DESIGN GROUP</b> PROFESSIONAL ENGINEERING SERVICES 215 Johnson Street Rock Hill, SC 29730 Phone: 803-328-9858	<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 10%;">NO.</th> <th style="width: 10%;">DATE</th> <th style="width: 80%;">DESCRIPTION</th> </tr> </thead> <tbody> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </tbody> </table>	NO.	DATE	DESCRIPTION															
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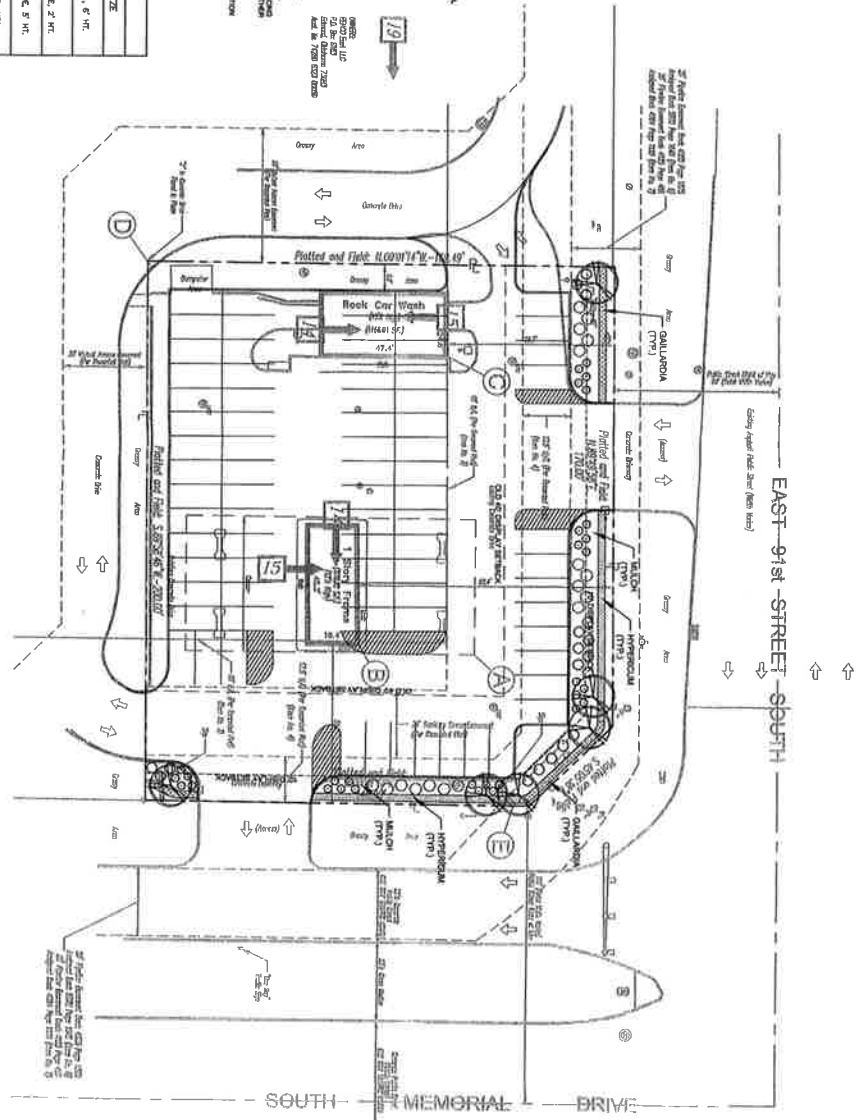
VICINITY MAP  
SCALE: 1"=200'

**PLANTING LEGEND & SCHEDULE**

SYMBOL	BOTANICAL NAME	COMMON NAME	QUANTITY	SIZE
⊕	CITRUS SPURGEAULT 'YAKAMAZAKI'	ORANGE LEMON	1	1" WIDE, 6" HT.
○	SPRING BURNING BUSH 'PINK PEARL'	ROSE GLOW BURNING BUSH	2	2" WIDE, 2' HT.
○	LEAFY CORYMPA 'SHERIDAN HALL'	CHERRY BURNING BUSH	1	3" WIDE, 5' HT.
○	LEAFY CORYMPA 'YAKAMAZAKI'	CHERRY BURNING BUSH	1	3" WIDE, 5' HT.

○ OXALIDIA X GRANADILLA - BURNING BUSH, PLANT 17, O.C.  
 ⊕ HYDRANGEA 'LITTLE MISS SWEET' - PLANT 2, O.C.  
 ALL O.C. TO BE BURNING

- LANDSCAPE NOTES:**
1. ALL PLANTING MATERIAL AND SPECIFICATIONS TO BE SUBMITTED TO THE CLIENT WITH THE PLANNING DRAWINGS.
  2. PLANTING MATERIAL TO BE SUBMITTED TO THE CLIENT WITH THE PLANNING DRAWINGS.
  3. ALL PLANTING MATERIAL TO BE SUBMITTED TO THE CLIENT WITH THE PLANNING DRAWINGS.
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  20. ALL PLANTING MATERIAL TO BE SUBMITTED TO THE CLIENT WITH THE PLANNING DRAWINGS.



**REGULATION REQUIREMENTS:**

1. ALL PLANTING MATERIAL AND SPECIFICATIONS TO BE SUBMITTED TO THE CLIENT WITH THE PLANNING DRAWINGS.

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20. ALL PLANTING MATERIAL TO BE SUBMITTED TO THE CLIENT WITH THE PLANNING DRAWINGS.



<p>LANDSCAPE PLAN</p>	<p>PUD MINOR AMENDMENT FOR SOUTH POINTE HONDA INVENTORY DISPLAY LOT 7854 EAST 91ST STREET TULSA, OKLAHOMA</p>			<p><b>AYER DESIGN GROUP</b>          PROFESSIONAL ENGINEERING FIRM          215 Johnson Road          Rock Hill, SC 29730          Phone: 803-326-5858</p>	<table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table>	NO.	DATE	DESCRIPTION												
NO.	DATE	DESCRIPTION																		
<p>DATE: 3/20/18</p>	<p>SCALE: 1"=20'</p>	<p>PROJECT: 2017-05</p>	<p>SHEET: 2 OF 2</p>																	





Tulsa Metropolitan Area  
Planning Commission

**Case :** 91<sup>st</sup> & Elwood

**Hearing Date:** April 18, 2018

**Case Report Prepared by:**

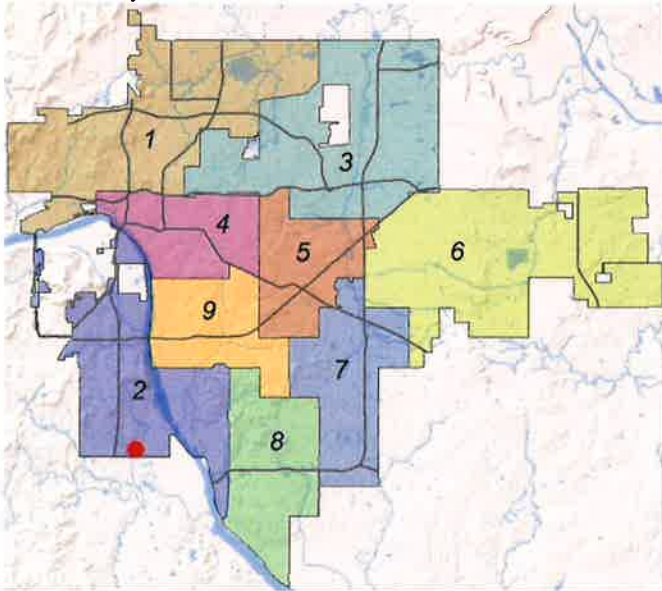
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Wallace Engineering

*Owner:* Elwood Properties, LLC, Miller  
Swim School

**Location Map:**  
(Shown with County Commission  
districts)



**Applicant Proposal:**

Final Plat

10 lots, 3 blocks, 43.8 ± acres

*Location:* Northwest corner of West 91<sup>st</sup>  
Street South and South Elwood Avenue

**Zoning:** CG (Commercial – General) with  
optional development plan (Z-7367)

**Staff Recommendation:**

Staff recommends **approval** of the final  
plat

**City Council District: 2**

*Councilor Name:* Jeannie Cue

**County Commission District: 2**

*Commissioner Name:* Karen Keith

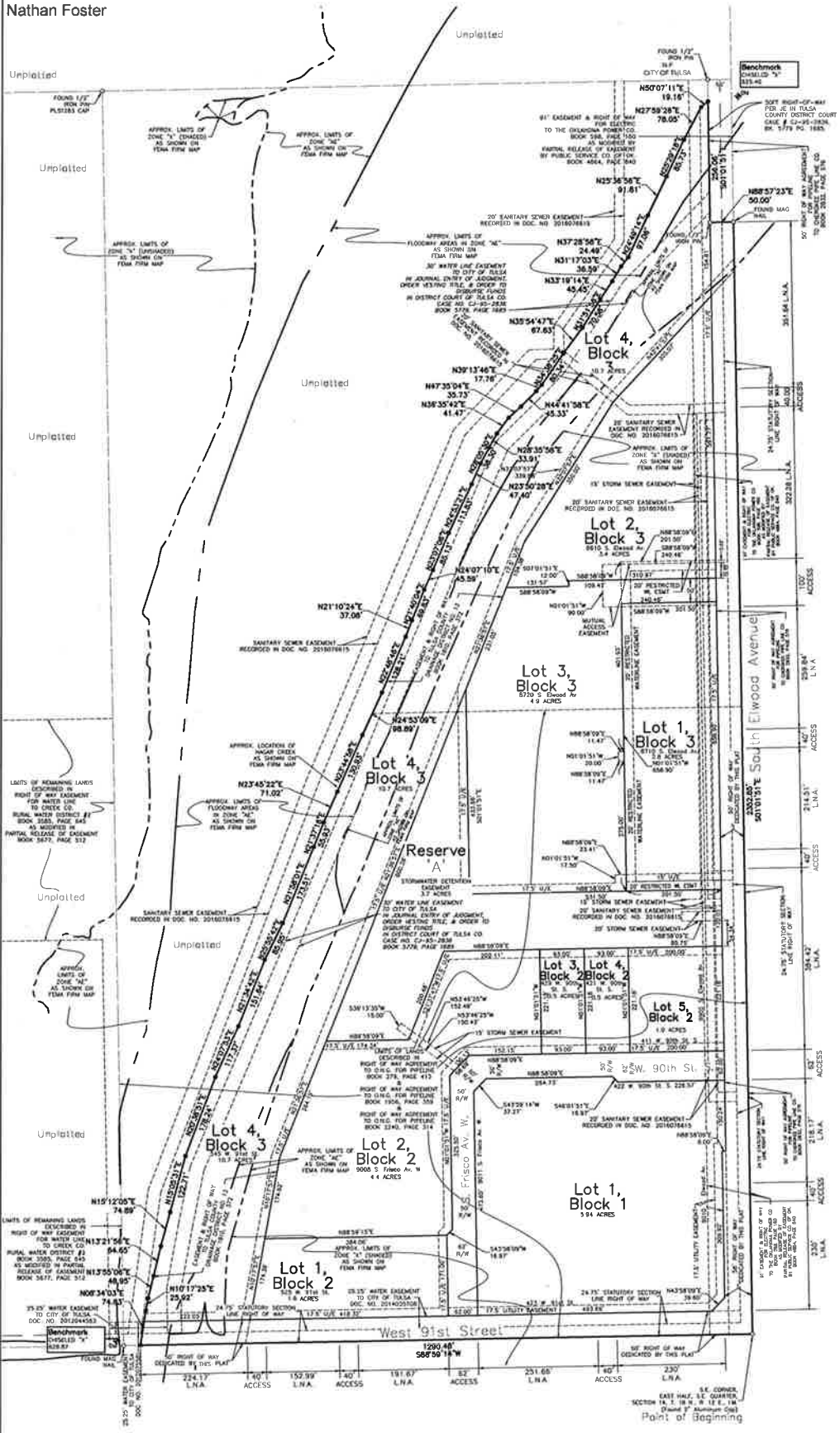
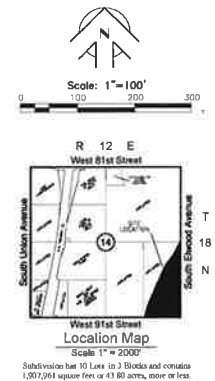
**EXHIBITS:** Final Plat

# 91st & Elwood

Draft Final Plat

A Part of The East Half of the Southeast Quarter (E/2 SE/4) of Section Fourteen (14), Township  
Eighteen (18) North, Range Twelve (12) East of the Indian Base and Meridian,  
City of Tulsa, Tulsa County, State of Oklahoma.

TMAPC  
Draft Final Submitted 4.2.18  
Nathan Foster



FINAL PLAT ENDORSEMENT OF APPROVAL	
Tulsa Metropolitan Area Planning Commission	
Approved Date:	
TMAPC/ANGC	
CITY ENGINEER	
Council of the City of Tulsa, Oklahoma	
Approved Date:	
CHAIRMAN	
MASTER	
ATTTEST: CITY CLERK	
CITY ATTORNEY	

OWNER  
**ELWOOD PROPERTY, L.L.C.**  
1001 S. SOUTH VALLEY AVENUE  
SUITE 200, TULSA, OKLAHOMA 74137  
918-289-5044  
bri@elwoodproperty.com

OWNER  
**MILLER SWIM SCHOOL PROPERTIES, L.L.C.**  
6715 SOUTH WINDY ROAD  
TULSA, OKLAHOMA 74133

SURVEYOR  
**BENNETT SURVEYING, INC.**  
P.O. BOX 848  
DOWNEY, OK 74337  
PHONE: (918) 438-2888  
FAX: (918) 438-7885  
DOWNEY, OK 74337  
www.bennettsurveying.com

ENGINEER  
**WALLACE ENGINEERING STRUCTURAL CONSULTANTS, INC.**  
200 EAST WATKINS BRADY STREET  
TULSA, OK 74103  
PHONE: (918) 584-5858  
FAX: (918) 584-5858  
Tulsa, OK 74103  
www.wallaceinc.com

BASIS OF BEARING IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (NAD83 - NORTH ZONE 3501) USING A BEARING OF 88°51'30" ALONG THE SOUTH LINE OF THE SOUTHEAST QUARTER OF SECTION 14.

HORIZONTAL AND VERTICAL DATUM  
THE HORIZONTAL DATUM FOR THIS SURVEY IS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM (NAD83 - NORTH ZONE 3501) NAD83.  
THE VERTICAL DATUM FOR THIS SURVEY IS BASED ON GPS DATA (NAVD83).

LEGEND  
B/W = BENCH MARK  
L/A = LIMITS OF NO ACCESS  
R/W = RIGHT OF WAY  
U/E = UTILITY EASEMENT  
S/C = SET BACK - 100' WITH CAP

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

AVIGATION NOTICE  
Notice is hereby given that owners and users of aircraft of all types operate on a frequent basis in the airspace above this plat of land. Said aircraft, when operated in a lawful manner, are allowed free and unobstructed passage in the airspace on, upon, over, across, adjacent to, above and in the vicinity of this plat of land. The lawful operation of aircraft is known to generate noise, vibration, and other effects as may be inherent in the operation of or flight or ground in and through said airspace which result directly or indirectly from the operations of aircraft or the airport, now and in the future, including but not limited to, ground and flight operations of aircraft at, over, on or in the vicinity of the airport, and regardless of whether arriving, departing, maneuvering, or on route, and it must be further recognized that all such operations may increase in the future.

Notice is also given that rules and regulations defined in Federal Aviation Regulations (FARs), including but not limited to FAR Part 77, may limit the height of buildings, structures, poles, trees or other objects whether natural or otherwise, located or to be located on property within this plat of land and may require, prior to construction, the submission of an application as may be required by the Federal Aviation Administration to ensure that the safe operation of aircraft is not impacted by said object.

20.2







Tulsa Metropolitan Area  
Planning Commission

**Case :** QTD/K Addition

**Hearing Date:** April 18, 2018

**Case Report Prepared by:**

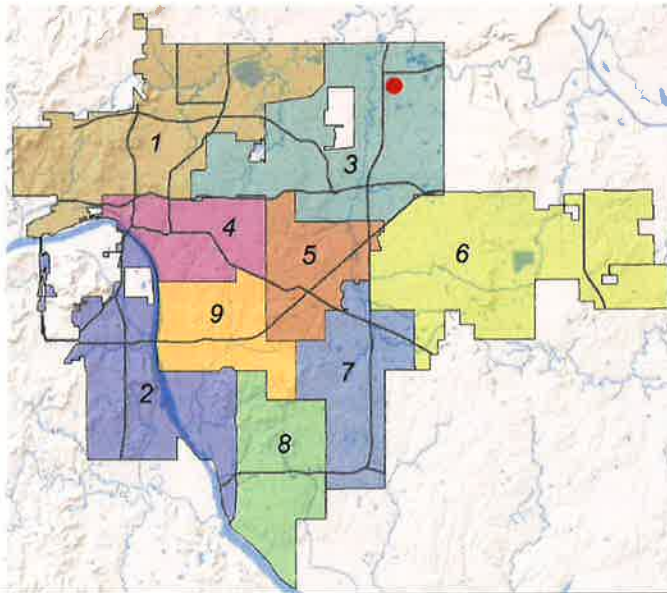
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Benham Design, LLC

*Owner:* Quik 'N Tasty – C/O Carly Goodnight, QuikTrip

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

Final Plat

*Location:* East of the southeast corner of East 43<sup>rd</sup> Street North and North Garnett Road

**Zoning:** IM, IH

**Staff Recommendation:**

Staff recommends **approval** of the final plat

**City Council District:** 3

*Councilor Name:* David Patrick

**County Commission District:** 1

*Commissioner Name:* Mike Craddock

**EXHIBITS:** Final Plat

**RESTRICTED WATER LINE EASEMENT**

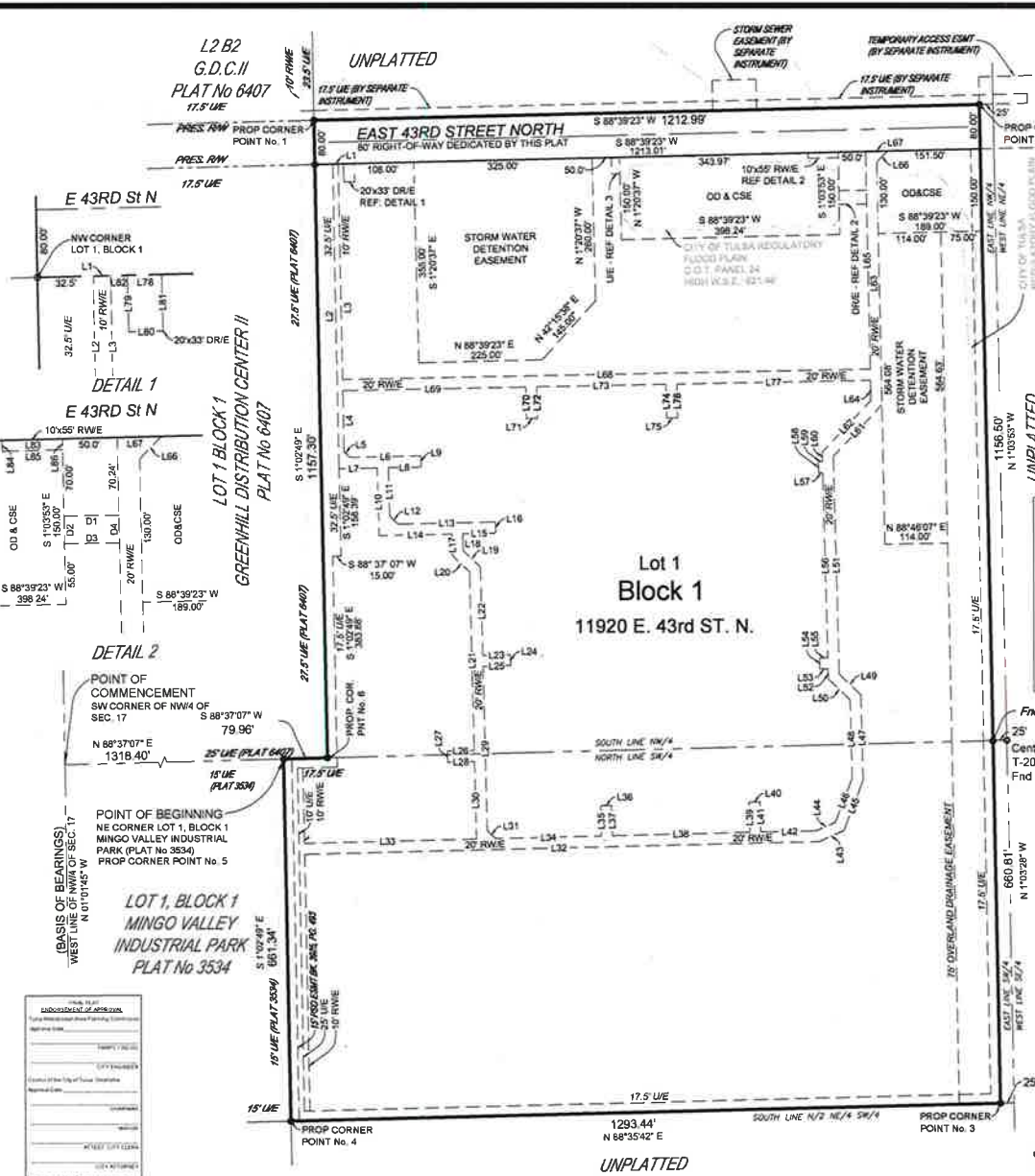
Line # Length Direction

L1	10.00	S88°39'23"W
L2	562.80	S01°02'49"E
L3	391.78	S01°02'49"E
L4	110.87	S01°02'49"E
L5	184.14	S48°20'37"E
L6	129.50	N88°57'11"E
L7	66.62	N88°57'11"E
L8	59.88	N88°57'11"E
L9	20.00	S01°02'49"E
L10	122.55	S01°02'49"E
L11	87.48	S01°20'37"E
L12	21.24	S48°20'37"E
L13	177.43	N88°49'27"E
L14	132.31	N88°49'27"E
L15	60.05	N88°49'27"E
L16	20.00	S01°10'33"E
L17	59.15	S01°20'37"E
L18	30.82	S01°20'37"E
L19	42.97	S48°20'37"E
L20	42.97	S48°20'37"E
L21	325.35	S01°20'37"E
L22	161.29	S01°20'37"E
L23	50.30	N88°39'23"E
L24	20.00	S01°20'37"E
L25	50.30	N88°39'23"E
L26	49.00	S88°39'23"W
L27	20.00	S01°20'37"E
L28	49.00	S88°39'23"W
L29	298.55	S01°20'37"E
L30	141.19	S01°20'37"E
L31	21.21	S48°20'37"E
L32	937.10	N88°39'23"E
L33	313.29	N88°39'23"E
L34	192.80	N88°39'23"E
L35	55.00	N01°20'37"W
L36	20.00	N88°39'23"E
L37	55.00	N01°20'37"W
L38	250.45	N88°39'23"E
L39	55.00	N01°20'37"W
L40	20.00	N88°39'23"E
L41	55.00	N01°20'37"W
L42	101.37	N88°39'23"E
L43	49.84	N66°09'23"E
L44	49.84	N88°09'23"E
L45	97.99	N21°06'23"E
L46	85.72	N01°03'53"W
L47	154.81	N01°20'37"W
L48	142.55	N01°20'37"W
L49	54.61	N46°20'37"W
L50	54.90	N01°03'53"W
L51	386.16	N01°20'37"W
L52	18.69	N01°20'37"W
L53	15.00	N88°39'23"E
L54	20.00	N01°20'37"W
L55	15.00	N88°39'23"E
L56	398.54	N01°20'37"W
L57	7.50	N88°39'23"E
L58	20.00	N01°20'37"W
L59	7.50	N88°39'23"E
L60	17.40	N01°20'37"W
L61	128.94	R43°39'23"E
L62	129.00	R43°39'23"E
L63	441.61	N01°03'53"W
L64	36.82	N01°03'53"W
L65	596.46	N01°03'53"W
L66	26.35	R43°39'23"E
L67	40.00	S88°39'23"W
L68	991.58	S88°56'07"W
L69	333.20	S88°56'07"W
L70	57.00	N01°03'53"W
L71	20.00	S88°56'07"W
L72	57.00	N01°03'53"W
L73	352.94	S88°56'07"W
L74	81.00	N01°03'53"W
L75	20.00	S88°56'07"W
L76	61.00	N01°03'53"W
L77	352.94	S88°56'07"W
L78	20.00	S88°39'23"W
L79	33.00	S01°21'30"E
L80	20.00	N88°39'02"E
L81	53.00	N01°21'30"E
L82	8.54	S88°39'23"W
L83	55.00	S88°39'23"W
L84	10.00	S01°03'53"E
L85	55.00	N88°39'23"E
L86	10.00	N01°03'53"W

**DRAINAGE EASEMENT**

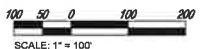
Line # Length Direction

D1	50.00	S88°39'07"W
D2	25.00	S01°03'53"E
D3	50.00	N88°56'07"E
D4	25.00	N01°03'53"W



**Draft Final Plat**  
A MINOR SUBDIVISION PLAT  
**QTD/K ADDITION**

A SUBDIVISION OF THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER (SE4, NW4), AND THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (N/2 NE/4 SW/4) OF SECTION SEVENTEEN (17), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST, OF THE INDIAN BASE & MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA



SCALE: 1" = 100'

**ABBREVIATION LEGEND**

- G D C = GREEN-HILL DISTRIBUTION CENTER
- ESMT = EASEMENT
- RWE = RESTRICTED WATERLINE EASEMENT
- U/E = UTILITY EASEMENT
- D/E = DRAINAGE EASEMENT
- OD = OVERLAND DRAINAGE
- ODE = OVERLAND DRAINAGE EASEMENT
- CSE = COMPENSATORY STORAGE EASEMENT
- COT = CITY OF TULSA
- WSE = WATER SURFACE ELEVATION

**PROPERTY CORNER POINT TABLE**

CORNER ID	NORTHING	EASTING	DESCRIPTION
1	449792.63	2603742.38	NORTHWEST CORNER 3/8" IRON PIN FOUND
2	449821.07	2604955.06	3/8" IRON PIN FOUND
3	448084.06	2604987.26	3/8" IRON PIN FOUND
4	448051.91	2603693.72	SOUTHWEST CORNER 1" IRON PIN FOUND
5	448713.47	2603682.59	SOUTHEAST CORNER 3/8" IRON PIN FOUND
6	448715.88	2603761.86	NORTHEAST CORNER 3/8" IRON PIN FOUND

**SUBDIVISION STATISTICS**

SUBDIVISION CONTAINS:  
ONE (1) LOT IN ONE (1) BLOCK

GROSS SUBDIVISION AREA:  
51.86 ACRES



**OWNER:**  
Quik'n Tasty Foods, Inc.  
AN OKLAHOMA CORPORATION  
4705 S. 129TH E AVE.  
TULSA, OKLAHOMA 74134  
PHONE: (918) 815-7137  
CONTACT: CARLY GOODNIGHT

**ENGINEER:**  
Benham Design, LLC  
AN OKLAHOMA LIMITED LIABILITY CORPORATION  
C A NO 7569 EXP DATE 6-30-19  
ONE WEST THIRD STREET, SUITE 200  
TULSA, OK 74103  
PHONE: (918) 452-1600  
CONTACT: JOHN BEAN, PE  
EMAIL: JOHN.BEAN@BENHAM.COM

**SURVEYOR:**  
Isaacs Surveying Service, LLC  
AN OKLAHOMA LIMITED LIABILITY CORPORATION  
C A NO 7787 EXP DATE 6-30-19  
5 WEST 42ND STREET  
SAND SPRINGS, OKLAHOMA 74063  
PHONE: (918) 245-0456  
CONTACT: JOSH ISAACS  
EMAIL: JOSH@ISAACSSURVEYING.COM

**SITE DATA**

**BENCHMARK**  
CHISELED SQUARE ON CONCRETE CURB  
NORTH SIDE EAST 43RD STREET NORTH,  
960 FEET EAST OF INTERSECTION WITH  
GARNETT ROAD.  
ELEVATION 615.45

ELEVATIONS SHOWN HEREON ARE BASED ON THE 1988 NAVD DATUM.

**BASIS OF BEARINGS**  
THE BEARING BASE FOR THIS SURVEY IS GRID BEARINGS BASED ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE 3501, NORTH AMERICAN DATUM (NAD83), WITH THE WEST LINE OF NW/4 OF SECTION 17 AS NORTH 01°01'45" WEST.

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

**Nathan Foster**  
2018.03.27  
12:24:06  
-05'00'



**QTD/K ADDITION**  
DRAFT FINAL PLAT, DATE OF PREPARATION: MARCH 26, 2018  
SHEET 1 OF 2

21.2

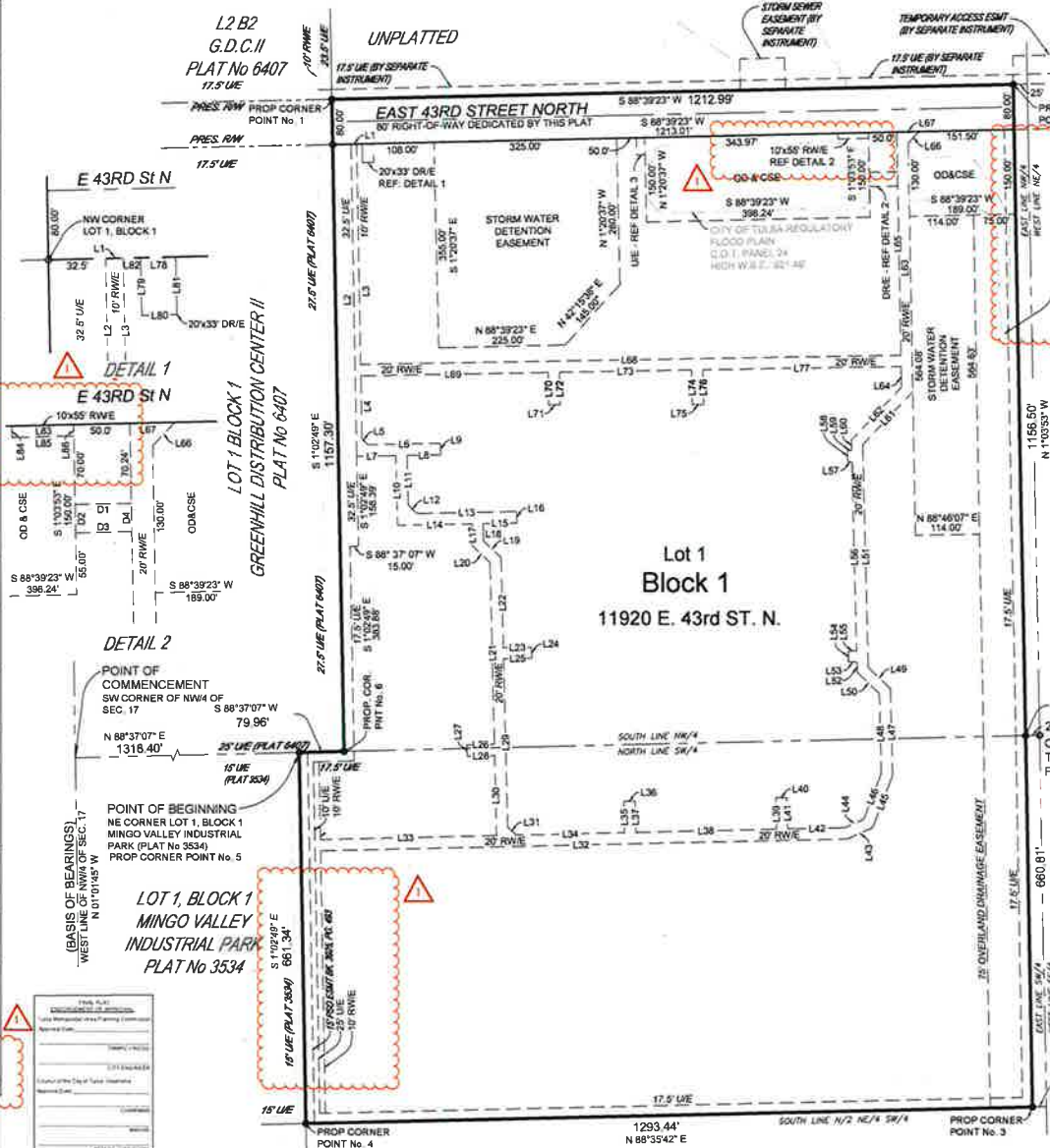


**RESTRICTED WATER LINE EASEMENT**

Line #	Length	Direction
L1	10.00	S88°39'23"W
L2	552.60	S01°02'49"E
L3	391.78	S01°02'49"E
L4	110.87	S01°02'49"E
L5	14.14	S42°02'49"E
L6	129.50	N88°57'11"E
L7	69.62	N88°57'11"E
L8	58.88	N88°57'11"E
L9	20.00	S01°02'49"E
L10	122.53	S01°20'37"E
L11	87.48	S01°20'37"E
L12	21.24	S48°15'36"E
L13	177.43	N88°49'27"E
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L16	20.00	S01°20'37"E
L17	98.16	S01°20'37"E
L18	30.82	S01°20'37"E
L19	42.97	S48°20'37"E
L20	42.97	S48°20'37"E
L21	325.35	S01°20'37"E
L22	161.29	S01°20'37"E
L23	50.30	N88°39'23"E
L24	49.00	S01°20'37"E
L25	53.30	S88°39'23"E
L26	20.00	S88°39'23"W
L27	20.00	S01°20'37"E
L28	49.00	S88°39'23"W
L29	58.55	S88°39'23"W
L30	141.19	S01°20'37"E
L31	21.21	S48°20'37"E
L32	937.10	N88°39'23"E
L33	313.29	N88°39'23"E
L34	192.90	N88°39'23"E
L35	95.00	N01°20'37"W
L36	20.00	N88°39'23"E
L37	55.00	N01°20'37"W
L38	290.48	N88°39'23"E
L39	65.00	N01°20'37"W
L40	20.00	N88°39'23"E
L41	55.00	N01°20'37"W
L42	101.37	N88°39'23"E
L43	49.84	N88°09'23"E
L44	49.84	N88°09'23"E
L45	87.88	N88°09'23"E
L46	66.17	N01°02'22"E
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L54	20.00	N01°20'37"W
L55	15.00	N88°39'23"E
L56	336.64	N01°20'37"W
L57	7.50	N88°39'23"E
L58	20.00	N01°20'37"W
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L83	55.00	S88°39'23"W
L84	10.00	S01°03'53"E
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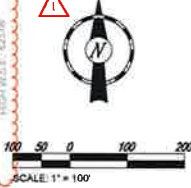
**DRAINAGE EASEMENT**

Line #	Length	Direction
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**Draft Final Plat  
A MINOR SUBDIVISION PLAT  
QTD/K ADDITION**

A SUBDIVISION OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER (SEA, NW¼), AND THE NORTH HALF OF THE NORTHWEST QUARTER OF THE SOUTHWEST QUARTER (N2 NE¼ SW¼) OF SECTION SEVENTEEN (17), TOWNSHIP TWENTY (20) NORTH, RANGE FOURTEEN (14) EAST, OF THE INDIAN BASE & MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA.



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- ODE = OVERLAND DRAINAGE EASEMENT
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- Q.D.I. = CITY OF TULSA
- WS = WATER SURFACE ELEVATION

**PROPERTY CORNER POINT TABLE**

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5	448713.47	2803682.59	SOUTHEAST CORNER 3/8" IRON PIN FOUND
6	448715.88	2803761.86	NORTHEAST CORNER 3/8" IRON PIN FOUND

**SUBDIVISION STATISTICS**

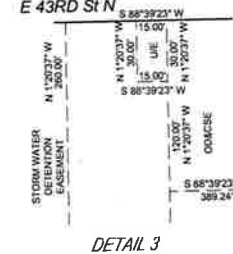
SUBDIVISION CONTAINS:  
ONE (1) LOT IN ONE (1) BLOCK

GROSS SUBDIVISION AREA:  
51.85 ACRES

**OWNER:**  
Quik'n Tasty Foods, Inc.  
AN OKLAHOMA CORPORATION  
4705 S. 129TH E AVE  
TULSA, OKLAHOMA 74134  
PHONE: (918) 615-7137  
CONTACT: CARLY GOODNIGHT

**ENGINEER:**  
Benham Design, LLC  
AN OKLAHOMA LIMITED LIABILITY CORPORATION  
C. A. NO. 7767. EXP. DATE 6-30-18  
ONE WEST THIRD STREET, SUITE 200  
TULSA, OK 74103  
PHONE: (918) 492-1600  
CONTACT: JOHN BEAN, PE  
EMAIL: JOHN.BEAN@BENHAM.COM

**SURVEYOR:**  
Isaacs Surveying Service, LLC  
AN OKLAHOMA LIMITED LIABILITY CORPORATION  
C. A. NO. 7767. EXP. DATE 6-30-18  
5 WEST 42ND STREET  
SAND SPRINGS, OKLAHOMA 74063  
PHONE: (918) 245-0456  
CONTACT: JOSH ISAACS  
EMAIL: JOSH@ISAACSSURVEYING.COM



**SITE DATA**

**BENCHMARK**  
CHISELED SQUARE ON CONCRETE CURB  
NORTH SIDE EAST 43RD STREET NORTH,  
880 FEET EAST OF INTERSECTION WITH  
GARNETT ROAD  
ELEVATION 615.45

ELEVATIONS SHOWN HEREON ARE BASED ON THE 1988 NAVD DATUM

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**QTD/K ADDITION**  
DRAFT FINAL PLAT, DATE OF PREPARATION: MARCH 28, 2018  
SHEET 1 OF 2

file







Tulsa Metropolitan Area  
Planning Commission

**Case Number:** LS-21127 (Related to LC-1008)

**Lot-Split**

**Hearing Date:** April 18, 2018

**Case Report Prepared by:**

Austin Chapman

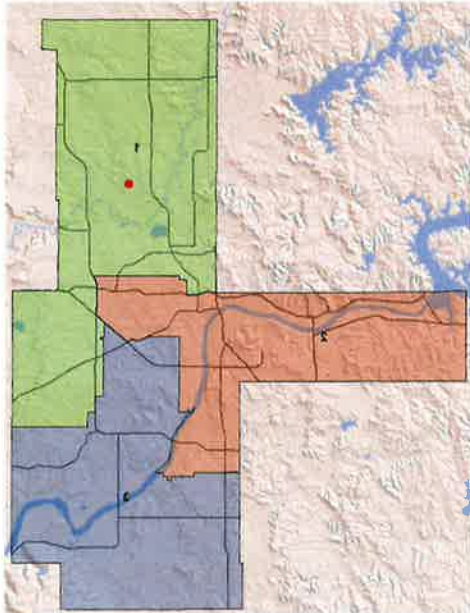
**Owner and Applicant Information:**

Applicant: Joshua Keech

Property Owners: David Dixon

**Location Map:**

**(shown with County Commission Districts)**



**Applicant Proposal:**

Proposal to split an AG tract (created through LC-1008) into three tracts.

The lot-split requires a waiver of the Subdivision Regulations that no lot have more than three side lot lines.

Existing Use: Vacant

Tract 1 Size: 5.68 ± acres

Tract 2 Size: 3.84 ± acres

Tract 3 Size: 2.68 ± acres

Location: East of the northeast corner of North Sheridan Road and East 76th Street North

**Comprehensive Plan:**

Land Use Map:

N/A

Stability and Growth Map:

N/A

**Zoning:**

Existing Zoning: AG

**Staff Recommendation:**

Staff recommends **approval** of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.

**County Commission District: 1**

*Commissioner Name:* Mike Craddock

22.1

## Lot-Split and Waiver of Subdivision Regulations

April 18, 2018

**LS-21127 (related to LC-1008)**

**Joshua Keech, (1326) (AG) (County)**

**Location: East of the northeast corner of North Sheridan Road and East 76th Street North**

The Lot-Split proposal is to split an Agriculture (AG) tract (created through LC-1008) into three tracts. All three tracts require a waiver of the subdivision regulations requiring that no lot have more than three side lot lines. All tracts will meet the Bulk and Area requirements of the Tulsa County Zoning Code.

The Technical Advisory Committee met on April 5, 2018 and had the following comment. The County Engineer is requesting that 50' of right-of-way be dedicated along East 76<sup>th</sup> Street North, including any previously dedicated right-of-way.

The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends **APPROVAL** of the lot-split and the waiver of the Subdivision Regulations that no lot have more than three side lot lines.

22.2



E 80 ST N

N SHERIDAN RD

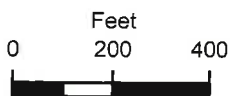
N 71 AVE

2

1

3

E 76th ST N



Subject Tract

**LS-21127**

21-13 26

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

Aerial Photo Date: February 2016



22.3





Tulsa Metropolitan Area Planning Commission

**Case :** 38<sup>th</sup> & Riverside

**Hearing Date:** April 18, 2018

**Case Report Prepared by:**

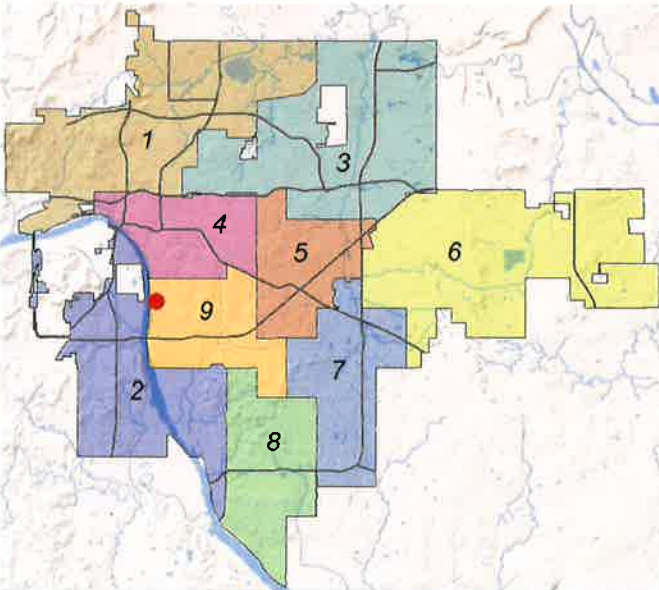
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* AAB Engineering, LLC

*Owner:* Potter & Case Properties, LLC

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

Preliminary Subdivision Plat

1 lot, 1 block, 0.78 ± acres

*Location:* Northeast corner of East 38<sup>th</sup> Place and South Riverside Drive

*Proposed Use:* Multifamily Residential

**Zoning:**

*Present Zoning:* RM-2, RS-3, RDO  
*Proposed Zoning:* RM-2, RDO (Approved by Council on 4/4/2018)

**Staff Recommendation:**

Staff recommends **approval** of the Preliminary Plat

**City Council District: 9**

*Councilor Name:* Ben Kimbro

**County Commission District: 2**

*Commissioner Name:* Karen Keith

**EXHIBITS:** Site Map, Aerial, Land Use, Growth & Stability, Preliminary Plat, Conceptual Improvements Plan

23.1

## PRELIMINARY SUBDIVISION PLAT

### 38<sup>th</sup> & Riverside - (CD 9)

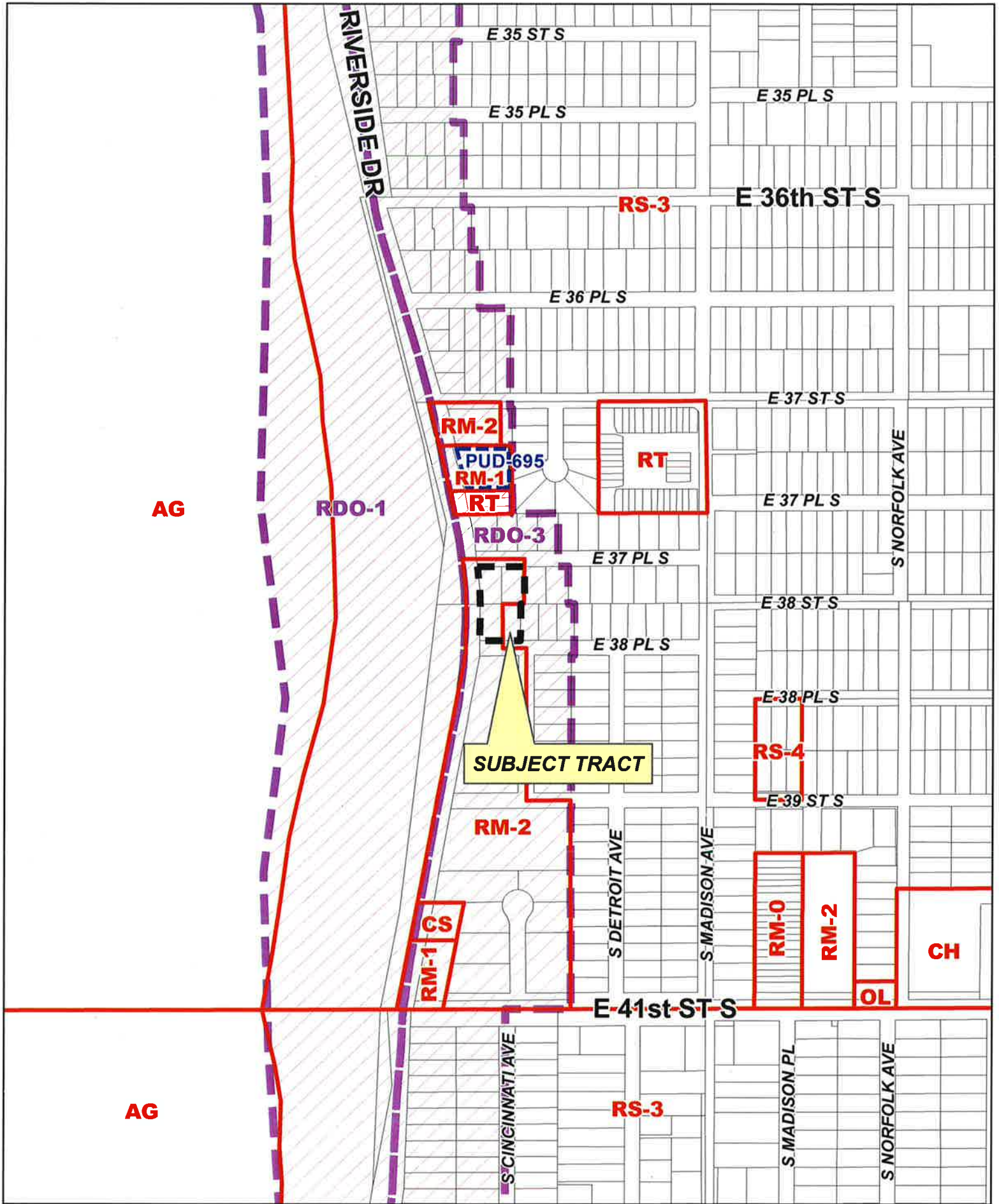
Northeast corner of East 38<sup>th</sup> Place and South Riverside Drive

This plat consists of 1 lot, 1 block, 0.78 ± acres.

The Technical Advisory Committee (TAC) met on April 5th, 2018 and provided the following conditions:

1. **Zoning:** Proposed lot conforms to the requirements of the approved RM-2 zoning. Zoning change for southeast lot was approved by City Council on April 3, 2018. All development on site is subject to the requirements of the River Design Overlay.
2. **Addressing:** Address will be assigned to final plat. Provide lot address graphically on the face of the final plat.
3. **Transportation & Traffic:** Provide limits of no access along Riverside Drive.
4. **Sewer:** No comments.
5. **Water:** Water lines are available. Any internal water lines must be private and utilize a fire flow meter.
6. **Engineering Graphics:** Submit a subdivision data control sheet with final plat submittal. Remove contours on final plat submittal. Label graphically the point of commencement (POC) and provide it in the written legal description along with bearing angle and distance to the Point of Beginning (POB). Ensure written legal matches the face of the plat. Add missing subdivisions to the location map and label all other land as unplatted or UNP.
7. **Fire:** Per conceptual plan, additional fire hydrants may be required. If required, provide appropriate easement for anything outside of the ROW.
8. **Stormwater, Drainage, & Floodplain:** Prior to approval, provide proof that the existing systems are designed to intercept discharges from this site and ensure any offsite flows entering the site are accounted for. Provide appropriate easements if required.
9. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.



AG

RDO-1

RM-2

PUD-695

RM-1

RT

RDO-3

RS-3

E 36th ST S

E 36 PL S

E 37 ST S

S NORFOLK AVE

E 37 PL S

E 37 PL S

E 38 ST S

E 38 PL S

SUBJECT TRACT

E 38 PL S

RS-4

E 39 ST S

RM-2

S DETROIT AVE

S MADISON AVE

CS

RM-1

RM-0

RM-2

CH

OL

E 41st ST S

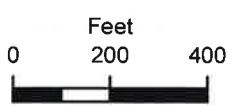
AG

RS-3

S CINCINNATI AVE

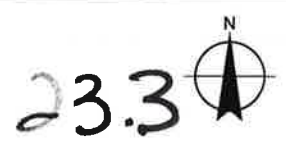
S MADISON PL

S NORFOLK AVE



38TH & RIVERSIDE

19-12 24







RIVERSIDE DR

E 35 ST S

E 35 PL S

E 35 PL S

E 36th ST S

E 36 PL S

E 37 ST S

E 37 PL S

E 37 PL S

E 38 ST S

E 38 PL S

E 38 PL S

E 39 ST S

S DETROIT AVE

S MADISON AVE

E 41st ST S

S CINCINNATI AVE

S MADISON PL

S NORFOLK AVE



Subject Tract

### 38TH & RIVERSIDE

19-12 24

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

Aerial Photo Date: February 2016



23.4



RIVERSIDE DR

E37 PLS

E38 PLS

S DETROIT AVE

S CINCINNATI AVE



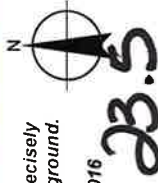
Subject Tract

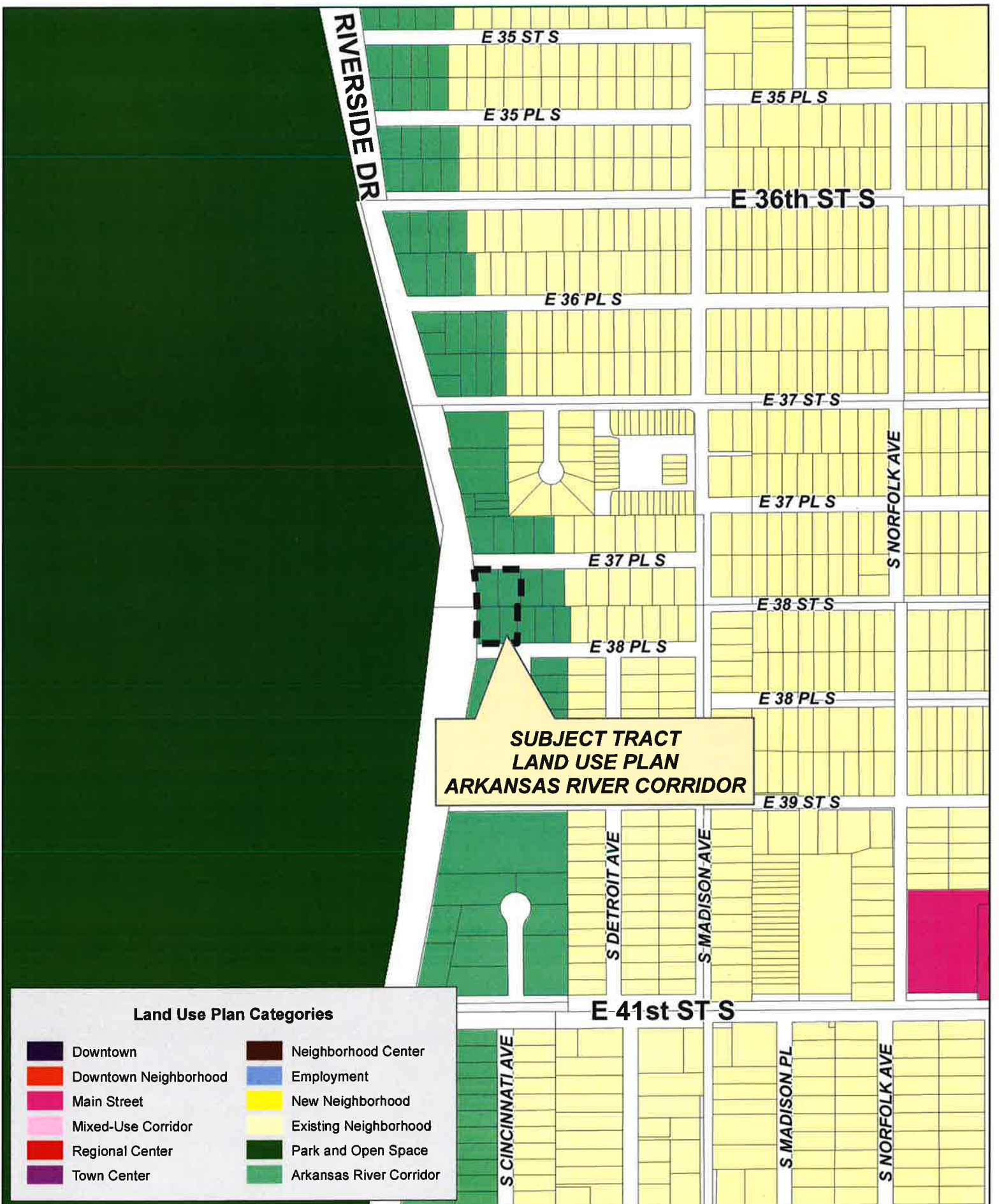
### 38TH & RIVERSIDE

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

19-12 24

Aerial Photo Date: February 2016

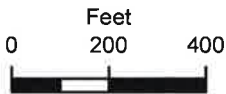




**Land Use Plan Categories**

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

**SUBJECT TRACT  
LAND USE PLAN  
ARKANSAS RIVER CORRIDOR**

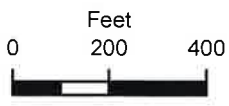
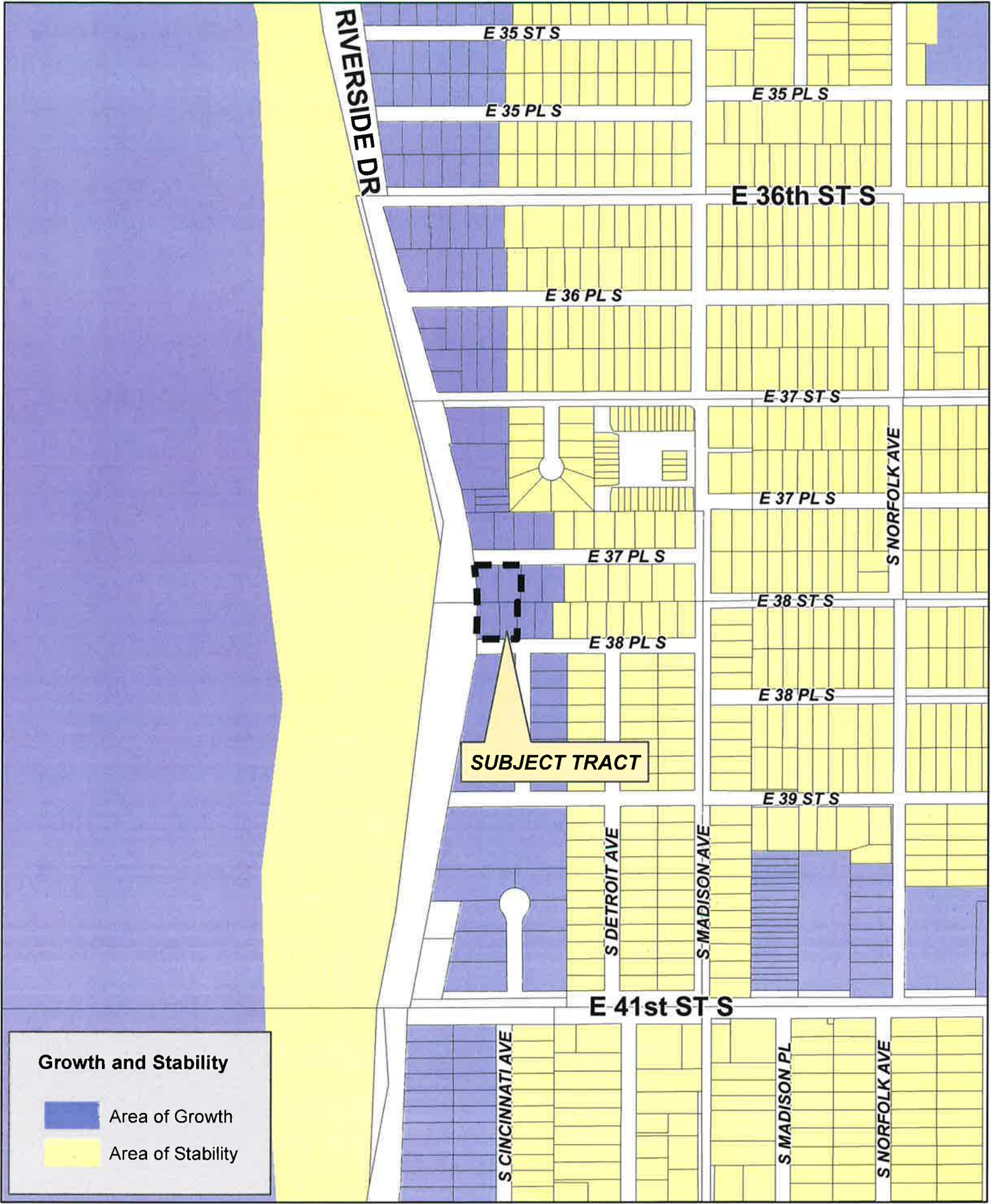


**38TH & RIVERSIDE**

19-12 24

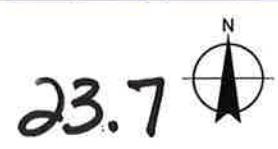
23.6





**38TH & RIVERSIDE**

19-12 24



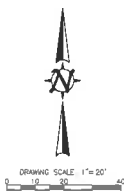
PRELIMINARY PLAT  
FOR

# 38th & Riverside

A RESUBDIVISION OF LOTS NINE (9) AND (10), BLOCK TWO (2), BRUCE ADDITION AND LOTS ELEVEN (11) AND TWELVE (12), BLOCK ONE (1), MICHAEL JANE ADDITION, ADDITIONS TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLATS THEREOF.

OWNER:  
**POTTER & CASE PROPERTIES, LLC**  
1611 S. UTICA AVE #264  
TULSA, OKLAHOMA 74104

ENGINEER/SURVEYOR:  
**AAB ENGINEERING, LLC**  
CERTIFICATE OF AUTHORIZATION NO. 6318, EXP. JUNE 30, 2018  
PO BOX 2136  
SAND SPRINGS, OKLAHOMA 74063  
PHONE: (918) 614-4293  
EMAIL: ALAN@AABENG.COM



LEGEND	
L.N.A.	LIMITS OF NO ACCESS
P.O.B.	POINT OF BEGINNING
R.O.W.	RIGHT OF WAY
UE	UTILITY EASEMENT
M.A.E.	MUTUAL ACCESS EASEMENT
BK	BOOK
P.G.	PAGE
IPF	IRON PIN FOUND
IPB	IRON PIN SET IN CAP MARKED AAB C40318
XXXX	STREET ADDRESS

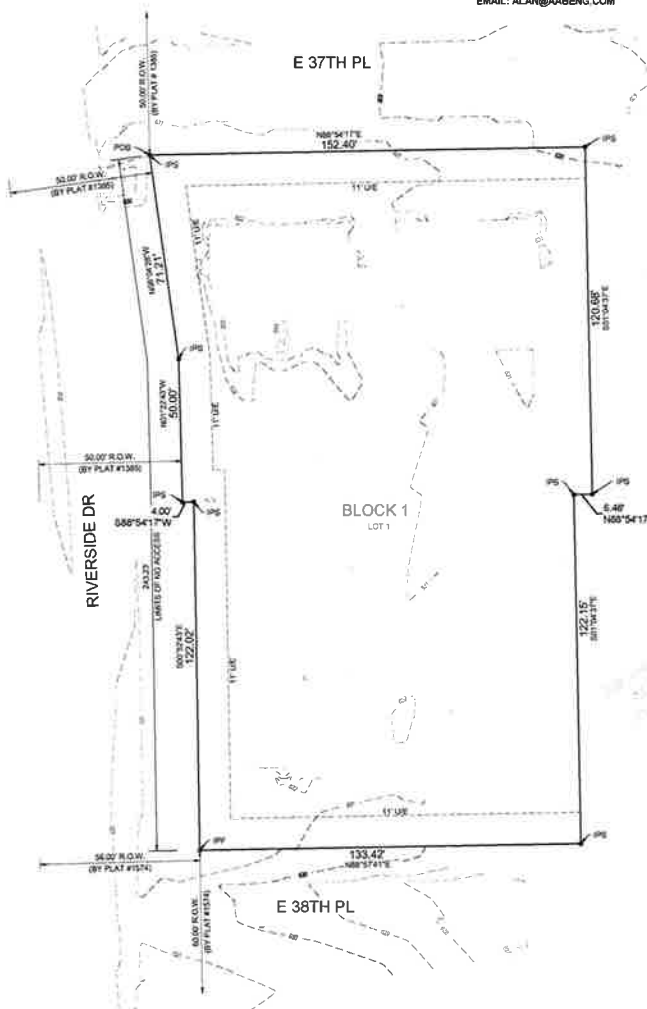
SUBDIVISION STATISTICS	
SUBDIVISION CONTAINS 1 LOT IN 1 BLOCK	
BLOCK 1: 1 LOT (0.79 ACRES)	

**FLOODPLAIN**  
ALL OF THE PROPERTY IS CONTAINED IN FEMA ZONE X (AREAS OF 0.2% ANNUAL CHANCE OF FLOOD) AS SHOWN ON FIRM PANEL: 40145C025 1, DATED OCTOBER 19, 2012 AS WELL AS OUT OF THE CITY OF TULSA REGULATORY SHALLOW FLOODING.

CONTACTS	
<b>MUNICIPAL AUTHORITY</b> CITY OF TULSA 175 EAST 2ND STREET, SUITE 900 TULSA, OK 74103	
<b>UTILITY CONTACTS</b>	
OKLAHOMA NATURAL GAS COMPANY 2318 W. EDISON ST TULSA, OK 74127 918-634-5000	PUBLIC SERVICE COMPANY OF OKLAHOMA 212 E 6TH ST TULSA, OK 74119 1-888-216-3523
AT&T 5002 E 71ST STREET TULSA, OK 74130 918-566-0422	COX COMMUNICATIONS 11511 EAST 51ST STREET TULSA, OK 74145 918-288-4858

SITE DATA	
<b>BENCHMARK</b> CHISELED BOX ON TOP OF CURB SOUTH SIDE OF E 37TH PL 11' NORTH AND 15' EAST OF NE PROPERTY CORNER ELEVATION: 42.04 (NAVD 83)	
<b>BASIS OF BEARINGS</b> OKLAHOMA STATE PLANE COORDINATE SYSTEM, OKLAHOMA NORTH ZONE 360; U.S. SURVEY FEET (NAD 83) BEARINGS BASED ON THE SOUTH LINE OF BLOCK 1 OF MICHAEL, JANE ADDITION PLAT #1974 BEING S89°57'41"W	
<b>LAND AREA</b> 33,906 SPT (0.79 ACRES)	
<b>MONUMENTATION</b> ALL CORNERS WERE SET USING 3/4" X 1/2" REBAR WITH A YELLOW PLASTIC CAP STAMPED "AAB C40318", UNLESS OTHERWISE NOTED	
<b>ADDRESSES</b> ADDRESSES SHOWN ON THIS PLAT WERE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF LEGAL DESCRIPTION	

FINAL PLAT ENDORSEMENT OF APPROVAL	
Tulsa Metropolitan Area Planning Commission	
Approval Date:	_____
	T.MARCONI
	CITY ENGINEER
Council of the City of Tulsa, Oklahoma	
Approval Date:	_____
	CHAIRMAN
	MAYOR
	ATTEST CITY CLERK
	CITY ATTORNEY
The approval of this Final Plat will expire one year from the date of City Council approval if not filed in the Office of the County Clerk before that date.	



FEMA ZONE AE  
FIRM MAP #2145C025(1)  
DATED OCTOBER 19, 2012

ARKANSAS RIVER

23.8

PRELIMINARY PLAT  
FOR

# 38th & Riverside

A RESUBDIVISION OF LOTS NINE (9) AND TEN (10), BLOCK TWO (2), BRUCE ADDITION AND LOTS ELEVEN (11) AND TWELVE (12), BLOCK ONE (1), MICHAEL JANE ADDITION, ADDITIONS TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLATS THEREOF.

**OWNER:**  
**POTTER & CASE PROPERTIES, LLC**  
1611 S. UTICA AVE #264  
TULSA, OKLAHOMA 74104

**ENGINEER/SURVEYOR:**  
**AAB ENGINEERING, LLC**  
CERTIFICATE OF AUTHORIZATION NO 6318, EXP. JUNE 30, 2018  
PO BOX 2136  
SAND SPRINGS, OKLAHOMA 74063  
PHONE: (918) 614-4283  
EMAIL: ALAN@AABENG.COM

### DEED OF DEDICATION AND RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS  
POTTER & CASE PROPERTIES, LLC AN OKLAHOMA LIMITED LIABILITY COMPANY, HERINAFTER REFERRED TO AS THE OWNER, IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA TO-WIT

A TRACT OF LAND BEING LOTS NINE (9) AND TEN (10) OF BLOCK TWO (2), BRUCE ADDITION, CITY OF TULSA STATE OF OKLAHOMA ACCORDING TO THE RECORDED PLAT NO. 1385 AND ALSO A TRACT OF LAND BEING LOTS ELEVEN (11) AND TWELVE (12) BLOCK ONE (1), MICHAEL JANE ADDITION, CITY OF TULSA, STATE OF OKLAHOMA ACCORDING TO THE RECORDED PLAT NO. 1574 BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS

BEGINNING AT THE NORTHWEST CORNER OF SAID LOT TEN (10) BRUCE ADDITION THENCE NORTH 89°54'17" EAST ALONG THE NORTH LINE OF SAID LOTS NINE (9) AND TEN (10) BRUCE ADDITION FOR A DISTANCE OF 182.42 FEET TO THE NORTHEAST CORNER OF SAID LOT NINE (9), THENCE SOUTH 91°54'37" EAST ALONG THE EAST LINE OF SAID LOT NINE (9) FOR A DISTANCE OF 120.66 FEET TO THE SOUTHEAST CORNER OF SAID LOT NINE (9), THENCE SOUTH 88°54'17" WEST ALONG THE SOUTH LINE OF SAID LOT NINE (9) FOR A DISTANCE OF 8.8 FEET TO THE NORTHEAST CORNER OF SAID LOT ELEVEN (11) MICHAEL JANE ADDITION, THENCE SOUTH 01°04'37" EAST ALONG THE EAST LINE OF SAID LOT ELEVEN (11) FOR A DISTANCE OF 122.15 FEET TO THE SOUTHEAST CORNER OF SAID LOT ELEVEN (11), THENCE SOUTH 88°57'41" WEST ALONG THE SOUTH LINE OF SAID LOTS ELEVEN (11) AND TWELVE (12) MICHAEL JANE ADDITION FOR A DISTANCE OF 133.42 FEET TO THE SOUTHWEST CORNER OF SAID LOT TWELVE (12), THENCE NORTH 02°52'43" WEST ALONG THE WEST LINE OF SAID LOT TWELVE (12) FOR A DISTANCE OF 122.02 FEET TO THE NORTHWEST CORNER OF SAID LOT TWELVE (12), THENCE SOUTH 89°14'17" WEST ALONG THE SOUTH LINE OF SAID LOT TEN (10) BRUCE ADDITION FOR A DISTANCE OF 4.02 FEET TO THE SOUTHWEST CORNER OF SAID LOT TEN (10), THENCE NORTH 01°22'47" WEST ALONG THE WEST LINE OF SAID LOT TEN (10) FOR A DISTANCE OF 52.02 FEET THENCE NORTH 29°28'28" WEST CONTINUING ALONG SAID WEST LINE FOR A DISTANCE OF 71.21 FEET TO THE POINT OF BEGINNING

SAID TRACT OF LAND CONTAINS 33.808 16 SQUARE FEET / 0.78 ACRES MORE OR LESS

AND HAS CAUSED THE ABOVE DESCRIBED TRACT OF LAND TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO 1 LOT IN 1 BLOCK IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "38TH & RIVERSIDE", A SUBDIVISION OF THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA (HEREINAFTER REFERRED TO AS "38TH & RIVERSIDE" OR THE "SUBDIVISION")

THE OWNER DOES HEREBY MAKE THE FOLLOWING DEDICATIONS AND GRANTS AND AGREES TO BE BOUND BY THE FOLLOWING RESTRICTIVE COVENANTS AND RESTRICTIONS:

### SECTION 1 UTILITIES

#### A. UTILITY EASEMENTS

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "U1" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND COMMUNICATION LINES, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLYS, WRAPS, CONDENSERS, PIPES, VALVES, METERS, MANHOLES AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF INGRESS AND EGRESS TO AND UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES STATED, PROVIDED THE OWNER RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND REPAIR OR REPLACE WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING AND RELAYING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO AREAS DEPICTED ON THE PLAT. THE OWNER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE THAT WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE STATED USES AND PURPOSES OF THE UTILITY EASEMENTS SHALL BE PLACED, ERRECTED, INSTALLED OR MAINTAINED, PROVIDED NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES WHICH DO NOT CONSTITUTE AN OBSTRUCTION

#### B. WATER, SANITARY SEWERS AND STORM SEWER SERVICE

- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON THE OWNER'S LOT.
- WITHIN UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTOURS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER OR BELOW GROUND OBSTRUCTION WHICH, IN THE JUDGMENT OF THE CITY OF TULSA, WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS SHALL BE PROHIBITED.
- THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER SYSTEMS, SANITARY SEWER MAINS, AND STORM SEWERS BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR THE LOT OWNERS' AGENTS OR CONTRACTORS.
- THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF UNDERGROUND WATER, SANITARY SEWER, OR STORM SEWER FACILITIES.
- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND BY THESE COVENANTS.

C. **PAVING AND LANDSCAPING WITHIN EASEMENTS**  
THE OWNER OF ANY LOT DEPICTED ON THE ACCOMPANYING PLAT SHALL BE RESPONSIBLE FOR THE REPAIR OF DAMAGE TO LANDSCAPING AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY MAINTENANCE OF UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, NATURAL GAS, COMMUNICATION, CABLE TELEVISION OR ELECTRIC FACILITIES WITHIN THE EASEMENT AREAS DEPICTED ON THE ACCOMPANYING PLAT, PROVIDED THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

D. **CERTIFICATE OF OCCUPANCY RESTRICTIONS**  
NO CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN THE SUBDIVISION SHALL BE ISSUED BY THE CITY OF TULSA, OKLAHOMA UNTIL CONSTRUCTION OF THE REQUIRED INFRASTRUCTURE (STREETS, WATER, SANITARY SEWER, STORM SEWER SYSTEMS AND SIDEWALKS) SERVING THE ENTIRE SUBDIVISION HAS BEEN COMPLETED AND THE CITY OF TULSA, OKLAHOMA HAS DETERMINED THAT THE CITY MAY AUTHORIZE THE ISSUANCE OF A TEMPORARY CERTIFICATE OF OCCUPANCY IF, IN THE CITY'S SOLE DISCRETION, THE CIRCUMSTANCES SUPPORT THE ISSUANCE. FURTHER NOTWITHSTANDING THE FOREGOING, THE CITY MAY AUTHORIZE THE PHASING OF THE CONSTRUCTION OF INFRASTRUCTURE WITHIN THE SUBDIVISION, AND IF PHASING IS AUTHORIZED, A CERTIFICATE OF OCCUPANCY FOR A BUILDING WITHIN AN AUTHORIZED PHASE MAY BE ISSUED UPON THE COMPLETION AND ACCEPTANCE OF THE INFRASTRUCTURE SERVING THE PARTICULAR PHASE. BUILDING CONSTRUCTION OCCURRING PRIOR TO THE CITY'S ACCEPTANCE OF THE INFRASTRUCTURE SHALL BE AT THE RISK OF THE OWNER OF THE LOT, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR A TEMPORARY CERTIFICATE OF OCCUPANCY.

#### E. UTILITY SERVICE

- OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE AND CABLE TELEVISION SERVICES MAY BE LOCATED WITHIN THE PERMETER EASEMENTS OF THE SUBDIVISION. STREET LIGHT POLES OR STANDARDS MAY BE SERVED BY OVERHEAD LINES OR UNDERGROUND CABLE, AND ELSEWHERE THROUGHOUT THE SUBDIVISION. ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICES AND IN THE RIGHT-OF-WAY OF THE EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES MAY BE LOCATED IN GENERAL UTILITY EASEMENTS.
- UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WITHIN THE SUBDIVISION MAY BE EXTENDED FROM THE NEAREST GAS MAIN, SERVICE PEDISTAL, OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE UPON THE LOT, PROVIDED UPON INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A PERPETUAL, PERMANENT, EFFECTIVE AND NON-EXCLUSIVE EASEMENT ON THE LOT, COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE EXTENDING FROM THE GAS MAIN, SERVICE PEDISTAL, OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.
- THE SUPPLIER OF ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.
- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS FACILITIES. EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR THE LOT OWNER'S AGENTS OR CONTRACTORS.
- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, CABLE TELEVISION OR GAS SERVICE AND THE OWNER OF ANY LOT AGREES TO BE BOUND BY THESE COVENANTS.

#### F. GAS SERVICE

- THE SUPPLIER OF GAS SERVICE THROUGH ITS AGENTS AND EMPLOYEES SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.
- THE OWNER OF ANY LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED WITHIN THE LOT AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH GAS SERVICE. THE SUPPLIER OF GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF ITS FACILITIES, BUT THE LOT OWNER SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR THE LOT OWNERS' AGENTS OR CONTRACTORS.
- THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE OWNER OF THE LOT AGREES TO BE BOUND BY THESE COVENANTS.

#### G. LIMITS OF NO ACCESS

THE OWNER HEREBY RELINQUISHES RIGHTS OF VEHICULAR INGRESS OR EGRESS FROM ANY PORTION OF THE PROPERTY ADJACENT TO RIVERSIDE DRIVE WITHIN THE BOUNDS DESIGNATED AS "LIMITS OF NO ACCESS" ON THE ACCOMPANYING PLAT, WHICH LIMITS OF NO ACCESS MAY BE AMENDED OR CANCELED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSOR, WITH THE APPROVAL OF THE CITY OF TULSA, OKLAHOMA, OR THE CITY OF TULSA, OKLAHOMA, IN ANY JUDICIAL ACTION STATE OF OKLAHOMA PERTAINING THERETO, AND THE LIMITS OF NO ACCESS ESTABLISHED ABOVE SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA.

#### H. SURFACE DRAINAGE

EACH LOT WITHIN 38TH & RIVERSIDE SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCING OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS THE OWNER'S LOT. THE FOREGOING COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OWNER AND BY THE CITY OF TULSA.

#### I. SIDEWALKS

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH THE SUBDIVISION REGULATIONS OF THE CITY OF TULSA, OKLAHOMA, AND ALL SUCH SIDEWALKS SHALL BE CONSTRUCTED BY THE OWNER, PRIOR TO THE ISSUANCE OF THE FIRST OCCUPANCY PERMIT FOR ANY BUILDING WITHIN THE SUBDIVISION. THE OWNER SHALL CONSTRUCT SIDEWALKS IN CONFORMANCE WITH THE STANDARDS OF THE CITY OF TULSA ENGINEERING DESIGN STANDARDS.

### SECTION 4 ENFORCEMENT, DURATION, AMENDMENT, AND SEVERABILITY

#### A. ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS. WITHIN THE PROVISIONS OF SECTION 1, UTILITIES, ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO AND WHETHER OR NOT THEREIN SO STATED THE COVENANTS WITHIN SECTION 1 SHALL INURE TO THE BENEFIT OF AND BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED.

#### B. DURATION

THESE RESTRICTIONS SHALL REMAIN IN FULL FORCE AND EFFECT FOR 20 YEARS AND SHALL AUTOMATICALLY BE CONTINUED THEREAFTER FOR SUCCESSIVE PERIODS OF 10 YEARS, UNLESS TERMINATED OR AMENDED AS HEREAFTER PROVIDED.

#### C. AMENDMENT

THE COVENANTS CONTAINED WITHIN SECTION 1, UTILITIES, MAY BE AMENDED OR TERMINATED AT ANY TIME BY WRITTEN INSTRUMENTS SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, AND THE CITY OF TULSA, OKLAHOMA. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING THE RESTRICTIONS OR COVENANTS SHALL BE EFFECTIVE UPON AND AFTER THE INSTRUMENT IS RECORDED IN THE OFFICE OF THE TULSA COUNTY CLERK.

#### D. SEVERABILITY

INVALIDATION OF ANY RESTRICTION SET FORTH HEREIN, OR ANY PART THEREOF, BY AN ORDER, JUDGMENT, OR DECREE OF ANY COURT, OR OTHERWISE, SHALL NOT INVALIDATE OR AFFECT ANY OF THE OTHER RESTRICTIONS OF ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, POTTER & CASE PROPERTIES, LLC, HAS EXECUTED THIS INSTRUMENT THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018.

POTTER & CASE PROPERTIES, LLC  
AN OKLAHOMA LIMITED LIABILITY COMPANY

BY \_\_\_\_\_  
XXXXXXXXXXXXX, MANAGER

STATE OF OKLAHOMA )  
  ) SS  
COUNTY OF TULSA )

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2018, BY \_\_\_\_\_ AS MANAGER OF POTTER & CASE PROPERTIES, LLC.

NOTARY PUBLIC  
MY COMMISSION EXPIRES \_\_\_\_\_  
COMMISSION NUMBER \_\_\_\_\_

#### CERTIFICATE OF SURVEY

\_\_\_\_\_, A PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, HEREBY CERTIFY THAT I HAVE SURVEYED, SUBDIVIDED AND PLATTED THE ABOVE TRACT DESIGNATED AS "38TH AND RIVERSIDE" A SUBDIVISION IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA. THE ABOVE PLAT IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

XXXXXXXXXXXXXXXXXXXX  
LICENSED PROFESSIONAL LAND SURVEYOR  
OKLAHOMA NO. XXXXX

STATE OF OKLAHOMA )  
  ) SS  
COUNTY OF TULSA )

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ON THIS \_\_\_\_ DAY OF \_\_\_\_\_, 2018, PERSONALLY APPEARED \_\_\_\_\_ TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH.

NOTARY PUBLIC  
MY COMMISSION EXPIRES NOVEMBER 20, 2018  
COMMISSION NUMBER: 1101042



23.9

23.10



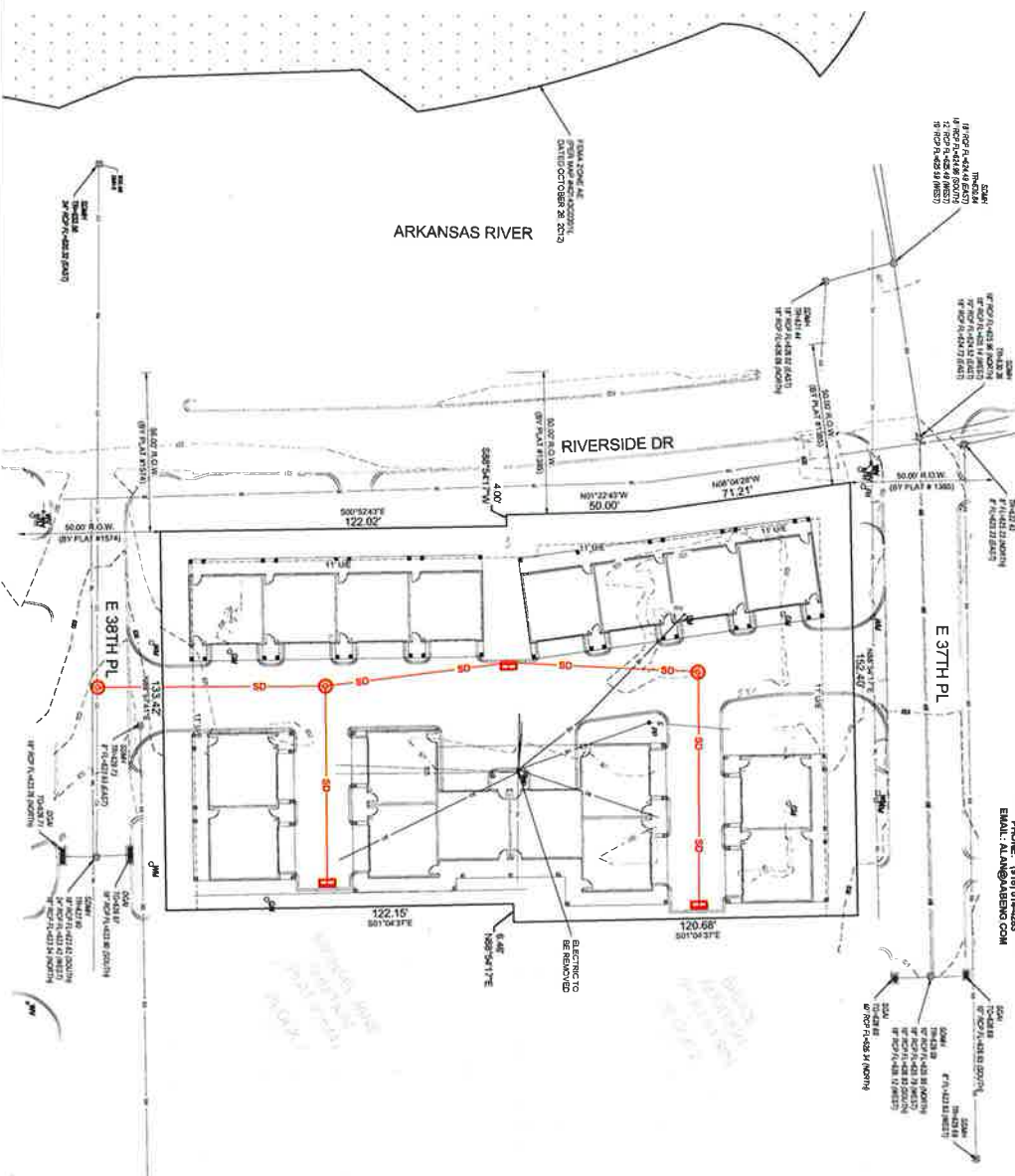
# 38th & Riverside

CONCEPTUAL IMPROVEMENTS  
FOR

A RESUBDIVISION OF LOTS NINE (9) AND TEN (10), BLOCK TWO (2), BRIDGE ADDITION AND LOTS ELEVEN (11) AND TWELVE (12), BLOCK ONE (1), MICHAEL JANE ADDITION, ADDITIONS TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLATS THEREOF.

**OWNER:**  
**POTTER & CASE PROPERTIES, LLC**  
1811 S. LYNN AVE S.W.  
TULSA, OKLAHOMA 74104

**ENGINEERS/SURVEOR:**  
**AAB ENGINEERING, LLC**  
CERTIFICATE OF AUTHORIZATION NO. 6318 EXP. JUNE 30, 2018  
SAND SPRINGS, OKLAHOMA 74063  
PHONE: (918) 514-4283  
EMAIL: ALAN@AABENGINE.COM



**LEGEND**

BL	BUILDING LINE
LN	LOT LINE
ROW	RIGHT OF WAY
UNA	UNITS OF NO ACCESS
PA	FACE
---	EXISTING WATER LINE
---	EXISTING SANITARY LINE
---	EXISTING STORM DRAIN LINE
---	PROPOSED STORM DRAIN LINE

**CONTACTS**

<b>MUNICIPAL AUTHORITY:</b> CITY OF TULSA 175 EAST 2ND STREET, SUITE 860 TULSA, OK 74102	<b>PUBLIC SERVICE COMPANY:</b> 2218 W. BOSSON ST TULSA, OK 74119 813-844-0000
<b>UTILITY CONTACTS:</b> OKLAHOMA NATURAL GAS COMPANY 3300 E. 17TH STREET TULSA, OK 74103 918-588-9422	<b>CON COMMUNICATIONS:</b> 1181 TULSA, OK 74142 918-256-4638



Tulsa Metropolitan Area  
Planning Commission

**Case :** The Vineyard Office Park

**Hearing Date:** April 18, 2018

**Case Report Prepared by:**

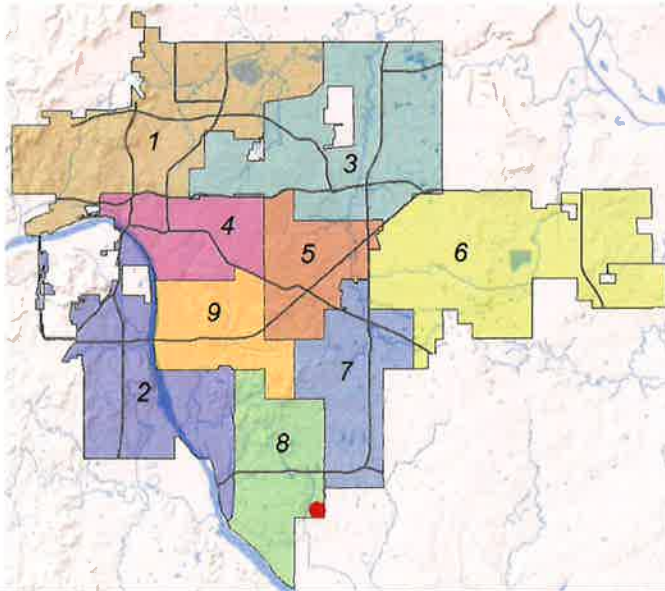
Nathan Foster

**Owner and Applicant Information:**

*Applicant:* Tanner Consulting, LLC

*Owner:* 101<sup>st</sup> Copper Oaks, Hess Investments, LLC

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

Preliminary Subdivision Plat

6 lots, 1 block, 2.56 ± acres

*Location:* West of South Memorial Drive at East 108<sup>th</sup> Street South

*Proposed Use:* Offices

**Zoning:**  
RS-3, PUD-619-C

**Staff Recommendation:**

Staff recommends **approval** of the Preliminary Plat

**City Council District:** 8

*Councilor Name:* Phil Lakin

**County Commission District:** 3

*Commissioner Name:* Ron Peters

**EXHIBITS:** Site Map, Aerial, Land Use, Growth & Stability, Preliminary Plat, Conceptual Improvements Plan

24.1



## PRELIMINARY SUBDIVISION PLAT

### The Vineyard Office Park - (CD 8)

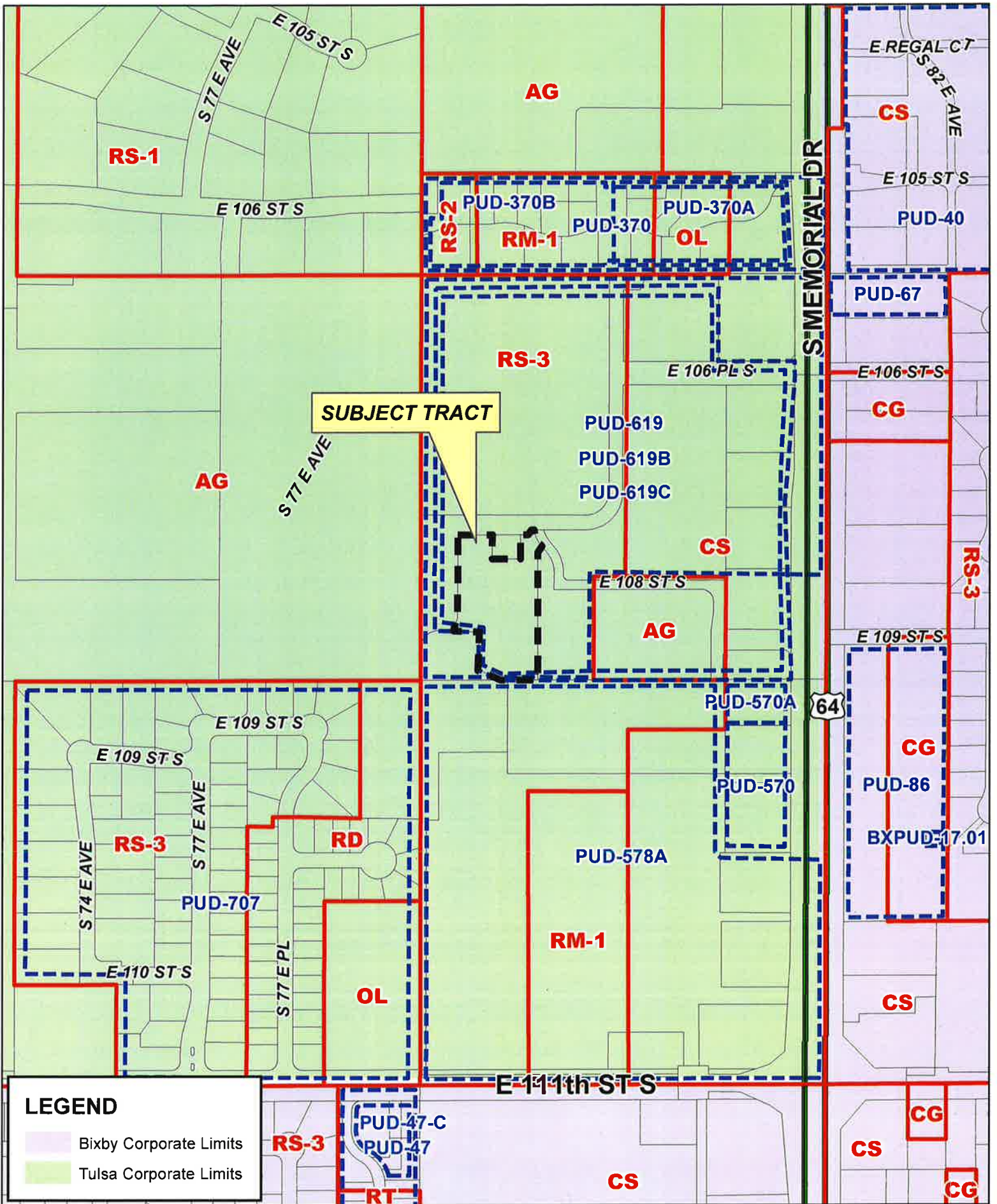
West of South Memorial Drive at East 108<sup>th</sup> Street South

This plat consists of 6 lots, 1 block, 2.56 ± acres

The Technical Advisory Committee (TAC) met on April 5th, 2018 and provided the following conditions:

1. **Zoning:** Plat is located within PUD-619-C. Lots conform to the requirements of the PUD.
2. **Addressing:** Address will be assigned to final plat. Provide lot address graphically on the face of the final plat.
3. **Transportation & Traffic:** No comments.
4. **Sewer:** Call out mutual access easement as a utility easement to facilitate utility service to all internal lots.
5. **Water:** Label existing waterline easements with book and page if they are not part of the plat.
6. **Engineering Graphics:** Submit a subdivision data control sheet with final plat submittal. Graphically show all property pins found or set on the face of the plat with the correct symbols. Label graphically the point of commencement (POC) and provide it in the written legal description along with bearing angle and distance to the Point of Beginning (POB). Ensure written legal matches the face of the plat. Add missing subdivisions to the location map and label all other land as unplatted or UNP.
7. **Fire:** Per conceptual plan, additional fire hydrants may be required. If required, provide appropriate easement for anything outside of the ROW.
8. **Stormwater, Drainage, & Floodplain:** No comments.
9. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** All utilities indicated to serve the site must provide a release prior to final plat approval. Provide a Certificate of Records Search from the Oklahoma Corporation Commission to verify no oil & gas activity on the site.

Staff recommends **APPROVAL** of the preliminary subdivision plat subject to the conditions provided by TAC and the requirements of the Subdivisions Regulations.



**SUBJECT TRACT**

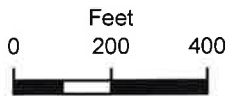
**LEGEND**

- Bixby Corporate Limits
- Tulsa Corporate Limits

**THE VINEYARD  
OFFICE PARK**

18-13 26

243



 Subject Tract

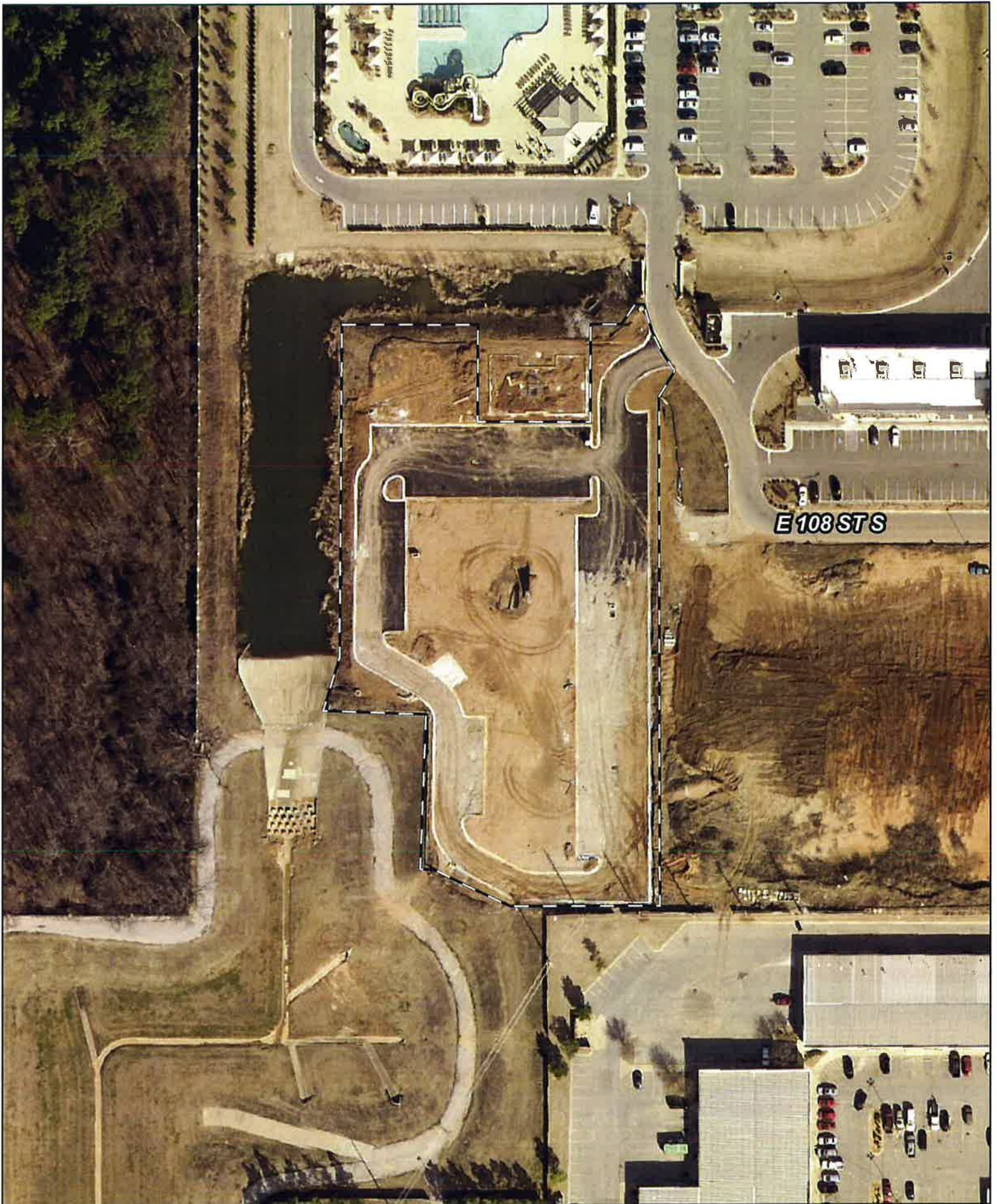
# THE VINEYARD OFFICE PARK

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

Aerial Photo Date: February 2016

18-13 26





 Subject Tract

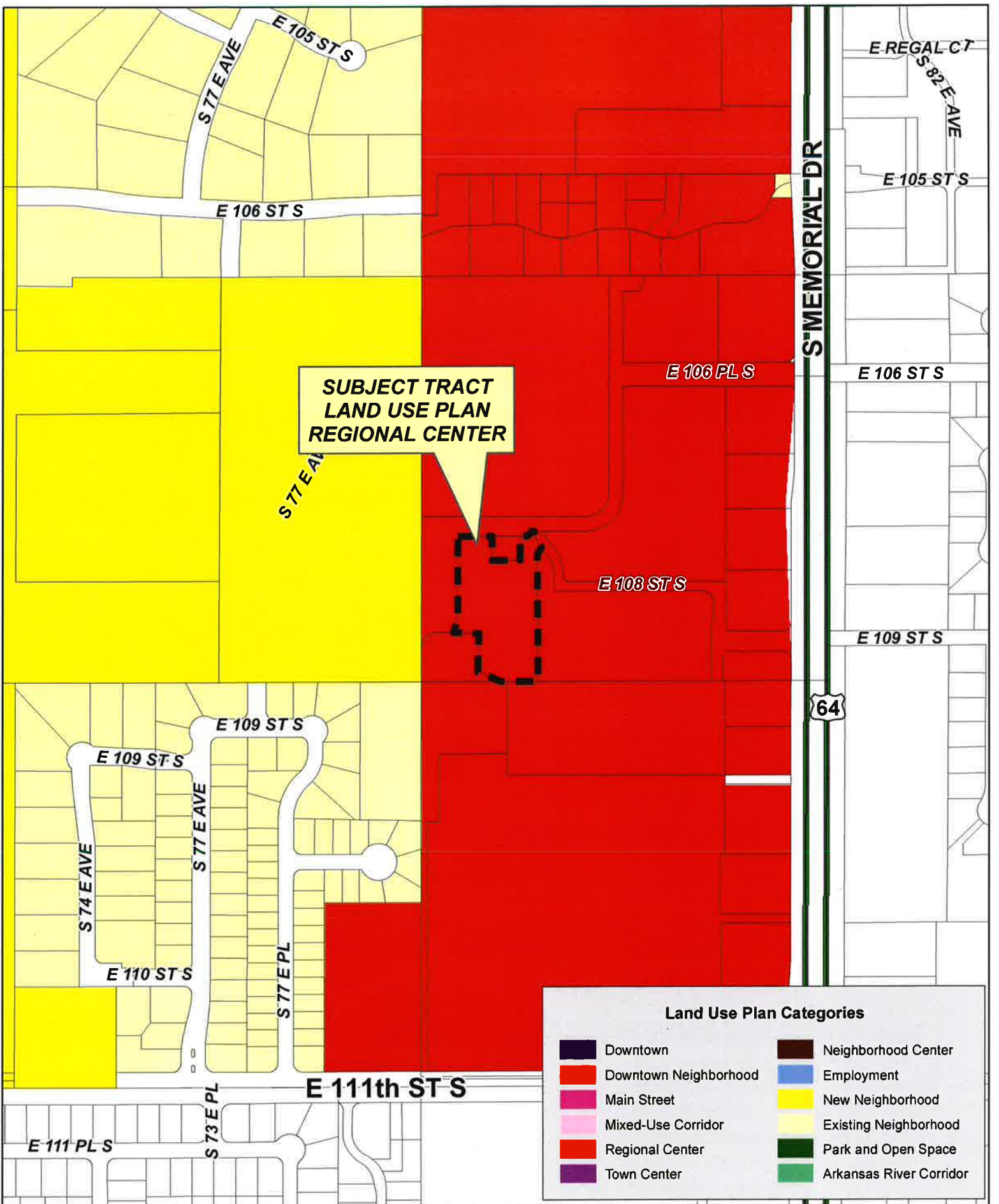
# THE VINEYARD OFFICE PARK

18-13 26

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

Aerial Photo Date: February 2016

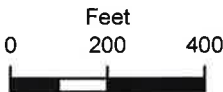


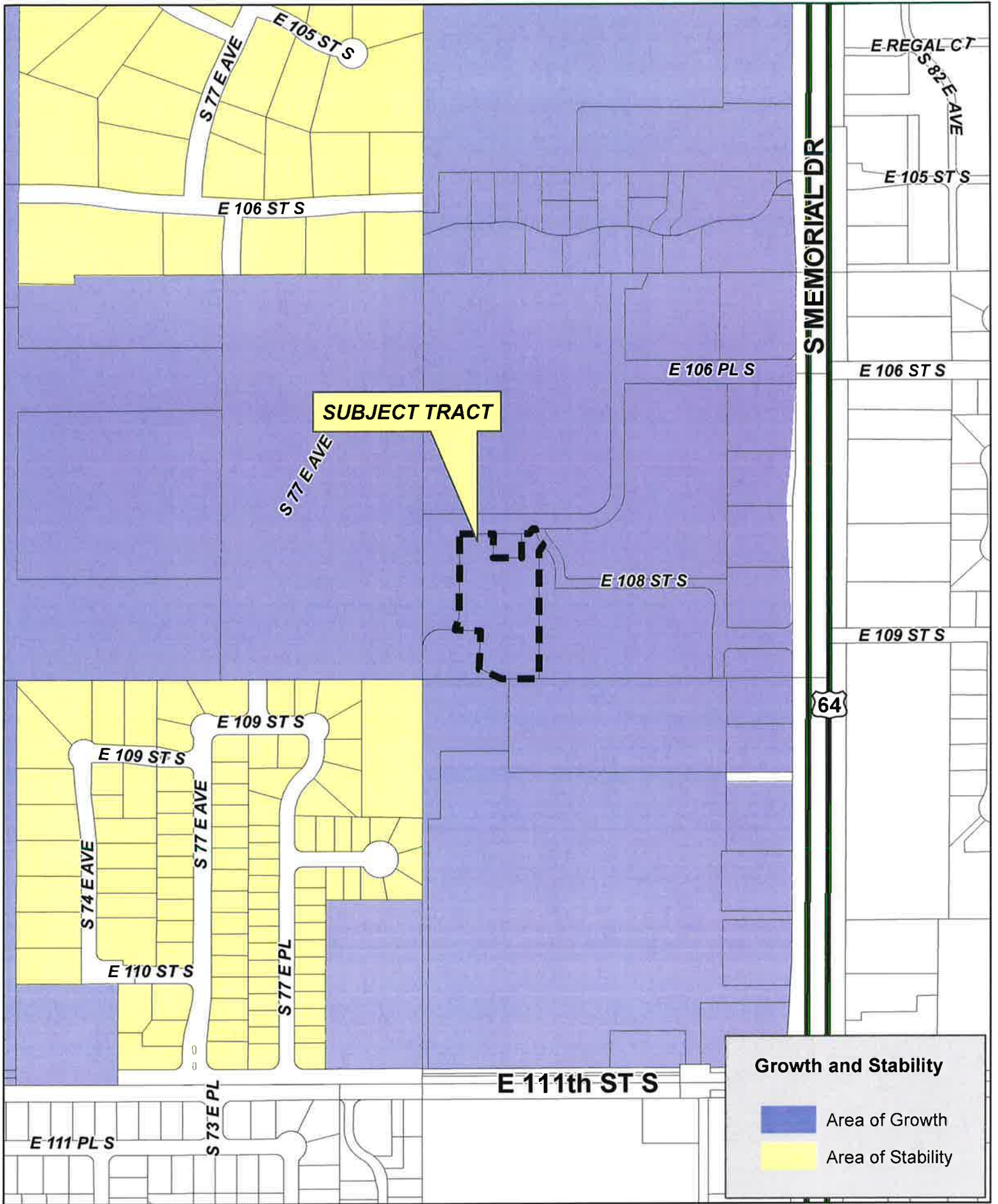


**THE VINEYARD  
OFFICE PARK**

18-13 26

24.6

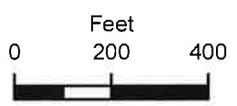




**SUBJECT TRACT**

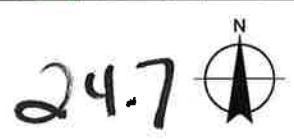
**Growth and Stability**

- Area of Growth
- Area of Stability



**THE VINEYARD  
OFFICE PARK**

18-13 26







Tulsa Metropolitan Area  
Planning Commission

Case Number: CZ-469

Hearing Date: April 18, 2018

**Case Report Prepared by:**

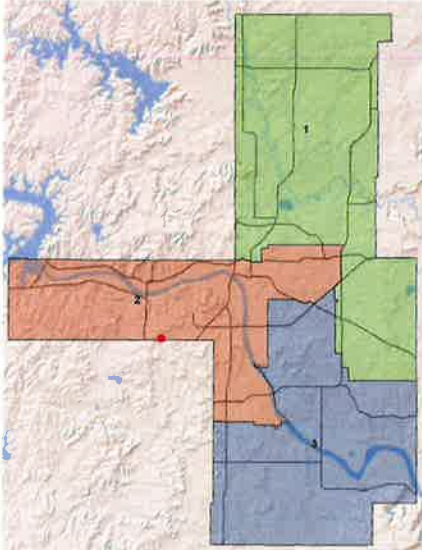
Jay Hoyt

**Owner and Applicant Information:**

*Applicant:* Denny Bullington

*Property Owner:* Multiple Owners

**Location Map:**  
**(shown with County Commission Districts)**



**Applicant Proposal:**

*Present Use:* Residential

*Proposed Use:* Residential with accesory agricultural uses

*Concept summary:* Rezone from RS to AG to permit single-family residential with accessory agricultural uses.

*Tract Size:* 76.14 ± acres

*Location:* N and E of NE/c of S. 97th W. Ave. & W. 61st St. S.

**Zoning:**

*Existing Zoning:* RS

*Proposed Zoning:* AG

**Comprehensive Plan:**

*Land Use Map:* N/A

*Stability and Growth Map:* N/A

**Staff Recommendation:**

**Staff recommends approval.**

**Staff Data:**

TRS: 9136

CZM: 44

Atlas: N/A

**County Commission District: 2**

*Commissioner Name:* Karen Keith

25.1



## SECTION I: CZ-469

### DEVELOPMENT CONCEPT:

The applicants have requested AG zoning. This would allow the single-family homes on the subject lots to have accessory agricultural uses that would otherwise not be permitted in RS zoning within Tulsa County. Agricultural uses are considered Use Unit 3 and allowed uses include Animal Raising, Chicken Hatchery, Farming, Fishery, Nursery, Ranching and Riding Stables.

### EXHIBITS:

INCOG Case map  
INCOG Aerial  
Applicant Exhibits:  
Property Owner Zoning Petition

### DETAILED STAFF RECOMMENDATION:

AG zoning is non injurious to the existing proximate properties and;

AG zoning is consistent with the anticipated future development pattern of the surrounding property therefore;

**Staff recommends Approval of CZ-469 to rezone property from RS to AG.**

## SECTION II: Supporting Documentation

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: This area is outside of the City of Tulsa Comprehensive Plan area.*

#### Land Use Vision:

*Land Use Plan map designation: N/A*

*Areas of Stability and Growth designation: N/A*

#### Transportation Vision:

*Major Street and Highway Plan: W 61<sup>st</sup> St S and S 97<sup>th</sup> W Ave are designated as Secondary Arterials*

*Trail System Master Plan Considerations: None*

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

### DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary: The subject tracts contain single-family homes on large lots.*

25.2

Environmental Considerations: None

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
W 61 <sup>st</sup> St S	Secondary Arterial	100 Feet	2
S 97 <sup>th</sup> W Ave	Secondary Arterial	100 Feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
North	AG	N/A	N/A	Vacant/Agricultural
South	AG/RS/RE/A-1	N/A	N/A	Single-Family
East	RS	N/A	N/A	Single-Family
West	RS	Residential (Sand Springs)	N/A	Single-Family

### **SECTION III: Relevant Zoning History**

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

#### ***Subject Property:***

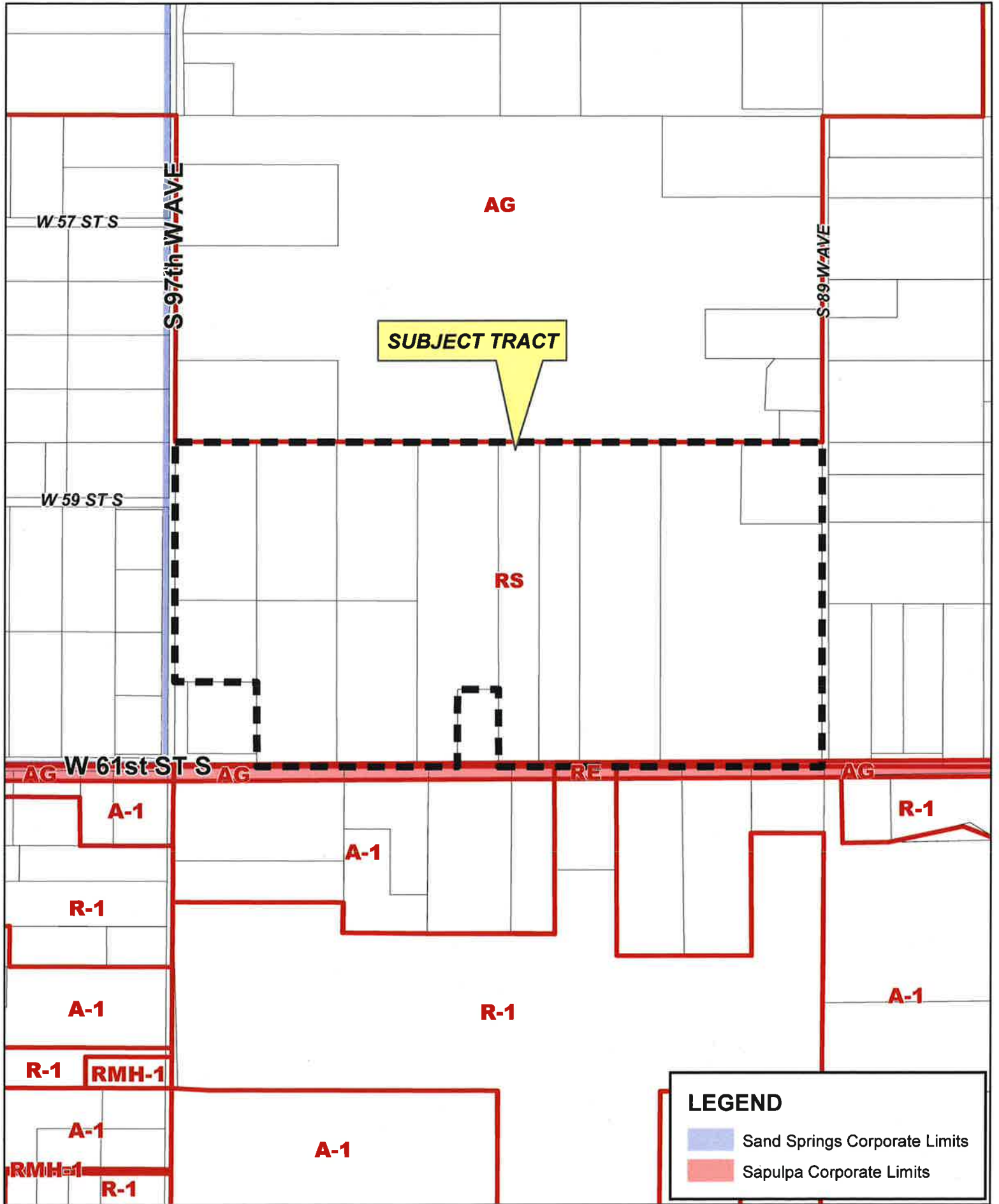
**CBOA-2524 February 2015:** The Board of Adjustment **approved** a *variance*, with conditions, to permit a 1,200 square foot detached accessory building (Sec. 240.2.E); a *variance* to permit a detached accessory building to encroach upon the minimum building setback line (Sec 420.2.A.2); a *variance* from the requirement that a detached accessory building shall be located in the rear yard and/or side yard, on property located north of the northeast corner of West 61<sup>st</sup> Street South and South 97<sup>th</sup> West Avenue and one of the parcels on the subject property.

#### ***Surrounding Property:***

**CBOA-2281 October 2007:** The Board of Adjustment **approved** a *variance* of Lot Width, Lot Area, and Land Area per Dwelling Unit to permit a lot split in an AG district, with conditions for Lots 4 and 5 only, on property located north and east of the northeast corner of West 61<sup>st</sup> Street and South 97<sup>th</sup> Avenue West and abutting the entire northern boundary of the subject property.

5/2/2018 1:30 PM

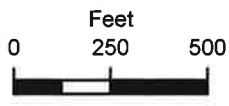
25.3



**SUBJECT TRACT**

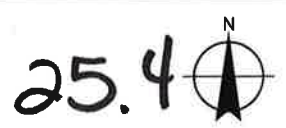
**LEGEND**

- █ Sand Springs Corporate Limits
- █ Sapulpa Corporate Limits



**CZ-469**

19-11 36





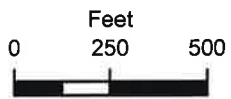
W 57 ST S

S 97th W AVE

S 89 W AVE

W 59 ST S

W 61st ST S



Subject Tract

**CZ-469**

19-11 36

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

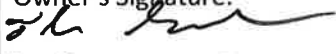

Aerial Photo Date: February 2016

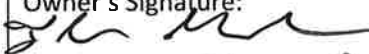



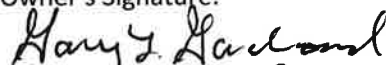
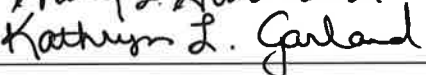
## RE: Reversing the Zoning from Residential Single Family District (RS1) back to Agriculture District (AG)

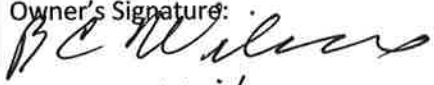

To Whom It May Concern:

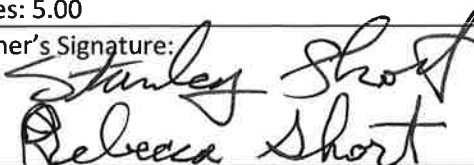
We are requesting signatures to petition the Tulsa County Zoning Committee to reverse the zoning of the area from West 61<sup>st</sup> Street South to West 58<sup>th</sup> Street South and between South 97<sup>th</sup> West Avenue to South 89<sup>th</sup> West Avenue from Residential Single Family District (RS1) back to Agriculture District (AG). Please sign below in the appropriate box for your property in support of the zoning change:


Thomas & Erica Garland	Address: 5767 South 97 <sup>th</sup> West Avenue, Tulsa
Parcel No.: 99136-91-36-40410	Acres: 5.00
Legal Description: Subdivision: UNPLATTED Legal: N/2 W/2 E/2 SW SW SEC 36-19-11 Section: 36 Township: 19 Range: 11	Owner's Signature:  

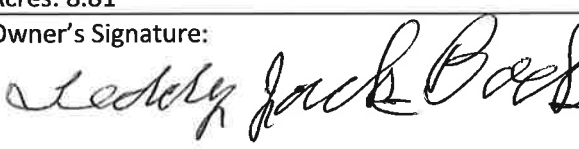
Thomas & Erica Garland	Address:
Parcel No.: 99136-91-36-41510	Acres: 5.00
Legal Description: Subdivision: UNPLATTED Legal: E/2 NW SW SW SEC 36-19-11 5.00ACS Section: 36 Township: 19 Range: 11	Owner's Signature:  


Gary & Kathryn Garland	Address: 5805 South 97 <sup>th</sup> West Avenue, Tulsa
Parcel No.: 99136-91-36-42310	Acres: 4.92
Legal Description: Subdivision: UNPLATTED Legal: N 650 W/2 NW SW SW SEC 36-19-11 Section: 36 Township: 19 Range: 11	Owner's Signature:  


Bruce & Lisa Wilcox	Address: 5919 South 97 <sup>th</sup> West Avenue, Tulsa
Parcel No.: 99136-91-36-40110	Acres: 2.50
Legal Description: Subdivision: UNPLATTED Legal: BEG 670N SWCR SEC TH E330 S330 W330 N330 POB SEC 36 19 11 Section: 36 Township: 19 Range: 11	Owner's Signature:  

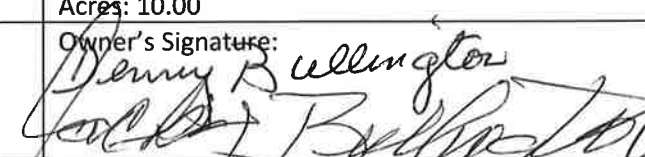
Stanley & Rebecca Short	Address: 9535 West 61 <sup>st</sup> Street South, Tulsa
Parcel No.: 99136-91-36-44110	Acres: 5.00
Legal Description: Subdivision: UNPLATTED Legal: S660 E/2 W/2 SW SW SEC 36 19 11 5.00ACS Section: 36 Township: 19 Range: 11	Owner's Signature: 

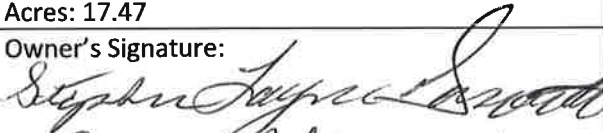

Ronnie & Leona Bock	Address: 9411 West 61 <sup>st</sup> Street South, Tulsa
Parcel No.: 99136-91-36-40910	Acres: 5.00
Legal Description: Subdivision: UNPLATTED Legal: S/2 W/2 E/2 SW SW SEC 36 19 11 5 AC Section: 36 Township: 19 Range: 11	Owner's Signature: 



Teddy Jack Bock	Address: 8997 West 61 <sup>st</sup> Street South, Tulsa
Parcel No.: 99136-91-36-43610	Acres: 8.81
Legal Description: Subdivision: UNPLATTED Legal: BEG 990E NWC SW SW TH S1320 E165 N314 E165 N1006 W330 POB SEC 36 19 11 8.811ACS Section: 36 Township: 19 Range: 11	Owner's Signature: 

Teddy Jack Bock	Address: 8993 West 61 <sup>st</sup> Street South, Tulsa
Parcel No.: 99136-91-36-65330	Acres: 4.91
Legal Description: Subdivision: UNPLATTED Legal: W/2 W/2 W/2 SE SW SEC 36 19 11 5ACS Section: 36 Township: 19 Range: 11	Owner's Signature: 

Jesus & Antonia Cruz	Address: 8989 West 61 <sup>st</sup> Street South, Tulsa
Parcel No.: 99136-91-36-47310	Acres: 5.00
Legal Description: Subdivision: UNPLATTED Legal: E/2 W/2 W/2 SE SW SEC 36-19-11 Section: 36 Township: 19 Range: 11	Owner's Signature: 

Denny & Jackie Bullington	Address: 8969 West 61 <sup>st</sup> Street South, Tulsa
Parcel No.: 99136-91-36-46310	Acres: 10.00
Legal Description: Subdivision: UNPLATTED Legal: E 1/2 W 1/2 SE SW SEC 36 19 11 10 AC Section: 36 Township: 19 Range: 11	Owner's Signature: 

Billie Rozell & Stephen Layne Garrouette	Address: 8951 West 61 <sup>st</sup> Street South, Tulsa
Parcel No.: 99136-91-36-44310	Acres: 17.47
Legal Description: Subdivision: UNPLATTED Legal: E/2 SE SW LESS BEG NEC SE SW TH S332 W332 N332 E332 POB SEC 36 19 11 17.47ACS Section: 36 Township: 19 Range: 11	Owner's Signature:  

Walter & Michong Banfield	Address: 5820 South 89 <sup>th</sup> West Avenue, Tulsa
Parcel No.: 99136-91-36-46060	Acres: 2.53
Legal Description: Subdivision: UNPLATTED Legal: PRT SE SW BEG NEC SE SW TH S332 W332 N332 E332 POB SEC 36 19 11 2.53ACS Section: 36 Township: 19 Range: 11	Owner's Signature:  



Tulsa Metropolitan Area  
Planning Commission

**Case Number:** Z-7438

**Hearing Date:** April 18, 2018

**Case Report Prepared by:**

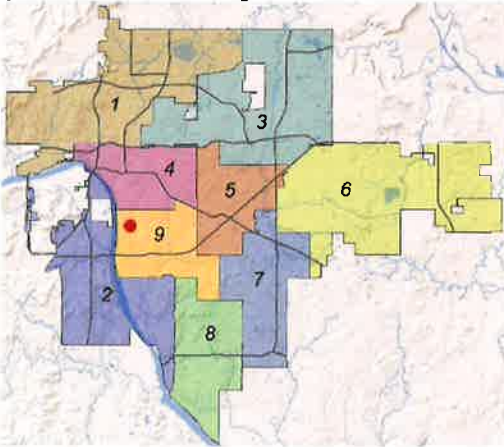
Dwayne Wilkerson

**Owner and Applicant Information:**

*Applicant:* Tulsa City Council c/o Matt Morgan

*Property Owner:* Council Oak district of the Oklahoma annual conference of the the United Methodist Church, Inc.

**Location Map:**  
**(shown with City Council Districts)**



**Applicant Proposal:**

*Present Use:* Private Park

*Proposed Use:* Park and future re-development

*Concept summary:* Rezoning request as part of the mixed-use zoning initiative associated with the bus rapid transit system along Peoria Avenue.

*Tract Size:* 1.43 ± acres

*Location:* SE/c of S. Peoria Ave. & E. 37<sup>th</sup> Pl. S.

**Zoning:**

*Existing Zoning:* CH, PK

*Proposed Zoning:* MX1-P-U

**Comprehensive Plan:**

*Land Use Map:* Main Street

*Stability and Growth Map:* Area of Growth

**Staff Data:**

TRS: 9319

CZM: 47

Atlas: 248

**Staff Recommendation:**

**Staff recommends approval.**

**City Council District:** 9

*Councilor Name:* Ben Kimbro

**County Commission District:** 2

*Commissioner Name:* Karen Keith

26.1



## SECTION I: Z-7438

**DEVELOPMENT CONCEPT:** This request for rezoning is responsive to the City Council initiative to encourage mixed-use development along the proposed bus rapid transit system route. The current zoning on the site is CH and PK. The CH portion of the site has unlimited height along South Peoria. PK zoning limits site development to parking only. The proposed MX zoning supports the type of development and building placement that will be necessary for a successful bus rapid transit system investment by the City.

### EXHIBITS:

- INCOG Case map
- INCOG Aerial (small scale)
- INCOG Aerial (large scale)
- Tulsa Comprehensive Plan Land Use Map
- Tulsa Comprehensive Plan Areas of Stability and Growth Map
- Applicant Exhibits:
  - None provided

### **DETAILED STAFF RECOMMENDATION:**

**Staff recommends Approval of Z-7438 to rezone property from CH, PK/ to MX1-P-U.**

Case Z-7438 requesting MX1-P-U is consistent with the expected development pattern in the area and,

MX1-P-U is not injurious to the surrounding property owners and,

The MX1 requested is considered a Neighborhood Mixed-use district intended to accommodate small scale retail, service and dining uses that serve nearby residential neighborhoods. The district also allows a variety of residential uses and building types and supports open space sites. The rezoning request is consistent with the Bus Rapid Transit System initiative and its land use recommendations and,

MX1-P-U is consistent with the Main Street land use vision in the Tulsa Comprehensive Plan therefore

## **SECTION II: Supporting Documentation**

### RELATIONSHIP TO THE COMPREHENSIVE PLAN:

*Staff Summary: MX1-P-U is consistent with the land use vision in the Tulsa Comprehensive Plan and is consistent with the goals and objectives that support the Bus Rapid Transit System. The existing zoning pattern creates obstacles that prohibit urban development that is desired as part of the Bus Rapid Transit System and the Town Center vision of the Tulsa Comprehensive Plan.*

### Land Use Vision:

*Land Use Plan map designation: Main Street*

Main Streets are Tulsa's classic linear centers. They are comprised of residential, commercial, and entertainment uses along a transit-rich street usually two to four lanes wide, and includes much lower intensity residential neighborhoods situated behind. Main Streets are pedestrian-oriented places with generous sidewalks, storefronts on the ground floor of buildings, and street

trees and other amenities. Visitors from outside the surrounding neighborhoods can travel to Main Streets by bike, transit, or car. Parking is provided on street, small private off street lots, or in shared lots or structures.

*Areas of Stability and Growth designation: Area of Growth*

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.”

Transportation Vision:

*Major Street and Highway Plan:* None except the Urban Arterial classification. This section of Peoria is also designated as a Main Street with a 70’ minimum street right of way width.

*Trail System Master Plan Considerations:* None

Small Area Plan: Brookside Infill Design Recommendations (Completed 2002)

Small area plan concept statement: “As Tulsa continues to mature as a city, infill development will become more important as land on the perimeter is no longer available for development. Infill will no longer be the exception; it will be the rule in terms of predominant types of development. Support and encouragement of infill development are strongly recommended and should be implemented through City regulations, policies and philosophies in order to ensure quality and consistency in future development”.

*Staff comment:* This was a statement from the infill task force prepared by the Mayor’s office and the Planning Commission in 1999 and continues to be more relevant today with implementation of the Bus Rapid Transit system and the construction of the Gathering Place. The City has adopted zoning categories to support infill development strategies that will encourage design standards and building placement strategies to help create an urban fabric along Peoria from East 36<sup>th</sup> South street to I-44.

Special District Considerations:

Historic Preservation Overlay:

DESCRIPTION OF EXISTING CONDITIONS:

*Staff Summary:* The building shown on the aerial photograph has been removed. The site has been redeveloped as a private park. The existing surface parking lot remains as shown on the aerial images.

26.3

Environmental Considerations: None that will affect site redevelopment

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Peoria Avenue	Urban Arterial / Main Street	70 feet	4 lanes with parallel parking on both sides
East 37 <sup>th</sup> Place South	None	50 feet	2 lanes

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

<u>Location</u>	<u>Existing Zoning</u>	<u>Existing Land Use Designation</u>	<u>Area of Stability or Growth</u>	<u>Existing Use</u>
North	CH, OL, PK/PUD 789-A across 37 <sup>th</sup> Place South	Main Street	Growth	Restaurant and surface parking
East	RS-3	Existing Neighborhood	Growth	Single Family Residential
South	CH, PK, RM-1	Main Street	Growth	Restaurant, surface parking and apartment/condominium
West	CH across Peoria	Main Street	Growth	Restaurant and surface parking

### SECTION III: Relevant Zoning History

**ZONING ORDINANCE:** *Ordinance number 19783 dated February 24, 2000, established PK zoning for the eastern portion of the subject property and Ordinance number 11823 dated June 26, 1970, established CH zoning for the western portion of the subject property*

#### ***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 37<sup>th</sup> Place and East 38<sup>th</sup> Street on the subject property. *Ordinance number 19783 dated February 24, 2000, amended zoning ordinance 11823 for a portion of the subject property.*

**BOA-18582 December 1999:** The Board of Adjustment **approved** a *special exception* modifying requirements for off-street parking spaces and screening upon change of non-conformity with respect to parking and screening (associated with change of use): 1. To permit some of required parking spaces to be located on an adjoining lot other than the lot containing the principal use, allowing mutual and reciprocal parking arrangement between adjoining property owners, and 2. To waive requirement that Use Unit 12 uses be screened from abutting R district or within existing parking lots which are situated on either side of zoning district boundaries, on property located on the southeast corner of South Peoria Avenue and East 37<sup>th</sup> Place South on the subject property.

**BOA-13577 March 1985:** The Board of Adjustment **denied** a *variance* (Section 750.2 – Location of Sexually Oriented Business – Use Unit 1212) of the 500' setback from a church; of the 300' setback from a non-arterial street which provides access to a residentially zoned district in a CH zoned district; finding that the applicant failed to demonstrate a hardship that would permit the operation of a club of this nature at this location, on property located at the southeast corner of South Peoria Avenue and East 37<sup>th</sup> Place South on the subject property.

***Surrounding Property:***

**Z-7381 April 2017:** All concurred in **approval** of a request for *rezoning* a 0.2+ acre tract of land from RS-3 to OL with Optional Development Plan on property located west of the southwest corner of East 37<sup>th</sup> Place and South Peoria Avenue.

**Z-7202 April 2012:** All concurred in **approval** of a request for *rezoning* a 0.24+ acre tract of land from RS-3 to PK on property located east of the northeast corner of South Peoria Avenue and East 37<sup>th</sup> Place.

**PUD-789-A April 2012:** All concurred in **approval** of a proposed *Major Amendment* to PUD on a .48+ acre tract of land for addition of lot to the south of PUD-789 to be used for parking, on property located east of the northeast corner of South Peoria Avenue and East 37<sup>th</sup> Place.

**Z-7185/Pud-789 January 2012:** All concurred in **approval** of a request for *rezoning* a 0.24+ acre 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 the southeast corner of South Peoria Avenue and East 37<sup>th</sup> Street.

**BOA-20767-B February 2010:** The Board of Adjustment **approved** a *variance* of the parking requirement (Section 1212.D) and an amendment to a previously approved plan; both to permit an outdoor customer seating area in addition to an existing restaurant use in the CH district per plan, on property located south of the southeast corner of East 37<sup>th</sup> Street South and South Peoria Avenue.

**BOA-20767-A May 2009:** The Board of Adjustment **approved** an *amendment* to a previously approved site plan (BOA-20767), on property located south of the southeast corner of East 37<sup>th</sup> Street South and South Peoria Avenue.

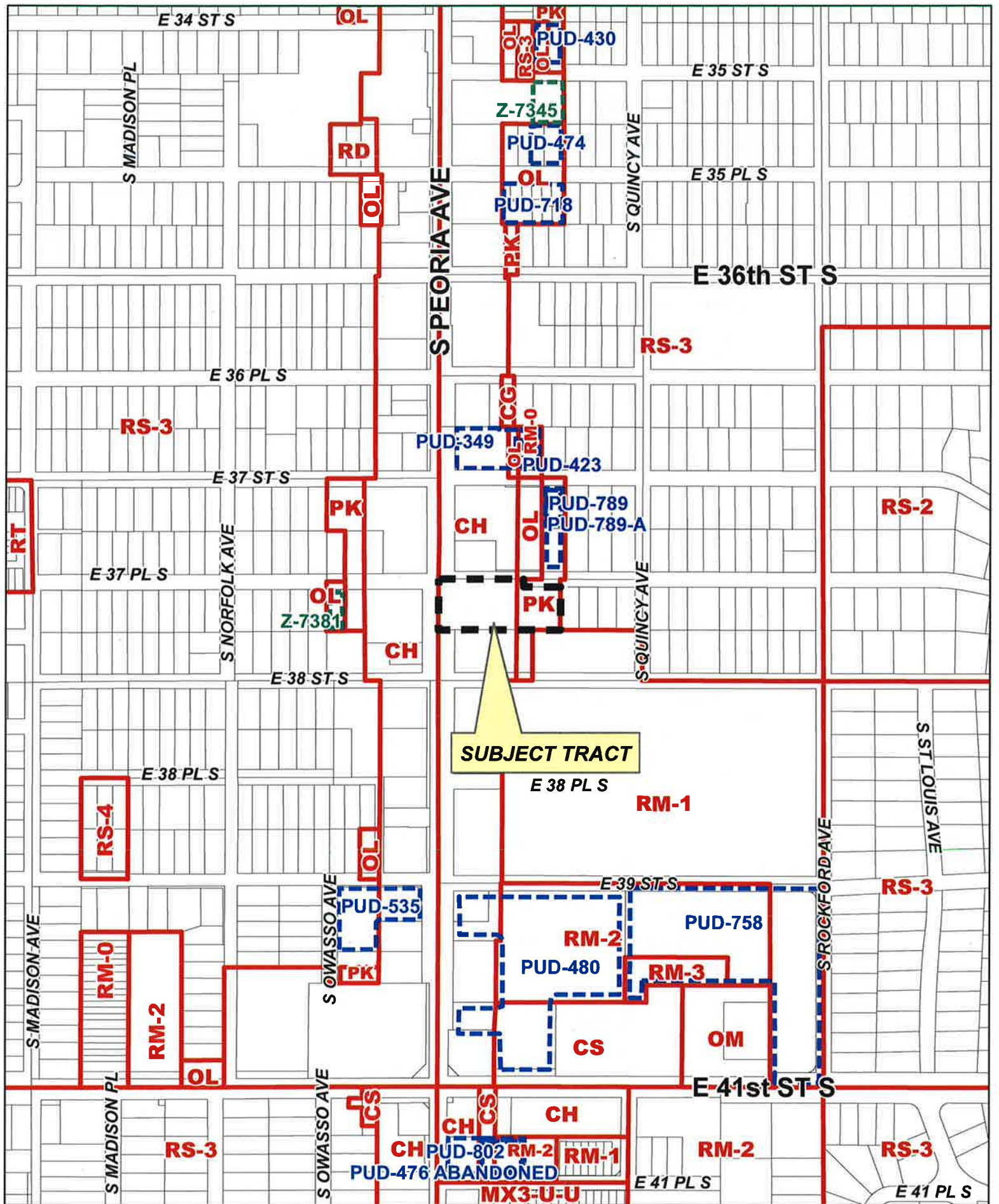
**BOA-20767 September 2008:** The Board of Adjustment **approved** a *variance* of the required parking to permit restaurant use in an existing commercial building in the CH district, with conditions to repair and maintain the parking lot and driving lane with asphalt; to repair sidewalks and maintain, per plan, on property located south of the southeast corner of East 37<sup>th</sup> Street South and South Peoria Avenue.

**Z-6597 August 1997:** All concurred in **approval** of a request for *rezoning* a .19+ acre tract of land from RS-3 to PK for a parking lot, on property located west of the southwest corner of East 37<sup>th</sup> Place and South Peoria Avenue.

4/18/2018 1:30 PM

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REVISED 4/11/2018



**SUBJECT TRACT**

**Z-7438**

19-13 19





E 34 ST S

S MADISON PL

E 35 ST S

E 35 PL S

E 36th ST S

S PEORIA AVE

S QUINCY AVE

E 36 PL S

E 37 ST S

E 37 PL S

S NORFOLK AVE

E 38 ST S

S QUINCY AVE

E 38 PL S

E 38 PL S

S ST LOUIS AVE

S MADISON AVE

S ROCKFORD AVE

E 39 ST S

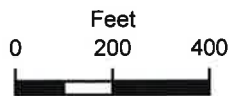
S MADISON PL

S OWASSO AVE

E 41st ST S

E 41-PL S

E 41 PL S



Subject Tract

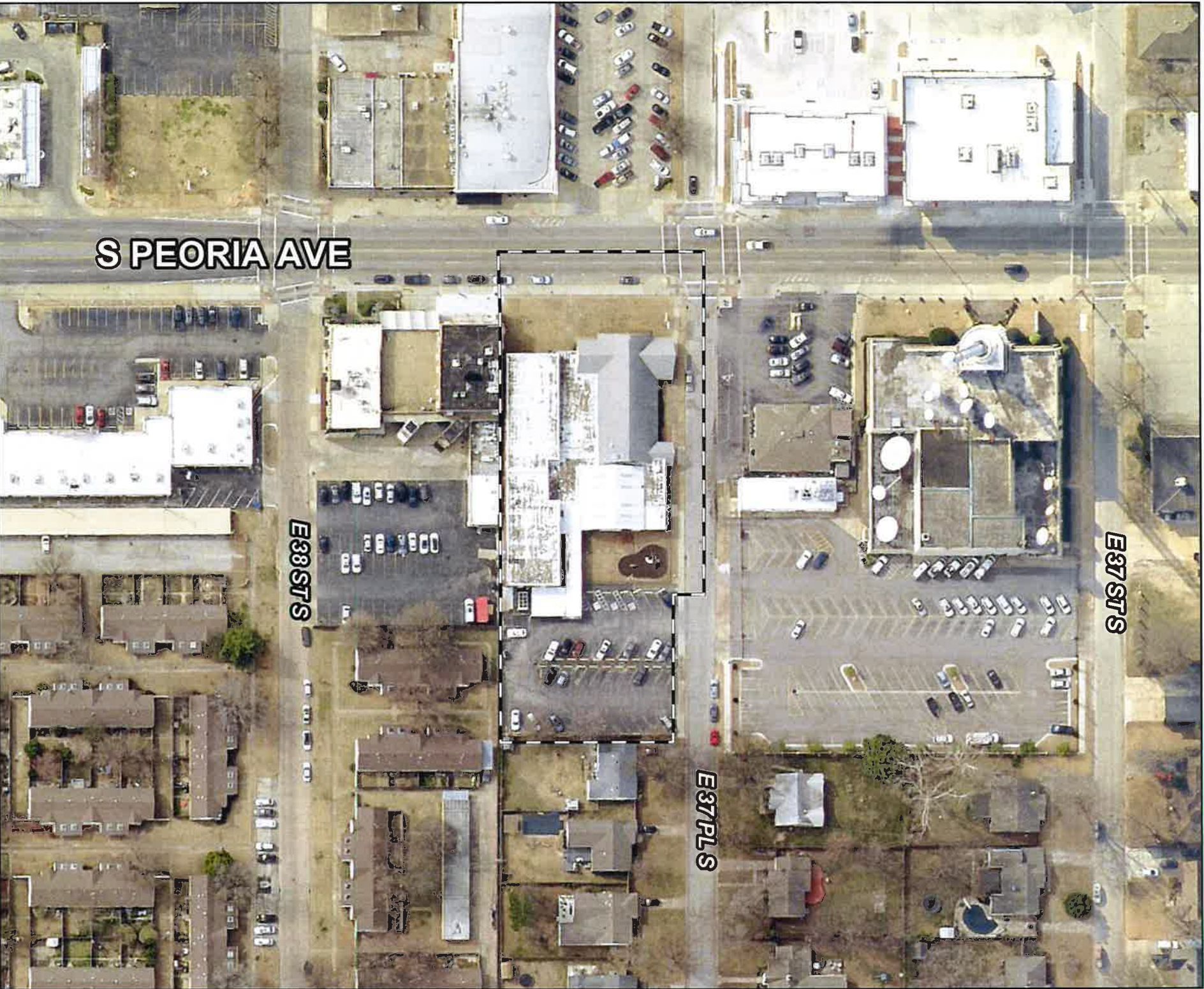
Z-7438

19-13 19

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

Aerial Photo Date: February 2016





**S PEORIA AVE**

**E 37 STS**

**E 37 PLS**

**E 38 STS**



 **Subject Tract**

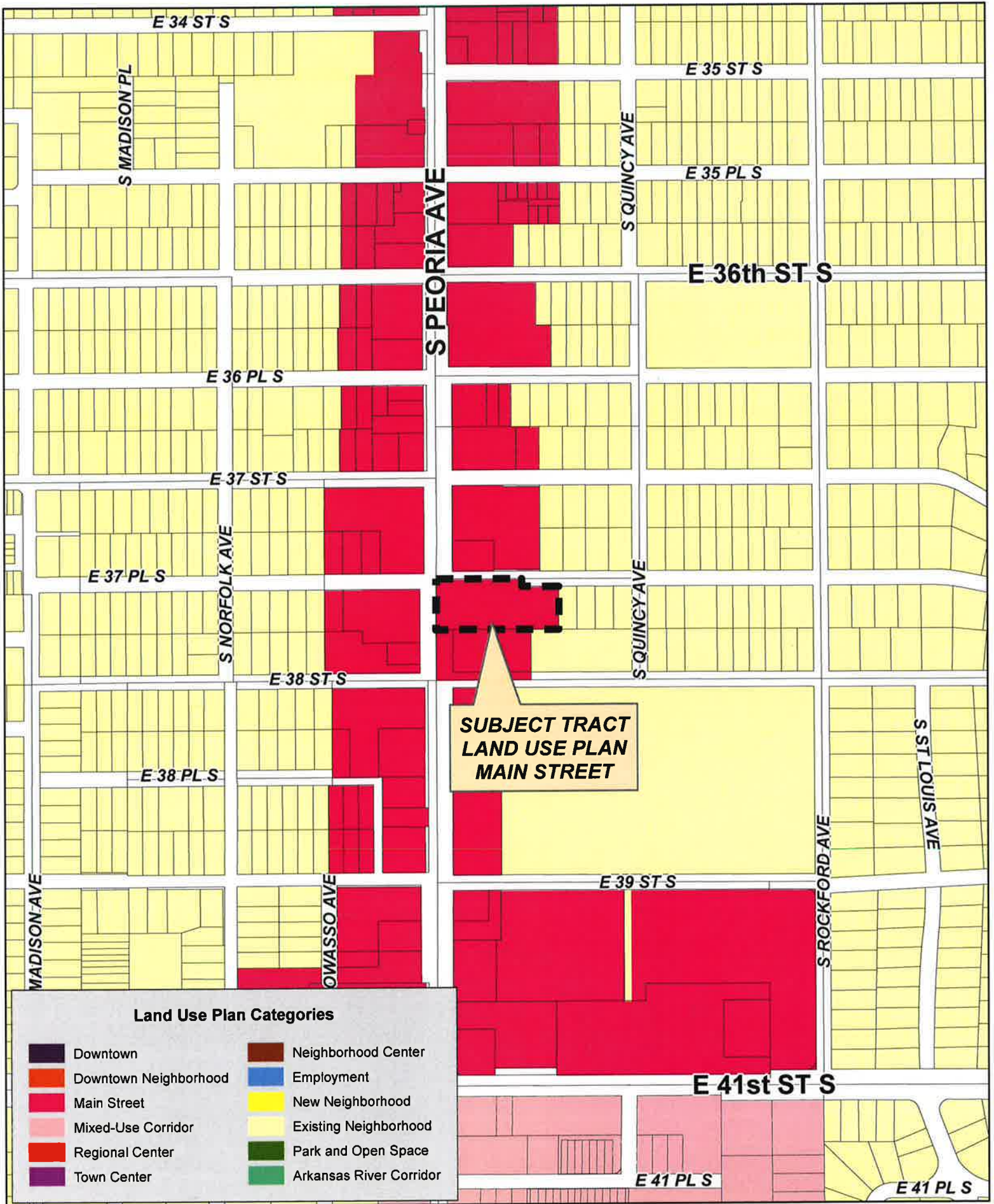
**Z-7438**

19-13 19

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

*Aerial Photo Date: February 2016*

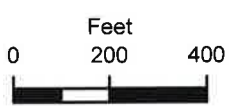




**SUBJECT TRACT  
LAND USE PLAN  
MAIN STREET**

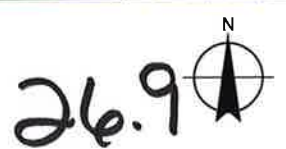
**Land Use Plan Categories**

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

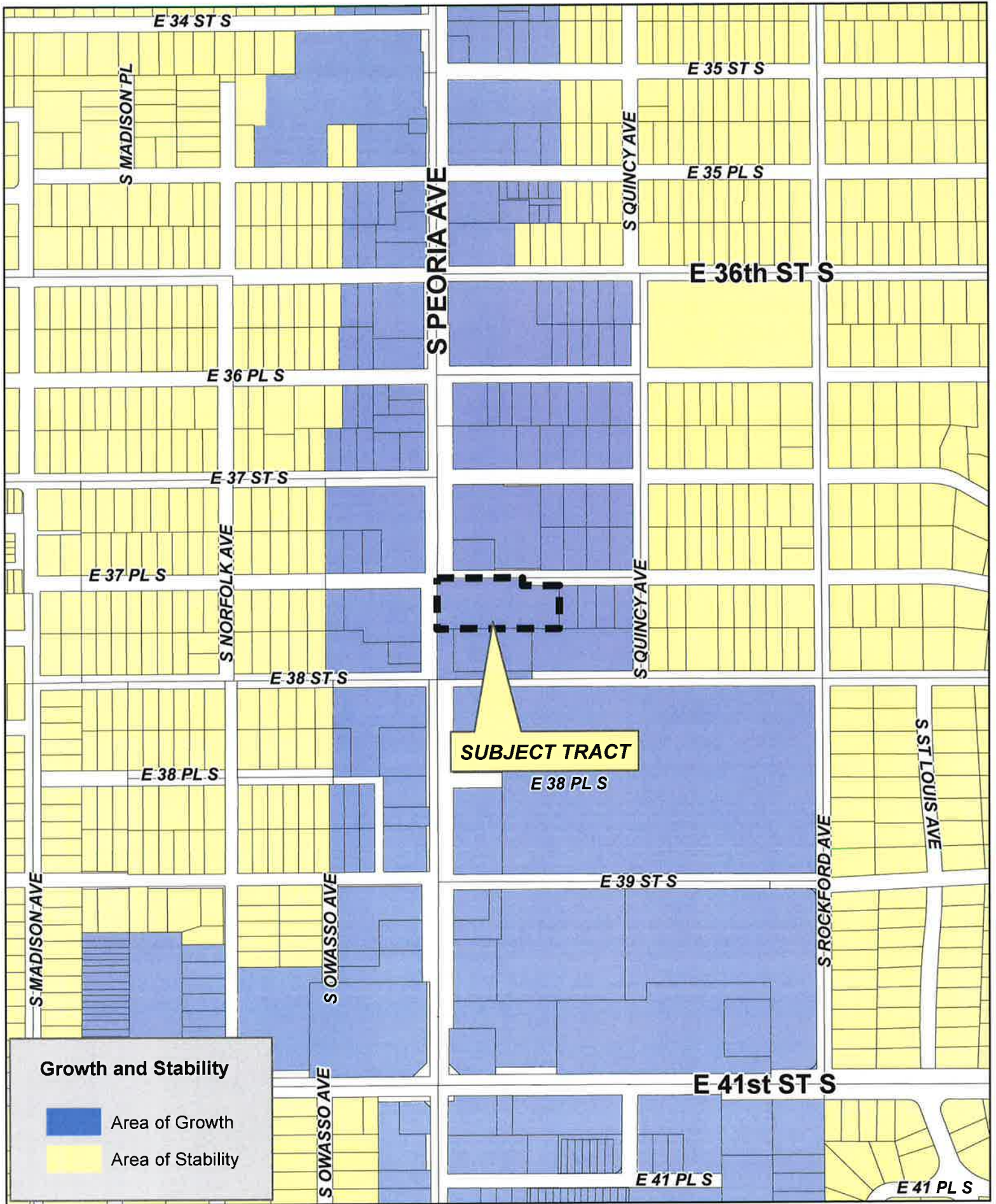


**Z-7438**

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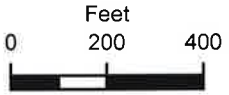




**Z-7438**

19-13 19

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**TMAPC**  
**April 18, 2018**  
**Fee Schedule Adjustments**

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**Item for discussion:** Adopt proposed revisions to Fee Schedule for TMAPC to reflect changes in the recently adopted Subdivision and Development Regulations.

**Background:** The Tulsa Metropolitan Area Planning Commission (TMAPC), the Tulsa City Council and the Tulsa County Commission establish application fees for the land development processes. The Subdivision fees were slightly modified in 2013. Prior to that, fees had not been adjusted since 2002. TMAPC fees related to zoning, as well as Board of Adjustment fees, were modified in 2016 to include several new categories and processes resulting from the adoption of the new City of Tulsa Zoning Code. However, the Subdivision fee schedule was not modified at that time since it was anticipated that Subdivision Regulations would be updated soon thereafter.

Both the City of Tulsa and Tulsa County adopted new Subdivision and Development Regulations on February 21, 2018, which will be effective on May 10, 2018. The new Subdivision and Development Regulations streamline processes by introducing administrative approvals for lot splits, lot line adjustments and final plats. The new regulations align platting requirements to those outlined in Oklahoma State Statute, which now makes plat waiver applications unnecessary. And, in response to other processes presented in the regulations, two new application types are introduced: Exempt Land Division application and Development Regulations Compliance application.

The previous format for application fees based on size has been eliminated since recent caseload has demonstrated that there is no consistent direct correlation between the complexity of the application and the size of the project. Other fees were streamlined to reflect amended processes.

The attached revised fee schedule reflects the proposed changes (shown in highlight). The existing fee schedule is also attached for comparison.

**Staff Recommendation:** Adopt proposed revisions to TMAPC fee schedule.



**VI. SUBDIVISION FEES**

**A. SUBDIVISION PLATS:**

- 1. Preliminary Plat \$1,200.00
- 2. Final Plat \$900.00
- 3. Minor Subdivision Plat \$650.00

**B. ACCESS CHANGES**

- 1. Access point(s) changed on recorded plat \$100.00

**C. REINSTATEMENT OF A SUBDIVISION PLAT:**

- 1. Reinstatement of a PRELIMINARY Plat \$100.00
- 2. Reinstatement of a FINAL Plat \$100.00

**D. EXTENSION of Approval of Subdivision Plat:**

- 1. Extension of a Preliminary or Final Plat \$100.00

**E. Authorization for an ACCELERATED RELEASE of a Building Permit:**

\$500.00

**F. EXEMPT LAND DIVISION APPLICATION**

\$100.00

**G. LOT SPLITS**

\$150.00

**H. LOT LINE ADJUSTMENTS**

\$150.00

**I. DEVELOPMENT REGULATIONS COMPLIANCE**

\$500.00

**NOTE:** The above fees include the application fee, and an evaluation fee which is designed to partially cover the cost of investigation of site characteristics, adopted plans, previous actions, adequacy of existing and proposed streets, utilities and stormwater structures, as well as inspection of the site and surrounding property.

# FEE SCHEDULE FOR TMAPC & BOARD OF ADJUSTMENT

## VI. SUBDIVISION FEES

<b>A. SUBDIVISION PLATS:</b>	<b>Base Fee</b>	<b>Sliding Fee</b>
1. Sketch Plat	\$250.00	
2. Preliminary Plat	850.00	+ \$5.00 per acre
3. Preliminary Plat Corridor and PUD	1,200.00	+ \$5.00 per acre
4. Final Plat	650.00	+ \$5.00 per acre
5. Final Plat Corridor and PUD	900.00	+ \$5.00 per acre
6. Minor Subdivision Plat	650.00	
<b>B. PLAT WAIVER</b>		
1. Processing and Application Fee		\$ 250.00
<b>C. ACCESS CHANGES*</b>		
1. Access point(s) changed on recorded plat (Traffic/Dept. of Public Works and TMAPC)		\$ 100.00
<b>D. REINSTATEMENT OF A SUBDIVISION PLAT:</b>		
1. Reinstatement of a PRELIMINARY Plat		\$ 100.00
2. Reinstatement of a FINAL Plat		100.00
<b>E. EXTENSION of Approval of Subdivision Plat:</b>		
1. Extension of a Preliminary or Final Plat		\$ 100.00
<b>F. Authorization for an ACCELERATED RELEASE of a Building Permit:</b>		
		\$ 500.00
<b>G. LOT SPLITS</b>		
1. Lot splits which meet all Subdivision Regulations and zoning ordinances as submitted		\$100.00
2. Lot splits that require any waiver of the Subdivision Regulations and/or zoning ordinances		\$150.00
<b>H. LOT COMBINATIONS</b>		
1. The voluntary act of the lot owner to combine adjoining parcels to be considered as one lot for zoning purposes		\$100.00

\* When access changes are required with a plat waiver application, there is no additional fee. All fees include base fees and any additional fees per acre are per acre or fraction thereof.

**NOTE:** The above fees include the application fee, and an evaluation fee which is designed to partially cover the cost of investigation of site characteristics, adopted plans, previous actions, adequacy of existing and proposed streets, utilities and stormwater structures, as well as inspection of the site and surrounding property.