

TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2771

June 6, 2018, 1:30 PM

175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Call to Order:

REPORTS:

Chairman's Report:

Work session Report:

Director's Report:

Review TMAPC Receipts for the month of April 2018

1. Minutes of May 16, 2018, Meeting No. 2770
2. Amend Minutes of April 18, 2018, Meeting No. 2768

CONSENT AGENDA:

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

3. **LC-1025** (Lot-Combination) (CD 4) – Location: West of the northwest corner of South Xanthus Place and East 15th Street South
4. **LC-1026** (Lot-Combination) (CD 1) – Location: Southeast corner of North Rockford Avenue and East 48th Street North
5. **Z-5444-SP-1d Justin Schroeder** (CD 7) Location: West of the southwest corner of East 41st Street South and South Garnett Road requesting a **CO Minor Amendment** to increase the allowable floor area by 15 percent.
6. **Z-7345-a Gregory Helms** (CD 9) Location: East of the Southeast corner of South Peoria Avenue and East 35th Street South requesting a **Minor Amendment to optional development plan** to reduce the setback from 50 feet to 35 feet.

7. **PUD-712-5 Scott Eudey** (CD 6) Location: North of the northwest corner of East 51st Street South and South 193rd East Avenue requesting a **PUD Minor Amendment** to permit an additional ground sign.

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

PUBLIC HEARINGS:

8. **The Estates at the River III** (CD 8) Preliminary Plat, Location: South of the southwest corner of East 121st Street South and South Hudson Avenue
9. **Enclave II at Addison Creek** (CD 8) Preliminary Plat, Location: West of South Sheridan Road at East 123rd Street South
10. **PUD-737 Plat Waiver** (CD 6) Location: South of the southeast corner of East 11th Street South and South 161st East Avenue
11. **Z-7444 Deborah Richards** (CD 4) Location: East of the southeast corner of South Peoria Avenue and East 10th Street South requesting rezoning from **RM-2 to PK (Withdrawn by applicant)**
12. **Z-7440 Kyle Sewell** (CD 2) Location: East of the southeast corner of West 71st Street South and South Elwood Avenue requesting rezoning from **AG to CG with optional development plan** (Continued from May 2, 2018)
13. **LS-21134** (Lot-Split) (CD 8) – Location: North and east of the northeast corner of East 98th Street South and South Sandusky Avenue (Related to LC-1023)
14. **LC-1023** (Lot-Combination) (CD 8) – Location: South and west of the southwest corner of East 97th Place South and South Urbana Avenue (Related to LS-21134)
15. **Z-7445 Curtis Branch** (CD 2) Location: East of the southeast corner of South 26th West Avenue and West 71st Street South requesting rezoning from **RS-3/PUD-159 to AG** (related to PUD-159-B)
16. **PUD-159-B Curtis Branch** (CD 2) Location: East of the southeast corner of South 26th West Avenue and West 71st Street South requesting **PUD Major Amendment** to abandon the PUD and rezone to AG (related to Z-7445)
17. **ZCA-10, TMAPC**, Amendment of the City of Tulsa Zoning Code to Section 55.090-F3 (Maximum Width of Residential Driveways in RE and RS Districts) to revise the maximum driveway width regulations established by that section. (Continued from May 2, 2018)

OTHER BUSINESS

18. 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

email address: esubmit@incog.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.

**TMAPC RECEIPTS
Month of April 2018**

	----- Current Period -----			----- Year To Date -----				
	ITEM	CITY	COUNTY	TOTAL RECEIVED	ITEM	CITY	COUNTY	TOTAL RECEIVED
ZONING								
Zoning Letters	5	\$187.50	\$187.50	\$375.00	91	4,825.00	4,825.00	\$9,650.00
Zoning	2	1,000.00	1,000.00	2,000.00	53	20,425.00	20,425.00	40,850.00
Plan Reviews	22	2,575.00	2,575.00	5,150.00	213	27,915.00	27,915.00	55,830.00
Refunds		0.00	0.00	0.00		0.00	0.00	0.00
NSF		0.00	0.00	0.00		0.00	0.00	0.00
		<u>\$3,762.50</u>	<u>\$3,762.50</u>	<u>\$7,525.00</u>		<u>\$53,165.00</u>	<u>\$53,165.00</u>	<u>\$106,330.00</u>
LAND DIVISION								
Minor Subdivision	0	\$0.00	\$0.00	\$0.00	1	\$435.00	\$435.00	870.00
Preliminary Plats	4	2,185.95	2,185.95	4,371.90	21	\$10,408.30	\$10,408.30	20,816.60
Final Plats	2	1,017.50	1,017.50	2,035.00	26	\$10,652.78	\$10,652.78	21,305.55
Plat Waviers	1	125.00	125.00	250.00	28	\$3,450.00	\$3,450.00	6,900.00
Lot Splits	6	375.00	375.00	750.00	103	\$5,775.00	\$5,775.00	11,550.00
Lot Combinations	11	550.00	550.00	1,100.00	96	\$4,825.00	\$4,825.00	9,650.00
Other	0	0.00	0.00	0.00	10	\$850.00	\$850.00	1,700.00
NSF		0.00	0.00	0.00		\$0.00	\$0.00	0.00
Refunds		(100.00)	(100.00)	(200.00)		(\$150.00)	(\$150.00)	(300.00)
		<u>\$4,153.45</u>	<u>\$4,153.45</u>	<u>\$8,306.90</u>		<u>\$36,246.08</u>	<u>\$36,246.08</u>	<u>\$72,492.15</u>
TMAPC COMP								
Comp Plan Admendment	0	\$0.00	\$0.00	\$0.00	4	\$1,000.00	\$0.00	\$1,000.00
Refund		<u>\$0.00</u>		<u>\$0.00</u>		<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>
		<u>\$0.00</u>	<u>\$0.00</u>	<u>\$0.00</u>		<u>\$1,000.00</u>	<u>\$0.00</u>	<u>\$1,000.00</u>
BOARDS OF ADJUSTMENT								
Fees	15	\$4,400.00	\$500.00	\$4,900.00	199	\$60,050.00	\$17,150.00	\$77,200.00
Refunds		0.00	0.00	\$0.00		(\$2,800.00)	\$0.00	(2,800.00)
NSF Check		0.00	0.00	\$0.00		(\$500.00)	\$0.00	(500.00)
		<u>\$4,400.00</u>	<u>\$500.00</u>	<u>\$4,900.00</u>		<u>\$56,750.00</u>	<u>\$17,150.00</u>	<u>\$73,900.00</u>
TOTAL		\$12,315.95	\$8,415.95	\$20,731.90		\$147,161.08	\$106,561.08	\$253,722.15
LESS WAIVED FEES *		(\$8,131.05)		(\$8,131.05)		(\$14,646.71)		(\$14,646.71)
GRAND TOTALS		<u>\$4,184.90</u>	<u>\$8,415.95</u>	<u>\$12,600.85</u>		<u>\$132,514.37</u>	<u>\$106,561.08</u>	<u>\$239,075.44</u>

* Advertising, Signs & Postage Expenses for City of Tulsa Applications with Fee Waivers.

April 2018 receipt comparison

	April 2018	March 2018	April 2017
Zoning Letters	5	10	6
Zoning	2	7	8
Plan Reviews	22	26	18
Minor Subdivisions	0	0	0
Preliminary Plats	4	3	3
Final Plats	2	4	1
Plat Waivers	1	2	4
Lots Splits	6	7	23
Lot Combinations	11	18	16
Other	0	1	0
Comp Plan Amendments	0	0	1

5/23/2018



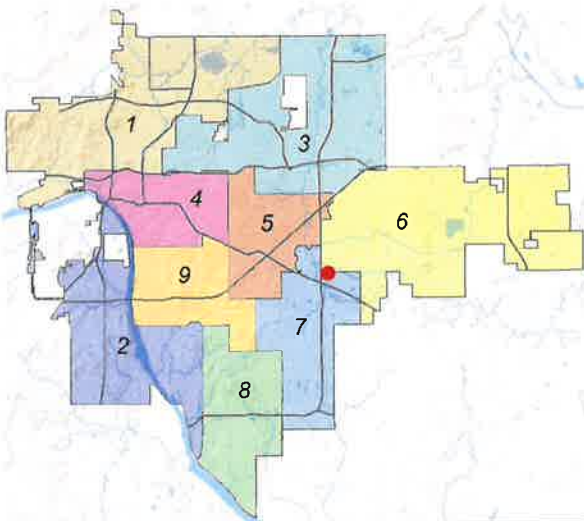
Case Number: Z-5444-SP-1d
Minor Amendment

Hearing Date: June 6, 2018

Case Report Prepared by:
 Jay Hoyt

Owner and Applicant Information:
 Applicant: Justin Schroeder – Ross Group
 Property Owner: Wyndham Tulsa

Location Map:
 (shown with City Council Districts)



Applicant Proposal:

Concept summary: Corridor Minor amendment to increase the allowable floor area by 15%.

Gross Land Area: 7.11 acres

Location: West of the SW/c E 41st St S and S Garnett Rd

10918 E 41st St S

Lot 1, Block 1 Atria

Zoning:
 Existing Zoning: CO
 Proposed Zoning: No Change

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

Staff Recommendation:
 Staff recommends **approval**

Staff Data:
 TRS: 9430
 CZM: 49 Atlas: 752

City Council District: 7
Councilor Name: Anna America
County Commission District: 1
Commissioner Name: John Smaligo

SECTION I: Z-5444-SP-1d Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the Corridor Plan to increase the allowable floor area 15%.

Currently, the allowable floor area permitted by the development plan is 221,000 sf. The applicant is proposing to increase the allowable floor area by 15%, or 33,150 sf, for a total of 254,150 sf allowable.

The requested increase is due to an addition of a 3,000 sf gym facility to the existing hotel, which would have exceeded the total allowable area for the hotel. The requested 15% increase would allow this expansion and provide for some additional room for expansion in the future, if so desired. Even with the requested 15% added, the proposed floor total floor area of 254,150 sf would be significantly less than the 387,372 sf of floor area max that would be allowed in a CO district, based on a Floor Area Ratio of 1.25 allowed.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 25.040D.3.b(5) of the Corridor District Provisions of the City of Tulsa Zoning Code.*

“Minor amendments to an approved corridor development plan may be authorized by the Planning Commission, which may direct the processing of an amended development plan and subdivision plat, incorporating such changes, so long as substantial compliance is maintained with the approved development plan. “

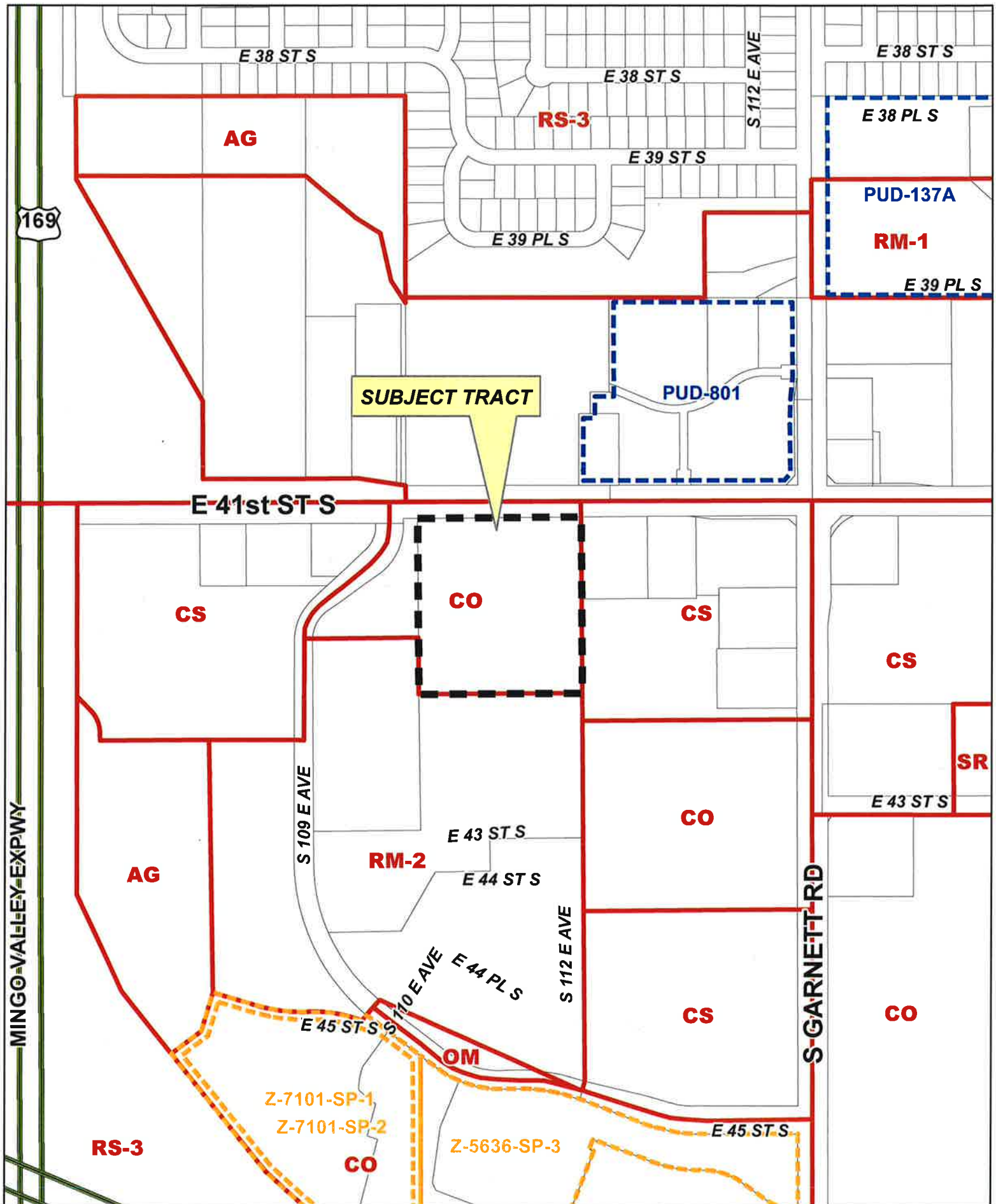
Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the Corridor Development Plan.
- 2) All remaining development standards defined in Z-5444-SP-1 and subsequent minor amendments shall remain in effect.

Exhibits included with staff recommendation:

- INCOG zoning case map
- INCOG aerial photo
- INCOG aerial photo (enlarged)
- Applicant Exhibits:
 - Site Plan
 - Enlarged Site Plan Aerial

With considerations listed above, staff recommends **approval** of the minor amendment request to increase the allowable floor area by 15%.



169

MINGO VALLEY EXPWY

S GARNETT RD

0 Feet 200 400



Z-5444-SP-1d

19-14 30

5.3





Subject Tract

19-14 30

Z-5444-SP-1d

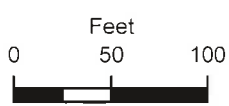
Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: February 2016





E 41st ST S

S 109 E AVE



Subject Tract

Z-5444-SP-1d

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

19-14 30

Aerial Photo Date: February 2016





EXISTING ACCESSIBLE PARKING

EXISTING ACCESSIBLE ENTRY/EGRESS

Wyndham Tutse

AREA OF NEW ADDITION
RE: A-100 SITE PLAN

EXISTING ACCESSIBLE PARKING

Google

5.7



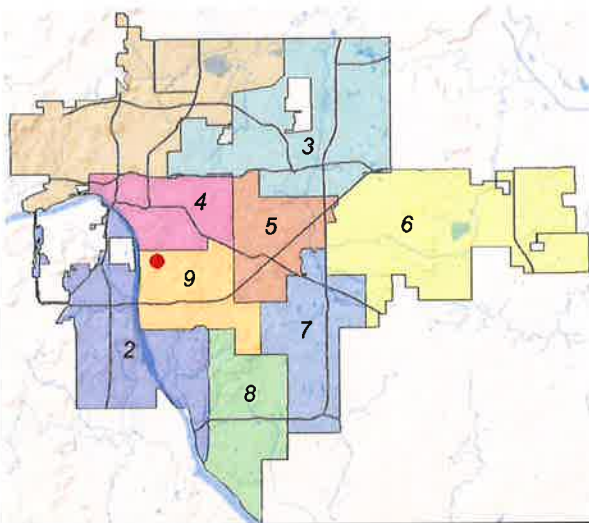
Case Number: Z-7345-a
Minor Amendment

Hearing Date: June 6, 2018

Case Report Prepared by:
 Jay Hoyt

Owner and Applicant Information:
 Applicant: Gregory Helms
 Property Owner: Henry Aberson

Location Map:
 (shown with City Council Districts)



Applicant Proposal:

Concept summary: Modify the Optional Development Plan standards to reduce the setback for kitchen exhaust equipment from an R district from 50 feet to 35 feet.

Gross Land Area: 1.18 Acres

Location: East of the SE/c of S Peoria Ave and E 35th St S

1326 E 35th St S

Lot 6, Block 3 Olivers Addition

Zoning:
 Existing Zoning: CH with optional development plan
 Proposed Zoning: No Change

Staff Recommendation:
 Staff recommends **approval**.

Comprehensive Plan:
 Land Use Map: Main Street
 Growth and Stability Map: Growth

Staff Data:
 TRS: 9319
 CZM: 47 Atlas: 189

City Council District: 9
 Councilor Name: Ben Kimbro

County Commission District: 2
 Commissioner Name: Karen Keith

SECTION I: Z-7345-a Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the Optional Development Plan standards to reduce the setback for kitchen exhaust equipment from an R district from 50 feet to 35 feet.

The applicant is proposing to revise the setback standard for the kitchen exhaust equipment due to the nature of the existing building. The furthest wall from the adjacent R building is 40 feet distant. This would mean that the existing building could not comply with the 50 ft restriction. The reduction to 35 ft would allow an exhaust hood to be installed on the existing building.

The applicant states that the exhaust hood will be on the opposite side of the building's ridge line from the adjacent R district and will be shielded by that ridgeline, or otherwise screened from the R district if the ridge line is not sufficient. Based on the information provided by the applicant, the reduction in setback would not adversely affect the adjacent R district properties.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 70.0401.1.a of the City of Tulsa Zoning Code.*

"The planning commission is authorized to approve amendments to approved development plans as minor amendments if the planning commission determines that substantial compliance is maintained with the approved development plan. "

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the Optional Development Plan.
- 2) All remaining development standards defined in Z-7345 shall remain in effect.

Exhibits included with staff recommendation:

INCOG zoning case map

INCOG aerial photo

INCOG aerial photo (enlarged)

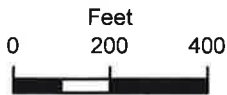
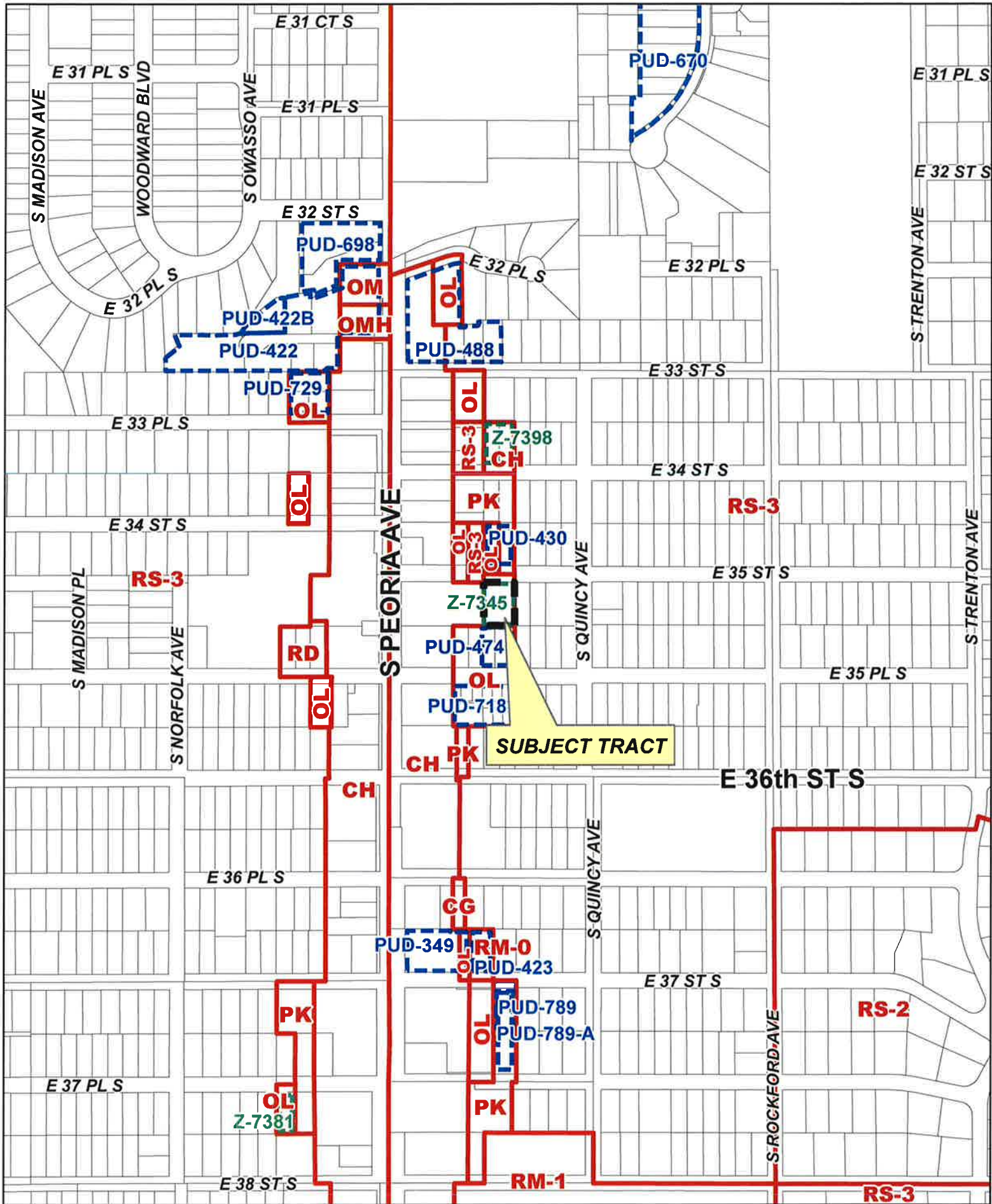
Applicant Exhibits:

Summary of Modification Request

Exhibits B-E - Equipment Information

Exhibit F – Exterior Elevations

With considerations listed above, staff recommends **approval** of the minor amendment request to reduce the setback for kitchen exhaust equipment from an R district.



Z-7345-a

19-13 19

6.4





Subject Tract

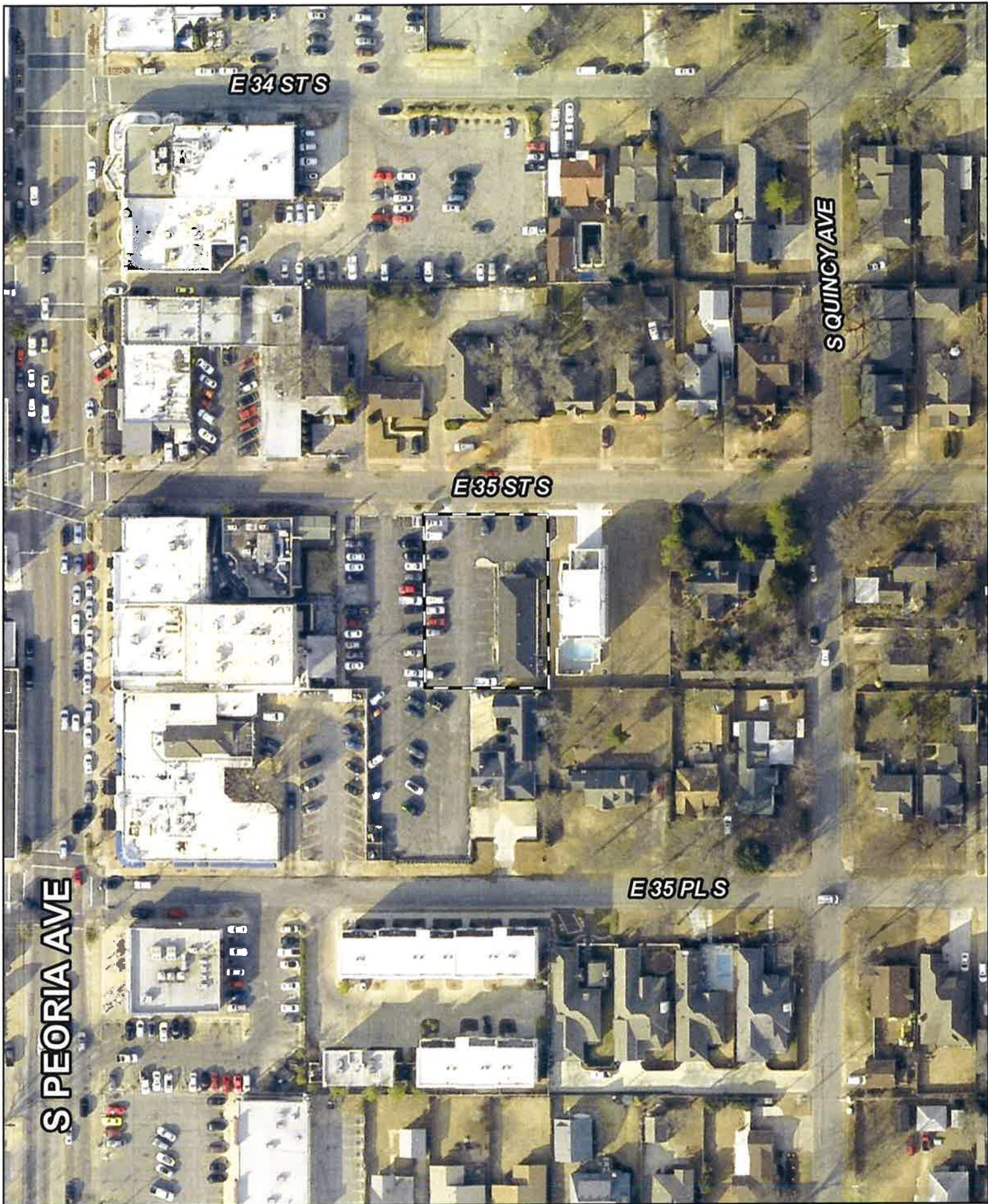
Z-7345-a

19-13 19

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

Aerial Photo Date: February 2016





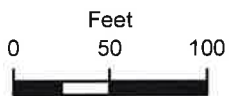
S PEORIA AVE

E34 STS

S QUINCY AVE

E35 STS

E35 PLS



Subject Tract

Z-7345-a

19-13 19

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

Aerial Photo Date: February 2016

6.6



April 25, 2018

Request for Modification to Approved Zoning Case Z-7345

1326 East 35th Street South
Tulsa, OK 74105

SUMMARY OF MODIFICATION REQUEST

Previous re-zoning approval was based upon an Optional Development Plan (refer to Section II: Z-7345, Exhibit A).

Use Limitation 1 in the Optional Development Plan requires that kitchen exhaust equipment be located not less than 50 feet from R Districts and directed toward the west or south. Air handling units may be placed anywhere on the site except for a building greater than 5,000 square feet when the above mentioned spacing standard applies.

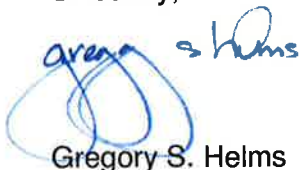
This request would reduce the required separation distance from 50 feet to 35 feet for kitchen exhaust equipment. The west wall of the existing building is located 40 feet south of the nearest R District, therefore a separation distance greater than 35 feet would be difficult to achieve. The information below illustrates that reducing the separation distance will not adversely affect the outdoor or indoor enjoyment of the adjacent R District properties.

1. Currently, the restaurant HVAC equipment is located between the restaurant building and the R District property directly east. According to Lennox Industries (Exhibit B), typical outside noise levels of air conditioning units is between a garbage disposal (80 db) and a dishwasher (75 db). A typical kitchen exhaust fan has an outside noise level of 25 sones (85 db). According to Seng Piel Audio's online sound level calculator (Exhibit B) the kitchen exhaust fan noise level would be 54.12 db at the R District property line if located 35 feet away. This noise level is similar to Quiet Urban Daytime noise levels as well as a Dishwasher in the next room (Exhibit D). The sound level would be reduced even more inside the residence by the exterior walls. The standard STC rating for a wood stud wall is 38. This would drop the interior noise level from the kitchen exhaust fan to 16.12 db (Broadcast / Recording Studio level).
2. Since the kitchen exhaust fan is proposed on the west side of the building, the equipment should be shielded from view from the R District by the roof ridge. It is proposed that if the equipment does extend higher than the ridge line, it would be screened from view from the east (Exhibit E).

Modification to no other *Use Limitations* is requested.

Please let me know if you have any questions about this request or need any additional information.

Sincerely,



Gregory S. Helms

Is There Really That Much Difference in **EXHIBIT B** Air Conditioner and Heat Pump Sound Levels?

WE'RE GLAD YOU ASKED!



Because the answer is most definitely YES! Until recently, noisy air conditioners and heat pumps were accepted as the norm. High noise levels were even associated with the "power" of heating and cooling systems. But today's technology lets you choose an air conditioner or heat pump that is not only highly efficient, but also exceptionally quiet.

HOW IS SOUND MEASURED?

Sound is measured in decibels (db). A decibel describes the relative loudness of a sound.

WHY IS A SOUND RATING IMPORTANT?

Although no financial savings are tied to it, the sound rating of a cooling system can directly affect your comfort. Your ears tell you what is too noisy, and what seems quiet. The chart below shows sound ratings for some common sounds that you are used to hearing:

COMMON NOISE	DECIBEL LEVEL
Blender	88
Garbage Disposal	80
Dishwasher	75
Voice (normal level)	70

Obviously, the sound an air conditioner or heat pump makes depends on a variety of factors, not the least of which are the age of the unit and whether or not the compressor is insulated. On average, the noise level of air conditioners and heat pumps rate somewhere between a dishwasher and a garbage disposal.

ARE ALL AIR CONDITIONERS AND HEAT PUMPS QUIET?

Most heating and cooling systems manufactured today are quieter than those produced in past years. But there is still a great

difference in the sound levels of products on the market today. Be sure to compare sound ratings when you shop for a new air conditioner or heat pump...your good night's sleep depends on it.

LENNOX...DESIGNED TO BE QUIET

Lennox designs each air conditioner and heat pump to be as quiet as possible. Through extensive testing, Lennox has come up with many features that, either alone or in combination, make our air conditioners and heat pumps some of the quietest available.

Insulated compressor compartments, discharge mufflers and unique fan designs work to soften the sound of a hard-working, high-efficiency compressor. Top-panel orifices, compressor wrappers and indoor blowers are all designed to further enhance smooth, quiet airflow.

Purchasing an air conditioner or heat pump system with a low sound rating will make you more comfortable...because even on the hottest summer days or coldest winter nights, you'll feel your air conditioner or heat pump working, not hear it.

Call your independent Lennox dealer to find out about a new Lennox heating and cooling system that offers maximum comfort with minimum noise.

LENNOX®

ONE LESS THING TO WORRY ABOUT.™

6.8



EXHIBIT C

Enter the three gray boxes and get the answer in the white box.

Sound is here the sound level in decibels, no matter if it is the sound pressure level or the sound intensity level – but not the sound power level.

Calculation of the sound level L_2 , which is found at the distance r_2		
Reference distance r_1 from sound source 1 <input type="text"/> m or ft	Sound level L_1 at reference distance r_1 85 <input type="text"/> dBSPL	Search for L_2
Another distance r_2 from sound source 35 <input type="text"/> m or ft	Sound level L_2 at another distance r_2 54.12 <input type="text"/> dBSPL	Sound level difference $\Delta L = L_1 - L_2$ 30.88 <input type="text"/> dB
	<input type="button" value="calculate"/>	<input type="button" value="reset"/>

Exhaust fan noise level 1 foot away from fan is 85 db.

Exhaust fan noise level 35 feet away from fan is 54.12 db.

EXHIBIT D

LOUDNESS COMPARISON CHART (dBA)

Common Outdoor Activities	Noise Level (dBA)	Common Indoor Activities
Jet Fly-over at 1000 ft	110	Rock Band
Gas Lawn Mower at 3 ft	100	
	90	Food Blender at 3 ft
Diesel Truck at 50 ft at 50 mph	80	Garbage Disposal at 3 ft
Noisy Urban Area, Daytime		Vacuum Cleaner at 10 ft
Gas Lawn Mower at 100 ft	70	Normal Speech at 3 ft
Commercial Area		
Heavy Traffic at 300 ft	60	Large Business Office
Quiet Urban, Daytime	50	Dishwasher Next Room
Quiet Urban, Nighttime		Theater,
Quiet Suburban, Nighttime	40	Large Conference Room (Background)
		Library
Quiet Rural, Nighttime	30	Bedroom at Night,
		Concert Hall (Background)
	20	Broadcast/Recording Studio
	10	
Lowest Threshold of Human Hearing	0	Lowest Threshold of Human Hearing

An increase of 3 dBA is barely perceptible to the human ear.

INFORMATION TAKEN FROM
REDDING, CA NOISE STUDY

6.10

Sound Transmission Coefficient

The **STC** is a single number rating scale that measures a wall, ceiling, or floor assembly's ability to block sound transmission. The higher the number, the greater the drop in decibel levels occurring through the surface. A standard stud wall with drywall has an average Sound Transmission Coefficient rating of 38. A luxury grade assembly will boast STC values of more than 55- 60. Stronger **STC** values for new build or existing walls are triggered using the barrier treatments outlined in our course on Transmission Loss here at the Academy, and applied in detail in our Walls, Ceilings and Floor sections of our Applications Guide. These soundproofing treatments target the isolation of a sound wave as depicted here:

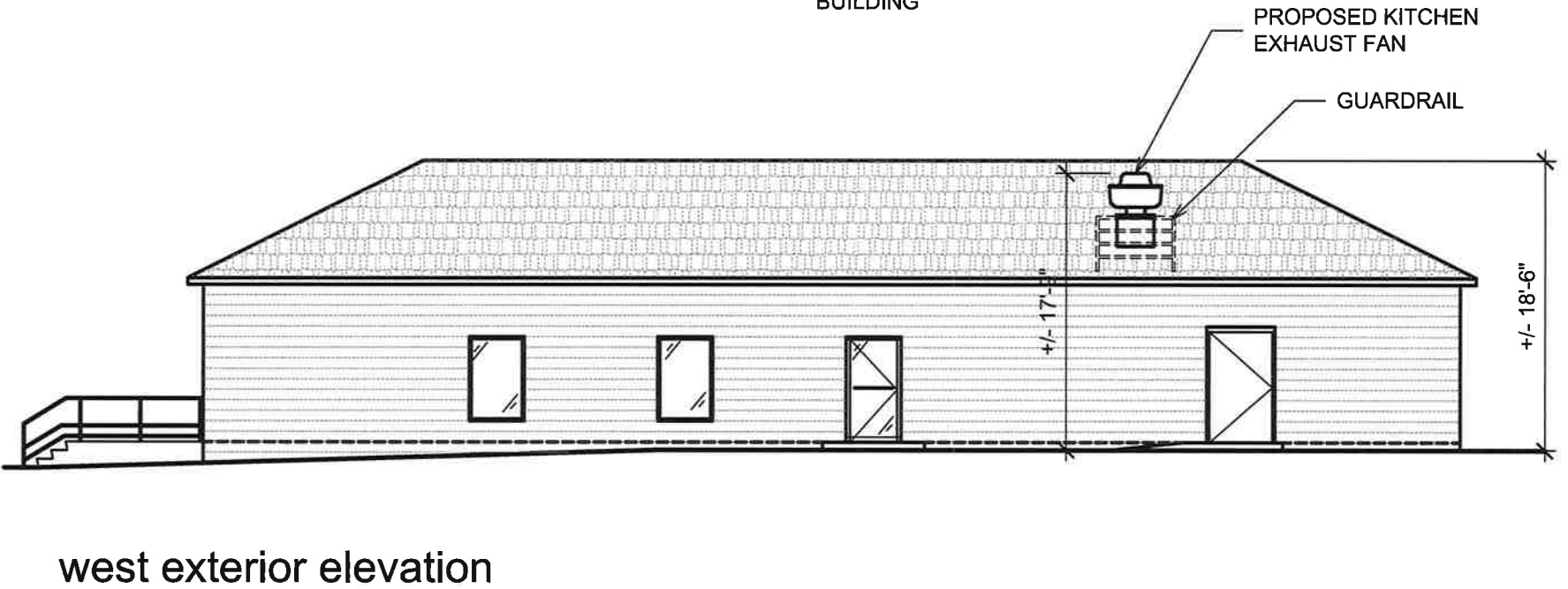
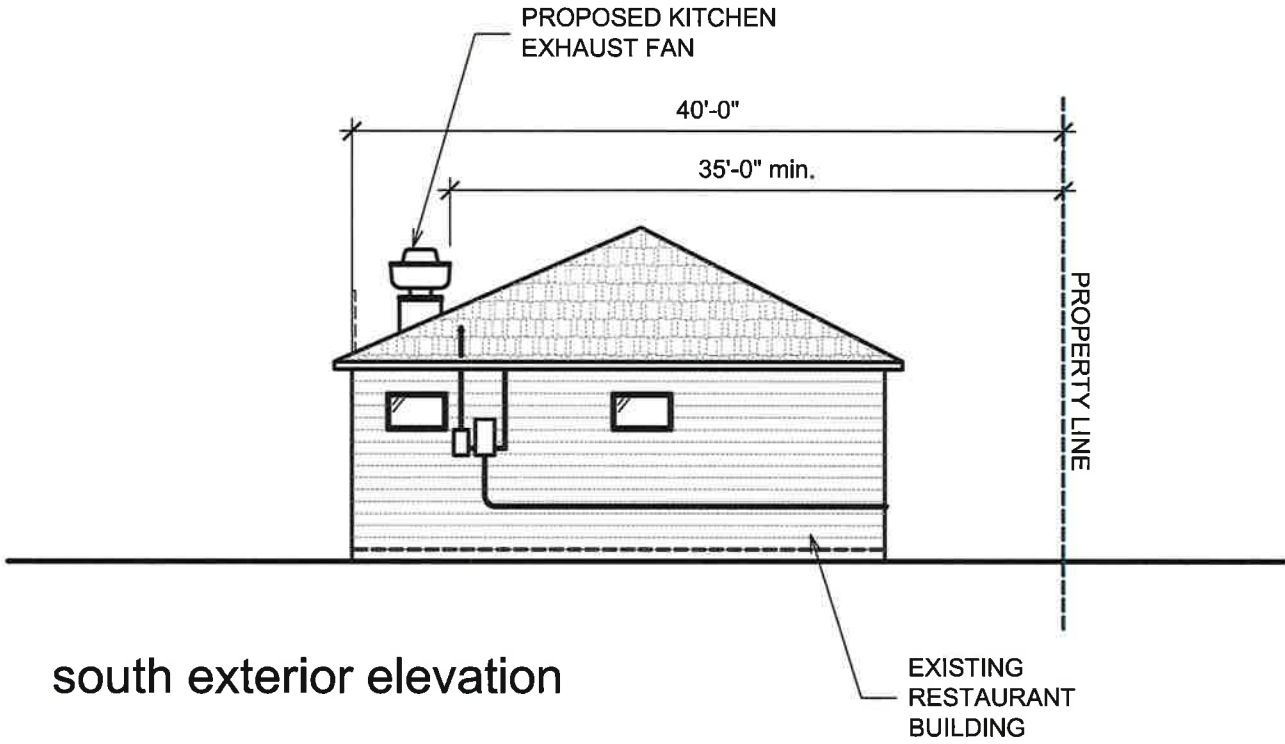
Using the STC code is simple math. If one room is producing loud stereo music with levels exceeding 100 decibels, and the dividing surface assembly to the adjoining room held an **STC** rating of 55, one could reasonably expect the dB level from that music in the adjoining room to carry a reading of 45. In a laboratory setting, this result can be measured in a vacuum. In a field test, this result will decay due to leakage, vibrations, and other sound sources that will combine to alter the results.

Regardless of the field results, remember that the lowering of the decibel is on an algorithmic scale. For every 3 dB your treatment will drop, another 50% of the remaining sound level exposure will be eliminated. Using this math, a simple 10-12 dB drop triggered by a product with an STC rating of 27 can still deliver more than a 90% drop in perceived noise. This **STC** scale is broadcast for your reference in our Sound Chamber.

The Uniform Building Code assigns a required **STC** value for multi-dwelling units that include a standard rating for town homes, condominiums, hotels and motels. The walls will typically require an **STC** rating of 50+ when field tested. Luxury units will boast STC values over 55. In comparison, the standard wall configuration in a residential home illustrated here will carry an average STC rating of 38:

INFORMATION TAKEN FROM
NETWELL NOISE CONTROL
(CONTROLNOISE.COM)

Center 1
1326 e. 35th street
tulsa, ok



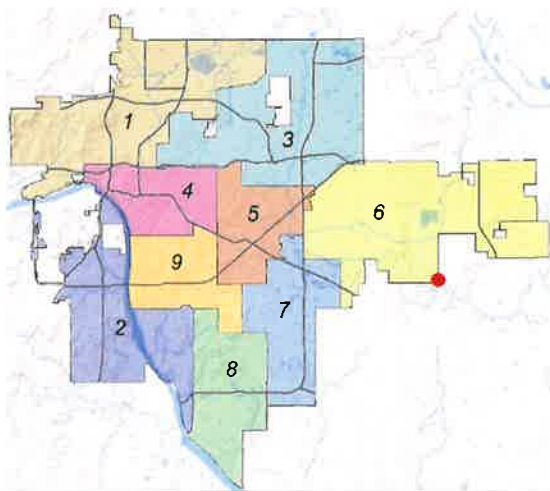


Case Number: PUD-712-5
Minor Amendment
Hearing Date: June 6, 2018

Case Report Prepared by:
 Jay Hoyt

Owner and Applicant Information:
 Applicant: Scott R. Eudey, Ross & Eudey, PLLP
 Property Owner: National Self Storage, LLC

Location Map:
 (shown with City Council Districts)



Applicant Proposal:
 Concept summary: PUD minor amendment to amend the sign standards to permit an additional ground sign.
 Gross Land Area: 0.59 acres
 Location: North of the NW/c of E 51st St S and S 193rd E Ave
 Lot 3 Block 1, Stone Creek Commercial Center
 Development Area A

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 **approval**.

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

SECTION I: Z-5444-SP-1d Minor Amendment

STAFF RECOMMENDATION

Amendment Request: Modify the Corridor Plan to increase the allowable floor area 15%.

Currently, the allowable floor area permitted by the development plan is 221,000 sf. The applicant is proposing to increase the allowable floor area by 15%, or 33,150 sf, for a total of 254,150 sf allowable.

The requested increase is due to an addition of a 3,000 sf gym facility to the existing hotel, which would have exceeded the total allowable area for the hotel. The requested 15% increase would allow this expansion and provide for some additional room for expansion in the future, if so desired. Even with the requested 15% added, the proposed total floor area of 254,150 sf would be significantly less than the 387,372 sf of floor area maximum that would be allowed in a CO district, based on an allowed 1.25 Floor Area Ratio.

Staff Comment: *This request can be considered a Minor Amendment as outlined by Section 25.040D.3.b(5) of the Corridor District Provisions of the City of Tulsa Zoning Code.*

“Minor amendments to an approved corridor development plan may be authorized by the Planning Commission, which may direct the processing of an amended development plan and subdivision plat, incorporating such changes, so long as substantial compliance is maintained with the approved development plan. “

Staff has reviewed the request and determined:

- 1) The requested amendment does not represent a significant departure from the approved development standards in the Corridor Development Plan.
- 2) All remaining development standards defined in Z-5444-SP-1 and subsequent minor amendments shall remain in effect.

Exhibits included with staff recommendation:

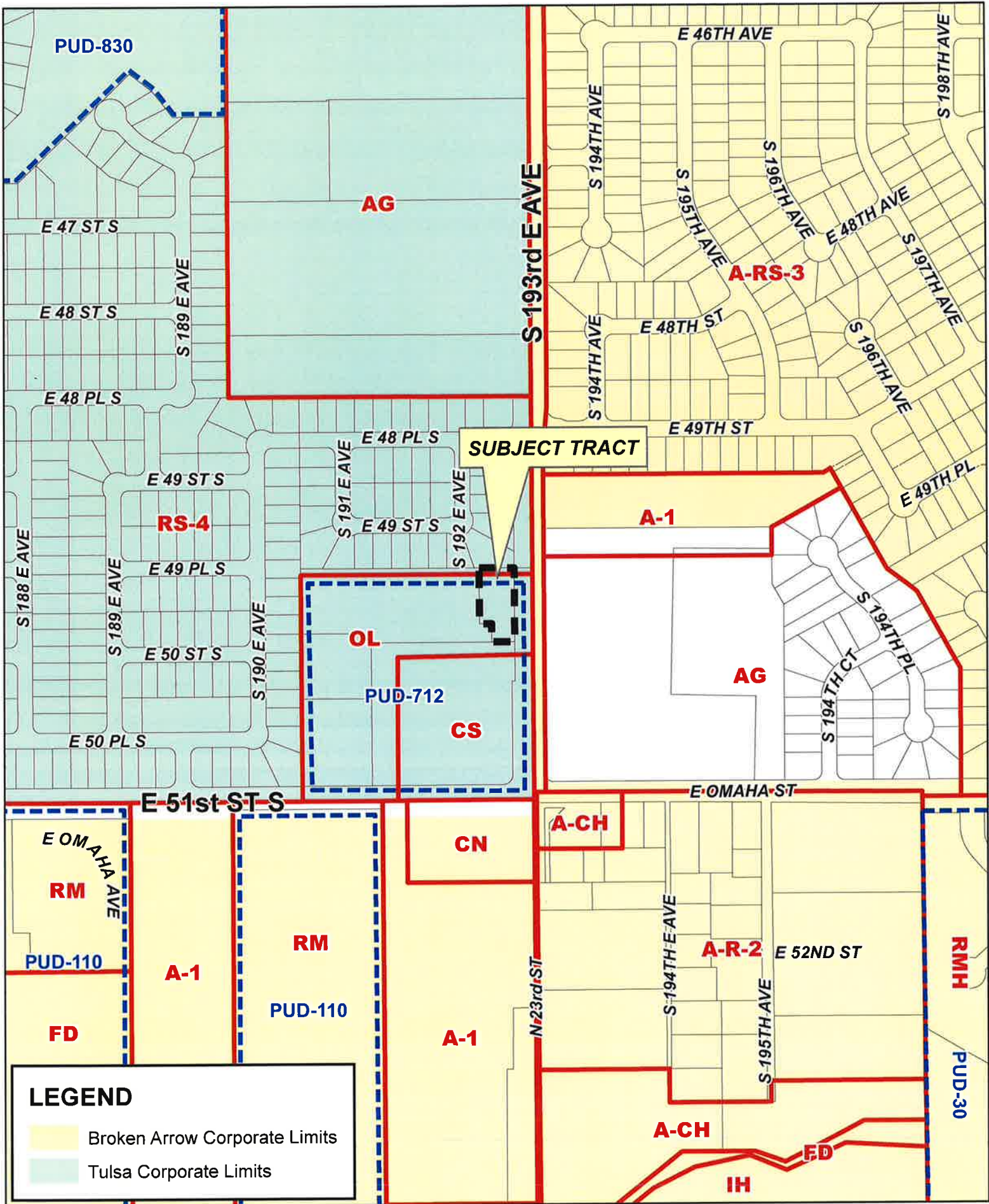
- INCOG zoning case map
- INCOG aerial photo
- INCOG aerial photo (enlarged)

Applicant Exhibits:

- Site Plan
- Enlarged Site Plan Aerial

With considerations listed above, staff recommends **approval** of the minor amendment request to increase the allowable floor area by 15%.

7.2

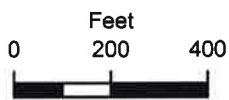


PUD-712-5

19-14 25

7.3





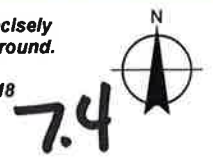
Subject Tract

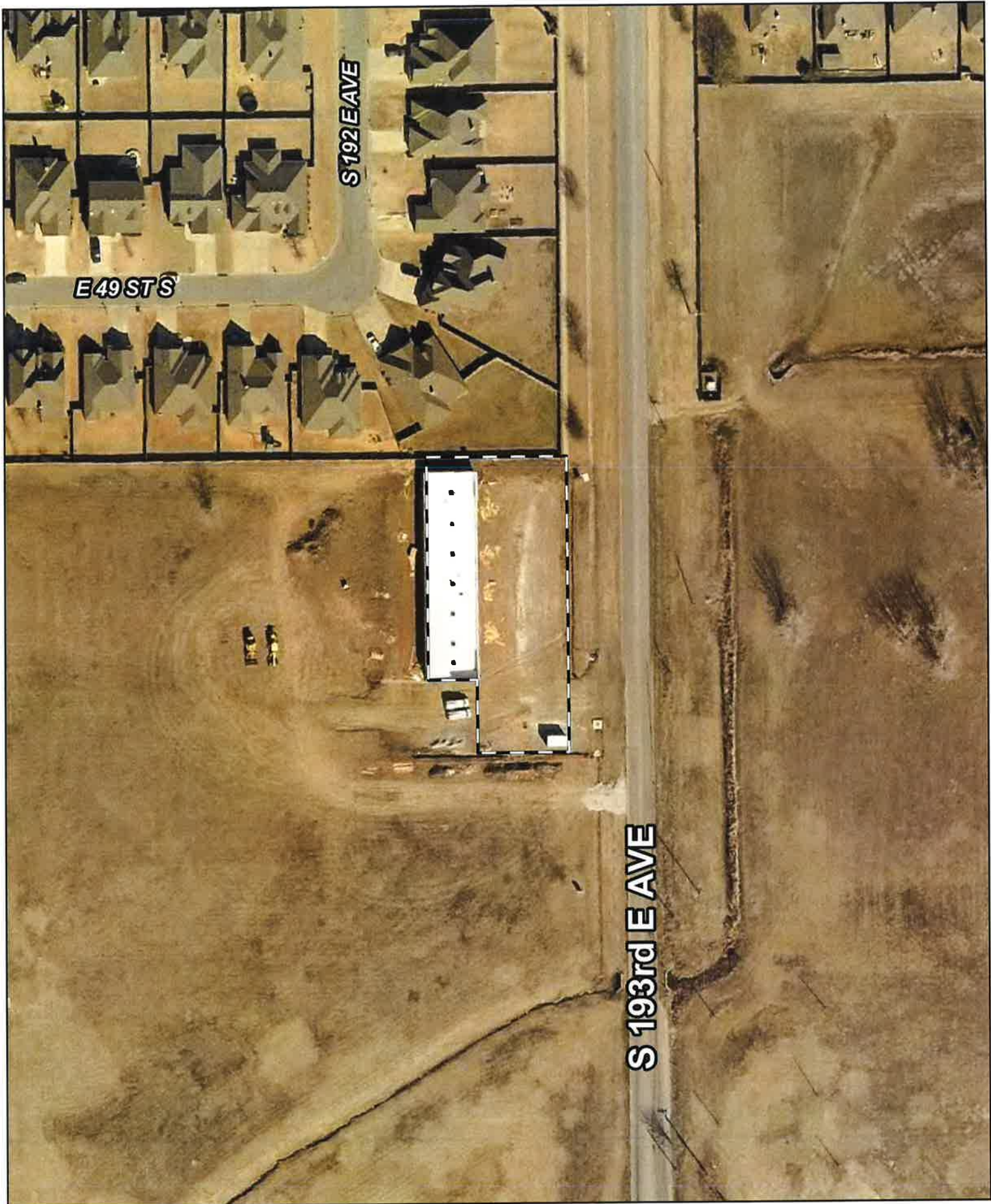
PUD-712-5

19-14 25

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

Aerial Photo Date: February 2018





S 192 E AVE

E 49 STS

S 193rd E AVE



Subject Tract

PUD-712-5

19-14 25

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

Aerial Photo Date: February 2018



Narrative:

Stone Creek Commercial Center (previously Stone Creek Center) Comprises a total of 13.26 acres (gross) located at the Northwest corner of East 51st Street South and South 193rd E. Ave. The specific property in question (Lot 3, Block 1) is zoned Office Light and is planned for retail commercial facilities pursuant to Planned Unit Development No. 712 as amended by minor amendment No. 712-1.

The application for minor amendment proposes an amendment of permitted signs to include an additional sign on Lot 3, Block 1 to identify the business occupying a retail shopping center. Drawings of the center and the proposed location of the sign are attached hereto as well as a depiction of the sign to be installed.

No change in the permitted uses is proposed and no change of underlying zoning is proposed.

Modifications of permitted signs are proposed as follows:

Permitted signs as approved for PUD No. 712-1 are as follows:

Signs: (Development Area A)

***** "Signs shall be limited to:

- (a) wall or canopy signs not exceeding 1.5 feet of display surface area per lineal foot of the main building wall to which affixed, provided however, the aggregate length of wall signs shall not exceed 75% of the wall or canopy to which affixed and no wall signs shall be affixed to the west and south building walls or canopies.
- (b) one ground sign at the intersection of 193rd and 51st identifying the center and/or tenants therein, not exceeding 25 feet in height and 200 square feet of display surface area, and
- (c) one ground sign along 193rd identifying the ministorage use not exceeding 20 feet in height and 120 square feet of display surface area,
- (d) one ground sign within the east 1/2 of Lot 1, Block 1, identifying the tenants therein, not exceeding 20 feet in height and 160 square feet of display surface area."

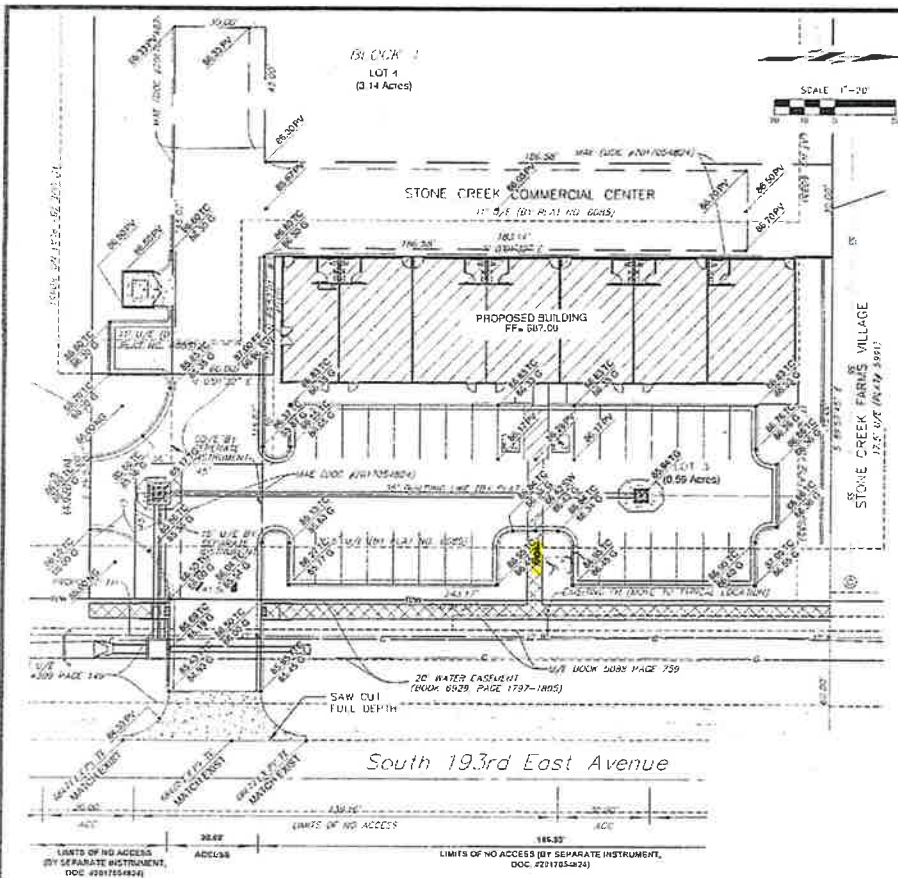
Proposed permitted signs are as follows:

Signs: (Development Area A)

***** “Signs shall be limited to:

- (a) wall or canopy signs not exceeding 1.5 feet of display surface area per lineal foot of the main building wall to which affixed, provided however, the aggregate length of wall signs shall not exceed 75% of the wall or canopy to which affixed and no wall signs shall be affixed to the west and south building walls or canopies, and
- (b) one ground sign at the intersection of 193rd and 51st identifying the center and/or tenants therein, not exceeding 25 feet in height and 200 square feet of display surface area, and
- (c) one ground sign along 193rd identifying the ministorage use not exceeding 20 feet in height and 120 square feet of display surface area, and
- (d) one ground sign within the east 1/2 of Lot 1, Block 1, identifying the tenants therein, not exceeding 20 feet in height and 160 square feet of display surface area, and
- (e) one ground sign within Lot 3, Block 1 along 193rd East Avenue identifying the tenants therein, not exceeding 20 feet in height and 160 square feet of display surface area.”

[The underlined area depicts changes or additions]



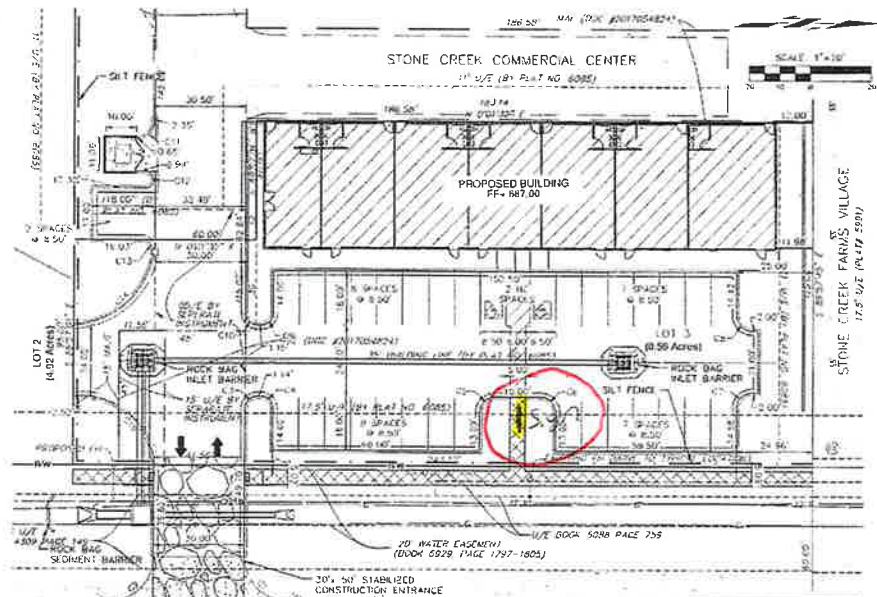
GRADING PLAN

EROSION CONTROL NOTES:

1. ALL EROSION CONTROL MEASURES SHALL BE INSTALLED AND MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
2. ALL EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY THROUGHOUT THE CONSTRUCTION PERIOD.
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9. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY THROUGHOUT THE CONSTRUCTION PERIOD.
10. EROSION CONTROL MEASURES SHALL BE MAINTAINED AND REPAIRED AS NECESSARY THROUGHOUT THE CONSTRUCTION PERIOD.

BENCHMARK

BENCHMARK
50" REBAR ALUMINUM CAP SET IN A CONCRETE POST STAMPED "ADS 80" APPROXIMATELY 70' NORTHEAST OF THE INTERSECTION OF COUNTY LINE ROAD (FRONT E. AVE) AND EAST 51ST STREET
ELEV. - 695.75 (NGVD 1929)



PAVING AND HORIZONTAL CONTROL PLAN

STABILIZED CONSTRUCTION ENTRANCE NOTES:

1. CONSTRUCTION SHALL BE DONE TO THE SATISFACTION OF THE CITY ENGINEER AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
2. CONSTRUCTION SHALL BE DONE TO THE SATISFACTION OF THE CITY ENGINEER AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
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10. CONSTRUCTION SHALL BE DONE TO THE SATISFACTION OF THE CITY ENGINEER AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
11. CONSTRUCTION SHALL BE DONE TO THE SATISFACTION OF THE CITY ENGINEER AND SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

APPROVED FOR IDP PERMIT ONLY
MICHAEL LIND, P.E. C.E.P. DATE: _____
REGISTERED PROFESSIONAL ENGINEER
CITY OF TULSA

ROCK BAG SEDIMENT BARRIER NOTES:

1. ROCK BAG SEDIMENT BARRIERS SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.
2. ROCK BAG SEDIMENT BARRIERS SHALL BE MAINTAINED THROUGHOUT THE CONSTRUCTION PERIOD.

Curve Table			
Curve #	Length	Radius	Delta
C1	23.65	15.00	93.34
C2	23.58	15.00	93.07
C3	6.28	4.00	90.01
C4	6.28	4.00	90.00
C5	7.85	5.00	90.00
C6	7.85	5.00	90.00
C7	7.85	5.00	90.00
C8	7.85	5.00	90.00
C9	6.28	4.00	90.05
C10	6.28	4.00	89.99
C11	7.85	5.00	90.00
C12	8.36	2.67	180.00
C13	6.91	4.00	99.04
C14	37.80	27.73	78.11
C15	37.73	24.00	93.08



COHAN GROUP ENGINEERING
2418 N. WALKER AVENUE, SUITE 210
TULSA, OK 74113
PH: 918.438.8888
WWW.COENGINEERING.CO
DATE: 04/14/2017 EXCISE NO: 2017-118



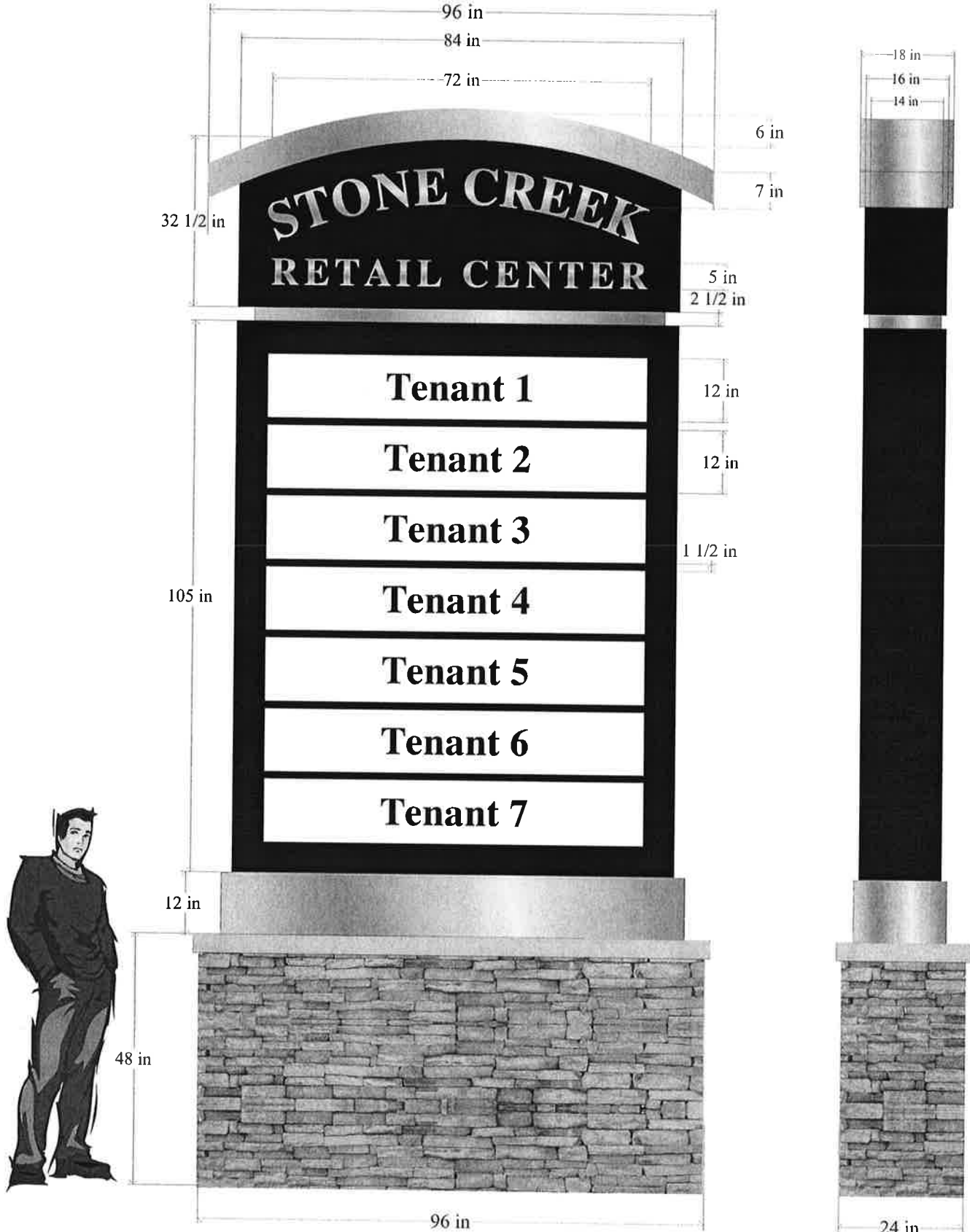
STONE CREEK DEVELOPMENT RETAIL BUILDING
LOT 3, BLOCK 1, STONE CREEK COMMERCIAL CENTER
CITY OF TULSA, TULSA COUNTY, OKLAHOMA

GRADING, PAVING, HORIZ. CONTROL & EROSION CONTROL

DESIGNED BY: CCL
DRAWN BY: CCL
REVIEWED BY: CCL
PROJECT NUMBER: 416-476
DATE: JUNE 2017
REVISIONS:
SHEET NUMBER: PV01


8.8

Sign = sidewalk and landscaping will move to sides for sign to be centered in area.



Design C: lighted monument. Tenant panels are white acrylic back lit. Top lettering metal punch thru. Brushed alum accent.

Side View

CLIENT NAME: THURMOND CONSULTING & STEVE BROWN		DRAWING # 18022001		5150 S. 94th East Ave. Tulsa, OK 74145 918-379-0993 888-607-SIGN Fax 918-379-0773	Copyright Notice © The drawing and all information herein are the property of OAKWOOD GRAPHICS and may not be reproduced, published, changed or used in any way without written consent. Designed by: R. MAHAFFEY
CONTACT NAME:-		<input checked="" type="checkbox"/> PRELIMINARY ARTWORK			
FILE NAME: STONE CREEK RETAIL CENTER.CDL		<input type="checkbox"/> APPROVED ARTWORK			
DATE: 2-20-2018	REV. #: -	PROJECT MANAGER: MICHELLE	PAGE: 1		

APPROVED AS IS
 APPROVED WITH CHANGES: _____

SIGNATURE: _____
 DATE: _____ **7.9**



Tulsa Metropolitan Area
Planning Commission

Case : The Estates at the River III

Hearing Date: June 6, 2018

Case Report Prepared by:

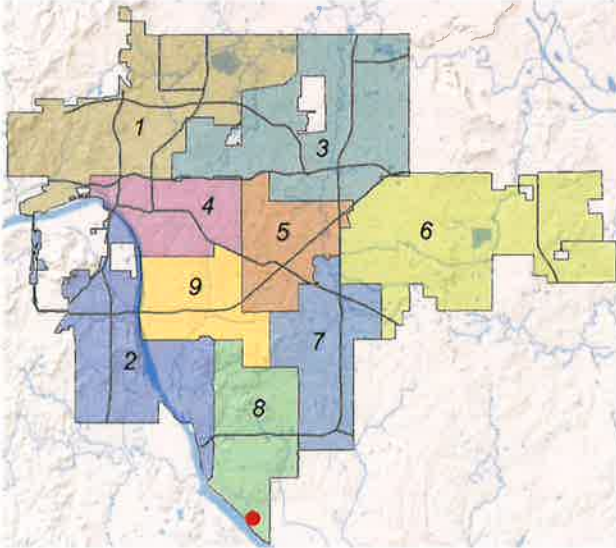
Nathan Foster

Owner and Applicant Information:

Applicant: Tanner Consulting, LLC

Owner: 121st Street Property, LLC

Location Map:
(Shown with City Council districts)



Applicant Proposal:

Preliminary Plat

60 lots, 5 blocks, 17.86 ± acres

Location: South of the southwest corner of East 121st Street South and South Hudson Avenue

Zoning: RS-3 / PUD-803

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 Submittal, Conceptual Improvements

PRELIMINARY SUBDIVISION PLAT

The Estates at the River III - (CD 8)

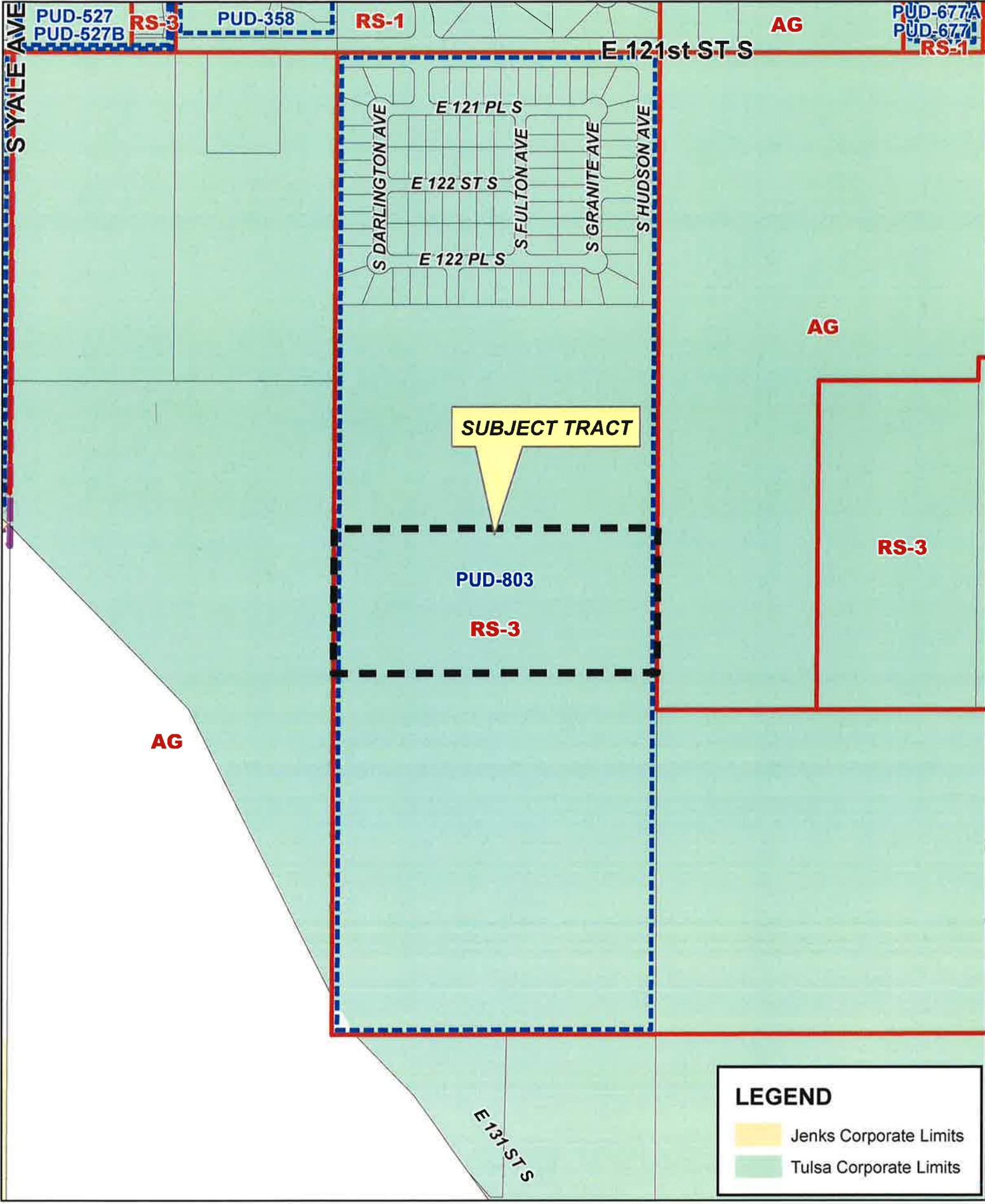
South of the southwest corner of East 121st Street South and South Hudson Avenue

This plat consists of 60 lots, 5 blocks, 17.86 ± acres.

The Technical Advisory Committee (TAC) met on May 17, 2018 and provided the following conditions:

1. **Zoning:** Proposed lot conforms to the requirements RS-3 zoning. PUD-803 permits a gated subdivision.
2. **Addressing:** Address will be assigned to final plat. Provide lot address graphically on the face of the final plat.
3. **Transportation & Traffic:** Reserve C should be excluded from the plat or language should be added to permit use of the area for future extension of South Hudson Avenue and a connection to proposed subdivisions to the east.
4. **Sewer:** Proposed fence easement along 125th Place has a sanitary sewer located under it. Agreements will be required prior to construction in any easement.
5. **Water:** IDP submittal must be approved prior to approval of the final plat.
6. **Engineering Graphics:** Submit a subdivision data control sheet with final plat submittal. Graphically show all pins found or set associated with this plat. Add legend entries for found/set property pins. Platted subdivisions at the time of final plat approval must be shown in the location map. All other property should be labeled unplatted. Label plat location as "Site" or "Project Location".
7. **Fire:** No comments.
8. **Stormwater, Drainage, & Floodplain:** Illustrate existing FEMA floodplain boundary on the face of the plat.
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.

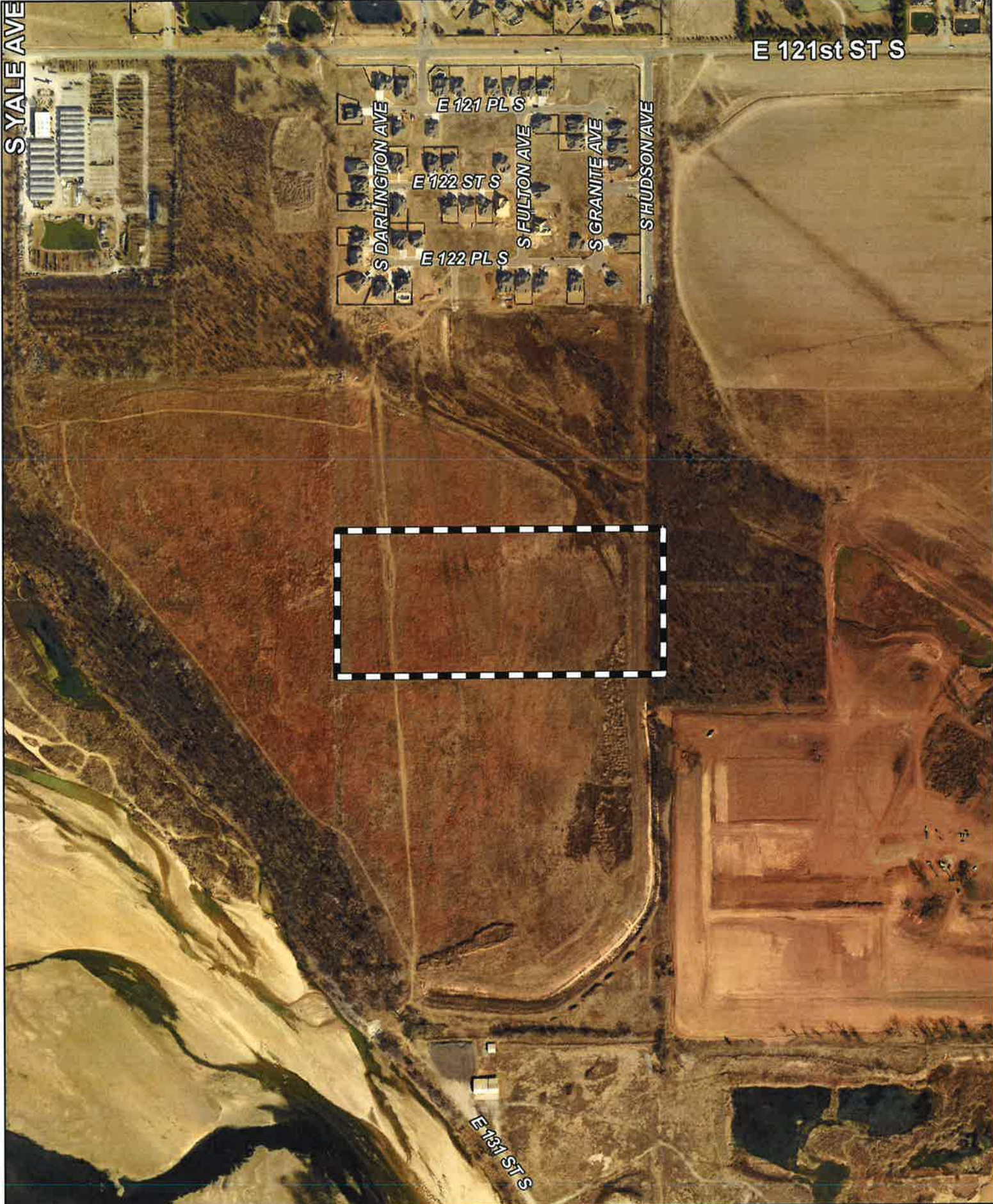


**THE ESTATES
AT THE RIVER III**

17-13 03

8.3





S YALE AVE

E 121st ST S

S DARLINGTON AVE

E 121 PL S

E 122 ST S

E 122 PL S

S FULTON AVE

S GRANITE AVE

SHUDSON AVE

E 121st ST S



Subject Tract

THE ESTATES AT THE RIVER III

17-13 03

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

Aerial Photo Date: February 2018

8.4



S YALE AVE

E 121st ST S

S DARLINGTON AVE

E 121 PL S

E 122 ST S

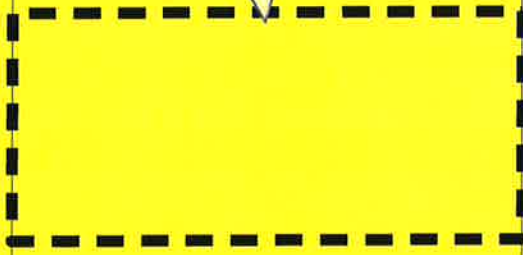
S FULTON AVE

S GRANITE AVE

S HUDSON AVE

E 122 PL S

**SUBJECT TRACT
LAND USE PLAN
NEW NEIGHBORHOOD**



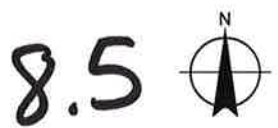
E 131 ST S

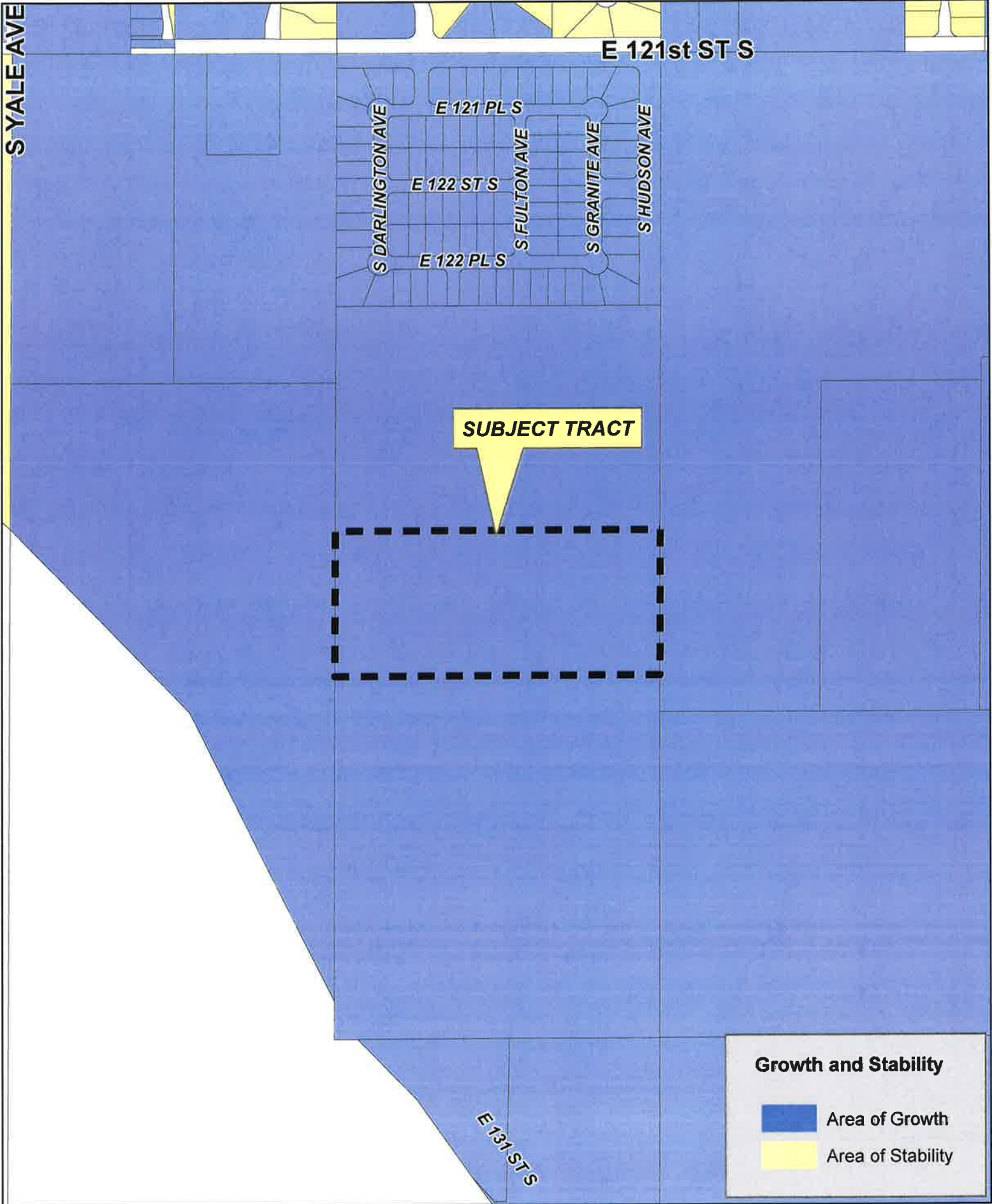
Land Use Plan Categories			
	Downtown		Neighborhood Center
	Downtown Neighborhood		Employment
	Main Street		New Neighborhood
	Mixed-Use Corridor		Existing Neighborhood
	Regional Center		Park and Open Space
	Town Center		Arkansas River Corridor



**THE ESTATES
AT THE RIVER III**

17-13 03





**THE ESTATES
AT THE RIVER III**

17-13 03

8.4 

8.7



Location Map
Scale: 1"=200'

SUBDIVISION CONTAINS:
SIXTY (60) LOTS
NINE (9) BLOCKS
WITH THREE (3) RESERVE AREAS

GROSS SUBDIVISION AREA: 17.882 ACRES

Preliminary Plat
PUD-803-4

THE ESTATES AT THE RIVER III

PART OF THE SOUTHEAST QUARTER NORTHWEST QUARTER (SE 1/4 NW 1/4) OF SECTION THREE (3),
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13), EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

OWNER:
121st Street Property, L.L.C.
AN OKLAHOMA LIMITED LIABILITY COMPANY
CONTACT: BRIAN GREEN
EMAIL: BIGRENO47@MSN.COM
17211 South 4170 Road
Claremore, Oklahoma 74017
Phone: (918) 342-0840

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.
DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2861, EXPIRES 6/30/2018
EMAIL: DAN@TANNERBATHSHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929



LEGEND

BL	BUILDING LINE
B/U	BUILDING LINE & UTILITY EASEMENT
BC	BOOK & PAGE
CD	CHORD BEARING
CD	CHORD DISTANCE
C1	CENTERLINE
C2	DELTA ANGLE
DOC	DOCUMENT
ESMT	EASEMENT
GOVT	GOVERNMENT
LNA	LIMITS OF NO ACCESS
OO	OVERLAND DRAINAGE EASEMENT
RES	RESERVE
R/W	RIGHT-OF-WAY
UE	UTILITY EASEMENT
1214	ADDRESS ASSIGNED

FINAL PLAT	
ENDORSEMENT OF APPROVAL	
Tulsa Metropolitan Area Planning Commission	
Approval Date:	
TMAPC/CCO	
CITY ENGINEER	
Council of the City of Tulsa, Oklahoma	
Approval Date:	
CHAIRMAN	
MAYOR	
ATTEST: CITY CLERK	
CITY ATTORNEY	

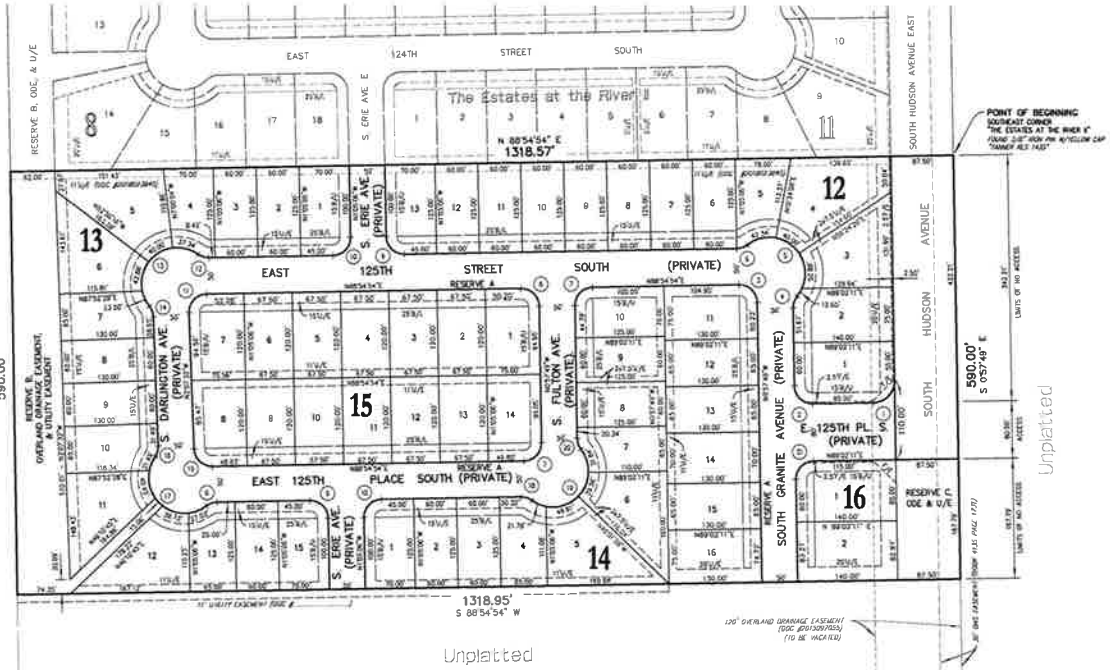
The approval of this Final Plat will expire one year from the date of City Council approval. If not filed in the Office of the County Clerk before that date.

Notes:

1. THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
2. ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER RLS 1435" UNLESS OTHERWISE NOTED.
3. THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (S60), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BEING LOCATED UPON THE FOLLOWING MONUMENTS:
 - A. FOUND MAGNETIC NAIL AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 3.
 - B. FOUND BRASS CAP STAMP AT THE NORTHEAST CORNER OF THE NORTHWEST QUARTER (NE 1/4) OF THE NORTHWEST QUARTER (NW 1/4) OF SECTION 3.
 THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 82°54' 54" EAST.
4. ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELED ON IN PLACE OF THE LEGAL DESCRIPTION.
5. ACCESS AND LIMITS OF ACCESS INDICATED ON SOUTH HUDSON AVENUE EAST APPLY ONLY TO THE WEST SIDE OF THE HUDSON AVENUE RIGHT-OF-WAY. SEE LIMITS OF NO ACCESS IN SECTION 7 OF THE BEAR OF DESIGNATION.

Curve Table

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD DISTANCE
1	46.61	30.00	89°04'11"	N44°31'05"E	42.07
2	29.27	23.00	90°00'00"	N45°57'49"W	25.38
3	39.34	25.00	90°07'37"	N48°01'28"W	35.39
4	16.08	23.00	36°52'12"	N17°27'55"E	15.83
5	142.88	60.00	135°02'01"	N40°02'32"W	89.01
6	16.08	25.00	36°52'12"	N70°28'48"E	15.83
7	38.80	25.00	86°34'54"	N44°27'27"E	35.02
8	38.85	25.00	89°02'11"	N47°28'35"W	35.02
9	38.22	25.00	80°00'00"	N46°05'06"W	35.38
10	39.27	25.00	90°00'00"	N43°24'34"E	35.38
11	39.72	25.00	91°02'55"	N43°01'43"E	35.87
12	15.62	25.00	35°47'08"	N72°06'37"W	15.38
13	143.72	50.00	164°41'36"	N42°28'38"E	99.12
14	16.08	23.00	36°46'38"	N20°26'53"W	15.77
15	38.82	23.00	88°52'14"	N40°38'19"W	35.02
16	15.18	23.00	34°02'51"	N12°18'11"E	14.89
17	143.73	50.00	163°54'53"	N40°02'11"W	96.98
18	16.09	23.00	36°52'12"	N72°29'00"W	15.83
19	142.78	50.00	163°37'03"	N45°28'32"E	96.98
20	16.20	23.00	36°52'12"	N39°23'55"W	15.81
21	39.27	23.00	90°00'00"	N44°02'11"E	35.38
22	39.20	23.00	89°53'18"	N44°00'00"E	35.37
23	39.34	23.00	90°07'02"	N46°02'55"W	35.41
24	38.80	23.00	88°54'54"	N45°22'53"W	35.02
25	142.80	50.00	164°48'50"	N45°21'41"E	99.12
26	16.09	23.00	36°52'12"	N30°23'38"W	15.83
27	133.60	50.00	174°42'51"	N30°28'34"W	133.24
28	38.70	23.00	37°44'03"	N45°34'41"E	35.37
29	178.93	200.00	51°15'30"	N65°37'31"W	173.62
30	124.19	150.00	47°23'13"	N65°27'32"W	125.78
31	233.50	150.00	89°54'43"	N45°18'34"E	211.91
32	156.87	100.00	89°28'43"	N43°58'33"E	141.27
33	20.68	15.00	47°23'13"	N49°23'27"W	20.09
34	72.97	50.00	62°37'14"	N1°40'06"W	68.67
35	21.01	25.00	88°13'21"	N64°49'33"E	20.41



PRELIMINARY PLAT

PUD-803-4

The Estates at the River III

PART OF THE SOUTHWEST QUARTER NORTHWEST QUARTER (S&4 NW/4) OF SECTION THREE (3) TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION (Continued)

SECTION IV. PROPERTY OWNERS' ASSOCIATION

4.1 FORMATION OF PROPERTY OWNERS' ASSOCIATION

THE OWNER SHALL CAUSE TO BE FORMED THE STATES AT THE RIVER PROPERTY OWNERS' ASSOCIATION (THE "ASSOCIATION"). THE ASSOCIATION SHALL BE A PROPERTY OWNERS' ASSOCIATION COMPOSED OF THE OWNERS OF THE LOTS WITHIN THE STATES AT THE RIVER, PLAT NO. 1864, THE STATES AT THE RIVER, PLAT NO. 1865, "THE STATES AT THE RIVER III," AND ANY OTHER RESIDENTIAL SUBDIVISION WHICH MAY BE SUBSEQUENTLY ANNEXED TO THE GEOGRAPHIC JURISDICTION OF THE ASSOCIATION, WHICH ASSOCIATION IS TO BE ESTABLISHED IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AND TO BE FORMED FOR THE GENERAL PURPOSES OF MAINTAINING ALL RESERVE AREAS WITHIN THE SUBDIVISION AND ANY PROPERTY AND FACILITIES THAT ARE FOR THE COMMON USE AND BENEFIT OF THE LOTS ALL THE SAME, MAY BE AGREED TO BY THE MEMBERS OF THE ASSOCIATION.

4.2 MEMBERSHIP

EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE REAL INTEREST OF A LOT SHALL BE A MEMBER OF THE ASSOCIATION. MEMBERSHIP SHALL BE AFFILIATION TO AND MAY NOT BE SEPARATED FROM THE OWNERSHIP OF A LOT.

4.3 ASSESSMENT

EACH LOT OWNER SHALL BE SUBJECT TO ANNUAL AND SPECIAL ASSESSMENTS BY THE ASSOCIATION FOR THE PURPOSE OF IMPROVEMENT AND MAINTENANCE OF RESERVE A, B AND C AND OF ANY PROPERTY AND FACILITIES THAT, FROM TIME TO TIME, ARE FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF THE LOTS AS THE SAME MAY BE AGREED TO BY THE MEMBERS OF THE ASSOCIATION.

4.4 ASSOCIATION TO BE BENEFICIAL

WITHOUT LIMITATION OF SUCH OTHER POWERS AND RIGHTS AS THE ASSOCIATION MAY HAVE, THE ASSOCIATION SHALL BE DEEMED A BENEFICIARY OF THE VARIOUS COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN THIS DEED OF DEDICATION TO THE SAME EXTENT AS ALL OTHER BENEFICIARIES THEREOF, INCLUDING EACH LOT OWNER, THE CITY AND THE SUPPLIER OF ANY UTILITY OR OTHER SERVICE WITHIN THE SUBDIVISION, AND SHALL HAVE THE RIGHT TO ENFORCE THESE COVENANTS AND AGREEMENTS.

SECTION V. PRIVATE RESTRICTIONS

THE OWNER HEREBY IMPOSES THE FOLLOWING RESTRICTIONS AND COVENANTS FOR THE PURPOSE OF PROVIDING FOR THE ORDERLY DEVELOPMENT OF THE SUBDIVISION AND CONFORMITY AND COMPATIBILITY OF IMPROVEMENTS THEREIN, WHICH SHALL BE APPLICABLE TO THE LOTS AND SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREIN SET FORTH.

5.1 ARCHITECTURAL COMMITTEE - PLAN REVIEW

5.1.1 PLAN REVIEW. NO BUILDINGS, STRUCTURE, FENCE, WALL, PAVING, SWIMMING POOL, EXTERIOR LIGHTING, EXTERIOR ANTENNAE, OR FREE STANDING MAIL BOX SHALL BE ERECTED, PLACED OR ALTERED (INCLUDING EXTERIOR PAINTING) ON ANY LOT, AND NO SIDEWALK SHALL BE CONSTRUCTED UPON OR ADJACENT TO ANY LOT, UNLESS THE PLANS AND SPECIFICATIONS HAVE BEEN APPROVED IN WRITING BY THE OWNER OR ITS AUTHORIZED REPRESENTATIVES OR SUCCESSORS, WHICH ARE HEREINAFTER REFERRED TO AS THE "ARCHITECTURAL COMMITTEE". FOR EACH BUILDING, THE REQUIRED PLANS AND SPECIFICATIONS SHALL BE SUBMITTED IN DUPLICATE AND INCLUDE A SITE PLAN, FLOOR PLAN, EXTERIOR ELEVATIONS, DRAINAGE AND GRADING PLANS, SIDEWALK LOCATION AND DESIGN PLAN, EXTERIOR MATERIALS AND COLOR SCHEDULE. IN THE EVENT THE ARCHITECTURAL COMMITTEE FAILS TO APPROVE OR DISAPPROVE PLANS AND SPECIFICATIONS SUBMITTED TO IT AS HEREIN REQUIRED WITHIN TWENTY (20) DAYS AFTER SUBMISSION, THE PLANS TO BE SUBMITTED SHALL BE DEEMED APPROVED. THE DEVELOPMENT AND USE OF THE SUBJECT LOT SHALL THEREAFTER BE IN SUBSTANTIAL COMPLIANCE WITH THE APPROVED PLANS OR APPROVED AMENDMENTS HERETO, UNLESS THE OWNER OR HIS/HER SUCCESSORS SHALL BE UNABLE FOR ANY APPLICABLE, DISAPPROVAL OR FAILURE TO APPROVE HEREUNDER, AND ITS APPROVAL OF BUILDING PLANS SHALL NOT CONSTITUTE A WARRANTY OR RESPONSIBILITY FOR BUILDING METHODS, MATERIALS, PROCEDURES, STRUCTURAL DESIGN, GRADING OR COLOR VIOLATIONS. THE APPROVAL OR FAILURE TO APPROVE BUILDING PLANS SHALL NOT BE DEEMED A WAIVER OF ANY RESTRICTION, NOTWITHSTANDING HEREIN CONTAINED, SHALL BE DEEMED TO PREVENT ANY LOT OWNER IN THE SUBDIVISION FROM PROSECUTING ANY LEGAL ACTION RELATING TO IMPROVEMENTS WITHIN THE SUBDIVISION WHICH THEY WOULD OTHERWISE BE ENTITLED TO PROSECUTE.

5.1.2 COMMITTEE PURPOSE. THE ARCHITECTURAL COMMITTEE'S PURPOSE IS TO PROMOTE GOOD DESIGN AND COMPATIBILITY WITHIN THE SUBDIVISION AND, IN ITS REVIEW OF PLANS OR DETERMINATION OF ANY WAIVER AS HEREINAFTER AUTHORIZED, IT MAY TAKE INTO CONSIDERATION THE NATURE AND CHARACTER OF THE PROPOSED BUILDING OR STRUCTURE, THE MATERIALS OF WHICH IT IS TO BE BUILT, THE AVAILABILITY OF ALTERNATIVE MATERIALS, THE SITE UPON WHICH IT IS PROPOSED TO BE ERECTED AND THE HARMONY THEREOF WITH THE SURROUNDING AREA. THE ARCHITECTURAL COMMITTEE SHALL NOT BE LIABLE FOR ANY APPLICABLE, DISAPPROVAL OR FAILURE TO APPROVE HEREUNDER, AND ITS APPROVAL OF BUILDING PLANS SHALL NOT CONSTITUTE A WARRANTY OR RESPONSIBILITY FOR BUILDING METHODS, MATERIALS, PROCEDURES, STRUCTURAL DESIGN, GRADING OR COLOR VIOLATIONS. THE APPROVAL OR FAILURE TO APPROVE BUILDING PLANS SHALL NOT BE DEEMED A WAIVER OF ANY RESTRICTION, NOTWITHSTANDING HEREIN CONTAINED, SHALL BE DEEMED TO PREVENT ANY LOT OWNER IN THE SUBDIVISION FROM PROSECUTING ANY LEGAL ACTION RELATING TO IMPROVEMENTS WITHIN THE SUBDIVISION WHICH THEY WOULD OTHERWISE BE ENTITLED TO PROSECUTE.

5.1.3 THE POWERS AND DUTIES OF THE ARCHITECTURAL COMMITTEE SHALL BE TRANSFERRED TO THE PROPERTY OWNERS' ASSOCIATION UPON WRITTEN ASSIGNMENT TO THE APPLICABLE PROPERTY OWNERS' ASSOCIATION BY THE OWNER AND THEREAFTER THE POWERS AND DUTIES SHALL BE EXERCISED BY THE BOARD OF DIRECTORS OF THE PROPERTY OWNERS' ASSOCIATION.

5.2 FLOOR AREA

SMALL STONE DWELLINGS SHALL HAVE A MINIMUM OF 1,300 SQUARE FEET OF FINISHED HEATED LIVING AREA AND ONE HALF (1/2) OR TWO (2) STORY DWELLINGS SHALL HAVE A MINIMUM OF 2,700 SQUARE FEET OF FINISHED HEATED LIVING AREA. THE COMPUTATION OF SQUARE FEET OF LIVING AREA SHALL EXCLUDE GARAGES, OPEN SPACES AND BALCONIES.

5.3 GARAGE

EACH DWELLING SHALL HAVE AN ATTACHED ENCLOSED GARAGE PROVIDING SPACE FOR A MINIMUM OF TWO (2) AUTOMOBILES. GARAGES ARE PROHIBITED GLASS IN VEHICULAR ENTRY DOORS IS PROHIBITED.

5.4 FOUNDATIONS

THE EXTERIOR SURFACE OF ANY EXPOSED FOUNDATION, INCLUDING STEM WALLS, SHALL BE OF BRICK, STONE OR STUCCO.

5.5 MAASONRY

A MINIMUM OF 100% OF THE EXTERIOR SURFACE OF EXTERIOR WALLS (INCLUDING WINDOWS AND DOORS) OF THE FIRST STORY SHALL BE OF BRICK, NATURAL ROCK OR STUCCO. WINDOWS OF ANY EXTERIOR WALL IS PROHIBITED. THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST, APPROVE A WAIVER OF THE RESTRICTIONS SET FORTH IN THIS SUBSECTION.

5.6 WINDOWS

NO MILK FINISHED WINDOWS SHALL BE PERMITTED ON ANY HOME IN THE SUBDIVISION; HOWEVER, THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST APPROVE A WAIVER OF THE RESTRICTIONS SET FORTH IN THIS SUBSECTION.

5.7 ROOF FLASHING

EXPOSED ROOF FLASHING, VENT PIPES AND CHIMNEY COVERS SHALL BE PAINTED.

5.8 ROOF PITCH

NO DWELLING SHALL HAVE A ROOF PITCH OF LESS THAN 8:12, PROVIDED HOWEVER, THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST APPROVE A WAIVER OF THIS RESTRICTION TO PERMIT A DWELLING HAVING A FLAT ROOF AREA EQUAL TO NO MORE THAN TWENTY PERCENT (20%) OF THE AREA COVERED BY ALL ROOF SURFACES.

5.9 ROOFING MATERIALS

ROOFS SHALL BE COMPOSITION SHINGLE ROOF - HERITAGE II, PROVIDED HOWEVER, IF FEDERAL, STATE, OR LOCAL LAWS PROHIBIT SUCH ROOFING OR SUBSTANTIALLY IMPAIR THE ENFORCEMENT OF THIS RESTRICTION OR IF HERITAGE II ROOFING IS NOT REASONABLY AVAILABLE, THE ARCHITECTURAL COMMITTEE MAY APPROVE FOR THE SUBDIVISION SPECIFICATIONS FOR ALTERNATIVE ROOFING THAT IS HEAVY DUTY ORGANIC OR INDIANIC COMPOSITION SHINGLE AND WHICH SIMULATES A "WEATHERED WOOD" LOOK.

5.10 ON-SITE CONSTRUCTION

NO EXISTING OR ON-SITE BUILT DWELLING MAY BE SMOKE DITCH OR PLACED ON ANY LOT.

5.11 OUTBUILDINGS

OUTBUILDINGS ARE PROHIBITED; PROVIDED HOWEVER, THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST APPROVE A WAIVER OF THE RESTRICTIONS SET FORTH IN THIS SUBSECTION.

5.12 SWIMMING POOLS

ABOVE GROUND SWIMMING POOLS ARE PROHIBITED.

5.13 FENCING OR WALLS WITHIN THE LOT

FENCING OR WALLS WITHIN THE LOT SHALL NOT EXTEND BEYOND THE FRONT BUILDING LINE OF THE LOT, AND IF A DWELLING IS BUILT BEYOND THE FRONT BUILDING LINE OF A LOT, NO FENCE OR WALL MAY EXTEND BEYOND THAT POINT NEAREST THE STREET AT EACH END CORNER OF THE DWELLING, WITHIN CORNER LOTS, FENCES OR WALLS IN THE SIDE YARD ADJOINING THE STREET SHALL BE SET BACK A MINIMUM OF 20 FEET FROM THE SIDE LOT LINE. ELSEWHERE, FENCES OR WALLS WITHIN THE LOT SHALL BE OF WOOD, BRICK, STUCCO, NATURAL STONE OR WROUGHT IRON, CHAIN LINK, BARBED WIRE, MESHED OR OTHER METAL FENCING IS SPECIFICALLY PROHIBITED. NO FENCE OR WALL WITHIN THE LOT SHALL EXCEED SIX (6) FEET IN HEIGHT. THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST, APPROVE A WAIVER OF THE FOREGOING RESTRICTIONS, NOTWITHSTANDING THE SAME IS APPROVED WITHIN THIS PARAGRAPH SHALL BE DEEMED A RESTRICTION UPON FENCING OR WALLS CONSTRUCTED WITHIN THE AREAS DEDICATED UPON THE ACCOMPANYING PLAT TO "FENCE EASEMENT" OR "E/F".

5.14 ANTENNAS

EXTERIOR TELEVISION, "TOP" RADIO OR OTHER TYPES OF ANTENNA SHALL BE PROHIBITED, PROVIDED HOWEVER, SATELLITE DISHES OR SIMILAR OUTSIDE ELECTRONIC RECEPTION DEVICES NOT EXCEEDING 20 INCHES IN DIAMETER MAY BE ATTACHED TO A REAR BUILDING WALL OR DOMESTICALLY BELOW THE SAFE AND NOT VISIBLE FROM THE STREET VIEW OF THE DWELLING, AND THE SPECIFIC LOCATION OF THE SAME IS APPROVED BY THE ARCHITECTURAL COMMITTEE. THE ARCHITECTURAL COMMITTEE MAY, IN THE PARTICULAR INSTANCE AND UPON WRITTEN REQUEST, APPROVE A WAIVER OF THE FOREGOING RESTRICTIONS.

5.15 LOT MAINTENANCE

NO INOPERATIVE VEHICLE OR MACHINERY SHALL BE STORED ON A LOT, AND EACH LOT SHALL BE MAINTAINED IN A NEAT AND ORDERLY CONDITION FREE OF RUBBISH, TRASH, OR OTHER DEBRIS AND SHALL BE CUT, TRIMMED OR MOWED TO PREVENT UNDESIRABLE GROWTH OF WEEDS OR TALL GRASS.

5.16 RECREATIONAL VEHICLES AND EQUIPMENT

NO TRAILERS, RECREATIONAL VEHICLES, PERSONAL WATER CRAFT, CAMPERS, MOTOR HOMES, OR OTHER RECREATIONAL VEHICLES EQUIPPED SHALL BE STORED, PLACED, OR PARKED ON ANY STREET WITHIN THE SUBDIVISION OR ON ANY LOT, EXCEPT WITHIN AN ENCLOSED GARAGE.

5.17 TRAILERS, MACHINERY AND EQUIPMENT, COMMERCIAL VEHICLES

NO TRAILERS, MACHINERY OR EQUIPMENT, OR COMMERCIAL VEHICLES, SHALL BE STORED, PLACED OR PARKED ON ANY STREET WITHIN THE SUBDIVISION OR ON ANY LOT, EXCEPT WITHIN AN ENCLOSED GARAGE; PROVIDED HOWEVER, NOTHING HEREIN SHALL PROHIBIT THE PARKING OF VEHICLES, TRAILERS, MACHINERY OR EQUIPMENT WHEN BEING UTILIZED IN CONNECTION WITH SERVICES RELATING TO A RESIDENCE IN THE SUBDIVISION; FURTHER PROVIDED THAT NOTHING HEREIN SHALL PROHIBIT THE PARKING OF LIGHT TRUCKS WITHOUT COMMERCIAL SIGNAGE (MAXIMUM 3' X 12').

5.18 CLOTHESLINES AND TRASH RECEPTACLES

EXTERIOR CLOTHESLINE POLLS OR OTHER OUTDOOR DRYING APPARATUS ARE PROHIBITED. GARAGE DOORS AND OTHER TRASH RECEPTACLES SHALL BE OUT OF VIEW FROM ANY ADJOINING STREET OR FROM ANY ADJOINING LOT EXCEPT DURING REASONABLE TIMES NECESSARY TO PERMIT CURBSIDE PICKUP.

5.19 MAILBOXES

AS LONG AS A RURAL TYPE MAILBOX IS IN USE IN THE SUBDIVISION FOR U.S. POSTAL SERVICE, ALL MAILBOX PEDESTALS SHALL CONFORM, IN DESIGN TO SPECIFICATIONS ESTABLISHED BY THE ARCHITECTURAL COMMITTEE. THE MAILBOX SHALL BE POSITIONED SO THAT THE "FRONT" FACE IS APPROXIMATELY SIX (6) INCHES IN FROM THE BASE OF THE CURB AND ONE (1) FEET FROM THE "INSIDE EDGE" OF THE DRIVEWAY. "INSIDE EDGE" SHALL MEAN THE EDGE OF THE DRIVEWAY WHICH INCLOSURES THE LARGEST CONTIGUOUS LOT AREA. THE TOP OF THE MAILBOX SHALL BE FOURTY-TWO (42) INCHES FROM STREET LEVEL.

5.20 GARAGE SALES/YARD SALES

GARAGE/YARD SALES WILL BE ALLOWED TWICE EACH CALENDAR YEAR. THE DATES THEREOF SHALL BE SET BY THE BOARD OF DIRECTORS OF THE ASSOCIATION.

SECTION VI. ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, AND SEVERABILITY

6.1 ENFORCEMENT

THE RESTRICTIONS HEREIN SET FORTH ARE COVENANTS TO RUN WITH THE LAND AND SHALL BE BINDING UPON THE OWNER AND ITS SUCCESSORS AND ASSIGNS, WITHIN THE PROVISIONS OF SECTION 1. STREETS AND UTILITY EASEMENTS AND SECTION 11. RESERVE AREAS, AND SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERETO, AND ADDITIONALLY THE COVENANTS WITHIN SECTIONS 11 AND 12, WHETHER OR NOT SPECIFICALLY THERETO SO STATED, SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA. THE COVENANTS CONTAINED IN SECTION 11 PLANNED UNIT DEVELOPMENT RESTRICTIONS ARE ESTABLISHED PURSUANT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE TULSA ZONING CODE AND SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, ANY OWNER OF A LOT IN THE SUBDIVISION, AND THE ASSOCIATION. IF THE UNDERSIGNING OWNER OR ITS SUCCESSORS OR ASSIGNS SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION 11, IT SHALL BE LAWFUL FOR THE CITY OF TULSA, ANY OWNER OF A LOT IN THE SUBDIVISION, OR THE ASSOCIATION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT SUCH PERSON OR PERSONS FROM SO DOING OR TO COMPLY COMPLIANCE WITH THE COVENANT. THE COVENANTS CONTAINED IN SECTION 11 HEREIN ARE COVENANTS TO RUN WITH THE STATES AT THE RIVER III AND THE ASSOCIATION. IF THE UNDERSIGNING OWNER OR ITS SUCCESSORS OR ASSIGNS SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION 11 OR 12, IT SHALL BE LAWFUL FOR ANY OWNERS OF A LOT IN THE SUBDIVISION OR THE ASSOCIATION TO MAINTAIN ANY ACTION AT LAW OR IN EQUITY AGAINST THE PERSON OR PERSONS VIOLATING OR ATTEMPTING TO VIOLATE ANY SUCH COVENANT, TO PREVENT SUCH PERSON OR PERSONS FROM SO DOING OR TO COMPLY COMPLIANCE WITH THE COVENANT, IN ANY JUDICIAL ACTION BROUGHT TO ENFORCE THE COVENANTS ESTABLISHED WITHIN THIS DEED OF DEDICATION, THE DEFENSE THAT THE PARTY INITIATING THE SUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW IS HEREBY WAIVED. IN ANY JUDICIAL ACTION BROUGHT BY ANY OWNER OF A LOT IN THE SUBDIVISION OR THE ASSOCIATION, WHICH ACTION SEeks TO ENFORCE THE COVENANTS AND/OR TO RECOVER DAMAGES FOR THE BREACH THEREOF, THE PREVAILING PARTY SHALL BE ENTITLED TO RECEIVE REASONABLE ATTORNEY FEES AND COSTS AND EXPENSES INCURRED IN SUCH ACTION.

6.2 DURATION

THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

6.3 AMENDMENT OR TERMINATION

THE COVENANTS CONTAINED WITHIN SECTIONS 11 (STREETS AND UTILITY EASEMENTS AND 12) RESERVE AREAS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER AND THEREAFTER BY THE CITY OF TULSA, OKLAHOMA, OR THE ASSOCIATION, OR BY THE OWNERS 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 COVENANTS CONTAINED WITHIN SECTION 11, PLANNED UNIT DEVELOPMENT RESTRICTIONS, MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF THE LAND TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, NOTWITHSTANDING THE FOREGOING, THE COVENANTS CONTAINED WITHIN SECTION 12 SHALL BE DEEMED AMENDED (WITHOUT NECESSITY OF EXECUTION OF AN AMENDING DOCUMENT) UPON APPROVAL OF A MINOR AMENDMENT TO PUD NO. 883 BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, AND RECORDING OF A CERTIFIED COPY OF THE MINUTES OF THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, WITH THE TULSA COUNTY CLERK. THE COVENANTS CONTAINED WITHIN ANY OTHER SECTION OF THIS DEED OF DEDICATION MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER DURING SUCH PERIOD THAT THE OWNER IS THE RECORD OWNER OF AT LEAST 1/2, UNFRAGMENTED, OF THE

COVENANTS AND RESTRICTIONS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF AT LEAST ONE OF THE LOTS WITHIN THE SUBDIVISION. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPOSAL EXECUTED BY THE OWNER DURING ITS OWNERSHIP OF AT LEAST 1/2 AND ANY AMENDMENT OR TERMINATION PROPOSAL EXECUTED BY THE OWNERS OF AT LEAST ONE OF THE LOTS, THE INSTRUMENT EXECUTED BY THE OWNER SHALL PREVAIL. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AND RESTRICTIONS SHALL BE EFFECTIVE FROM AND AFTER THE DATE OF ITS PROPER RECORDING.

6.4 SEVERABILITY

IF ANY PROVISION 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 OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, 1212 STREET PROPERTY, L.L.C., AN OKLAHOMA LIMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT ON THIS _____ DAY OF _____, 2018

1212 STREET PROPERTY, L.L.C.
AN OKLAHOMA LIMITED LIABILITY COMPANY

BRIAN GREEN, MANAGER OF L.L.C.

STATE OF OKLAHOMA)
COUNTY OF TULSA) 155

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS _____ DAY OF _____, 2018, PERSONALLY APPEARED BRIAN GREEN TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF 1212 STREET PROPERTY, L.L.C. TO THE FOREGOING INSTRUMENT, AS ITS MANAGER AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF 1212 STREET PROPERTY, L.L.C., AN OKLAHOMA LIMITED LIABILITY COMPANY, FOR THE USES AND PURPOSES THEREIN SET FORTH THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____ JENNIFER MILLER, NOTARY PUBLIC

CERTIFICATE OF SURVEY

I, DAN E. TANNER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND HEREIN DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "THE STATES AT THE RIVER III," A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF A SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES, AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

WITNESS MY HAND AND SEAL THIS _____ DAY OF _____, 2018.



DAN E. TANNER
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1435

STATE OF OKLAHOMA)
COUNTY OF TULSA) 155

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS _____ DAY OF _____, 2018, PERSONALLY APPEARED TO ME DAN E. TANNER KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS LICENSED PROFESSIONAL LAND SURVEYOR TO THE FOREGOING CERTIFICATE AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____ JENNIFER MILLER, NOTARY PUBLIC

DATE OF PREPARATION: May 3, 2018

8.9

R 13 E



Location Map

IN 2000 1" = 200'

SUBDIVISION CONTAINS:

SIXTY (60) LOTS
IN FIVE (5) BLOCKS
WITH THREE (3) RESERVES

GROSS SUBDIVISION AREA: 17.882 ACRES

Conceptual Utility Plan

PUD-803-4

THE ESTATES AT THE RIVER III

PART OF THE SOUTHEAST QUARTER NORTHWEST QUARTER (SE/4 NW/4) OF SECTION THREE (3)
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

OWNER:
121st Street Property, L.L.C.

AN OKLAHOMA LIMITED LIABILITY COMPANY
CONTACT: BRUCE GREEN
EMAIL: BRGREEN347@VISA.COM
17211 South 4170 Road
Claremore, Oklahoma 74017
Phone: (918) 342-0840

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.

DAN E. TANNER, P.L.S. NO. 1435
OK CA. NO. 2961, EXPIRES 5/31/2019
EMAIL: DAN@TANNERBAITSHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929



LEGEND

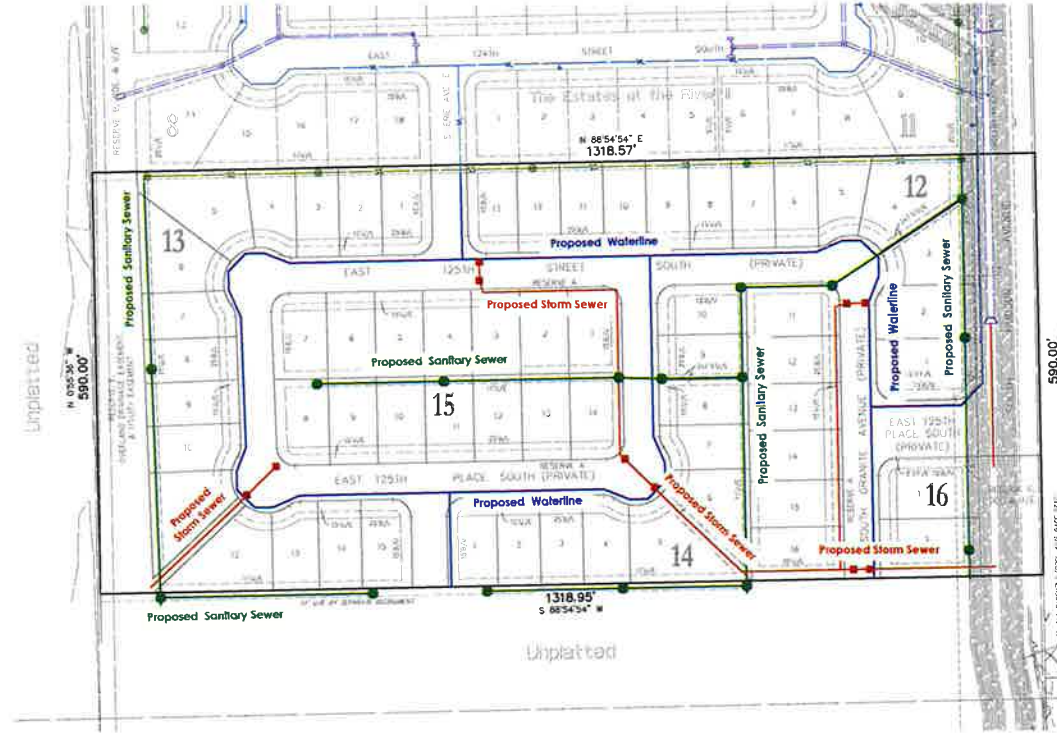
- BL BUILDING LINE
- BL/L BUILDING LINE & UTILITY EASEMENT
- SB/PC SOAK & PAD
- CB CHORD BEARING
- CD CHORD DISTANCE
- CL CENTERLINE
- SA SELLER ANGLE
- DOC DOCUMENT
- SOFT SOFT
- GOVT GOVERNMENT
- UNA UNASSIGNED
- DOE LIMITS OF NO ACCESS
- DOE OVERLAND DRAINAGE EASEMENT
- RESL RESERVE
- RHW RIGHT-OF-WAY
- NW UTILITY EASEMENT ADDRESS ASSIGNED
- USB UTILITY EASEMENT ADDRESS ASSIGNED
- SSW SANITARY SEWER MANHOLE
- SSWF STORM SEWER INLET

FINAL PLAT ENDORSEMENT OF APPROVAL	
Tulsa Metropolitan Area Planning Commission	
Approval Date:	
TMAPC/NCOG	
CITY ENGINEER	
Council of the City of Tulsa, Oklahoma	
Approval Date:	
CHAIRMAN	
MAYOR	
ATTST: 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.

Notes:

- THIS PLAT MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED TANNER RLS 5433 UNLESS OTHERWISE NOTED.
- THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3303), NORTH AMERICAN DATUM 1983 (NAD83). SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
 - FOUND MAGNETIC NAIL AT THE NORTHWEST CORNER OF THE NORTHEAST QUARTER (NE/4) OF THE NORTHWEST QUARTER (NW/4) OF SECTION 3.
 - FOUND BRASS CAP STEM AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE/4) OF THE NORTHWEST QUARTER (NW/4) OF SECTION 3.
 THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 82°54'54" EAST.
- ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE OFFICIAL DESCRIPTION.
- ACCESS AND LIMITS OF ACCESS INDICATED ON SOUTH HUDSON AVENUE EAST APPLY ONLY TO THE WEST SIDE OF THE HUDSON AVENUE RIGHT-OF-WAY. SEE LIMITS OF NO ACCESS IN SECTION 1 OF THE DEED OF DEDICATION.



DATE OF PREPARATION: May 3, 2018

Addison Creek
Blocks 10-13

8.10



Tulsa Metropolitan Area
Planning Commission

Case : Enclave II at Addison Creek

Hearing Date: June 6, 2018

Case Report Prepared by:

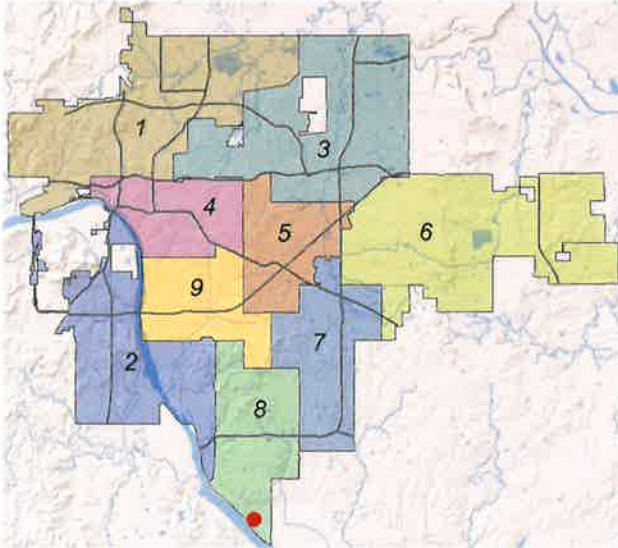
Nathan Foster

Owner and Applicant Information:

Applicant: Tanner Consulting, LLC

Owner: Stone Horse Development, LLC

Location Map:
(Shown with City Council districts)



Applicant Proposal:

Preliminary Plat

106 lots, 9 blocks, 27.8 ± acres

Location: West of South Sheridan Road at
East 123rd Street South

Zoning: RS-3 / PUD-828

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 Submittal, Conceptual Improvements

PRELIMINARY SUBDIVISION PLAT

Enclave II at Addison Creek - (CD 8)

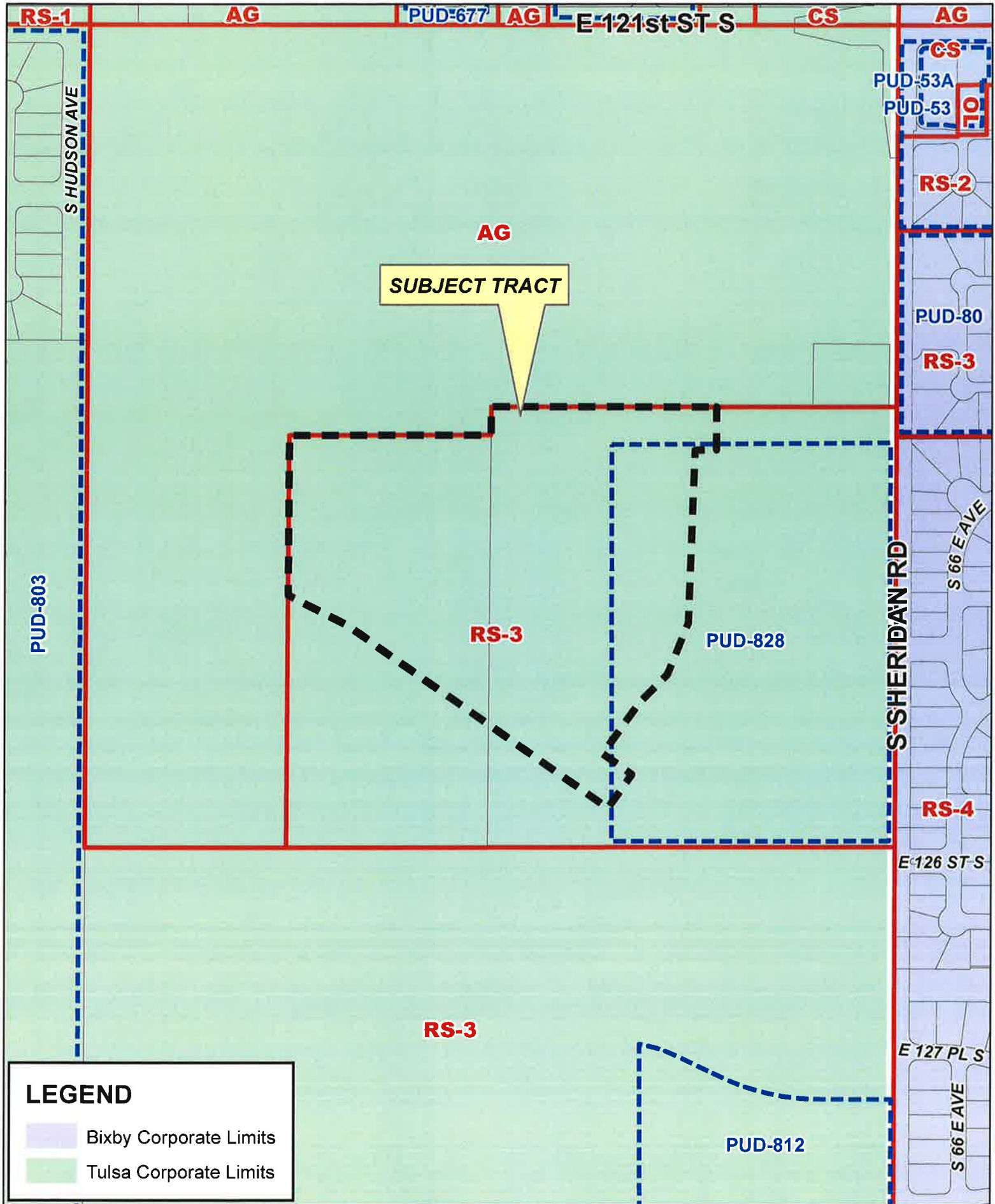
West of South Sheridan Road at East 123rd Street South

This plat consists of 106 lots, 9 blocks, 27.8 ± acres.

The Technical Advisory Committee (TAC) met on May 17, 2018 and provided the following conditions:

1. **Zoning:** Proposed lot conforms to the requirements RS-3 zoning. Boundary for PUD-828 should be delineated on the face of the plat to indicate which lots are included and subject to the development standards.
2. **Addressing:** Address will be assigned to final plat. Provide lot address graphically on the face of the final plat.
3. **Transportation & Traffic:** No comment.
4. **Sewer:** Easements in which sanitary sewer is located must be a minimum of 15' wide. Revise easements or obtain release from City of Tulsa for reduced easement widths.
5. **Water:** IDP submittal must be approved prior to approval of the final plat.
6. **Engineering Graphics:** Submit a subdivision data control sheet with final plat submittal. Graphically show all pins found or set associated with this plat. Add legend entries for found/set property pins. Platted subdivisions at the time of final plat approval must be shown in the location map. All other property should be labeled unplatted. Label plat location as "Site" or "Project Location".
7. **Fire:** No comments.
8. **Stormwater, Drainage, & Floodplain:** Illustrate existing FEMA floodplain boundary on the face of the plat.
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

AG

RS-3

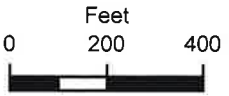
PUD-828

RS-3

PUD-812

LEGEND

- Bixby Corporate Limits
- Tulsa Corporate Limits



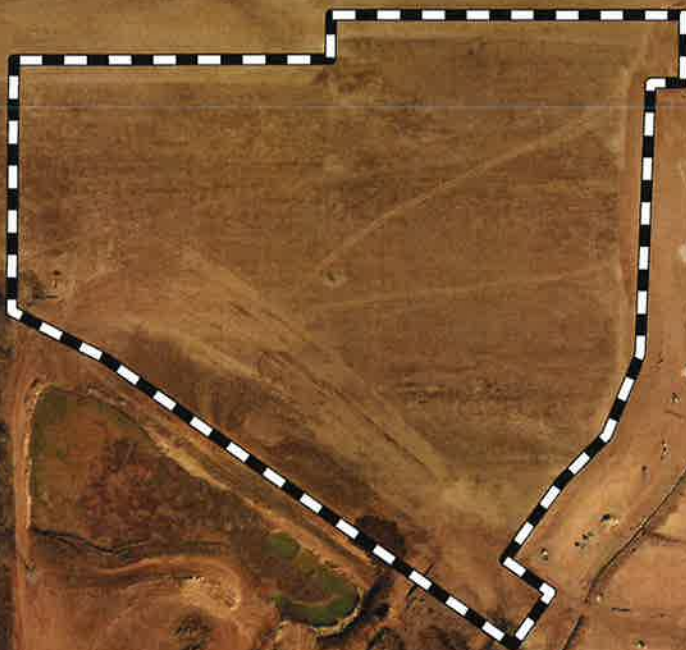
**ENCLAVE II AT
ADDISON CREEK**

17-13 03

9.3

E 121st ST S

S HUDSON AVE



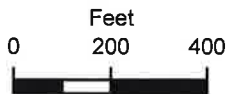
S SHERIDAN RD

S 66 E AVE

E 126 ST S

E 127 PL S

S 66 E AVE



Subject Tract

ENCLAVE II AT ADDISON CREEK

17-13 03

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

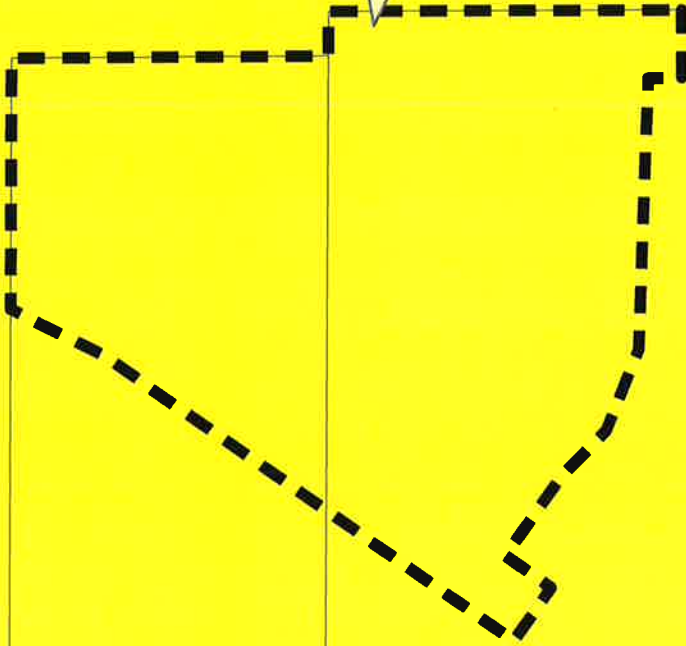
Aerial Photo Date: February 2018



E 121st ST S

S HUDSON AVE

**SUBJECT TRACT
LAND USE PLAN
NEW NEIGHBORHOOD**



S SHERIDAN RD

S 66 E AVE

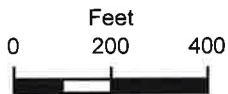
E 126 ST S

E 127 PL S

S 66 E AVE

Land Use Plan Categories

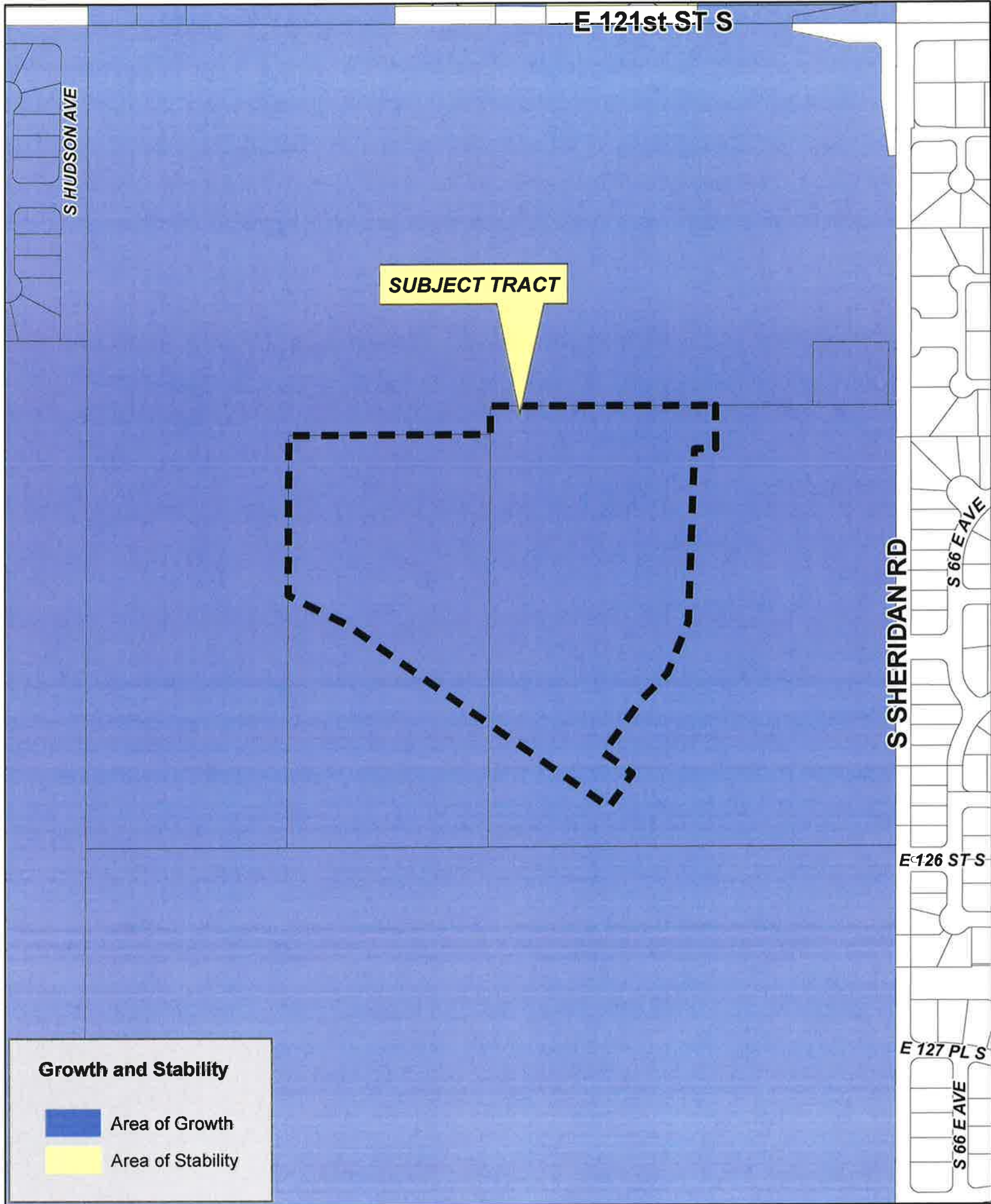
- | | |
|--|---|
|  Downtown |  Neighborhood Center |
|  Downtown Neighborhood |  Employment |
|  Main Street |  New Neighborhood |
|  Mixed-Use Corridor |  Existing Neighborhood |
|  Regional Center |  Park and Open Space |
|  Town Center |  Arkansas River Corridor |



**ENCLAVE II AT
ADDISON CREEK**

17-13 03





SUBJECT TRACT

E 121st ST S

S HUDSON AVE

S SHERIDAN RD



S 66 E AVE

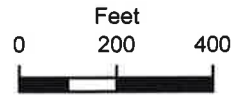
E 126 ST S

E 127 PL S

S 66 E AVE

Growth and Stability

-  Area of Growth
-  Area of Stability



**ENCLAVE II AT
ADDISON CREEK**

17-13 03

9.6



R 13 E



Location Map
Scale: 1" = 200'

INDUSTRY CONTAINERS:
ONE HUNDRED AND SIX (106) LOTS
IN NINE (9) BLOCKS
WITH TWO (2) RESERVE AREAS
GRADE SUBDIVISION AREA: 27.86 ACRES

Notes:

- THIS PLAN MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF SURVEYING FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER S.S.'S" UNLESS OTHERWISE NOTED.
- THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (30S), NORTH AMERICAN DATUM 1983 (NAD83). SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
 - FOUND BRASS CAP STEM AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 3;
 - FOUND 3/8" IRON PIN AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION 3;
 THE BEARINGS BETWEEN SAID MONUMENTS BEING SOUTH 70°30' EAST.
- ADDRESSSES SHOWN ON THIS PLAN ARE ACCURATE AT THE TIME THIS PLAN WAS FILED. ADDRESSSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
- ACCESS AT THE TIME OF PLAT WAS PROVIDED BY EAST 123RD STREET SOUTH AND EAST 123 1/2RD STREET SOUTH, BOTH BEING PUBLIC STREETS.

Curve Table

STATION	LENGTH (FEET)	RADIUS (FEET)	DELTA (ANGLE)	CHORD (LENGTH)	CHORD BEARING
1	39.27	25.00	90°00'00"	39.270000	S 0°00'00" W
2	38.27	25.00	90°00'00"	38.270000	S 0°00'00" W
3	29.24	25.00	80°36'36"	34.973636	S 45°18'18" W
4	39.27	25.00	90°00'00"	39.270000	S 0°00'00" W
5	78.54	200.00	22°28'32"	151.232358	S 11°14'16" W
6	202.86	250.00	48°58'21"	182.272858	S 24°29'10" W
7	44.75	25.00	102°54'08"	44.750000	S 0°00'00" W
8	43.45	25.00	99°34'33"	43.450000	S 0°00'00" W
9	141.38	700.00	11°23'39"	141.380000	S 0°00'00" W
10	123.35	750.00	9°34'33"	123.350000	S 0°00'00" W
11	29.27	25.00	90°00'00"	29.270000	S 0°00'00" W
12	39.27	25.00	90°00'00"	39.270000	S 0°00'00" W
13	186.80	304.45	34°58'33"	186.800000	S 0°00'00" W
14	33.38	25.00	74°50'23"	33.380000	S 0°00'00" W
15	43.21	25.00	84°40'28"	43.210000	S 0°00'00" W
16	102.43	364.45	15°08'39"	102.430000	S 0°00'00" W
17	55.94	275.00	11°23'46"	55.940000	S 0°00'00" W
18	249.81	115.00	11°23'41"	249.810000	S 0°00'00" W
19	15.09	25.00	26°52'13"	15.090000	S 0°00'00" W
20	147.79	50.00	163°27'36"	147.790000	S 0°00'00" W
21	15.09	25.00	36°52'13"	15.090000	S 0°00'00" W
22	39.27	25.00	89°33'13"	39.270000	S 0°00'00" W
23	39.24	25.00	89°33'13"	39.240000	S 0°00'00" W
24	39.24	25.00	89°33'13"	39.240000	S 0°00'00" W
25	140.72	180.00	44°47'35"	140.720000	S 0°00'00" W
26	100.00	180.00	50°53'37"	100.000000	S 0°00'00" W
27	70.64	30.00	134°53'55"	70.640000	S 0°00'00" W
28	21.05	25.00	46°11'23"	21.050000	S 0°00'00" W
29	130.27	50.00	16°11'39"	130.270000	S 0°00'00" W
30	21.05	25.00	46°11'23"	21.050000	S 0°00'00" W
31	15.28	150.00	6°03'39"	15.280000	S 0°00'00" W
32	25.61	25.00	89°33'13"	25.610000	S 0°00'00" W
33	115.36	450.00	14°43'17"	115.360000	S 0°00'00" W
34	244.47	600.00	11°03'02"	244.470000	S 0°00'00" W
35	10.40	25.00	69°40'51"	10.400000	S 0°00'00" W
36	42.70	25.00	97°22'03"	42.700000	S 0°00'00" W
37	45.78	450.00	7°32'03"	45.780000	S 0°00'00" W
38	152.79	250.00	33°01'01"	152.790000	S 0°00'00" W
39	183.35	300.00	33°01'01"	183.350000	S 0°00'00" W

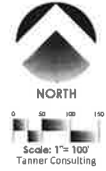
DATE OF PREPARATION: May 3, 2018

Preliminary Plat

ENCLAVE II AT ADDISON CREEK

PUD-828
PART OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION THREE (3)
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

POINT OF COMMENCEMENT
NORTHEAST CORNER NE 1/4
SECTION 3, T-17-N R-13-E
TANNER BRASS CAP STEM



LEGEND

- B/L BUILDING LINE
- R/U BUILDING LINE & UTILITY
- S/MENT
- BL PG ROCK & PAVG
- CB CHORD BEARING
- CD CHORD DISTANCE
- CL CENTERLINE
- DA DETA-ANGLE
- DOC DOCUMENT
- ESMT EASEMENT
- GOVT GOVERNMENT
- AREA UNITS OF HO ACRES
- OBE OVERLAND DRAINAGE EASEMENT
- RES RESERVE
- R/W RIGHT-OF-WAY
- UTL UTILITY EASEMENT
- ADRES ADDRESS

OWNER:
Stone Horse Development, L.L.C.
AN OKLAHOMA LIMITED LIABILITY COMPANY
CONTACT: DANIEL RYAN
EMAIL: ASHER@STONHORSE.COM
11029 South Memorial Drive
Tulsa, Oklahoma 74133
Phone: (918) 814-0881

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.
DANIEL RYAN, P.E., REG. NO. 3439
OK CA NO. 2661, EXPIRES 6/30/2019
EMAIL: DAN@TANNERCONS.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929

FINAL PLAT	
ENDORSEMENT OF APPROVAL	
Tulsa Metropolitan Area Planning Commission	
Approval Date:	
TMAPC/COGC	
CITY ENGINEER	
Council of the City of Tulsa, Oklahoma	
Approval Date:	
CHAIRMAN	
MAYOR	
ATLTEST: CITY CLERK	
CITY ATTORNEY	

The approval of this Final Plat will expire one year from the date of County Clerk approval if not filed in the Office of the County Clerk before that date.



9.7

PRELIMINARY PLAT
PUD-828

ENCLAVE II AT ADDISON CREEK

PART OF THE NORTHEAST QUARTER (NE¼) OF SECTION THREE (3),
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN,
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Deed of Dedication

KNOW ALL MEN BY THESE PRESENTS:

STONE HORSE DEVELOPMENT, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY, HEREINAFTER REFERRED TO AS THE "OWNER", IS THE OWNER OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA:

A TRACT OF LAND THAT IS PART OF THE NORTHEAST QUARTER (NE¼) OF SECTION THREE (3), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, SAID TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID NE¼; THENCE SOUTH 1°11'21" EAST AND ALONG THE EAST LINE OF THE NE¼, FOR A DISTANCE OF 1,214.76 FEET TO A POINT SAID POINT BEING THE NORTH-EAST CORNER OF ENCLAVE AT ADDISON CREEK; A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDS PLAT THEREOF (PLAT NO. _____); THENCE S 86°54'54" W AND ALONG THE NORTH LINE OF SAID ENCLAVE AT ADDISON CREEK FOR A DISTANCE OF 598.20 FEET TO THE NORTHWEST CORNER OF SAID ENCLAVE AT ADDISON CREEK; AND THE POINT OF BEGINNING;

THENCE ALONG THE WESTERLY BOUNDARIES OF SAID ENCLAVE AT ADDISON CREEK FOR THE FOLLOWING EIGHT (8) COURSES: SOUTH 17°20'06" EAST FOR A DISTANCE OF 180.00 FEET; THENCE SOUTH 86°54'54" WEST FOR A DISTANCE OF 79.52 FEET; THENCE SOUTH 1°03'07" EAST FOR A DISTANCE OF 563.28 FEET; THENCE SOUTH 21°53'55" WEST FOR A DISTANCE OF 181.06 FEET; THENCE SOUTH 49°15'07" WEST FOR A DISTANCE OF 131.80 FEET; THENCE SOUTH 26°02'00" WEST FOR A DISTANCE OF 202.64 FEET; THENCE SOUTH 14°00'00" EAST FOR A DISTANCE OF 136.93 FEET; THENCE SOUTH 34°00'00" WEST FOR A DISTANCE OF 135.00 FEET TO THE WESTERNMOST SOUTHWEST CORNER OF ENCLAVE AT ADDISON CREEK; THENCE NORTH 56°00'00" WEST FOR A DISTANCE OF 1033.60 FEET; THENCE NORTH 64°01'29" WEST FOR A DISTANCE OF 219.28 FEET; THENCE NORTH 0°58'39" WEST FOR A DISTANCE OF 521.00 FEET; THENCE NORTH 88°36'36" WEST FOR A DISTANCE OF 689.07 FEET; THENCE NORTH 02°24'24" WEST FOR A DISTANCE OF 132.87 FEET; THENCE NORTH 86°54'54" EAST FOR A DISTANCE OF 721.89 FEET TO THE POINT OF BEGINNING;

SAID TRACT CONTAINING 1,211,122 SQUARE FEET, OR 27.804 ACRES.

THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (8501), NORTH AMERICAN DATUM, 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:

(A) FOUND BRASS CAP-STEM AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE¼) OF SECTION 3;

(B) FOUND 3/8" IRON PIN AT THE SOUTHWEST CORNER OF THE NORTHEAST QUARTER (NE¼) OF SECTION 3;

THE BEARING BETWEEN SAID MONUMENTS BEING SOUTH 1°11'21" EAST.

THE OWNER HAS CLAIMED THE SAME TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTS, BLOCKS, RESERVE AREAS, AND STREETS AS SHOWN BY THE ACCOMPANYING PLAT AND SURVEY THEREOF, AND WHICH PLAT IS MADE A PART HEREOF; AND THE OWNER HAS GIVEN TO SAID PLAT THE NAME OF "ENCLAVE II AT ADDISON CREEK," A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA. (WHEREVER THE WORD "SUBDIVISION" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN "ENCLAVE II AT ADDISON CREEK" UNLESS THE CONTEXT CLEARLY DICTATES OTHERWISE. HOWEVER, WHEREVER THE WORD "CITY" APPEARS HEREIN THE SAME SHALL CONCLUSIVELY BE DEEMED TO MEAN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA, UNLESS THE CONTEXT CLEARLY DICTATES OTHERWISE.) NOW, THEREFORE, THE OWNER, FOR THE PURPOSE OF PROVIDING FOR THE ORDINARY DEVELOPMENT OF THE SUBDIVISION, AND FOR THE PURPOSE OF INSURING ADEQUATE RESTRICTIONS FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS, GRANTEE AND ASSIGNS, THE BENEFIICIARIES OF THE COVENANTS SET FORTH BELOW, DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND WHICH SHALL BE ENFORCEABLE BY THE OWNER OR OWNER OF ANY PROPERTY WITHIN THE SUBDIVISION AND BY THE BENEFIICIARIES OF THE COVENANTS SET FORTH BELOW AND WHICH SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

SECTION I. STREETS AND UTILITY EASEMENTS

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE STREET RIGHTS-OF-WAY DEPICTED ON THE ACCOMPANYING PLAT. THE OWNER FURTHER DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS DESIGNATED AS "LOT" 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 POLES, WIRES, CONDUITS, PIPES, VALVES, METERS, MANHOLES, AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THEREBY, 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 REPAIR WATER LINES, SANITARY SEWER MAINS, AND STORM SEWER MAINS, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING, AND REPLACING OVER, ACROSS, AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT FOR THE PURPOSE OF FURNISHING WATER, SANITARY SEWER, AND STORM 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 STATED USES AND PURPOSES OF THE UTILITY EASEMENTS SHALL BE PLACED, ERECTED, INSTALLED, OR MAINTAINED, PROVIDED NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CLUBSING, LANDSCAPING, AND CUSTOMARY SCREENING FENCES WHICH DO NOT CONSTITUTE AN OBSTRUCTION.

A. UTILITY SERVICES

1. OVERHEAD LINES FOR THE SUPPLY OF ELECTRIC, TELEPHONE, AND COMMUNICATION SERVICES MAY BE LOCATED WITHIN THE SHERIDAN ROAD RIGHT-OF-WAY DEPICTED BY THIS PLAT AND WITHIN THE PERMETER UTILITY EASEMENTS OF THE SUBDIVISION STREET LIGHT POLES OR STANDARDS SHALL BE SERVED BY UNDERGROUND CABLE AND, EXCEPT AS PROVIDED IN THE IMMEDIATELY PRECEDING SENTENCE, ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, CABLE TELEVISION AND GAS LINES SHALL BE LOCATED UNDERGROUND IN EASEMENTS DEDICATED FOR GENERAL UTILITY SERVICE AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN GENERAL UTILITY EASEMENTS.

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES WITHIN THE SUBDIVISION MAY BE EXTENDED FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF A STRUCTURE UPON THE LOT; PROVIDED THAT, UPON INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SUCH SERVICE THEREAFTER SHALL DEMAND TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE, AND NON-EXCLUSIVE RIGHT-OF-WAY 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 PEDESTAL, OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

3. EACH SUPPLIER OF ELECTRIC, TELEPHONE, COMMUNICATION, 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, REPAIRING, OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, COMMUNICATION, OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

4. THE OWNER OF ANY LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND SERVICE FACILITIES LOCATED ON THE OWNER'S LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, COMMUNICATION, OR GAS FACILITIES EACH SUPPLIER OF THESE SERVICES SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF UNDERGROUND FACILITIES, BUT THE OWNER OF THE LOT OR RESERVE AREA SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE OWNER OF THE LOT OR RESERVE AREA OR SAID OWNER'S AGENTS OR CONTRACTORS.

5. THE COVENANTS SET FORTH IN THIS SUBSECTION B SHALL BE ENFORCEABLE BY EACH SUPPLIER OF THE ELECTRIC, TELEPHONE, COMMUNICATION, OR GAS SERVICE AND THE OWNER OF ANY LOT OR RESERVE AREA AGREES TO BE BOUND BY THESE COVENANTS.

B. GAS SERVICE

1. 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, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

2. THE OWNER OF THE LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED IN THEIR LOT OR RESERVE AREA AND SHALL PREVENT THE ALTERATION OF GRADE OR ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE GAS SERVICE. THE SUPPLIER OF THE GAS SERVICE SHALL BE RESPONSIBLE FOR THE ORDINARY MAINTENANCE OF SAID FACILITIES, BUT THE OWNER OF THE LOT OR RESERVE AREA SHALL PAY FOR DAMAGE OR RELOCATION OF FACILITIES CAUSED OR NECESSITATED BY ACTS OF SUCH OWNER OR SUCH OWNER'S AGENTS OR CONTRACTORS.

3. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION B SHALL BE ENFORCEABLE BY THE SUPPLIER OF THE GAS SERVICE AND THE LOT OR RESERVE AREA OWNER AGREES TO BE BOUND BY THESE COVENANTS.

C. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

1. THE OWNER OF ANY LOT OR RESERVE AREA SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED THE OWNER'S LOT OR RESERVE AREA.

2. WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONDITIONS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN, SANITARY SEWER MAIN, OR STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGMENT OF THE CITY OF TULSA, WOULD INTERFERE WITH PUBLIC WATER MAINS, SANITARY SEWER MAINS, OR STORM SEWERS SHALL BE PROHIBITED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CLUBSING, LANDSCAPING, AND CUSTOMARY SCREENING FENCES THAT DO NOT CONSTITUTE AN OBSTRUCTION.

3. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS BUT THE OWNER OF THE LOT OR RESERVE AREA SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH

FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OR RESERVE AREA OWNER OR SAID OWNER'S AGENTS OR CONTRACTOR.

4. 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.

5. THE FOREGOING COVENANTS SET FORTH IN SUBSECTION A SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, AND THE OWNER OF EACH LOT OR RESERVE AREA AGREES TO BE BOUND BY THESE COVENANTS.

D. SURFACE DRAINAGE

EACH LOT AND RESERVE AREA SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS, RESERVE AREAS, AND DRAINAGE AREAS OF HIGHER ELEVATION. NO LOT OR RESERVE AREA 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 OR RESERVE AREA. THE COVENANTS SET FORTH IN THIS PARAGRAPH SHALL BE ENFORCEABLE BY ANY AFFECTED LOT OR RESERVE AREA OWNER AND BY THE CITY OF TULSA, OKLAHOMA.

E. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF ANY LOT OR RESERVE AREA 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, OR ELECTRIC FACILITIES WITHIN THE UTILITY EASEMENT AREAS DEPICTED UPON 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.

F. SIDEWALKS

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH THE SUBDIVISION MAPS AND TULSA, OKLAHOMA AND IN CONFORMANCE WITH THE CITY OF TULSA ENGINEERING DESIGN STANDARDS. THE OWNER SHALL BE RESPONSIBLE FOR CONSTRUCTION OF A SIDEWALK WITHIN THE STREET RIGHT-OF-WAY OF SOUTH SHERIDAN ROAD AND WITHIN THE STREET RIGHTS-OF-WAY ADJACENT TO RESERVE AREAS, ALL AS DEPICTED ON THE ATTACHED PLAT. ELSEWHERE WITHIN THE SUBDIVISION, PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT FOR THE DWELLING WITHIN A LOT, THE OWNER OF THE PARTICULAR LOT SHALL CONSTRUCT, AND THEREAFTER MAINTAIN, THE SIDEWALK WITHIN THE RIGHT-OF-WAY ADJACENT TO THE LOT. SIDEWALKS SHALL BE CONTIGUOUS WITH ADJOINING SIDEWALKS.

G. FENCE AND LANDSCAPE EASEMENT

THE UNDERSIGNED OWNER DOES HEREBY ESTABLISH AND GRANT, TO THE OWNERS OF THE RESIDENTIAL LOTS WITHIN THE SUBDIVISION AND FOR THEIR COMMON USE AND BENEFIT, FENCE AND LANDSCAPE EASEMENTS OVER AND UPON THE AREAS DESIGNATED AS "F" AND SHOWN ON THE ACCOMPANYING PLAT. THE FENCE AND LANDSCAPE EASEMENTS ARE FOR THE LIMITED PURPOSE OF CONSTRUCTING AND MAINTAINING PERMETER DECORATIVE FENCES AND ENTRY FEATURES INCLUDING BUT NOT LIMITED TO FENCES, WALLS, SPRINKLER SYSTEMS, AND LANDSCAPING, AND FOR THE PURPOSE OF MAINTAINING AND REPAIR THEREOF, TOGETHER WITH THE RIGHT OF ACCESS OVER, ACROSS AND ALONG SUCH EASEMENTS AND OVER, ACROSS, AND ALONG ALL AREAS WHICH CONTAIN SUCH EASEMENTS, WITHIN THE FENCE AND LANDSCAPE AREAS, THE PROPERTY OWNERS ASSOCIATION SHALL BE RESPONSIBLE FOR MAINTENANCE OF ALL FENCES AND ENTRY FEATURES AND ALL LANDSCAPING LOCATED OUTSIDE OF SUCH FENCES. THE RIGHTS HEREIN ESTABLISHED AND GRANTED SHALL BE SUBORDINATE TO THE RIGHTS ESTABLISHED AND GRANTED BY UTILITY EASEMENTS ELSEWHERE DEPICTED HEREIN.

H. 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 (DRAINETS, WATER, SANITARY SEWER, AND STORM SEWER SYSTEMS, AND SIDEWALKS THAT THE OWNER IS OBLIGATED TO CONSTRUCT) SERVING THE ENTIRE SUBDIVISION HAS BEEN COMPLETED AND ACCEPTED BY THE CITY. NOTWITHSTANDING THE FOREGOING, 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 ISSUE 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 OF A TEMPORARY CERTIFICATE OF OCCUPANCY.

SECTION II. RESERVE AREAS

A. RESERVE A AND B

RESERVE AREAS A AND B SHALL BE FOR THE COMMON USE AND ENJOYMENT OF THE PROPERTY OWNERS ASSOCIATION, REFERRED TO IN SECTION IV HEREOF, AND SHALL BE LIMITED TO USE FOR OPEN SPACE, LANDSCAPING, UTILITIES, AND PEDESTRIAN ACCESS. RESERVE AREAS A AND B ARE HEREBY ALSO DESIGNATED AS UTILITY EASEMENTS. RESERVE AREAS A AND B SHALL BE MAINTAINED BY THE PROPERTY OWNERS ASSOCIATION.

B. ALL RESERVE AREAS

1. ALL COSTS AND EXPENSES ASSOCIATED WITH ALL RESERVE AREAS, INCLUDING MAINTENANCE OR VARIOUS IMPROVEMENTS AND RECREATIONAL FACILITIES, SHALL BE THE RESPONSIBILITY OF THE OWNERS THEREOF, WHICH SHALL BE THE PROPERTY OWNERS ASSOCIATION UPON CONVEYANCE OF THE RESERVE AREAS TO THE ASSOCIATION. THE CITY OF TULSA SHALL NOT BE LIABLE FOR ANY DAMAGE OR REMOVAL OF ANY LANDSCAPING OR IRRIGATION SYSTEMS IN ANY RESERVE AREA.

2. IN THE EVENT THE RESERVE AREA OWNER FAILS TO MAINTAIN THE RESERVE AREA, AND SUBSEQUENTLY FAILS TO PAY THE COSTS OF SAID MAINTENANCE AFTER COMPLETION OF THE MAINTENANCE BY AND RECEIPT OF A STATEMENT OF COSTS FROM THE CITY OF TULSA, OKLAHOMA, THE CITY MAY FILE OF RECORD A COPY OF THE STATEMENT OF COSTS, AND THEREAFTER THE COSTS SHALL BE A LIEN AGAINST EACH OF THE LOTS WITHIN THE SUBDIVISION, WHICH LIEN MAY BE FORECLOSED BY THE CITY OF TULSA, OKLAHOMA.

3. EACH LOT AND RESERVE AREA OWNER ON RESIDENT AND/OR MEMBER OF THE PROPERTY OWNERS ASSOCIATION AGREES TO HOLD HARMLESS THE OWNER AND THE CITY OF TULSA, AND THEIR RESPECTIVE AGENTS AND REPRESENTATIVES, FROM ALL CLAIMS, DEMANDS, LIABILITIES, OR DAMAGES ARISING IN CONNECTION WITH THE OWNERSHIP OR USE OF THE FACILITIES AND IMPROVEMENTS CONSTRUCTED OR SITUATED IN THE RESERVE AREAS AND FURTHER AGREES THAT NEITHER THE CITY OF TULSA NOR THE OWNER SHALL BE LIABLE TO THE LOT OR RESERVE AREA OWNER OR RESIDENT AND/OR MEMBER OF THE PROPERTY OWNERS ASSOCIATION OR ANY GUEST, VISITOR OR INVITEE THEREOF FOR ANY DAMAGE TO PERSON OR PROPERTY CAUSED BY ACTION, OMISSION OR NEGLIGENCE OF ANY LOT OR RESERVE AREA OWNER OR RESIDENT AND/OR MEMBER OF THE ASSOCIATION OR ANY GUEST, VISITOR, OR INVITEE THEREOF.

SECTION III. PLANNED UNIT DEVELOPMENT RESTRICTIONS

WHEREAS, PUD-828 WAS SUBMITTED AS A PLANNED UNIT DEVELOPMENT PURSUANT TO SECTIONS 1300-11.70 OF THE TULSA ZONING CODE, IN EXISTENCE AS OF JUNE 11, 2015; AND

WHEREAS, PUD-828 WAS RECOMMENDED FOR APPROVAL BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION ON MARCH 13, 2015 AND APPROVED BY THE COUNCIL OF THE CITY OF TULSA, OKLAHOMA ON JUNE 11, 2015, THE IMPLEMENTING ORDINANCE NO. 23909, PUBLISHED JUNE 18, 2015; AND

WHEREAS, THE OWNER DESIRES TO ESTABLISH RESTRICTIONS FOR THE PURPOSE OF ACHIEVING AN ORDINARY DEVELOPMENT FOR THE MUTUAL BENEFIT OF THE OWNER, ITS SUCCESSORS IN TITLE AND THE CITY OF TULSA, OKLAHOMA; AND

WHEREAS, THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE TULSA ZONING CODE REQUIRE THE ESTABLISHMENT OF COVENANTS OF RECORD INURING TO AND ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA SUFFICIENT TO ASSURE CONTINUED COMPLIANCE WITH THE APPROVED PLANNED UNIT DEVELOPMENT AND AMENDMENTS THEREIN.

THEREFORE, THE OWNER DOES HEREBY IMPOSE THE FOLLOWING RESTRICTIONS AND COVENANTS WHICH SHALL BE COVENANTS RUNNING WITH THE LAND AND WHICH SHALL BE BINDING UPON THE OWNER, ITS SUCCESSORS, AND ASSIGNS, AND SHALL BE ENFORCEABLE AS HEREINAFTER SET FORTH.

A. GENERAL DEVELOPMENT AND CONDITIONS

THE DEVELOPMENT OF THE "PUD-828" WITHIN THE SUBDIVISION, AS HEREINAFTER DEFINED, SHALL BE SUBJECT TO THE PLANNED UNIT DEVELOPMENT PROVISIONS OF THE TULSA ZONING CODE AS SUCH PROVISIONS EXISTED ON JUNE 11TH 2015, OR AS MAY BE AMENDED SUBSEQUENT TO THAT DATE.

9.8

**PRELIMINARY PLAT
PUD-828
ENCLAVE II AT
ADDISON CREEK**

PART OF THE NORTHEAST QUARTER (NE 1/4) OF SECTION THREE (3)
TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

Deed of Dedication (Continued)

SECTION III. PLANNED UNIT DEVELOPMENT RESTRICTIONS (CONTINUED)

B. DEVELOPMENT STANDARDS

THE "PUD LOTS" WITHIN THE SUBDIVISION, DEFINED AS ALL LOTS WITHIN BLOCKS 1 AND 2, LOTS 1 AND 2 OF BLOCK 3, LOTS 19 AND 20 OF BLOCK 5, LOTS 1 THROUGH 9, INCLUSIVE, OF BLOCK 6, AND LOT 4, BLOCK 7 (HEREINAFTER REFERRED TO AS THE "LOTS") SHALL BE SUBJECT TO THE FOLLOWING RESTRICTIONS AND LIMITATIONS:

DEVELOPMENT STANDARDS

PERMITTED USES:
USES PERMITTED AS A MATTER OF RIGHT IN RS-3 ZONING DISTRICT IN THE CITY OF TULSA ZONING CODE, AS THE SAME EXISTED JUNE 11, 2008, INCLUDING LANDSCAPED FEATURES AND SECURED ENTRANCES AND RECREATIONAL FACILITIES AND USES CUSTOMARILY ACCESSORY TO PERMITTED USES.

MAXIMUM NUMBER OF LOTS:	140
MINIMUM LOT WIDTH**	50 FEET
MINIMUM LOT SIZE	5,000 SF
MINIMUM LIVABILITY SPACE REQUIRED (PER LOT)**:	4,000 SF
MINIMUM BUILDING SETBACKS:	
FRONT YARD	30 FEET
SIDE YARD***	5 FEET 5 FEET
SIDE YARD ADJUTING A STREET****	15 FEET
REAR YARD (INCLUDES REAR YARD ADJUTING AN ARTERIAL STREET RIGHT-OF-WAY):	20 FEET
MAXIMUM BUILDING HEIGHT:	2 STORIES - 33 FEET****
MAXIMUM FRONT YARD COVERAGE BY PARKING:	50%

OFF STREET PARKING:
MINIMUM TWO (2) ENCLOSED OFF-STREET PARKING SPACES PER DWELLING UNIT

SIGNAGE:
ONE (1) ALONG EACH PUBLIC STREET FRONTAGE, NOT TO EXCEED 32 SQUARE FEET EACH IN SIZE.
*MEASURED AS THE LOT WIDTH AT THE BUILDING LINE, EXCEPT ON PIE-SHARED LOTS, WHICH SHALL HAVE A MINIMUM AVERAGE LOT WIDTH OF 50 FEET.
**EACH INDIVIDUAL LOT WILL MEET THE MINIMUM LIVABILITY STANDARDS.
***PROVIDED THAT A MINIMUM OF 10 FT. IS MAINTAINED BETWEEN DWELLING STRUCTURES, EXCLUDING OVERHANGS. PROVIDED THAT NO SIDE YARD SHALL BE LESS THAN THE WIDTH OF ANY UTILITY EASEMENT LOCATED WITHIN THE LOT, ALONG A SIDE LOT LINE.
****ARCHITECTURAL FEATURES MAY EXCEED A MAXIMUM OF FIVE (5) FEET ABOVE THE MAXIMUM PERMITTED BUILDING HEIGHT.

SECTION IV. PROPERTY OWNERS' ASSOCIATION

A. FORMATION OF PROPERTY OWNERS' ASSOCIATION
THE OWNER HAS FORMED OR SHALL CAUSE TO BE FORMED, IN ACCORDANCE WITH THE STATUTES OF THE STATE OF OKLAHOMA, AN ASSOCIATION OF ALL OWNERS OF LOTS WITHIN THIS SUBDIVISION (THE "ASSOCIATION"), A NOT-FOR-PROFIT CORPORATE ENTITY ESTABLISHED AND FORMED FOR THE GENERAL PURPOSES OF MAINTAINING RESERVE AREAS, FENCE AND LANDSCAPE EASEMENTS, AND ANY OTHER PROPERTY AND FACILITIES THAT ARE FOR THE COMMON USE AND BENEFIT OF THE LOTS AS THE SAME MAY BE AGREED TO BY THE MEMBERS OF THE ASSOCIATION.

B. PRIVATE RESTRICTIONS AND COVENANTS
FOR THE BENEFIT OF THE ASSOCIATION AND OF ALL OWNERS WITHIN THE SUBDIVISION, THE OWNER SHALL ESTABLISH AN ARCHITECTURAL REVIEW COMMITTEE AND VARIOUS PRIVATE RESTRICTIONS AND COVENANTS FOR THE PURPOSES OF PROVIDING ORDERLY DEVELOPMENT OF THE SUBDIVISION AND CONFORMITY AND COMPATIBILITY OF IMPROVEMENTS THEREIN. SAID PRIVATE RESTRICTIONS AND COVENANTS SHALL BE FILED OF RECORD WITH THE TULSA COUNTY CLERK, SHALL BE APPLICABLE TO THE LOTS WITHIN THE SUBDIVISION AND SHALL BE COVENANTS RUNNING WITH THE LAND AND BINDING UPON THE OWNER, ITS SUCCESSORS AND ASSIGNS, AND SHALL BE ENFORCEABLE AS FURTHER STATED IN SAID FILED DOCUMENT.

C. MEMBERSHIP

EVERY PERSON OR ENTITY WHO IS A RECORD OWNER OF THE FEE INTEREST OF A LOT SHALL BE A MEMBER OF THE ASSOCIATION. MEMBERSHIP SHALL BE APPURTENANT TO AND SHALL NOT BE SEPARATED FROM THE OWNERSHIP OF A LOT.

D. ASSESSMENT
EACH LOT OWNER SHALL BE SUBJECT TO ANNUAL AND SPECIAL ASSESSMENTS BY THE ASSOCIATION FOR THE PURPOSES OF IMPROVEMENT AND MAINTENANCE OF RESERVE AREAS AND ANY OTHER PROPERTY AND FACILITIES THAT, FROM TIME TO TIME, ARE FOR THE COMMON USE AND BENEFIT OF THE OWNERS OF THE LOTS AS THE SAME MAY BE AGREED TO BY THE MEMBERS OF THE ASSOCIATION.

E. ASSOCIATION TO BE BENEFICIARY
WITHOUT LIMITATION OF SUCH OTHER POWERS AND RIGHTS AS THE ASSOCIATION MAY HAVE, THE ASSOCIATION SHALL BE DEEMED A BENEFICIARY OF THE COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN THIS DEED OF DEDICATION TO THE SAME EXTENT AS ALL OTHER BENEFICIARIES OF THE COVENANTS, CONDITIONS AND RESTRICTIONS CONTAINED IN THIS DEED OF DEDICATION, AND THE ASSOCIATION SHALL HAVE THE RIGHT TO ENFORCE THESE COVENANTS AND AGREEMENTS.

SECTION V. ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, 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 I, STREETS AND UTILITY EASEMENTS AND SECTION II, RESERVE AREAS. DAN E. TANNER, LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND HEREIN DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "ENCLAVE II AT ADDISON CREEK," A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF A SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES AND METHODS OF SURVEYING IN ACCORDANCE WITH THE STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

B. DURATION
THESE RESTRICTIONS, TO THE EXTENT PERMITTED BY APPLICABLE LAW, SHALL BE PERPETUAL, BUT IN ANY EVENT SHALL BE IN FORCE AND EFFECT FOR A TERM OF NOT LESS THAN THIRTY (30) YEARS FROM THE DATE OF THE RECORDING OF THIS DEED OF DEDICATION UNLESS TERMINATED OR AMENDED AS HEREINAFTER PROVIDED.

C. AMENDMENT OR TERMINATION
THE COVENANTS CONTAINED WITHIN SECTION I, STREETS AND UTILITY EASEMENTS AND SECTION II, RESERVE AREAS MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT 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 RECORDING OF A CERTIFIED COPY OF THE MINUTES OF THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, AND RECORDING OF A CERTIFIED COPY OF THE MINUTES OF THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, WITH THE TULSA COUNTY CLERK. THE COVENANTS CONTAINED WITHIN SECTION III SHALL BE DEEMED AMENDED (WITHOUT NECESSITY OF EXECUTION OF AN AMENDING DOCUMENT) UPON APPROVAL OF A MINOR AMENDMENT TO PUD 828 BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, AND RECORDING OF A CERTIFIED COPY OF THE MINUTES OF THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, WITH THE TULSA COUNTY CLERK. THE COVENANTS CONTAINED WITHIN SECTION IV SHALL BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER DURING SUCH PERIOD THAT THE OWNER IS THE RECORD

OWNER OF AT LEAST 1 LOT, OR ALTERNATIVELY, BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNERS OF AT LEAST 50% OF THE LOTS WITHIN THE SUBDIVISION. IN THE EVENT OF ANY CONFLICT BETWEEN AN AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNER (DURING ITS OWNERSHIP OF AT LEAST 1 LOT) AND ANY AMENDMENT OR TERMINATION PROPERLY EXECUTED BY THE OWNERS OF AT LEAST 50% OF THE LOTS, THE INSTRUMENT EXECUTED BY THE OWNER SHALL PREVAIL. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AND RESTRICTIONS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

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 OR ANY PART THEREOF AS SET FORTH HEREIN, WHICH SHALL REMAIN IN FULL FORCE AND EFFECT.

IN WITNESS WHEREOF, STONE HORSE DEVELOPMENT, LLC, AN OKLAHOMA LIMITED LIABILITY COMPANY HAS EXECUTED THIS INSTRUMENT ON THIS _____ DAY OF _____, 2018.

STONE HORSE DEVELOPMENT, LLC
AN OKLAHOMA LIMITED LIABILITY COMPANY
By: _____
MANAGER
STATE OF OKLAHOMA)
COUNTY OF TULSA) 55

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS _____ DAY OF _____, 2018, PERSONALLY APPEARED DANIEL BUEHL, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME STONE HORSE DEVELOPMENT, LLC TO THE FOREGOING INSTRUMENT, AS ITS MANAGER, AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE AND VOLUNTARY ACT AND DEED AND AS THE FREE AND VOLUNTARY ACT AND DEED OF SUCH COMPANY FOR THE USES AND PURPOSES THEREIN SET FORTH THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____ JENNIFER MILLER, NOTARY PUBLIC

CERTIFICATE OF SURVEY
I, DAN E. TANNER, A LICENSED PROFESSIONAL LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND HEREIN DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS "ENCLAVE II AT ADDISON CREEK," A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF A SURVEY MADE ON THE GROUND USING GENERALLY ACCEPTED PRACTICES AND METHODS OF SURVEYING IN ACCORDANCE WITH THE STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

WITNESS MY HAND AND SEAL, THIS _____ DAY OF _____, 2018.

By: _____
DAN E. TANNER
LICENSED PROFESSIONAL LAND SURVEYOR
OKLAHOMA NO. 1435

STATE OF OKLAHOMA)
COUNTY OF TULSA) 55

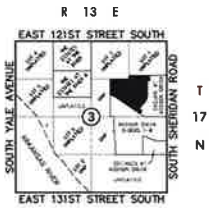
BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THE _____ DAY OF _____, 2018, PERSONALLY APPEARED TO ME DAN E. TANNER KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS LICENSED PROFESSIONAL LAND SURVEYOR TO THE FOREGOING CERTIFICATE, AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL, THE DAY AND YEAR LAST ABOVE WRITTEN.

MY COMMISSION EXPIRES _____ JENNIFER MILLER, NOTARY PUBLIC



9.9



Location Map
Scale: 1" = 200'

SUBMISSION CONTAINS:
ONE HUNDRED AND SIX (106) LOTS
WITH TWO (2) RESERVE AREAS
GROSS SUBDIVISION AREA: 27,804 ACRES

Notes:

- THIS PLAN MEETS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING AS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
- ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER-RLS-1425" UNLESS OTHERWISE NOTED.
- THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (1301), NORTH AMERICAN DATUM 1983 (NAD83). SAID BEARINGS ARE BASED LOCALLY UPON FIELD OBSERVED TIES TO THE FOLLOWING MONUMENTS:
- (A) FOUND 5/8" IRON PIN AT THE SOUTHEAST CORNER OF THE NORTHEAST QUARTER (NE/4) OF SECTION 3.
- (B) FOUND BRASS CAP STEW AT THE NORTHEAST CORNER OF THE NORTHEAST QUARTER (NE/4) OF SECTION 6.
- THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 1° 05' 00" WEST.
- ADDRESSSES SHOWN ON THIS PLAN ARE ACCURATE AT THE TIME THE PLAN WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
- ACCESS AT THE TIME OF PLAT WAS PROVIDED BY EAST 123RD STREET SOUTH AND EAST 122TH STREET SOUTH IN VIRTUE OF RIGHT-OF-WAY DESIGNATED BY ENCLAVE AT ADDISON CREEK (DPI #562).

Conceptual Utility Plan

PUD-828

ENCLAVE II AT ADDISON CREEK

PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION THREE (3), TOWNSHIP SEVENTEEN (17) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN MERIDIAN, A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA



LEGEND:

BL	BUILDING LINE
BU	BUILDING LINE & UTILITY EASEMENT
BN PG	BACK PAGE
CB	CHORD BEARING
CD	CHORD DISTANCE
CL	CENTRAL LINE
Δ	DELTA ANGLE
DOC	DOCUMENT
CSMT	COUNT
LNA	LIMITS OF NO ACCESS
ODE	OVERLAND DRAINAGE EASEMENT
RES	RESERVE
R/W	RIGHT-OF-WAY
U/E	UTILITY EASEMENT
AD	ADDRESS ASSIGNED
●	SANITARY SEWER MANHOLE
■	STORM SEWER INLET

FINAL PLAN ENDORSEMENT OF APPROVAL	
Tulsa Metropolitan Area Planning Commission	
Approval Date:	
TMAPC/ACOG	
CITY ENGINEER	
Council of the City of Tulsa, Oklahoma	
Approval Date:	
CHAIRMAN	
MAYOR	
ATTORNEY-CITY CLERK	
CITY ATTORNEY	
The approval of this Final Plan will expire one year from the date of City Council approval. If not filed in the Office of the County Clerk before that date.	

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.
DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2461, EXPIRES 6/30/2019
EMAIL: DAN@TANNERCONSULTING.COM
5333 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929

OWNER:
Stone Horse Development, L.L.C.
AN OKLAHOMA LIMITED LIABILITY COMPANY
CONTACT: DANIEL RUISE
EMAIL: ASH@STONEHORSE.COM
11029 South Memorial Drive
Tulsa, Oklahoma 74133
Phone: (918) 814-0881

916



Tulsa Metropolitan Area
Planning Commission

Case : PUD-737 Plat Waiver

Hearing Date: June 6, 2018

Case Report Prepared by:

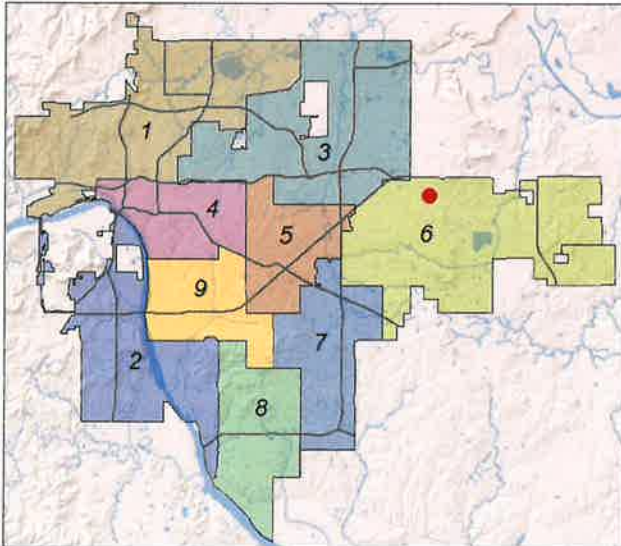
Nathan Foster

Owner and Applicant Information:

Applicant: Ruben Najera

Owner: Ruben Najera

Location Map:
(Shown with City Council districts)



Applicant Proposal:

Plat Waiver

Location: South of the southeast corner of East 11th Street South and South 161st East Avenue

Zoning: RS-3 / PUD-737

Staff Recommendation:

Staff recommends **approval** of the plat waiver

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: Mike Craddock

EXHIBITS: Site Map, Aerial, Land Use, Growth & Stability, Site Plan

10.1

PLAT WAIVER

PUD-737 – (CD 6)

South and east of the southeast corner of East 11th Street South and South 161st East Avenue

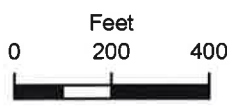
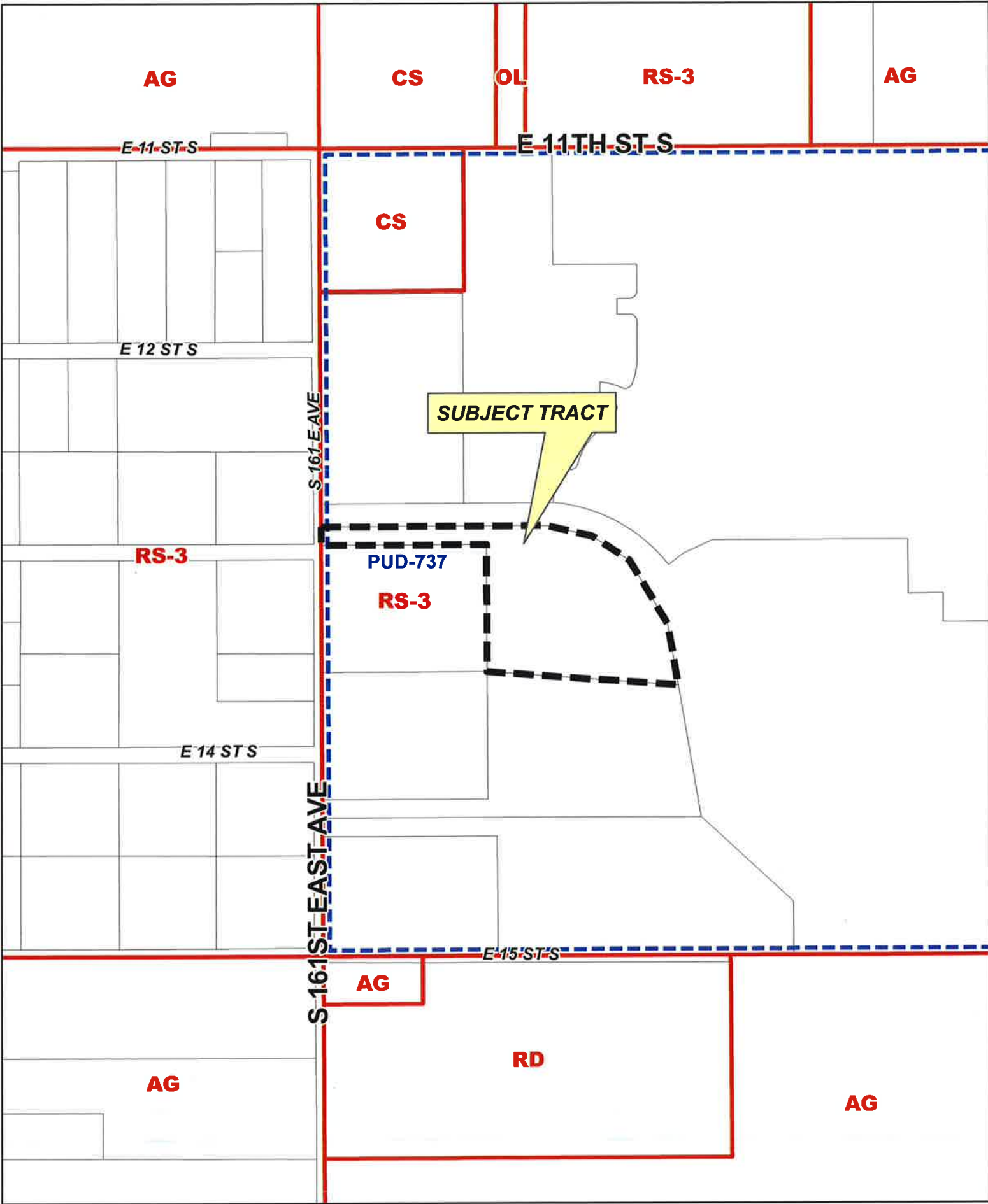
The platting requirement for this property is being triggered by the approval of a Planned Unit Development (PUD-737) in 2007 that was never developed. In 2010, the landowner divided the property into several large tracts and sold tracts to individual owners without addressing the need or requirement to plat the property. The current proposal is to permit the construction of one single-family home on the subject property.

The Technical Advisory Committee met on May 17, 2018 and the following items were determined:

1. Single-family residential uses are a permitted use on the site.
2. No additional easements are required at this time.
3. A right-of-way dedication is required for S 161st East Ave to comply with the Major Street and Highway Plan
4. Water service is available on the site through service connections.
5. The property meets and exceeds the minimum requirements of the Oklahoma Department of Environmental Quality to permit on-site sewage disposal.


Staff recommends **approval** of the plat waiver with the following conditions:

1. The required right-of-way dedication for S 161st East Ave must be made.
2. An ALTA survey is required to be filed of record with Tulsa County due to the property being unplatted.



PUD-737 PLAT WAIVER

19-14 11

10.3 



E 11 ST S

E 11TH ST S

E 12 ST S

S 161 E AVE

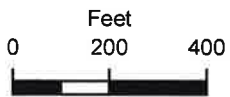
E 14 ST S

S 161ST EAST AVE

E 15 ST S

PUD-737 PLAT WAIVER

10.4



 Subject Tract

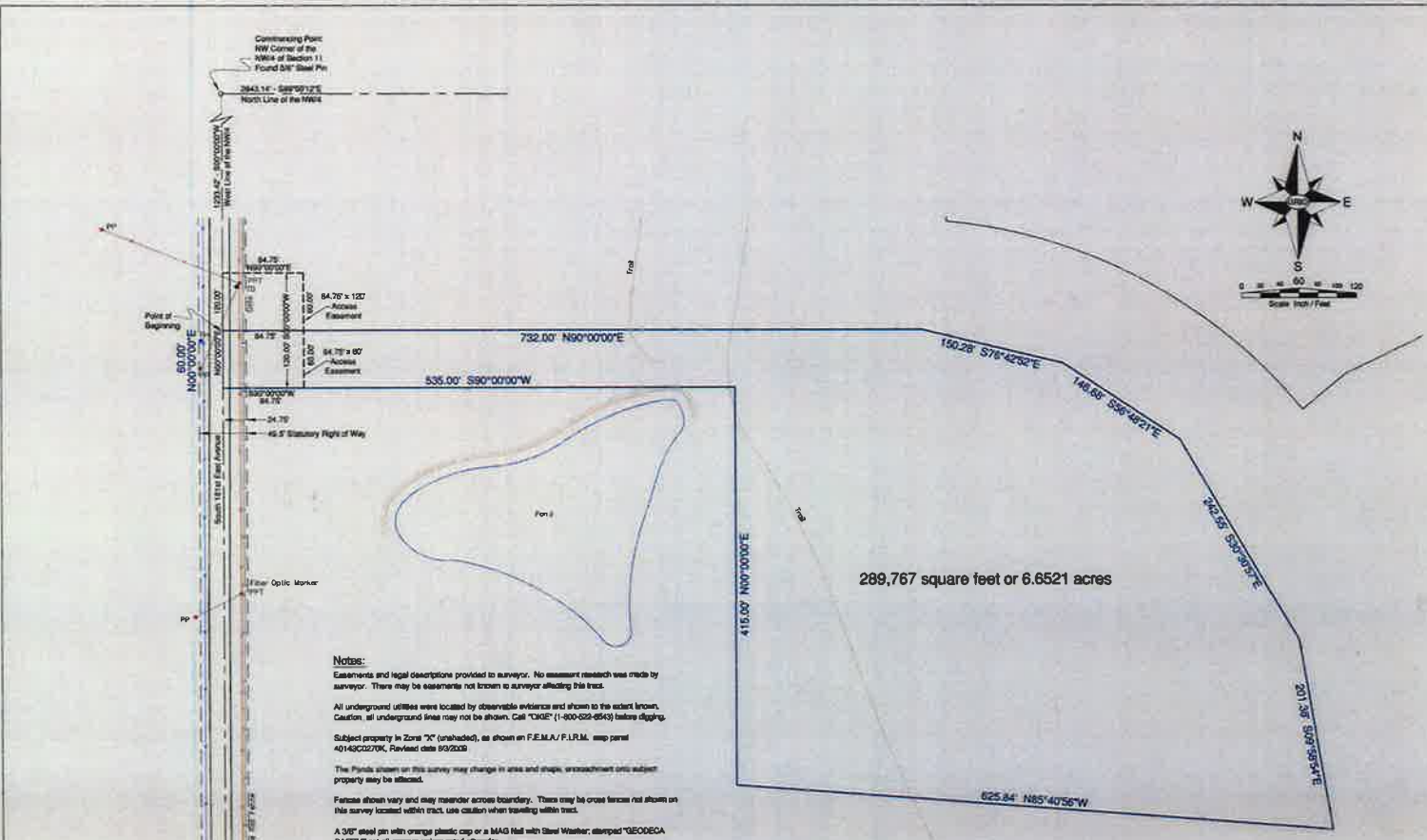
19-14 11

*Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: February 2018*





P.O. Box 300281 (918) 800-1740
 Tulsa, Oklahoma 74130 www.geodeca.com
 Certificate of Authorization #504
 Renewal Date: June 30, 2012



289,767 square feet or 6.6521 acres

Notes:
 Easements and legal descriptions provided to surveyor. No easement research was made by surveyor. There may be easements not known to surveyor affecting this tract.
 All underground utilities were located by observable evidence and shown to the extent known. Caution: all underground lines may not be shown. Call "CUBE" (1-800-622-6543) before digging.
 Subject property in Zone "C" (unshaded), as shown on F.E.M.A./F.I.R.M. map parcel 4014632270K. Flooded date 03/2009.
 The Points shown on this survey may change in area and shape, attachment onto subject property may be affected.
 Fences shown vary and may encroach across boundary. There may be cross fences not shown on this survey located within tract. Use caution when traveling within tract.
 A 3/8" steel pin with orange plastic cap or a MAG Nail with Steel Washer; stamped "GEODECA CASSID" set all corners unless noted otherwise.
 According to the I.A.C.O.G. Digital Zoning Map current to September 2010, subject property zoned R20 and is part of P.U.D. 737. Duties, buyers, lenders and insurers are responsible for familiarizing themselves with state and local regulations and statutes concerning subdivisions and zoning. The acceptance and/or use of this survey for any purpose by the seller, buyers, lenders and insurers and their agents, shall be an implied release of liability of the surveyor regarding the subdivision and use of subject property.

Certified on: Valentin Landrea and Maria Landrea
 Main Street Title Company, LLC
 First American Title & Trust

This Plat of Survey meets the Oklahoma Minimum Standards for the practice of Land Surveying as adopted by the Oklahoma State Board of Registration for Professional Engineers and Land Surveyors.
 Witness my hand and seal this 13th day of October, 2010.
 Russell M. McClintock
 Licensed Professional Land Surveyor
 Oklahoma No. 1933
 GEODECA LLC
 CA # 5224 Renewal date June 30th, 2012

- Linetype:**
- Overhead Electric
 - Gas Line
 - Flammable Line
 - Water line
 - Fence

- Legend:**
- GP - Electric Pole
 - GP - Electric Pole
 - GP - Electric Transformer
 - PH - Pole Hydrant
 - FT - Fenced Tract
 - GL - Gas Meter
 - PP - Power Pole
 - PP - Power Pole with Cap
 - PP - Power Pole with Transformer
 - TD - Telephone Pole
 - MS - Meter Meter

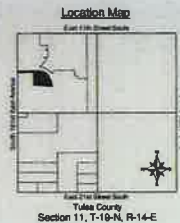
- Dimensions:**
- L - Curve Length
 - R - Radius
 - DL - Chord Length
 - CS - Chord Bearing

Easements & Encroachments:

- Attorney's Cert/Case, Effective Date: April 13, 2010 at 7:30 a.m. Order No. 1004040
 Pipeline Right of Way Agreements filed 12-13-14 in Book 221, Page 808.
 Does not affect subject property.
 11. Agreements regarding pipeline filed 6-6-16 in Book 260, Page 444, (Page 58) Does not affect subject property.
 12. Right of Way in favor of Public Service Company of Oklahoma filed 1-6-10 in Book 228K, Page 406, (Page 140) Affects subject property. Surveyor interprets this instrument as the right, privilege and authority to cut down, remove or trim any and all trees that may interfere or endanger utility lines that are located in the existing right of way along the west line of the subject property, and does not create a right of way in addition to the existing right of way for the placement and construction of utility lines. Cannot be shown graphically.
 13. Easement for Use and Maintenance of Lake filed 4-10-03 in Book 2271, Page 260, (Page 167) Does not affect subject property.

Legal Description:

A tract of land located in the NW1/4 of Section 11, T-19-N, R-14-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof, being more particularly described as follows:
 Commencing at the northwest corner of Section 11, a 5/8" Steel Pin; Thence 60°00'00"W along the west line of the NW1/4 of Section 11, a distance of 1223.42 feet to the "Point of Beginning"; Thence N0°00'00"E a distance of 732.00 feet; Thence S78°42'32"E a distance of 150.28 feet; Thence S59°42'12"E a distance of 148.85 feet; Thence S30°30'57"E a distance of 242.55 feet; Thence S69°59'6"E a distance of 201.29 feet; Thence N89°40'58"W a distance of 625.84 feet; Thence N0°00'00"E a distance of 415.00 feet; Thence S90°00'00"W a distance of 626.00 feet to the west line of the NW1/4 of Section 11; Thence N0°00'00"E along the west line of the NW1/4 of Section 11, a distance of 80.00 feet to the "Point of Beginning".
 Said tract contains 289,767 square feet or 6.6521 acres.
 The non-electronic bearings for said tract are based on an assumed bearing of N0°00'00"E along the west line of the NW1/4 of Section 11 and S89°59'12"E along the north line of the NW1/4 of Section 11, T-19-N, R-14-E of the Indian Meridian, Tulsa County, State of Oklahoma, according to the Official U.S. Government Survey thereof.
 Legal description authorized by others.



Part of the NW/4 of Section 11, T-19-N, R-14-E

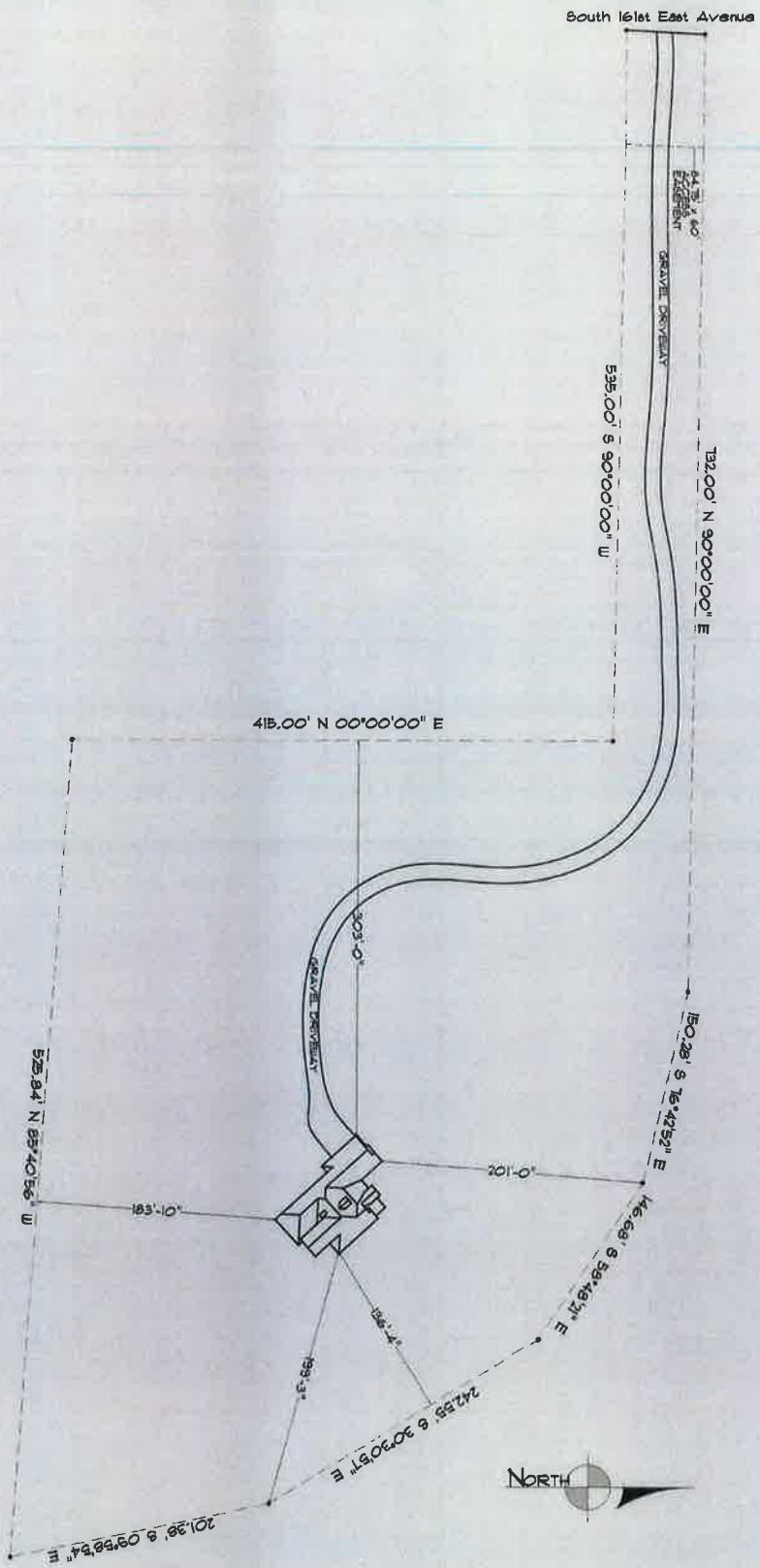
Prepared For: Bid Loud Auctions	Survey: Boundary Survey
Survey Date: October 11, 2010	Issue Date: October 11, 2010
GEODECA Project: #1000025	Drafter: RMA
County: Tulsa	Approver: RMA
Drawing File: ...FILE_SRVY\1000025_Survey\1000025_survey.dwg	Scale: 1/320'

BEFORE YOU DIG.

 CALL ONE
 1-800-522-6543

105

1010



PROJECT:	CONSTRUCTION MANAGER:
DATE:	
SCALE:	
DESIGNER:	
DATE:	
SCALE:	
DESIGNER:	

CONSTRUCTION MANAGER:

PROJECT FOR:
The Najera-Landeros Residence

The design plan (P100) has been prepared by H&B Survey, LLC (H&B) without consideration or warranty of any kind made by H&B. The use of this Plan by the customer and any contractor working for the customer, the customer is made subject to the following limiting conditions: (1) H&B shall have no liability whatsoever to the customer or contractor for any errors or omissions in the Plan, and (2) it is the responsibility of customer and contractor to verify all measurements mentioned in the Plan before using the Plan in connection with any construction activities. Limit liability shall vary and be approved by the customer/contractor.

2-7444

Sawyer, Kim

From: Miller, Susan
Sent: Wednesday, May 30, 2018 10:32 AM
To: Sawyer, Kim
Cc: Wilkerson, Dwayne
Subject: Withdrawal of Z-7444

FILE COPY

From: Deborah Richards [mailto:deborah@inter-projects.com]
Sent: Wednesday, May 09, 2018 12:15 PM
To: Foster, Nathan <NFoster@incog.org>
Cc: Miller, Susan <SMiller@incog.org>; Kolibas, Robert <RKolibas@cityoftulsa.org>; Austin Mitchell <austin@inter-projects.com>; Jones, Robi <rjones@incog.org>
Subject: Re: 1007 S Peoria Ave, Meeting Followup

Hi Nathan,

I have confirmation from the client that we should pull the rezoning permit and we will use our existing parking lot (with re-stripping and regrading) as outlined in the first email. Please let me know if you see any issues with this or if I need to apply for any other variances/special exceptions.

Thank you,
Deborah

Deborah Richards, RA
Inter-Projects Architecture, PLLC
inter-projects.com
work: 212-335-0849
cell: 973-441-0898

Please be advised this message, together with any attachments, is intended only for the use of the individual or entity to whom it is addressed and may contain information that is privileged and confidential. If you are not the intended recipient, please do not read, copy or re-transmit this communication. If you have received this communication in error, please delete this message and any attachments.

On Wed, May 9, 2018 at 8:59 AM, Foster, Nathan <NFoster@incog.org> wrote:

Deborah,

That is fine. I will pull it off the agenda. If something else is decided later just let me know and I can distribute it.

Thanks!

Nathan Foster | Land Development Planner

2 West 2nd Street Suite 800 | Tulsa, Oklahoma 74103

ph: 918.579.9481 | fax: 918.579.9581

web: www.incog.org | email: nfoster@incog.org



From: Deborah Richards [mailto:deborah@inter-projects.com]
Sent: Wednesday, May 09, 2018 8:51 AM
To: Miller, Susan
Cc: Kolibas, Robert; Austin Mitchell; Jones, Robi; Foster, Nathan
Subject: Re: [1007 S Peoria Ave](#), Meeting Followup

Hi Susan,

Thank you for following up with me. I have a meeting with my client at 11am this morning to discuss this. I believe that we will pull the application. Is it OK for you to assume that we will pull it unless you hear otherwise from me between 12 and 1pm? Or do you need something definitive now?

Thank you

Deborah Richards, RA

Inter-Projects Architecture, PLLC

inter-projects.com

work: 212-335-0849

cell: 973-441-0898

Please be advised this message, together with any attachments, is intended only for the use of the individual or entity to whom it is addressed and may contain information that is privileged and confidential. If you are not the intended recipient, please do not read, copy or re-transmit this communication. If you have received this communication in error, please delete this message and any attachments.



Tulsa Metropolitan Area Planning Commission

Case Number: Z-7440 with optional development plan

Hearing Date: June 6, 2018

Applicant requested continuance from 5.2.2018 for preparation of an optional development plan

Case Report Prepared by:

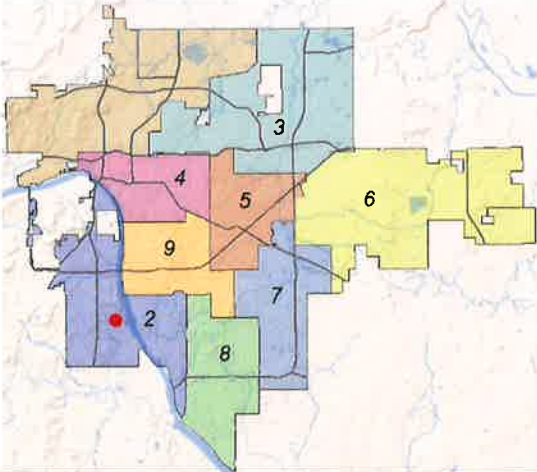
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Kyle Sewell

Property Owner: BEALL, JAMES E AND LILYAN MAXEEN

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Carwash on east portion, unknown on west portion.

Concept summary: Rezoning request to support potential car wash use.

Tract Size: 2.61 ± acres

Location: East of the southeast corner of West 71st Street South at South Elwood.

Zoning:

Existing Zoning: AG

Proposed Zoning: CG with optional development plan

Comprehensive Plan:

Land Use Map: Employment

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval but only with the provisions of the optional development plan as outlined in Section II.

Staff Data:

TRS: 8212

CZM: 51

Atlas: 1141

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

121

SECTION I: Z-7440

DEVELOPMENT CONCEPT:

The anticipated immediate use for a portion of this site is an automobile car wash. The applicant has provided design standards which help integrate this site into the expected development along west 71st Street South near the Turkey Mountain Wilderness area.

The applicant has stated that the allowed uses are consistent with the Employment Land Use designation of the comprehensive plan.

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:
 - Support letter from abutting property owner

SECTION II: OPTIONAL DEVELOPMENT PLAN STANDARDS

The following Use Categories, Subcategories and Specific Uses shall be allowed in conjunction with all supplemental regulations and all other zoning regulations as defined in the Tulsa Zoning Code except as further limited below:

PERMITTED USE CATEGORIES:

1. Commercial Use Category: Limited to the following Subcategories
 - a. Public, Civic and Institutional
 - i. College or University
 - ii. Day Care
 - iii. Hospital
 - iv. Library or Cultural Exhibit
 - v. Religious Assembly
 - vi. Safety Service
 - vii. School
 - viii. Utilities and Public Service Facility (Minor)
 - b. Commercial
 - i. Animal Service and all specific uses
 - ii. Assembly and Entertainment (Small)
 - iii. Broadcast or Recording Studio
 - iv. Commercial Service and all specific uses
 - v. Financial Services and all specific uses
 - vi. Funeral or Mortuary Service
 - vii. Lodging (Hotel/motel)
 - viii. Office and all specific uses
 - ix. Restaurants and Bars and all specific uses
 - x. Retail Sales with all specific uses
 - xi. Studio, Artist or Instructional Service
 - xii. Trade School
 - xiii. Vehicle Sales and Services

1. Personal Vehicle repair & maintenance within this specific use only automatic car washes with accessory vacuum bays are permitted.

c. Other

- i. Drive-in or Drive-through Facility (as a component of an allowed principal use)

BUILDING SETBACKS:

The minimum Building Setback from the 71st Street right of way line shall not be less than 25 feet.

BUILDING STANDARDS:

The first anticipated use for the property is an automatic car wash facility. That use will not exceed a maximum building foot print greater than 5000 square feet. All future uses shall conform to the lot and building regulations of a CS district.

The car wash and all future buildings shall meet the following building design standards.

- 1) The front of the building cladding will be a minimum 75% masonry (CMU, brick and mortar, or decorative concrete panel) excluding window or door openings.
- 2) All sides of the building will have a minimum 50% hard surface (CMU, brick and mortar, or decorative concrete panel). Trash enclosures shall be masonry construction with metal gates.
- 3) No outdoor storage will be permitted.
- 4) Mechanical equipment such as condensing units, car wash vacuums, etc. shall be a minimum of 25' from any lot line

LANDSCAPE STANDARDS:

All lots within the boundary of the optional development plan shall provide the following landscape and screening standards except where penetrated by vehicular and pedestrian circulation systems.

- 1) Deciduous and evergreen trees shall be placed on the lot within 20 feet of the street right of way.
- 2) Deciduous and evergreen trees shall be placed within 20 feet of the east and west boundary of the development plan area.
- 3) The quantity of trees shall be identified on the landscape plan however those trees shall be placed so no tree is further than 25 feet from any other tree as measured in any horizontal dimension to the trunk of the tree. These required trees are additional to any other landscape requirements identified in the Zoning Code.
- 4) Landscaping shall be installed prior to release of an occupancy permit for any building.

PEDESTRIAN ACCESS AND CIRCULATION:

- 1) Provide sidewalks within the street right of way as required by the Tulsa Subdivision regulations and shall be constructed to meet or exceed the design standards for sidewalks along an arterial street right of way.

SIGN STANDARDS:

- 1) All freestanding signs shall be monument style with a maximum height not exceed 25 feet.
- 2) Signage shall conform to all City of Tulsa Sign standards for signs in a CS district as defined in the Tulsa Zoning Code.
- 3) Signage on any south facing wall may not be illuminated.

LIGHT STANDARDS:

The maximum height of all wall or pole mounted lighting shall not exceed 16 feet within 50 feet of the street right of way. The maximum fixture height for the remainder of the site shall not exceed 25 feet.

DETAILED STAFF RECOMMENDATION:

Many uses allowed in a CG zoning district may be consistent with expected the employment land use designation recognized in the comprehensive plan however some uses offer very little employment opportunities and some uses allowed in a CG district are not compatible with the surrounding property. CG zoning allows some uses that are not consistent with the goals of the employment land use designation. Staff has reviewed the development plan and determined that the objectionable uses have not been included in the development plan and,

Z-7440 abuts property with design and use limitations and is directly south across W. 71st Street South from the Turkey Mountain Wilderness area. The small area plan recognizes that this area should be treated with a higher level of aesthetics and encourage development that is complimentary with the employment opportunities near the wilderness area. The optional development plan provides building material limitations and landscaping requirements that are consistent with the expected development across the street from Turkey Mountain wilderness area and,

CG zoning as requested by Z-7440 with the optional development plan prohibits some uses that are not compatible with the existing surrounding office properties east and west of the site therefore,

Staff recommends Denial of Z-7440 where the applicant has requested rezoning from AG to CG but only with the optional developmetn plan as identified in Section II.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: This site abuts the east edge of the West Highlands Small Area Plan boundary. CG zoning with an optional development plan is consistent with the recommendations of the small area plan.

Land Use Vision:

Land Use Plan map designation: Employment

Employment areas contain office, warehousing, light manufacturing and high tech uses such as clean manufacturing or information technology. Sometimes big-box retail or warehouse retail clubs are found in these areas. These areas are distinguished from mixed-use centers in that they have few residences and typically have more extensive commercial activity.

Employment areas require access to major arterials or interstates. Those areas, with manufacturing and warehousing uses must be able to accommodate extensive truck traffic, and rail in some instances. Due to the special transportation requirements of these districts, attention to design, screening and open space buffering is necessary when employment districts are near other districts that include moderate residential use.

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.

12.4

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: The Commuter Corridor consideration of West 71st Street South is a high capacity traffic corridor that is generally not pedestrian oriented.

Trail System Master Plan Considerations: None, but it should be noted that this site is immediately south of the Turkey Mountain Wilderness Area. Existing sidewalks provide access to the trail system on the north of West 71st Street.

Small Area Plan: West Highlands Small Area Plan

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is vacant except the remnants of a single-family residence driveway and fencing.

Environmental Considerations: No known environmental concerns that affect site redevelopment.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP RW</u>	<u>Exist. # Lanes</u>
West 71 st Street	Primary Arterial with Commuter Corridor	120 feet	4

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	Park and Open Space	Stability	Turkey Mountain Wilderness Area
East	CS with PUD 384-A	Employment	Growth	Vacant immediately east but Mini Storage within the PUD
South	AG with	Employment	Growth	Vacant

	PUD 384-A			
West	CS North/2 AG South/2	Employment	Growth	Veterinarian Clinic on north half and Vacant on AG property

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11827 dated June 26, 1970, established zoning for the subject property.

Subject Property: no relevant history

Surrounding Property:

Z-7432 April 2018: (pending) TMAPC concurred in **approval** of a request for *rezoning* a 20± acre tract of land from AG to RS-3, for residential use, on property located south of the southwest corner of East 71st Street and South Elwood Avenue. (Case is pending approval from City Council.)

Z-7375 (with optional development plan) March 2017: All concurred in **approval** of a request for *rezoning* a 2± acre tract of land from AG to CG on property located east of the southeast corner of West 71st Street South and South Elwood Avenue.

Z-7366 December 2016: All concurred in **denial** of a request for *rezoning* a 1.47± acre tract of land from AG to CG on property located south of the southeast corner of South Elwood Avenue and West 71st Street South.

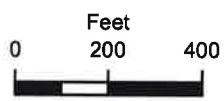
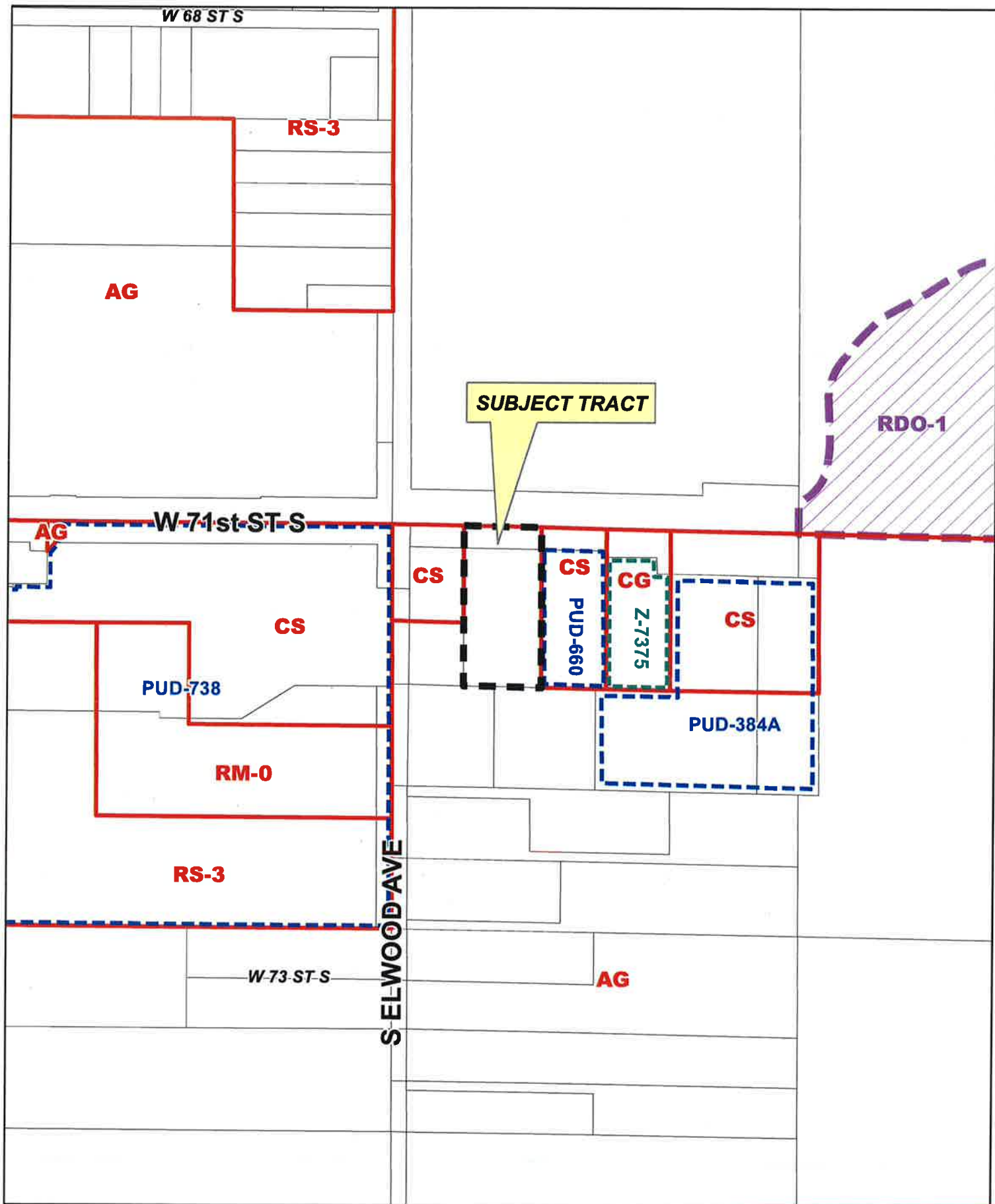
Z-7052/ PUD-738 May 2007: All concurred in **approval** of a request for *rezoning* a 39.19± acre tract of land from AG to RS-3/RM-0/CS and a Planned Unit Development for a mixed use development on property located at the southwest corner of West 71st Street South and South Elwood Avenue.

PUD-660/ Z-6858 July 2002: All concurred in **approval** of a proposed *Planned Unit Development* on a 2.2± acre tract of land and in **approval** of a request for *rezoning* from AG to CS/PUD for commercial uses, on property located east of the southeast corner of South Elwood Avenue and West 71st Street.

PUD-384A April 1987: The applicant requested a *major amendment* to PUD-384 to abandon previous uses that had originally been allowed and requested approval for Use Units 11, 14, 15, and 17. All concurred in **approval** of the request subject to conditions for the following uses, a mini-storage facility, a retail lawn and garden business with office and showroom. Use Unit 17 permitted the mini-storage facility only and all outdoor display for retail lawn and garden business would be only for seasonal merchandise, on property located east of the southeast corner of South Elwood Avenue and West 71st Street South.

Z-6017/ PUD-384 May 1985: All concurred in **approval** of a request for *rezoning* a 10± acre tract of land from AG to CS zoning on the north 550' and **denial** of the requested IL zoning and all concurred in **approval** of a proposed *Planned Unit Development*, on property located east of the southeast corner of South Elwood Avenue and West 71st Street South.

Z-6006 October 1984: All concurred in **approval** of a request for *rezoning* a tract of land from AG to CS, for commercial use, on property located on the southeast corner of East 71st Street and South Elwood Avenue.



Z-7440

18-12 12



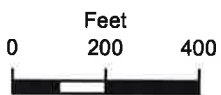


W 68 ST S

W 71ST ST S

W 73 ST S

S ELWOOD AVE



Subject Tract

Z-7440

18-12 12

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

Aerial Photo Date: February 2016



12.8



W 71ST ST S

S ELWOOD AVE



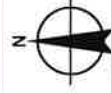
Subject Tract

Z-7440

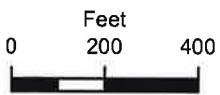
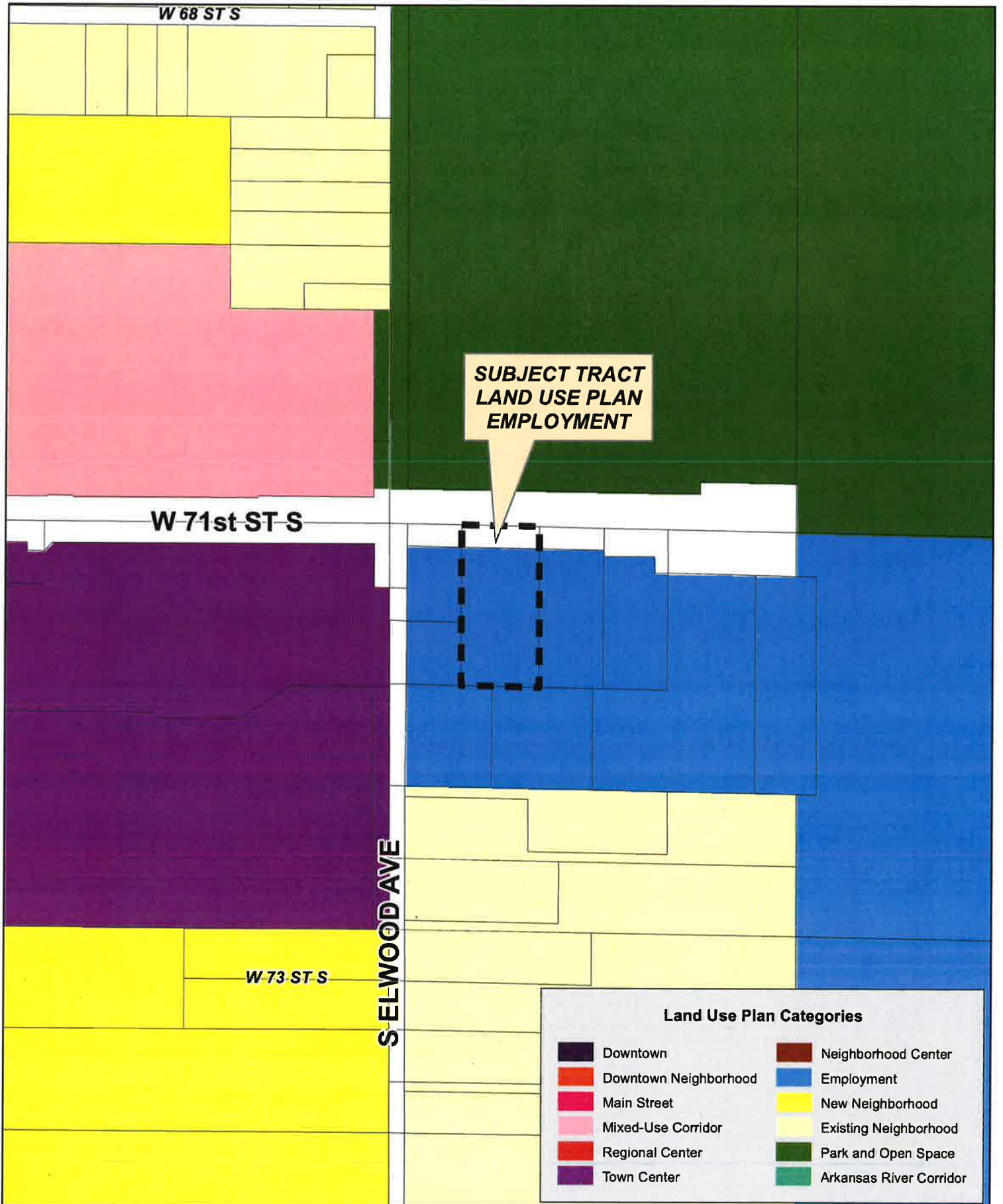
18-12 12

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

Aerial Photo Date: February 2016

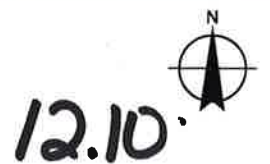


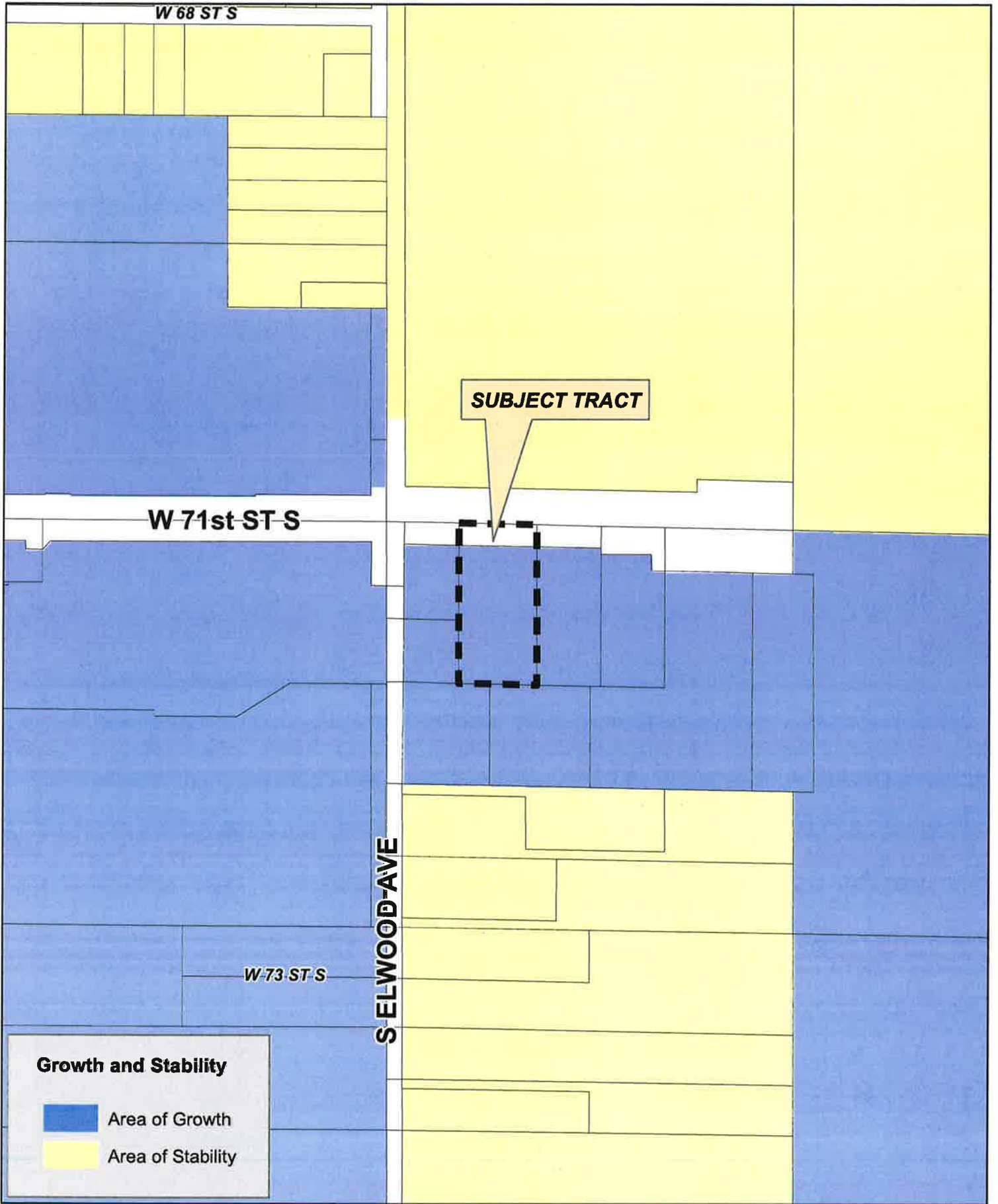
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Z-7440

18-12 12





Z-7440

18-12 12





Keith A. Bailey, DVM
316 W. 71st St., Ste. B
Tulsa, OK 74132

SOUTHWEST VETERINARY HOSPITAL. INC.

05/03/18

To whom it may concern:

My name is Dr. Keith A. Bailey, and I am the veterinarian at 71st and Elwood. Our practice was established in Tulsa by my father in 1965 and we have been at this location for fourteen years. I have recently been made aware that there is a plan in the works for a major car wash on the property next door to us. I would encourage you to approve zoning so that this project can begin as soon as possible. I feel that quality businesses along this street, such as this, will help our community, as well as all of Tulsa, and I welcome it with open arms. If I may be of help in any way just let me know. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Keith A. Bailey, DVM". The signature is written in a cursive style.

Keith A. Bailey, DVM

12.12



Tulsa Metropolitan Area Planning Commission

Case Number: LS-21134
Lot-Split (Related to LC-1023)

Hearing Date: June 6, 2018

Case Report Prepared by:

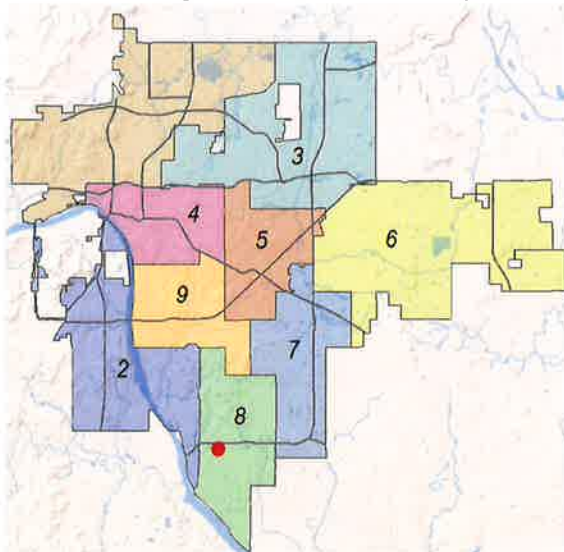
Austin Chapman

Owner and Applicant Information:

Applicant: **Russell and Sylynda Thrash**

Property Owners: William Morgan/Russell and Sylynda Thrash

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Proposal to split an RS-1 tract into two tracts and combine the back tract with a separate parcel.

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

Existing Use: Residential

Tract 1 Size: 0.397 ± acres
Tract 2 Size: 0.743 ± acres
Tract 3 Size: 0.784 ± acres

Location: South and West of the SW/c of East 97th Place South and South Urbana Avenue

Comprehensive Plan:

Land Use Map:
Existing Neighborhood

Stability and Growth Map:
Area of Stability

Zoning:
Existing Zoning: RS-1/PUD-216

Staff Recommendation:

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

City Council District: 8

Councilor Name: Phil Lakin

County Commission District: 3

Commissioner Name: Ron Peters

Lot-Split and Waiver of Subdivision Regulations

June 6, 2018

LS-21134

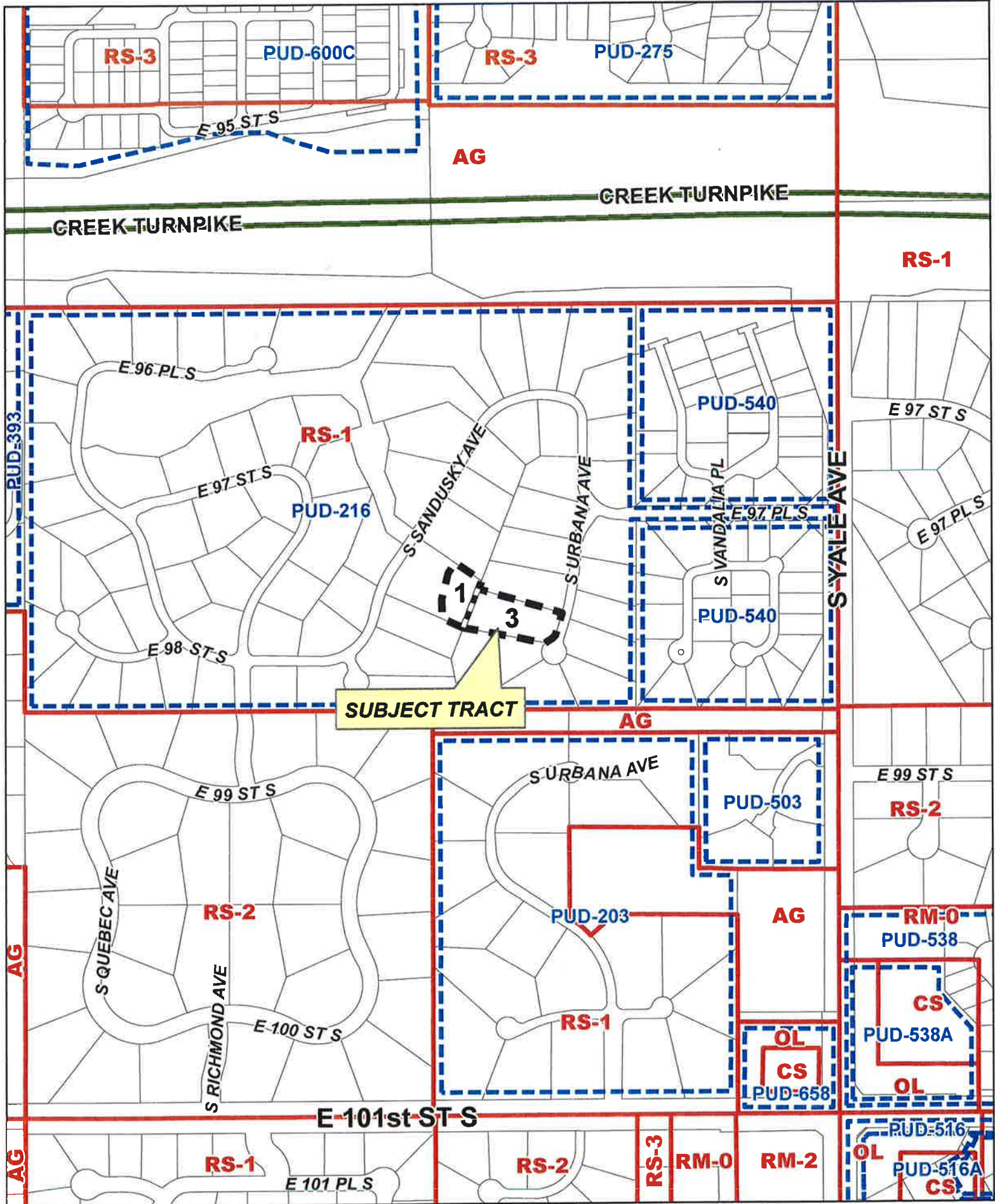
Russell and Sylynda Thrash, (1404) (RS-1/PUD 216) (City)

Location: South and West of the SW/c of East 97th Place South and South Urbana Avenue

The Lot-Split/Combination proposal is to split a portion of the property located at 9703 S. Sandusky and combine it with the property located at 9726 S. Urbana. Both tracts will meet the Lot and Area requirements of the City of Tulsa Zoning Code for an RS-1 zoning District and for PUD-216.

The Technical Advisory Committee met on May 17, 2018 and had no comments.

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



SUBJECT TRACT

LC-1023

18-13 21

14.1





 Subject Tract

LC-1023

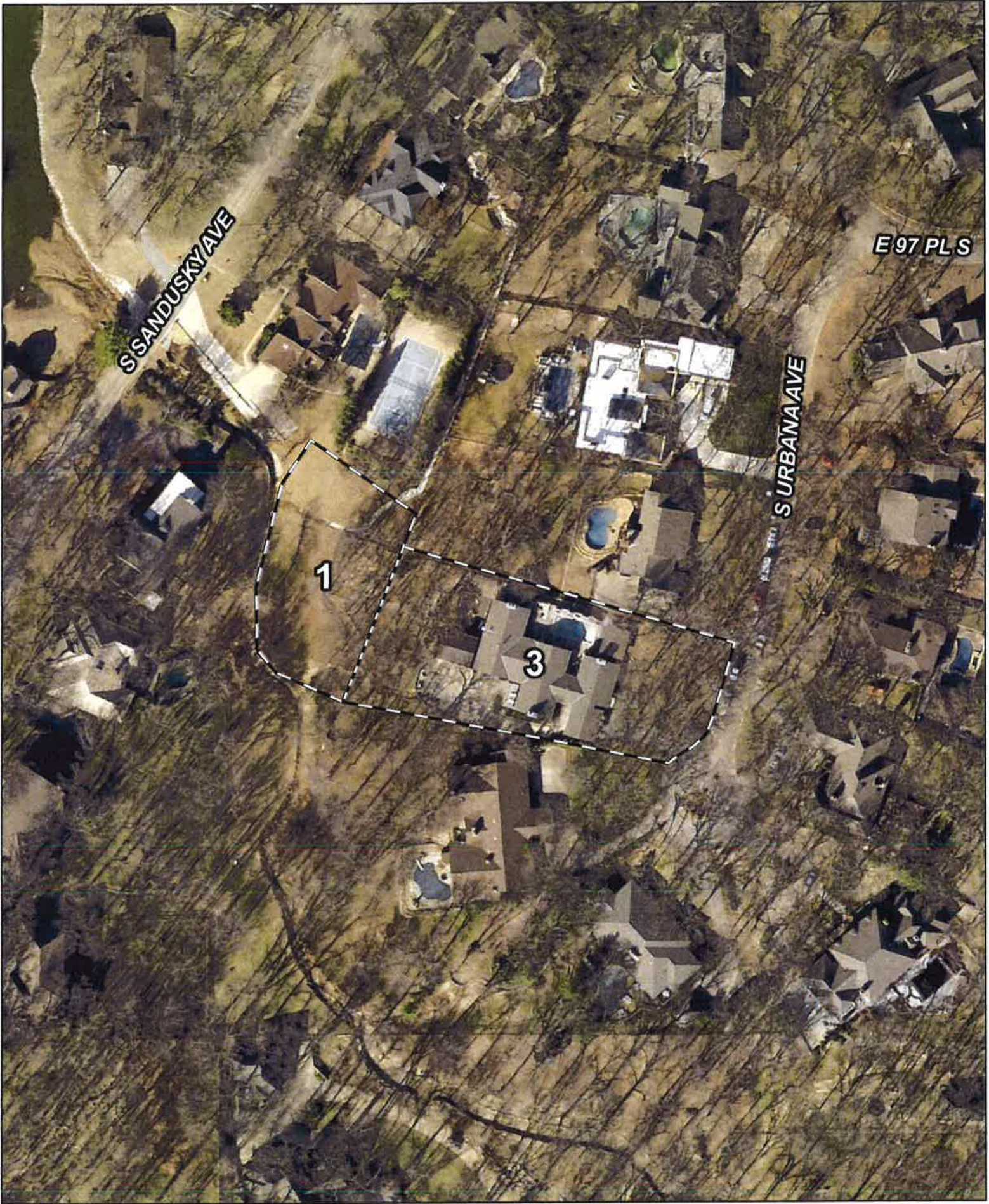
18-13 21

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

Aerial Photo Date: February 2016



14.2



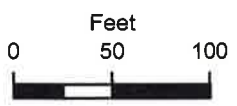
S SANDUSKY AVE

E 97 PL S

S URBANA AVE

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3



 Subject Tract

LC-1023

18-13 21

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

Aerial Photo Date: February 2016

14.3





Tulsa Metropolitan Area
Planning Commission

Case Number: Z-7445

Related to PUD 159-B (abandonment)

Hearing Date: June 6, 2018

Case Report Prepared by:

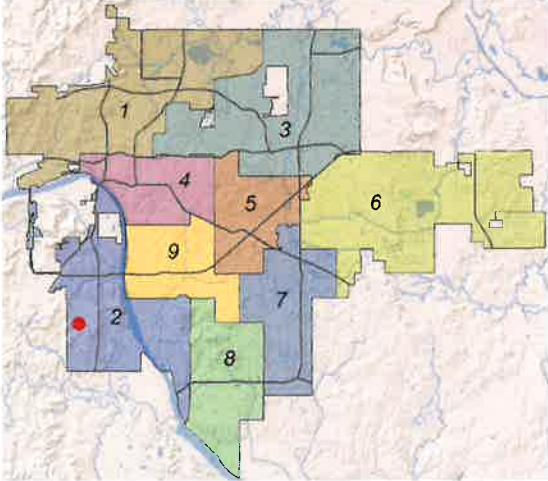
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Curtis Branch

Property Owner: BRANCH, CURTIS R &
RACHAEL L

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Uses as allowed by an AG district.

Concept summary: Abandon PUD-159 and re-zone property to AG.

Tract Size: 5.81 ± acres

Location: East of southeast corner of South 26th
West Avenue & West 71st Street South

Zoning:

Existing Zoning: RS-3

Proposed Zoning: AG

Comprehensive Plan:

Land Use Map: Existing Neighborhood

Stability and Growth Map: Area of Stability

Staff Recommendation:

Staff recommends approval of rezoning only if that part of the PUD has been abandoned.

The configuration of PUD development area SF-3 has created an area that is unlikely to see developed in a manner consistent with the West Highlands Small area plan.

Staff Data:

TRS: 8210

CZM: 51

Atlas:

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

15.1

SECTION I: Z-7445

DEVELOPMENT CONCEPT: The applicant is requesting AG rezoning and abandonment of the PUD is requested to allow agricultural uses and building types on the property.

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:

Large lot development required in AG zoning is consistent with West Highlands Small area plan at this location and,

Uses as allowed in AG zoning are not considered injurious to the surrounding properties and,

Abandonment of a portion of PUD 159 does not adversely affect the remaining developable property in the PUD therefore,

Staff recommends Approval of Z-7445 to rezone property from RS-3/ to AG only if the accompanying PUD 159-B is also approved.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: AG zoning is consistent with the Existing Neighborhood and Area of Stability components of the Tulsa Comprehensive Plan and with the West Highlands Small Area Plan

Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

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

Areas of Stability and Growth designation: Area of Stability

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of

existing homes, and small scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Transportation Vision:

Major Street and Highway Plan: Secondary arterial with a commuter street overlay

The most widespread commercial street type is the strip commercial arterial, these arterials typically serve commercial areas that contain many small retail strip centers with buildings set back from front parking lots. Because of this, strip commercial arterials have many intersections and driveways that provide access to adjacent businesses. Historically, this type of street is highly auto-oriented and tends to discourage walking and bicycling. On-street parking is infrequent.

Commuter streets are designed with multiple lanes divided by a landscaped median or a continuous two way left turn lane in the center. Commuter streets are designed to balance traffic mobility with access to nearby businesses. However, because there are so many intersections and access points on commuter streets, they often become congested. Improvements to these streets should come in the form of access management, traffic signal timing and creative intersection lane capacity improvements.

Trail System Master Plan Considerations: None

Small Area Plan: West Highlands Small Area Plan

This portion of the small area plan is considered an area of stability and an existing neighborhood. One of the major threats to the agricultural character favored by the residents in this area is increased density that would be allowed if the RS-3 zoning remained on this site.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently wooded and has a private pool and recreational area.

Environmental Considerations: None that would affect the possible uses in an AG district.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
W. 71 st Street South	Secondary Arterial with Commuter Street Overlay	100 feet	2

Utilities:

The subject tract does not abut municipal water service.

Connections to municipal sanitary sewer will require an extension or an on site solution.

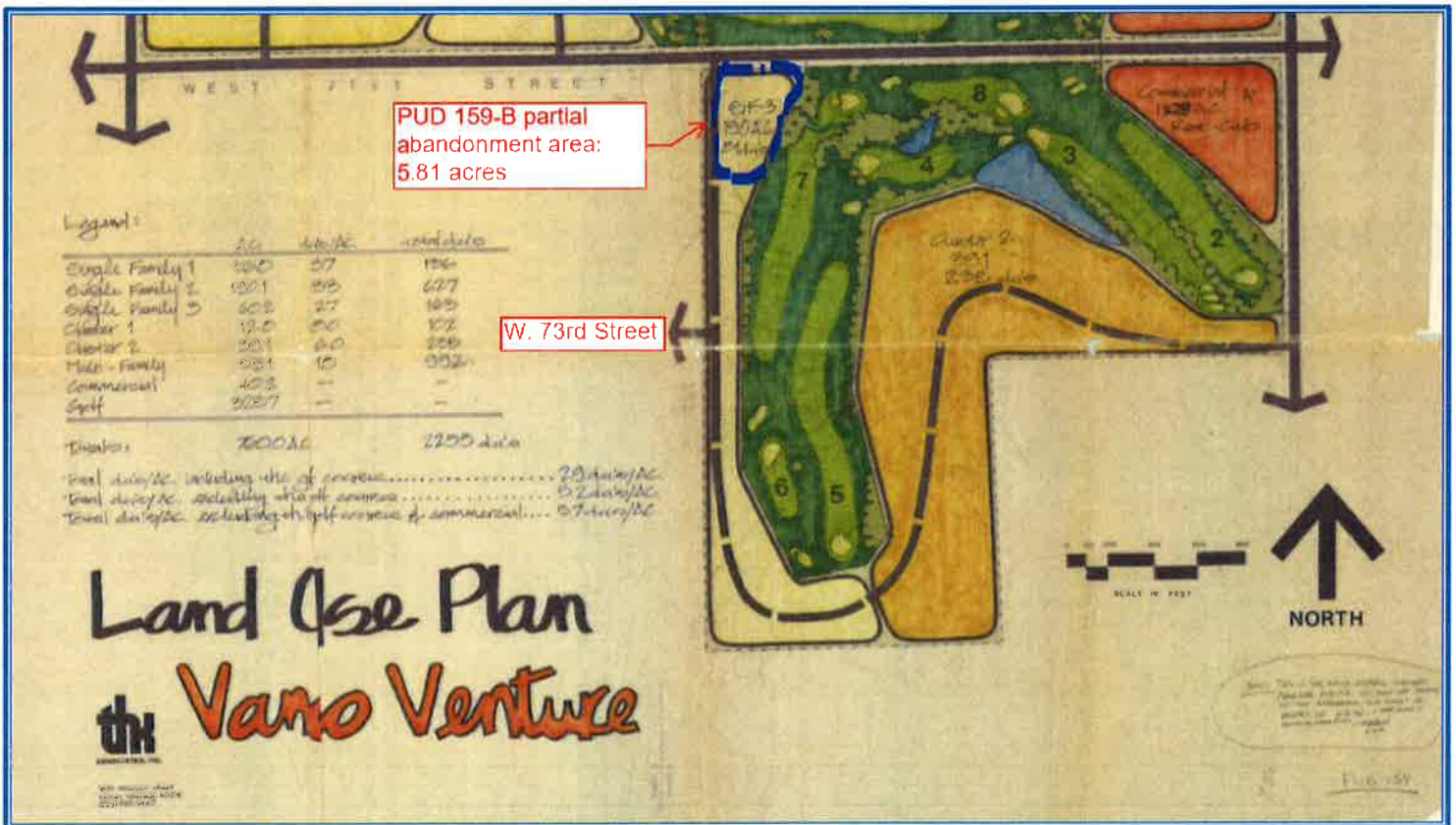
Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3 / PUD 159	Park and Open Space	Stability	Golf Course
East	RS-3 / PUD 159	Park and open space	Stability	Golf Course
South	RS-3 / PUD 159	Existing Neighborhood	Stability	Single Family Residential
West	AG	Existing Neighborhood	Stability	Single Family Residential

PUD 159-B Summary

Abandonment of a portion of development area SF-3 south of 71st street will reduce that area to 13.2 acres. Detached single family residential uses are the only uses allowed in that development area. The uses along with the bulk and area requirements identified in the remainder of SF-3 will remain unchanged.

DEVELOPMENT AREA MAP FOR PUD 159 SOUTH OF W. 71ST STREET SOUTH:



SECTION III: Relevant Zoning History

History: Z-7445

15.4

ZONING ORDINANCE: Ordinance number 11827 dated June 26, 1970, established zoning for the subject property.

Subject Property:

PUD-159 April 1974: All concurred in **approval** of a proposed *Planned Unit Development* on a 597+ acre tract of land to develop the entire residential zoned portion of Section 3 and an RS-3 zoned area near the SW corner of West 71st Street and South Union Avenue. Permitted were 954 houses, 876 apartments and a 36-hole golf course.

Surrounding Property:

PUD-606 March 1999: All concurred in **approval** of a proposed *Planned Unit Development* on a 30.3+ acre tract of land for residential development, on property located south of the southwest corner of West 71st Street South and South Union Avenue.

BOA-18183 September 1998: The Board of Adjustment **approved** a *variance* to permit 0' frontage in an AG District, per plan submitted, on property located at 7424 ± S. Union.

BOA-18163 September 1998: The Board of Adjustment **approved** a *variance* of the required 30' frontage on a public street to 25', per plan submitted, on property located west of the southwest corner of West 73rd Street South and South 26th West Avenue.

BOA-17869 November 1997: The Board of Adjustment **approved** a *variance* to allow two dwelling units on one lot of record (guesthouse), per plan submitted and subject to a covenant being filed or record stating that the second dwelling may not be used as rental property, on property located at 7354 South 26th West Avenue.

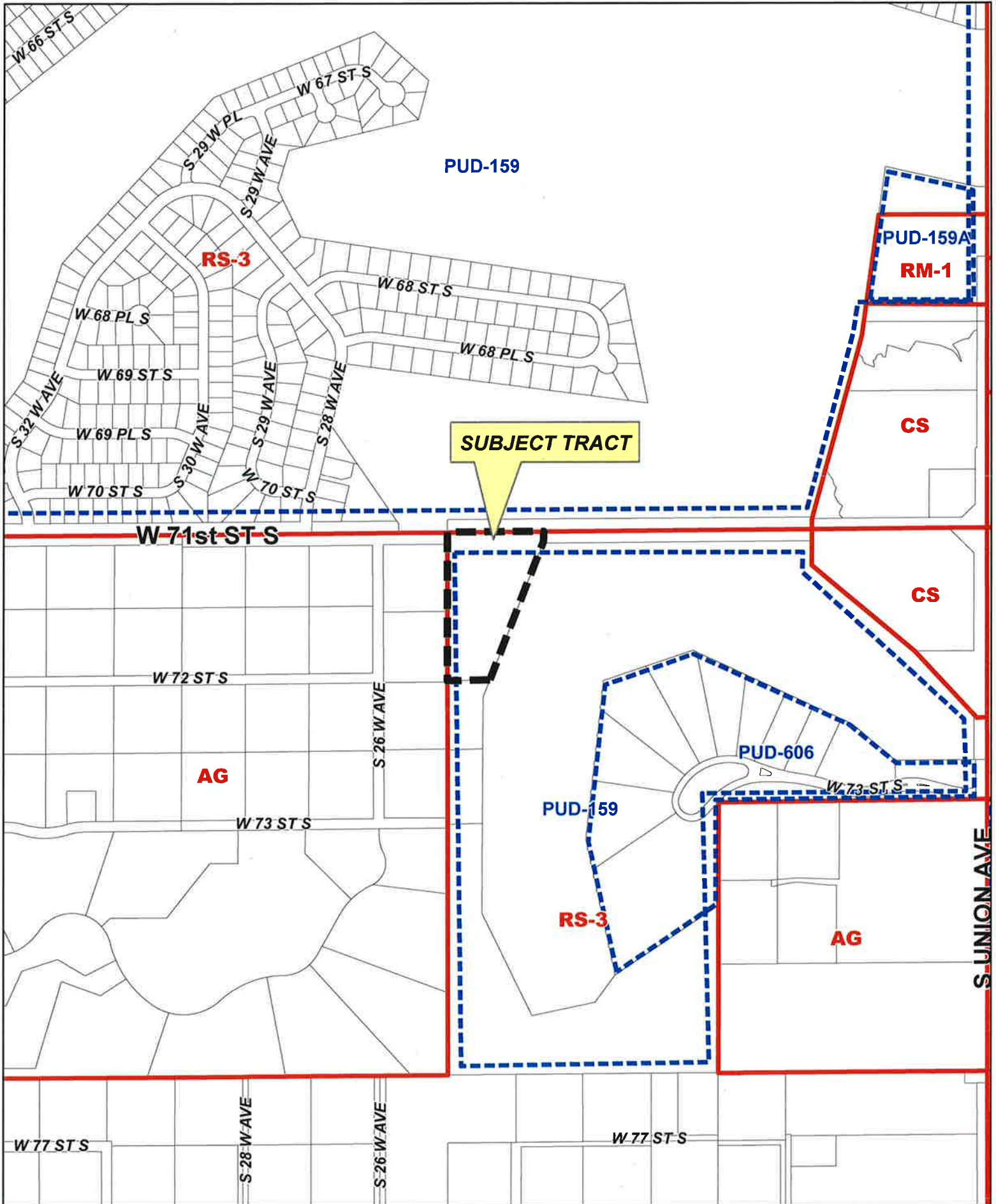
BOA-17098 July 1995: The Board of Adjustment **approved** a *variance* of the required rear yard from 40' to 15' to permit construction of a new residence and detached garage, per plan submitted, on property located at 7171 South 26th West Avenue.

BOA-15898 December 1991: The Board of Adjustment **approved** a *variance* of the required 30' of frontage on a public street or dedicated ROW to 0' to permit access by mutual access easement, and dedicated of necessary easements to serve the lots, on property located at 7500 S. Union.

BOA-14188 September 1986: The Board of Adjustment **denied** a *variance* of lot width and area to permit lots with 165' and 168' widths and lot areas of approximately 1.2 acres each in an AG district to permit a lot-split located at Lot 4, Block 2, and Lots 2-4, Block 2, Rosewood Acres 2nd, on property located on the northeast corner of West 73rd Street South and South 26th West Avenue.

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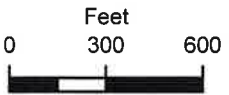


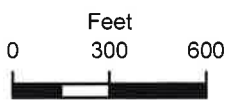
SUBJECT TRACT

**Z-7445/
PUD-159-B**

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Subject
Tract

Z-7445

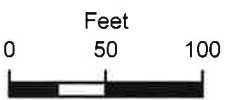
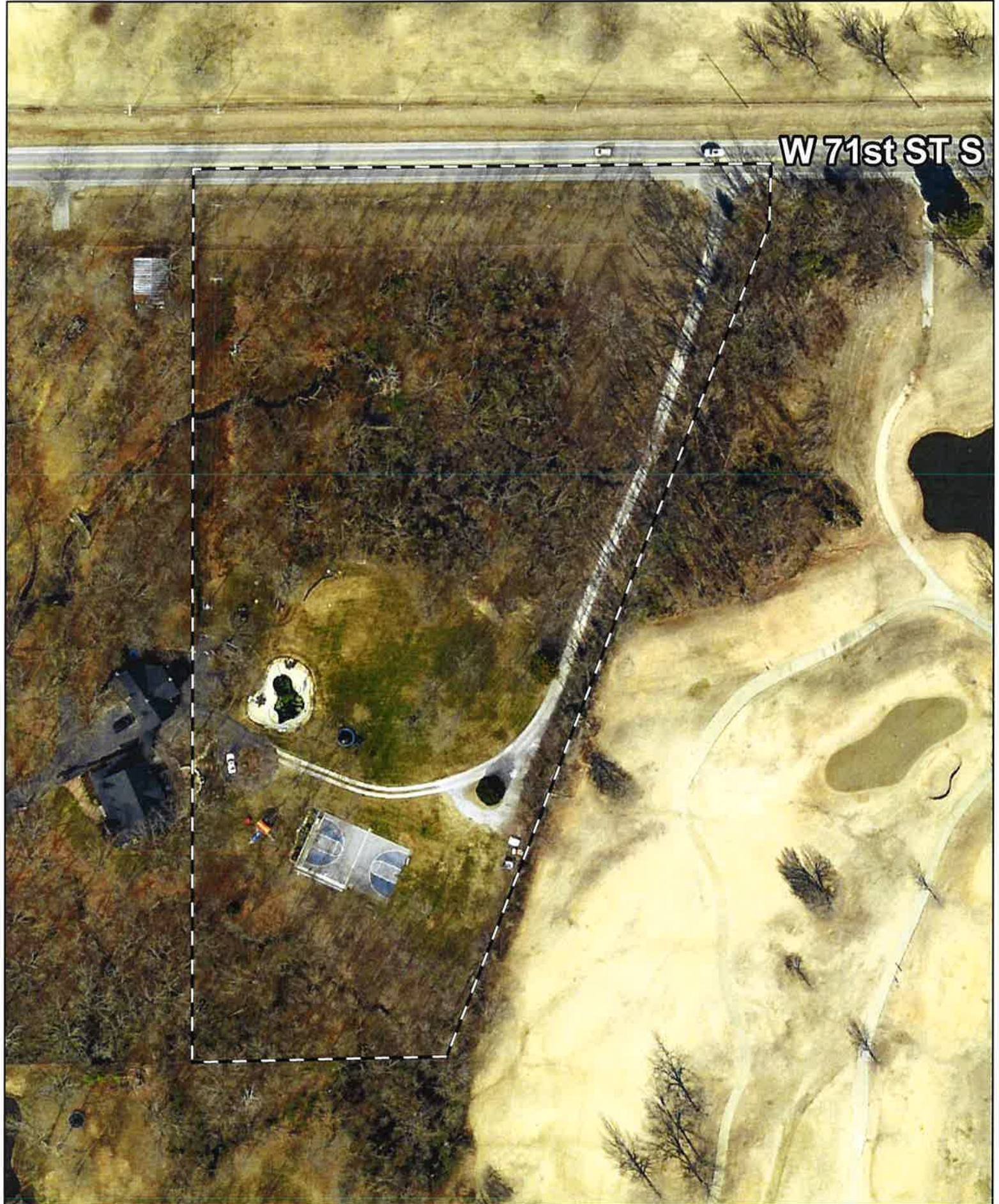
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016



W 71st ST S



Subject Tract

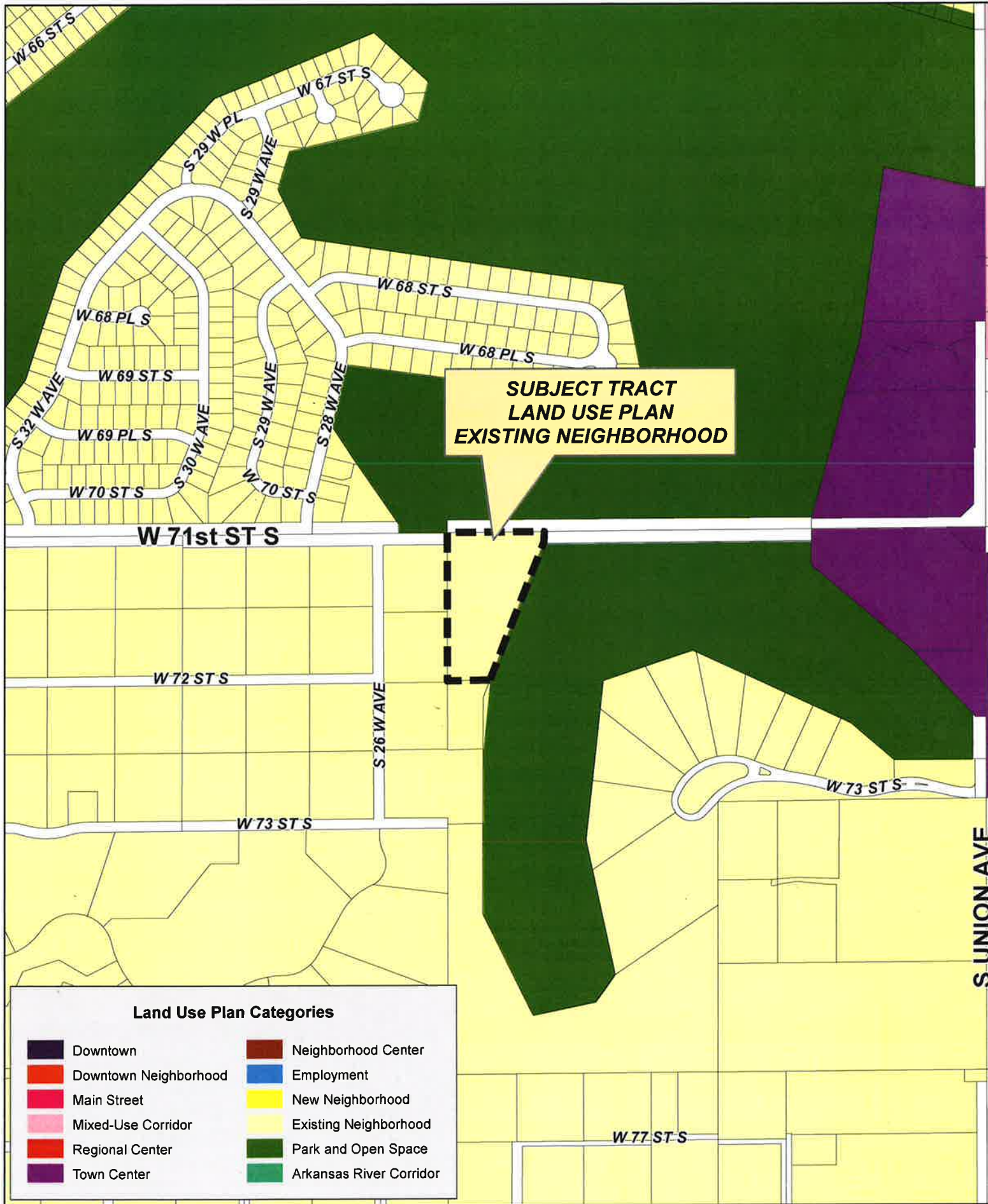
Z-7445

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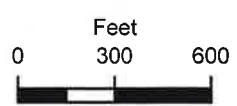
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Aerial Photo Date: February 2016



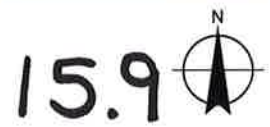


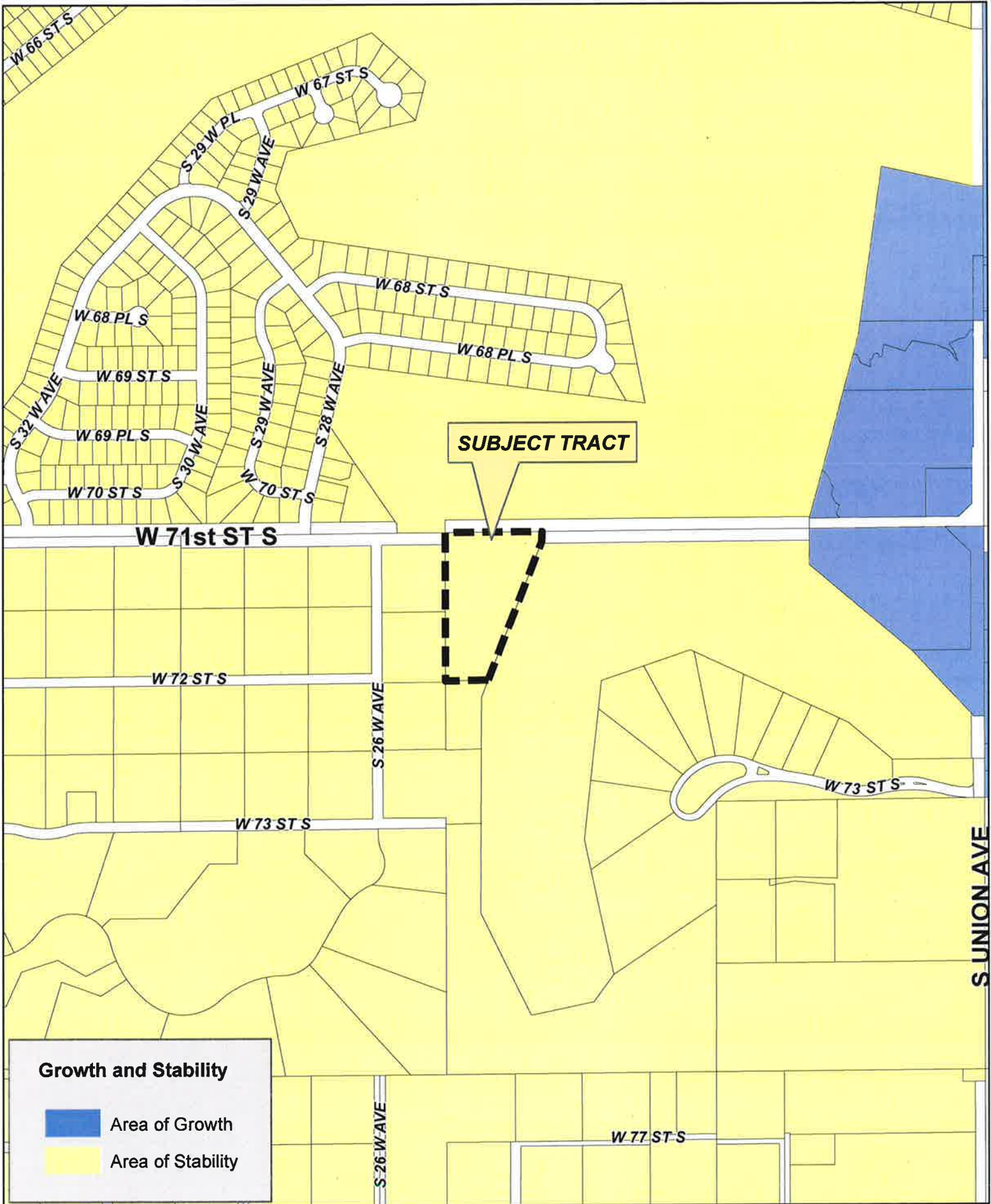
**SUBJECT TRACT
LAND USE PLAN
EXISTING NEIGHBORHOOD**



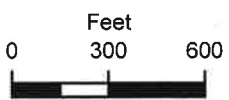
Z-7445

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SUBJECT TRACT



Z-7445

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Tulsa Metropolitan Area
Planning Commission

Case Number: PUD-159-B
Related to Z-7445

Hearing Date: June 6, 2018

Case Report Prepared by:

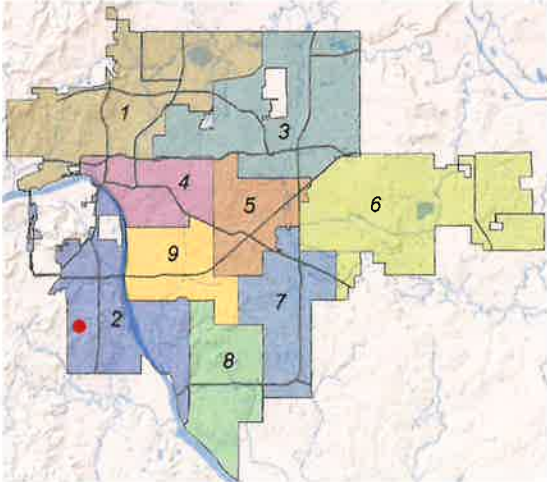
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Curtis Branch

Property Owner: BRANCH, CURTIS R &
RACHAEL L

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Uses as allowed by an AG district.

Concept summary: Abandon a 5.81 acre portion of
development area SF-3 in PUD-159 and re-zone
property to AG.

Tract Size: 5.81 ± acres

Location: East of southeast corner of South 26th
West Avenue & West 71st Street South

Zoning:

Existing Zoning: PUD-159 / RS-3

Proposed Zoning: AG

Comprehensive Plan:

Land Use Map: Existing Neighborhood

Stability and Growth Map: Area of Stability

Staff Recommendation:

**Staff recommends approval of the abandonment
for a portion of PUD 159.**

The configuration of PUD development area SF-3
has created property that is unlikely to see
developed in a manner consistent with the West
Highlands Small area plan. Also, a subdivision east
of the site in Cluster 2 has blocked vehicular access
to and from S. Union Ave.

Staff Data:

TRS: 8210

CZM: 51

Atlas: 1144

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

16.1

SECTION I: PUD-159-B

DEVELOPMENT CONCEPT: The applicant is requesting AG rezoning and abandonment of the PUD is requested to allow agricultural uses and building types on the property.

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:

Large lot development required in AG zoning is consistent with West Highlands Small area plan at this location and,

Uses as allowed in AG zoning are not considered injurious to the surrounding properties and,

Abandonment of a portion of PUD 159 does not adversely affect the remaining developable property in the PUD therefore,

Staff recommends Approval of PUD 159-B which will abandon a portion of PUD 159.

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: AG zoning is consistent with the Existing Neighborhood and Area of Stability components of the Tulsa Comprehensive Plan and with the West Highlands Small Area Plan

Land Use Vision:

Land Use Plan map designation: Existing Neighborhood

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

Areas of Stability and Growth designation: Area of Stability

The Areas of Stability includes approximately 75% of the city's total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small scale infill projects. The concept of stability and growth is specifically

16.2

designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

Transportation Vision:

Major Street and Highway Plan: Secondary arterial with a commuter street overlay

The most widespread commercial street type is the strip commercial arterial, these arterials typically serve commercial areas that contain many small retail strip centers with buildings set back from front parking lots. Because of this, strip commercial arterials have many intersections and driveways that provide access to adjacent businesses. Historically, this type of street is highly auto-oriented and tends to discourage walking and bicycling. On-street parking is infrequent.

Commuter streets are designed with multiple lanes divided by a landscaped median or a continuous two way left turn lane in the center. Commuter streets are designed to balance traffic mobility with access to nearby businesses. However, because there are so many intersections and access points on commuter streets, they often become congested. Improvements to these streets should come in the form of access management, traffic signal timing and creative intersection lane capacity improvements.

Trail System Master Plan Considerations: None

Small Area Plan: **West Highlands Small Area Plan**

This portion of the small area plan is considered an area of stability and an existing neighborhood. One of the major threats to the agricultural character favored by the residents in this area is increased density that would be allowed if the RS-3 zoning remained on this site.

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is currently wooded and has a private pool and recreational area.

Environmental Considerations: None that would affect the possible uses in an AG district.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
W. 71 st Street South	Secondary Arterial with Commuter Street Overlay	100 feet	2

Utilities:

The subject tract does not abut municipal water service.

Connections to municipal sanitary sewer will require an extension or an onsite solution.

16.3

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	RS-3 / PUD 159	Park and Open Space	Stability	Golf Course
East	RS-3 / PUD 159	Park and open space	Stability	Golf Course
South	RS-3 / PUD 159	Existing Neighborhood	Stability	Single Family Residential
West	AG	Existing Neighborhood	Stability	Single Family Residential

PUD 159-B Summary

Abandonment of a portion of development area SF-3 south of 71st street will reduce that area to 13.2 acres. Detached single family residential uses are the only uses allowed in that development area. The uses along with the bulk and area requirements identified in the remainder of SF-3 will remain unchanged.

DEVELOPMENT AREA MAP FOR PUD 159 SOUTH OF W. 71ST STREET SOUTH:



SECTION III: Relevant Zoning History

History: Z-7445

16.4

ZONING ORDINANCE: Ordinance number 11827 dated June 26, 1970, established zoning for the subject property.

Subject Property:

PUD-159 April 1974: All concurred in **approval** of a proposed *Planned Unit Development* on a 597+ acre tract of land to develop the entire residential zoned portion of Section 3 and an RS-3 zoned area near the SW corner of West 71st Street and South Union Avenue. Permitted were 954 houses, 876 apartments and a 36-hole golf course.

Surrounding Property:

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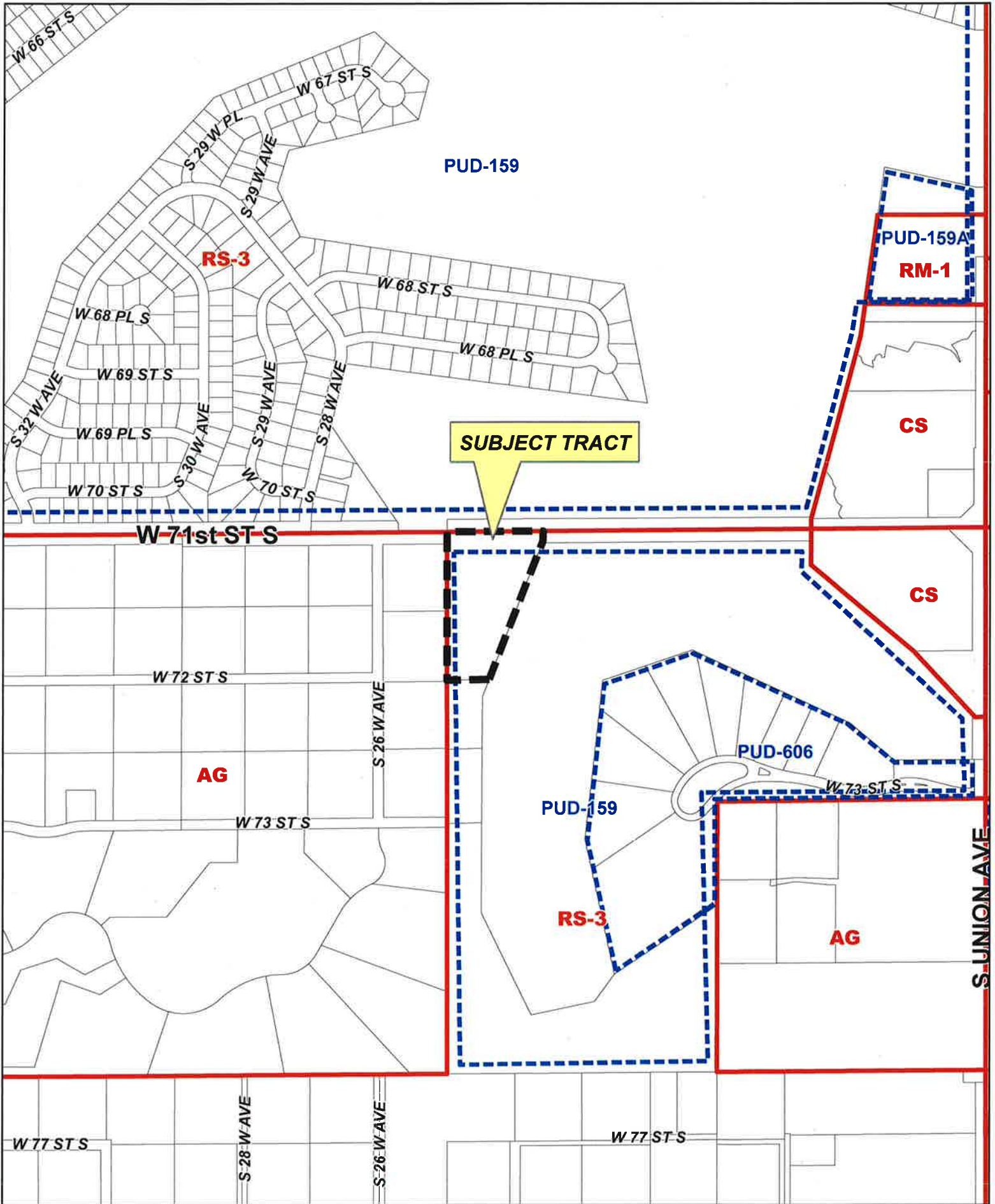
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BOA-15898 December 1991: The Board of Adjustment **approved** a *variance* of the required 30' of frontage on a public street or dedicated ROW to 0' to permit access by mutual access easement, and dedicated of necessary easements to serve the lots, on property located at 7500 S. Union.

BOA-14188 September 1986: The Board of Adjustment **denied** a *variance* of lot width and area to permit lots with 165' and 168' widths and lot areas of approximately 1.2 acres each in an AG district to permit a lot-split located at Lot 4, Block 2, and Lots 2-4, Block 2, Rosewood Acres 2nd, on property located on the northeast corner of West 73rd Street South and South 26th West Avenue.

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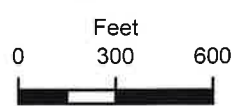
SUBJECT TRACT

PUD-159-B

18-12 10



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 Subject Tract

**Z-7445/
PUD-159-B**

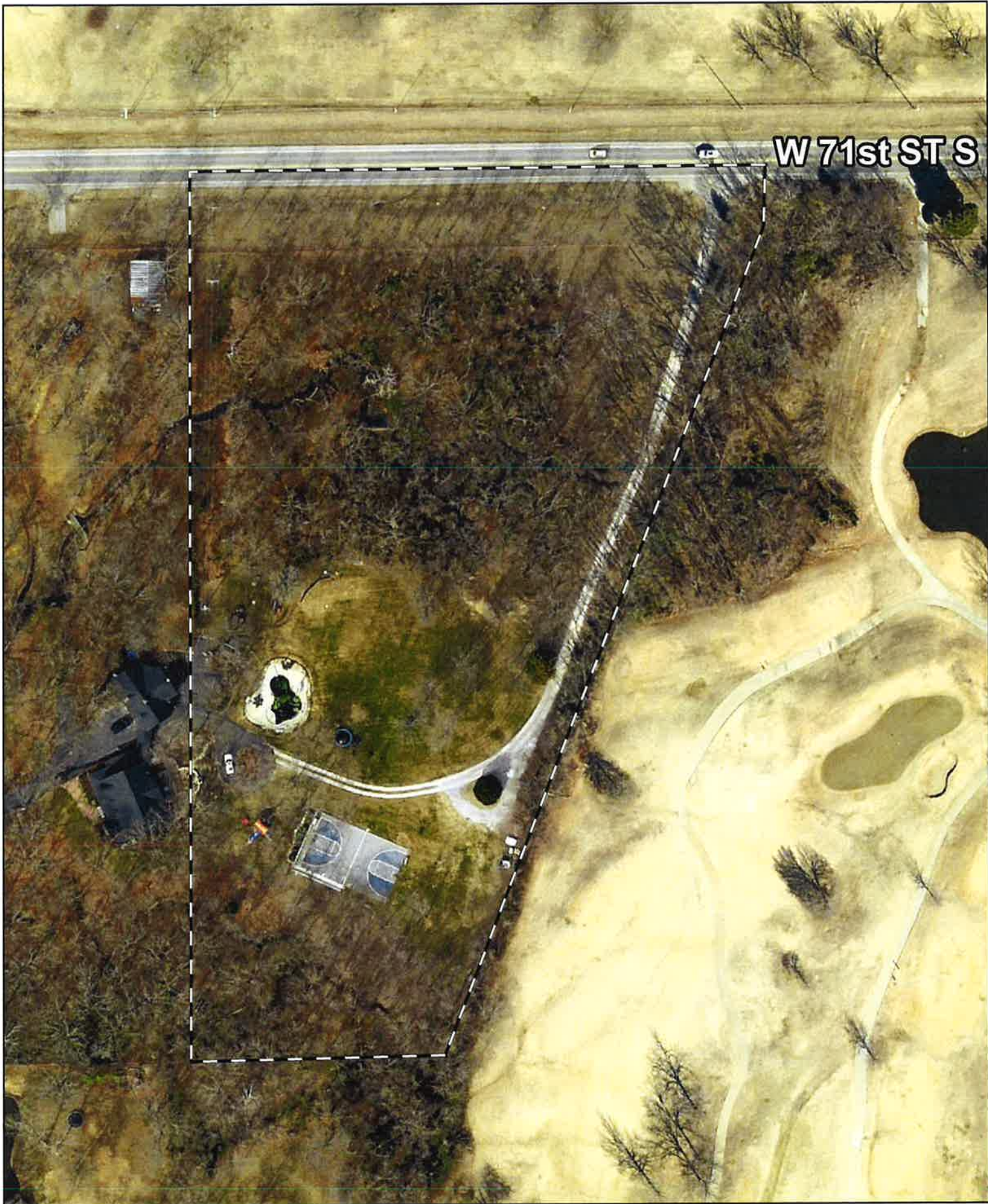
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Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: February 2016

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W 71st ST S



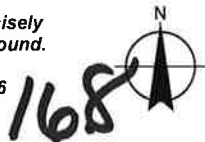
Subject Tract

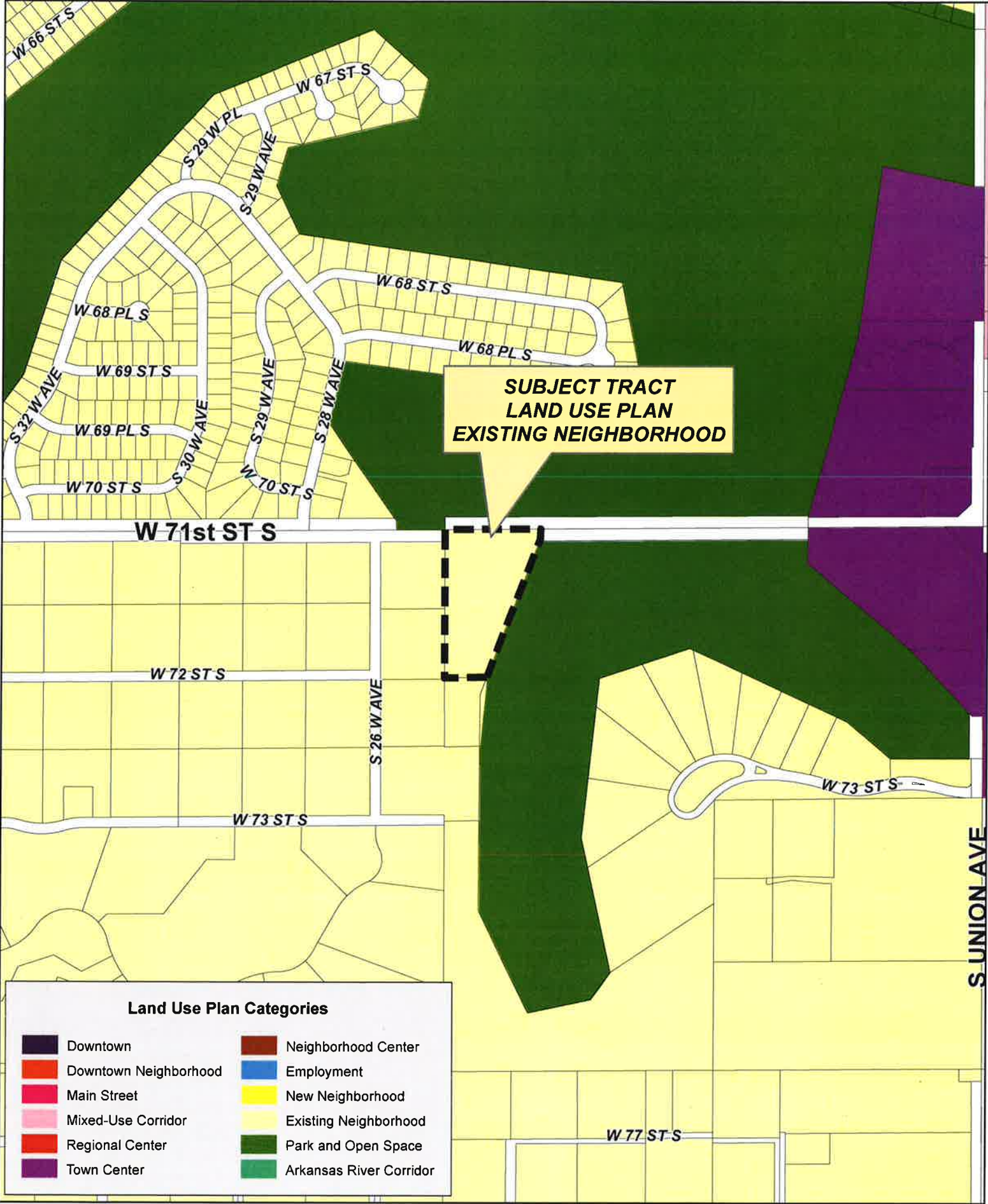
PUD-159-B

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Aerial Photo Date: February 2016

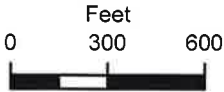




**SUBJECT TRACT
LAND USE PLAN
EXISTING NEIGHBORHOOD**

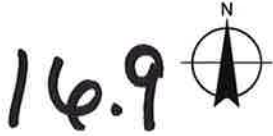
Land Use Plan Categories

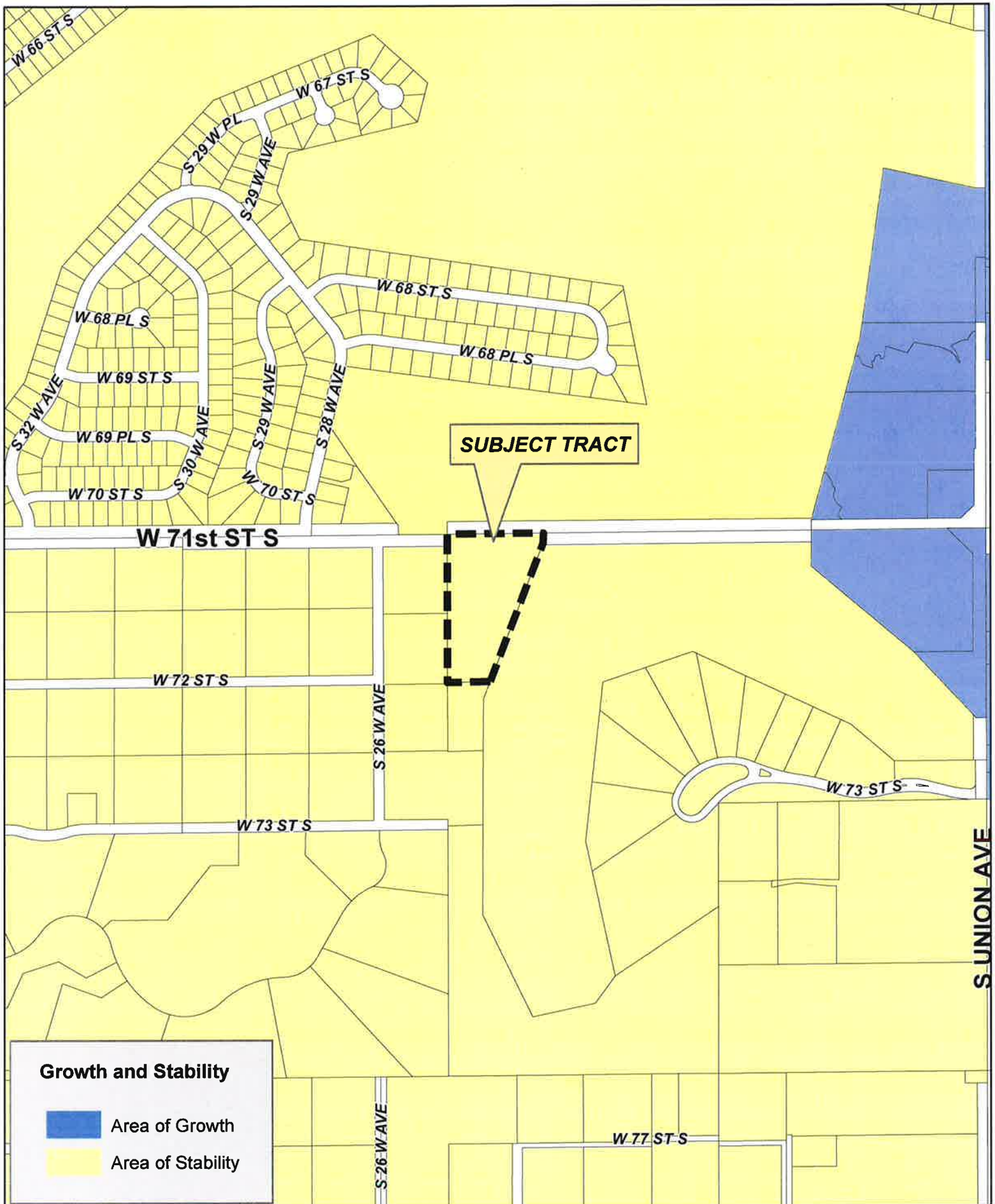
- | | |
|--|---|
|  Downtown |  Neighborhood Center |
|  Downtown Neighborhood |  Employment |
|  Main Street |  New Neighborhood |
|  Mixed-Use Corridor |  Existing Neighborhood |
|  Regional Center |  Park and Open Space |
|  Town Center |  Arkansas River Corridor |



PUD-159-B

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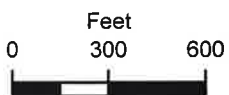




SUBJECT TRACT

Growth and Stability

- Area of Growth
- Area of Stability



PUD-159-B

18-12 10

16.10

TMAPC Public Hearing Staff Report
June 6, 2018
ZCA-10, Residential Driveway Width / Zoning Code Amendments

Item: Zoning Code text amendments to modify standards for residential driveways Chapter 55
Parking: Sections 55.090-F

A. Background: The City was asked by the Home Builders Association of Greater Tulsa, to consider amendments to the residential driveway requirements to better facilitate market demands for wider driveways. Once a proposal was developed and vetted, the TMAPC, on April 4, 2018, initiated text amendments to the Zoning Code. The May 2, 2018 TMAPC hearing for this item was continued in order to conduct an additional work session which occurred on May 16, 2018. Additional adjustments to the proposal were made as a result of the discussion at the work session.

The Tulsa Zoning Code establishes a maximum width for residential driveways based on zoning district. This measurement sets the width of driveways both on private property and within the public right of way. Generally, the purpose for having a maximum width is to support the residential character of neighborhoods and prevent lots from becoming fully paved parking areas in front of single family homes. Narrower driveways on smaller lots are more consistent with existing development patterns in older parts of the community. As average home sizes have increased, market demands have resulted in properties having three garages, for vehicles, boats, storage, or any number of other uses.

Under previous versions of the City's zoning code developers used a PUD as a means of modifying open space requirements to allow additional paved (impervious) surface for wider driveways accessing three-car garages. The current code provides that a greater driveway width may be approved by special exception or by amendment of existing PUDs.

Proposed amendments address lot dimensions instead of zoning district which allows the amount of lot frontage along the street to serve as context for the maximum width of a driveway within the public right of way. This proposal allows larger lots to install wider driveways, which seems consistent with the request under consideration.

Open space requirements are not proposed to change and will take precedence if they are more stringent than the allowed maximum driveway width. A provision is included to ensure no more than 50% of the lot frontage is occupied by a driveway. This proposal was adjusted after the May 16, 2018 work session to add; 1) a provision for very narrow lots (30' or less) to have maximum 12' wide driveways, and 2) a cap on the overall driveway area within the required street setback which is not to exceed 50% of the required street setback area.

The following table compares methodologies for determining maximum driveway width:

Pre-2016 Zoning Code	Current Code	Proposed
Based on zoning district	Based on zoning district	Based on lot frontage
Maximum coverage calculation within street setback (17% - 36%)	Specific dimensions within right-of-way & on the lot (12' – 30')	Specific dimensions within right-of-way; Maximum coverage within street setback (50%); Maximum width of all driveways (50% of lot frontage)
Livability space required	Open space per unit required	Open space per unit required

Note: The definition of “Open Space per Unit” in the current code closely matches the definition (and prescribed dimensions) of “Livability Space” from the previous zoning code.

Engineering standards for residential driveways have been amended to allow widths ranging from 10'-30'. The previous standard limited residential driveways to a maximum width of 24'.

Proposed amendments to the City of Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, are shown in ~~strike through~~/underline format in **Attachment I**.

The new City of Tulsa Zoning Code became effective on January 1, 2016. Since that time, fourteen (14) applications for special exceptions allowing wider residential driveways have been processed; all were approved. **Attachment II** includes examples of special exception requests which have been granted by the Board of Adjustment. These approvals allow wider driveway widths based on individual review relative to the approval criteria for all special exceptions. While some of these applications would no longer be required under the proposed amendments, others would still have needed BOA approval to be permitted. **Attachment III** shows the single PUD amendment that was approved to allow for wider driveways.

Attachment IV contains graphic examples of proposed maximum driveway widths for lots with various frontages/dimensions. These examples show the difference between earlier proposals and the current version which reflects changes made after the May 16, 2018 TMAPC work session.

Attachment V is a document provided by the HBA of Greater Tulsa at the request of the TMAPC for discussion at the May 16, 2018 Work Session.

And **Attachment VI** is a code comparison showing driveway allowances for cities within the region as well as for comparable cities nationally.

Public comment received by the TMAPC staff prior to distribution for this public hearing is found in **Attachment VII**.

B. Staff Recommends APPROVAL of proposed amendments to the City of Tulsa Zoning Code as shown in **Attachment I**.

Attachment I

Proposed Amendments:

55.090-F Surfacing

3. In RE and RS zoning districts, driveways servicing residential dwelling units within the street right-of-way may not exceed 50% of the lot frontage or the following maximum widths, whichever is less, unless a greater width is approved in accordance with the special exception procedures of Section 70.123, or, if in a PUD, in accordance with the amendment procedures of Section 30.010-1.2. (Refer to City of Tulsa Standard Specifications and Details for Residential Driveways #701-704).

<u>Maximum Driveway Width</u>	<u>RE</u>	<u>RS-1</u>	<u>RS-2</u>	<u>RS-3</u>	<u>RS-4</u>	<u>RS-5</u>
<u>Within Right-of-Way (feet)</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>20</u>	<u>12</u>
<u>On the Lot (Outside ROW) (feet)</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>30</u>	<u>20</u>	<u>12</u>

~~For approvals granted under the terms of the zoning code in effect prior to January 1, 2016, including (1) variances of maximum driveway coverage measured by width, square footage or percentage of yard and (2) establishment of PUD development standards that increase the maximum permitted driveway coverage measured by any such means, the foregoing maximums do not apply.~~

	<u>Maximum Driveway Width</u>				
<u>Lot Frontage</u>	<u>75'+</u>	<u>60' - 74'</u>	<u>46'-59'</u>	<u>30' - 45'</u>	<u>Less than 30'</u>
<u>Driveway Within Right-of-Way (feet)</u> <u>[1]</u>	<u>30'</u>	<u>28'</u>	<u>24'</u>	<u>20'</u>	<u>12' [2]</u>

[1] Maximum width applies to the composite of all driveways if multiple curb cuts are provided.

[2] For lot frontages less than 30 feet, a maximum driveway width of 12' is permitted.

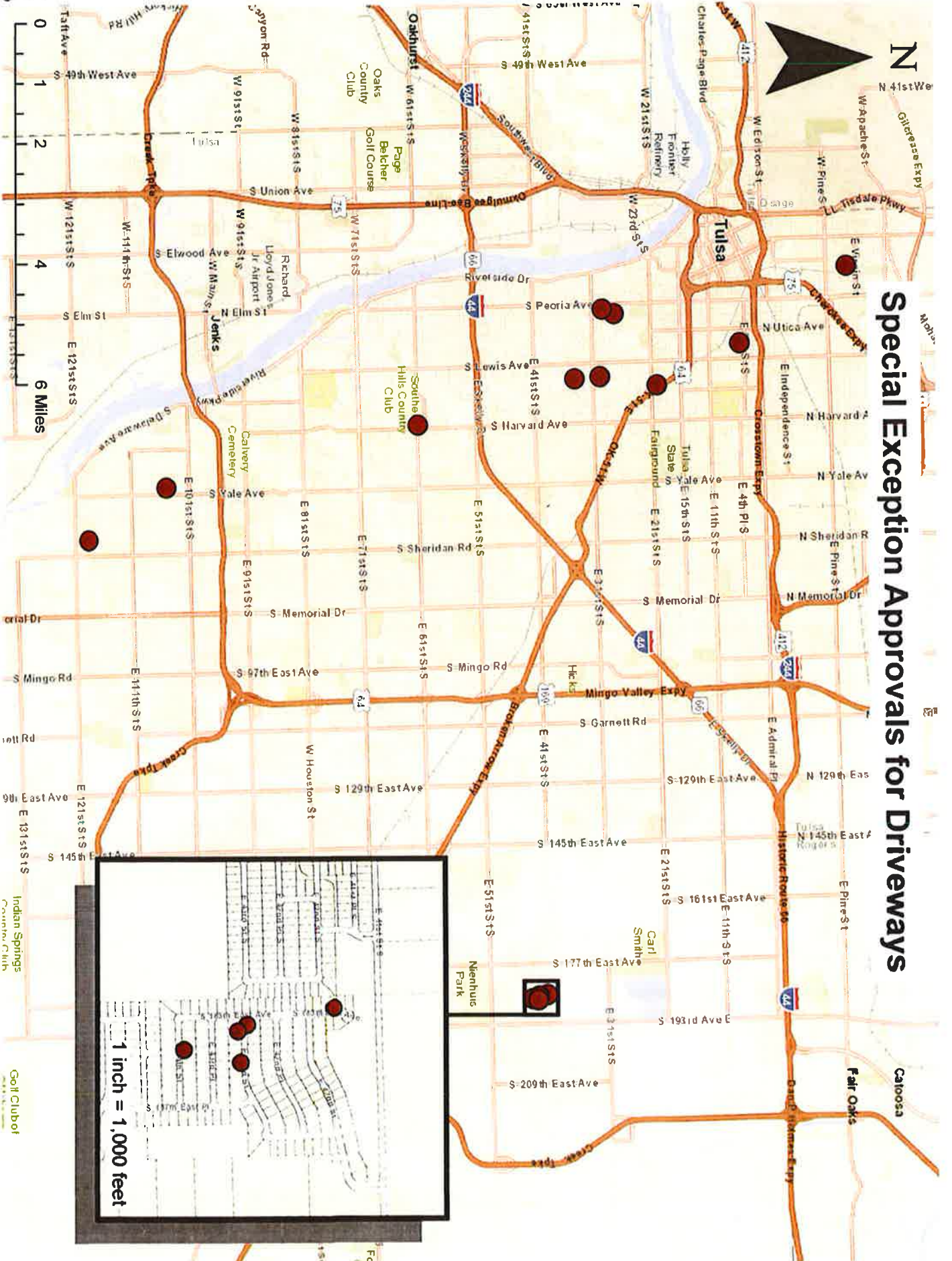
In RE and RS zoning districts, the total area of all driveways within the required street setback may not exceed 50% of the area of the required street setback.

Attachment II

Examples of Approved Special Exceptions:

176

Special Exception Approvals for Driveways



1 inch = 1,000 feet

Received Date	Case #	Council District	Hearing Date	Applicant's Name	Property Address	Zoning Designation	Lot-Width	Maximum Driveway Width (per code)	Proposed Driveway Width	Type of Construction	RESULTS	
								in ROW/ on lot				
6/9/2016	22104	4	07/12/16	Amelia Valdez	2015 E 4th PL S	RS-4	±70'	20/20	70'	existing house; driveway expansion	Approved	
8/2/2016	22125	4	09/13/16	Nik Hooper	2663 E 20th ST S	RS-3	±69'	20/30	24'	existing house; added on to the garage which required driveway expansion	Approved	D
9/26/2016	22155	6	11/08/16	Charles Sanders Homes Inc.	18521 E. 44th St.	RS-4	±67'	20/20	30'	new build; part of newly created subdivision	Approved	C
10/5/2016	22159	8	12/13/16	Nick Puma	6033 E. 118th St. S.	RS-1	±182' (Combined lots)	20/30	75'	new build; infill in established neighborhood	Approved	
11/28/2016	22181	6	01/10/17	J.D. Harp	West and South of the SWc of S 193 E Ave and E 41 ST S	RS-4	± 65'-75' (14 lots in subdivision)	20/20	30'	new build; part of newly created subdivision	Approved	
3/23/2017	22228	8	04/25/17	Phil Boushon	10512 S URBANA AV E	RS-2	±105'	20/30	37' (In ROW)/ 55' (on lot)	existing house; added on to the garage which required driveway expansion	Approved	B
4/20/2017	22244	2	05/23/17	Ronnie Herron	3220 E. 61st St.	RS-1	±200'	20/30	48'	new build; infill in established neighborhood	Approved	
4/28/2017	22246	4	06/13/17	Barry Goldstein	1366 E 27 Pl S	RE	±157'	20/30	70'	new build; infill in established neighborhood	Approved	
5/8/2017	22250	6	08/13/17	Corbin Smith	4110 S. 185th Ave E.	RS-4	±70'	20/20	27'	new build; part of newly created subdivision	Approved	A
5/24/2017	22264	4	06/27/17	Phillip Doyle	2931 S Quaker Ave	RS-1	±186' (combined lots)	20/30	35'	existing house; added on to the garage which required driveway expansion	Approved	
7/6/2017	22293	4	08/08/17	Richard Winn	2525 E. 30th St. S.	RS-1	±180' (combined lots)	20/30	42'	new build; infill in established neighborhood	Approved	
8/10/2017	22321	9	09/12/17	Jack Arnold	2521 E. 34th St. S.	RE	±153'	20/30	36'	existing house; added on to the garage which required driveway expansion	Approved	
12/1/2017	22380	1	01/09/18	Kenneth Barth	1860 N. Hartford Ave. E.	RS-4	±132'	20/20	34' (in ROW)/ 44' (on lot)	existing house; added on to the garage which required driveway expansion	Approved	
1/23/2018	22396	6	02/27/18	Jeremy Bates	18509 E. 43rd St S	RS-4	±65'	20/20	30'	new build; part of newly created subdivision	Approved	
2/23/2018	22418	6	2/23/2018	J.D. Harp	18608 E 43rd Street	RS-4	±65'	20/20	30'	new build; part of newly created subdivision	Approved	

17.7

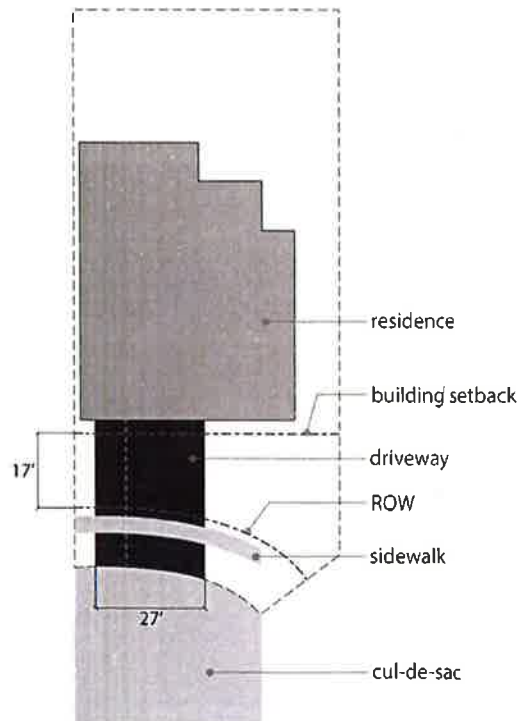
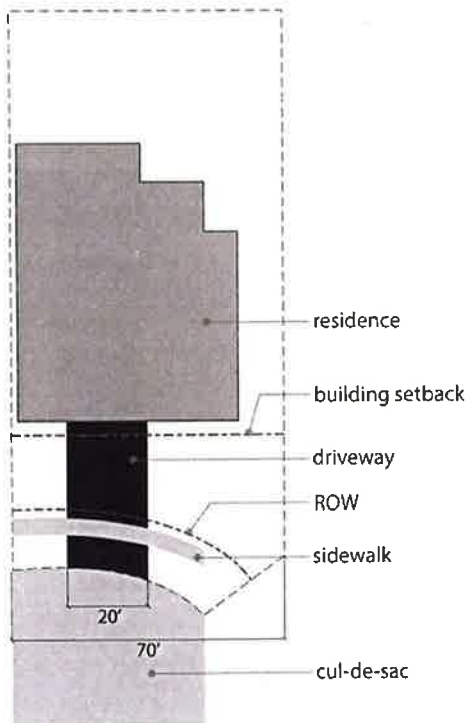
Driveway Width Assessment | *Special Exception A*

City of Tulsa Planning Department | 30 May 2018



Example | RS-4 Zoning

**Example | Approved Special Exception
(compliant with proposed changes)**



17.8

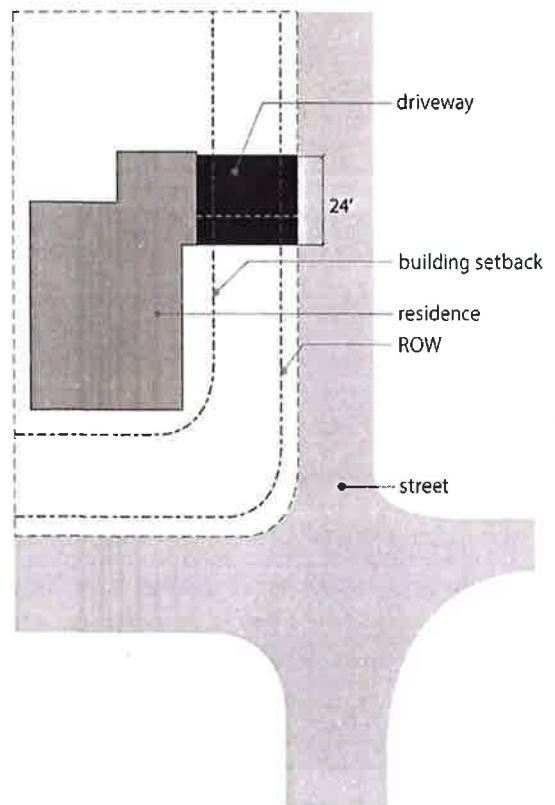
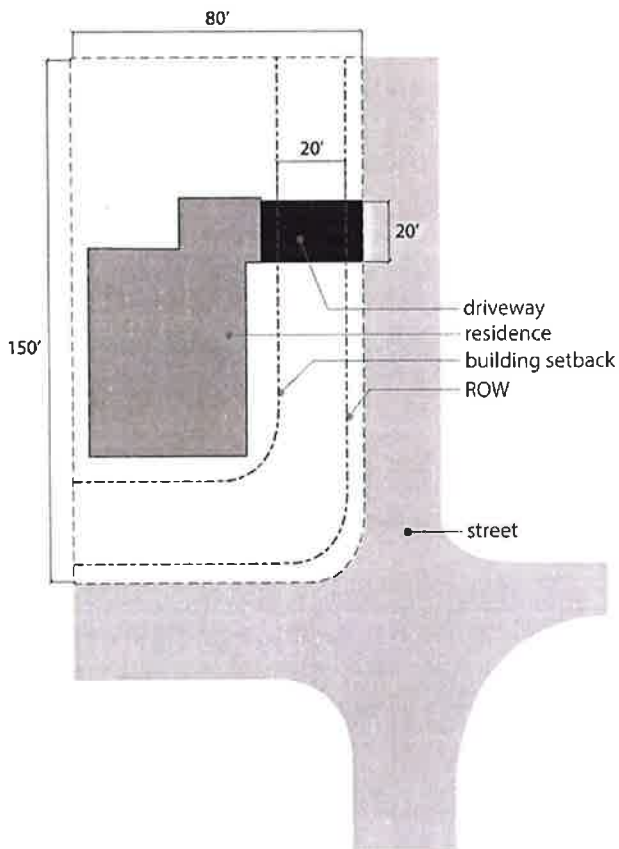
Driveway Width Assessment | *Special Exception B*

City of Tulsa Planning Department | 30 May 2018



Example | RS-3 Zoning

**Example | Approved Special Exception
(compliant with proposed changes)**



17.9

Driveway Width Assessment | *Special Exception C*

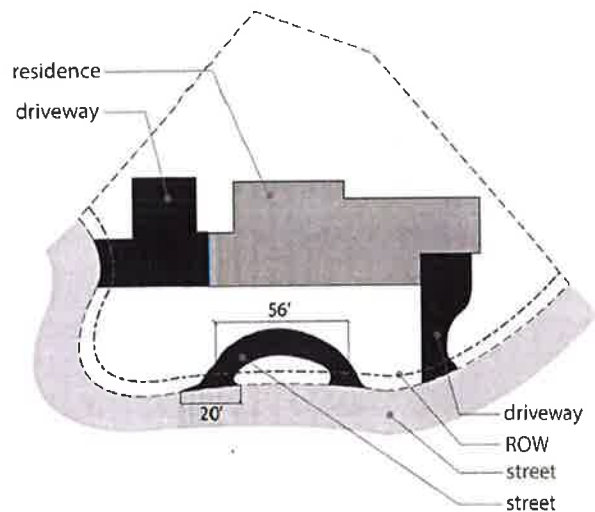
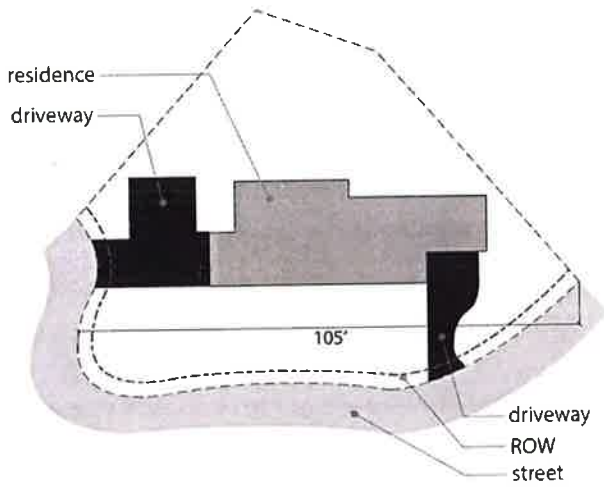
City of Tulsa Planning Department | 30 May 2018



Example | RS-2 Zoning

Example | Approved Special Exception
(NOT compliant with proposed changes)

Composite of all driveways is greater than maximum width allowed within the R.O.W.



17.10

Driveway Width Assessment | *Special Exception D*

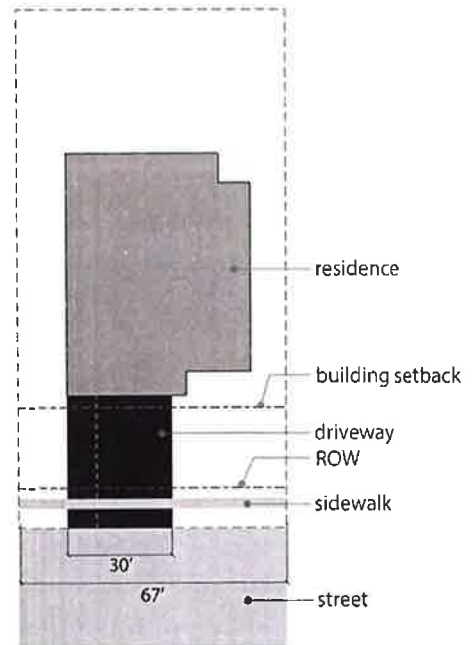
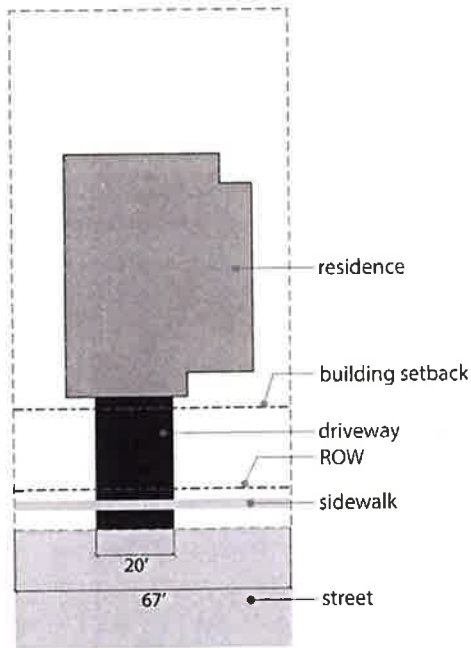
City of Tulsa Planning Department | 30 May 2018



Example | RS-4 Zoning

Example | Approved Special Exception
(NOT compliant with proposed changes)

Driveway width within R.O.W. is greater than the maximum allowable width.



17.11

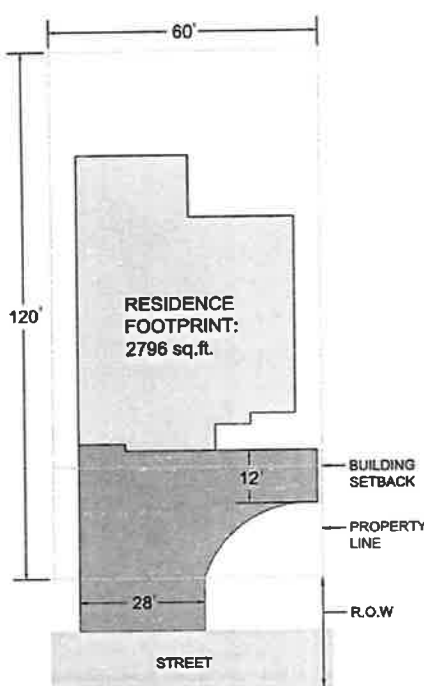
Attachment III

PUD Amendment to Address Driveway Width:

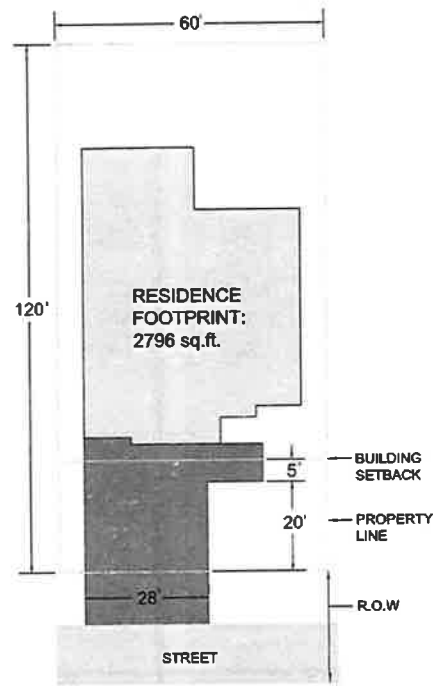
Attachment IV

Examples of Proposed Residential Driveway Regulations:

**HAMMERHEAD
DRIVEWAY | RS-3**



Initial Proposal
Driveway width within R.O.W. based on lot frontage.



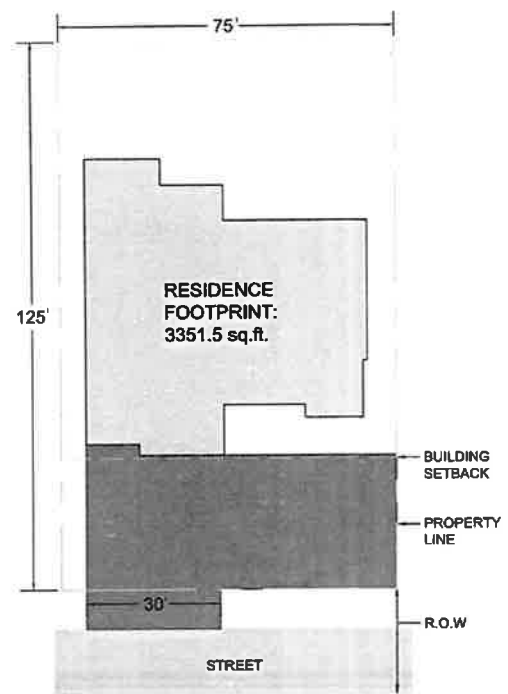
After Work Session
Driveway width within R.O.W based on lot frontage, including 50% rule within street setback.

17.15

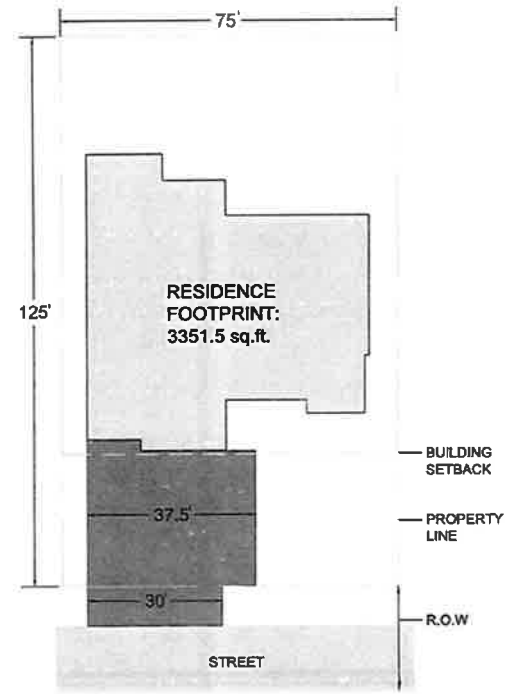
**3-CAR
DRIVEWAY | RS-2**



1714



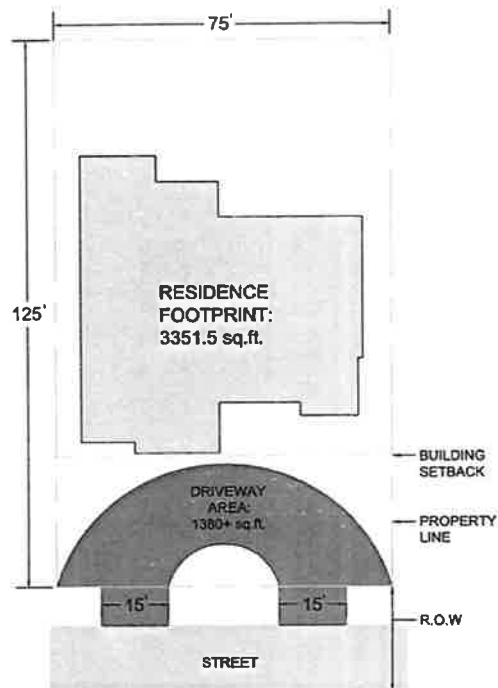
Initial Proposal
Driveway width within R.O.W. based on lot frontage.



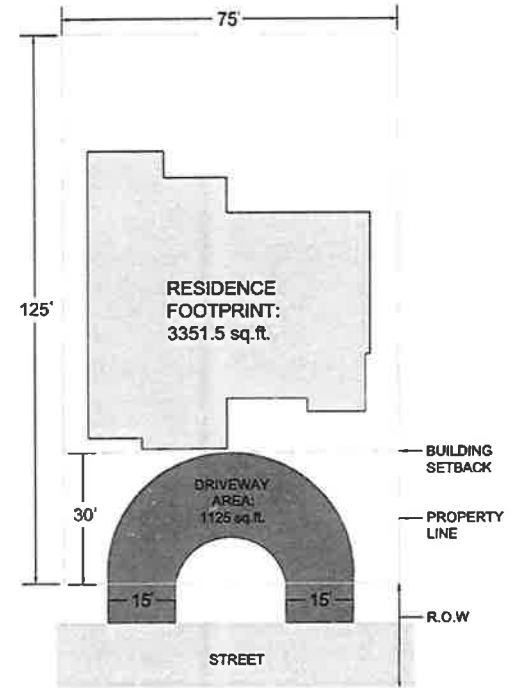
After Work Session
Driveway width within R.O.W. based on lot frontage, including 50% rule within street setback.

17.17

CIRCLE DRIVEWAY | RS-2



Initial Proposal
Driveway width within R.O.W. based on lot frontage.



After Work Session
Driveway width within R.O.W based on lot frontage, including 50% rule within street setback.

Attachment V

HBA Prepared Response to TMAPC Questions:

Material presented and discussed at May 16, 2018 TMAPC Work Session

17.18

HBA Response to Commissioner Questions

Why did the HBA (or those representing the HBA) agree to / not oppose the current zoning code pertaining to residential driveways during the CAT process and/or the drafting / hearings of the current zoning code?

Paul Kane, past HBA Executive Officer, was a member of the Zoning Code Update Citizen Advisory Team (CAT). He resigned to accept another position out-of-state before the TMAPC public hearings and City Council meeting adoption. He advises that a request was made for driveway widths to be limited at a maximum of 30', but that this issue was not fully vetted during the CAT's participation. Mr. Kane also advised that driveway width was not a negotiating tool to receive favorable consideration on other zoning code update issues. Like other zoning code issues with unintended consequences which have been subject to post-adoption amendment, driveway widths became an issue for builders during the transition from the previous zoning code to the new.

Why exactly does the HBA want to amend the current zoning code pertaining to residential driveways? How precisely does it adversely affect the HBA or those it represents?

The HBA supports providing housing choices, a basic tenet of PLANITULSA. With the announcement of the Gathering Place and continuing investment in downtown redevelopment there has been increased demand for single-family residential infill development. Whether new construction or renovation, these new home buyers are demanding larger homes – some with 3-car garages to accommodate off-street vehicle parking and/or storage. The current zoning code only allows for a 20' wide driveway in the right of way, which limits a resident's ability for direct access into a third garage or full driveway width for sports or exercise. The proposed changes to the zoning code not only increase the amount of paved area by 40 to 100 square feet within the right of way, but create more opportunity for families to enjoy complete use of their private property. There is no proposal to change to the 50% open space coverage on a lot, so the maximum amount of paved area will not be affected by this zoning code amendment. Any adverse effect is not on the HBA or its members, but to the City of Tulsa's ability to increase property and sales tax dollars within its city limits. In 2017, 128 of the 156 homes in the Greater Tulsa Parade of Homes were constructed with at least a 3-car garage. When access is limited by a bottleneck driveway, we are finding that home buyers seek out houses with direct access elsewhere. While comparing Tulsa to other peer cities in the nation is recommended, the City cannot afford to continue to lose population and businesses to surrounding municipalities.

How do Tulsa's peer cities handle the issue of residential driveway widths? Not surrounding cities, but peer cities.

More detail and excerpts from zoning codes are included on a separate sheet. Research was done on 5 peer cities, Portland, OR; Fort Worth, TX; Nashville, TN; Raleigh, NC; and Cleveland, OH. Two of our peer cities noted that 50% of the total lot must be open space which is less restrictive than Tulsa. We could not locate any open space requirement on the other three cities. Portland, OR specifically calls out for no more than 40% of paved area in the front yard and Fort Worth, TX specifically calls out for no more than 50% of paved area in the front yard. Cleveland, OH calls out for a maximum of 30' in width for driveways.

The proposed amendment would fall in common ground with the average of these five peer cities.

Does the HBA have any alternatives to proposed revisions to the zoning code regarding residential driveway widths? For example, a city wide overlay pertaining only to new construction in platted subdivisions? Other?

The HBA has worked with city staff for the past 15 months and this proposed zoning code amendment has staff approval. This amendment is minor in context to existing neighborhoods as it increases the driveway width in the right-of-way by 4'-10', but does not affect the overall amount of paved area on a lot. The zoning code still requires open space in the range of 52%-57% of the lot. The HBA does not support a city-wide overlay pertaining only to new construction in platted subdivisions. In our opinion, a zoning amendment best addresses this issue – not another overlay district which serves to undermine the purpose of the zoning code. There should be a place for everyone in the City of Tulsa.

Have you looked at any planning alternatives to facing three garage doors and their required concrete to the street?

Have you looked at "stacking" the third garage space out the back of a two car garage? The third space is many times used for a boat or a utility vehicle. The third space projecting out the back could also serve as a room off a rear courtyard.

Have you looked at installing the garage in the rear detached? Utilizing a 12'-0" drive at the side of the home? Again, a detached garage can become a flex space as well for the back yard.

Have you looked at the use of alleys in a completely new development to access a detached garage and provide a "shared" easement for utilities on a full block?

The HBA and members of the residential development and construction industry evaluates all options that pique homebuyer interest. What's important to note is that the one thing that distinguishes Tulsa's housing stock is its diversity. Garages may be constructed in any orientation, size, or style from detached to front facing, side or rear entry, or perhaps just a porte cochere. Options are limited by lot size and street access. These options are best left to the homebuyer in determining their preference for what is typically the biggest investment of their lifetime.

Peer City Driveway Comparison

Portland, OR

3. Frontage limitation. a. The standard of this subparagraph applies outside the Central City plan district in the R3, R2 and R1 zones. No more than 50 percent of the frontage on a street may be used for vehicle areas. On sites with more than one street frontage, this standard applies to the street with the highest transit designation. If two streets have the same highest transit classification, the applicant may choose on which street to meet the standard. Sites where there is less than 100 square feet of net building area are exempt from this standard.

3. Front yard restrictions. a. No more than 40 percent of the land area between the front lot line and the front building line may be paved or used for vehicle areas. In addition, on corner lots, no more than 20 percent of the land area between the side street lot line and the side street building line may be paved or used for vehicle areas.

3. Standards. a. The length of the garage wall facing the street may be up to 50 percent of the length of the street-facing building façade

Fort Worth, TX

Driveway coverage, including ribbon drives, shall not exceed 50% of the front yard, and any additional parking on the property shall be provided on the driveway. Circular drives shall not exceed 65% maximum coverage. Parking pads are permitted if they are attached to the primary driveway and constructed of the same material, and shall be included in the calculation of driveway coverage.

Nashville, TN

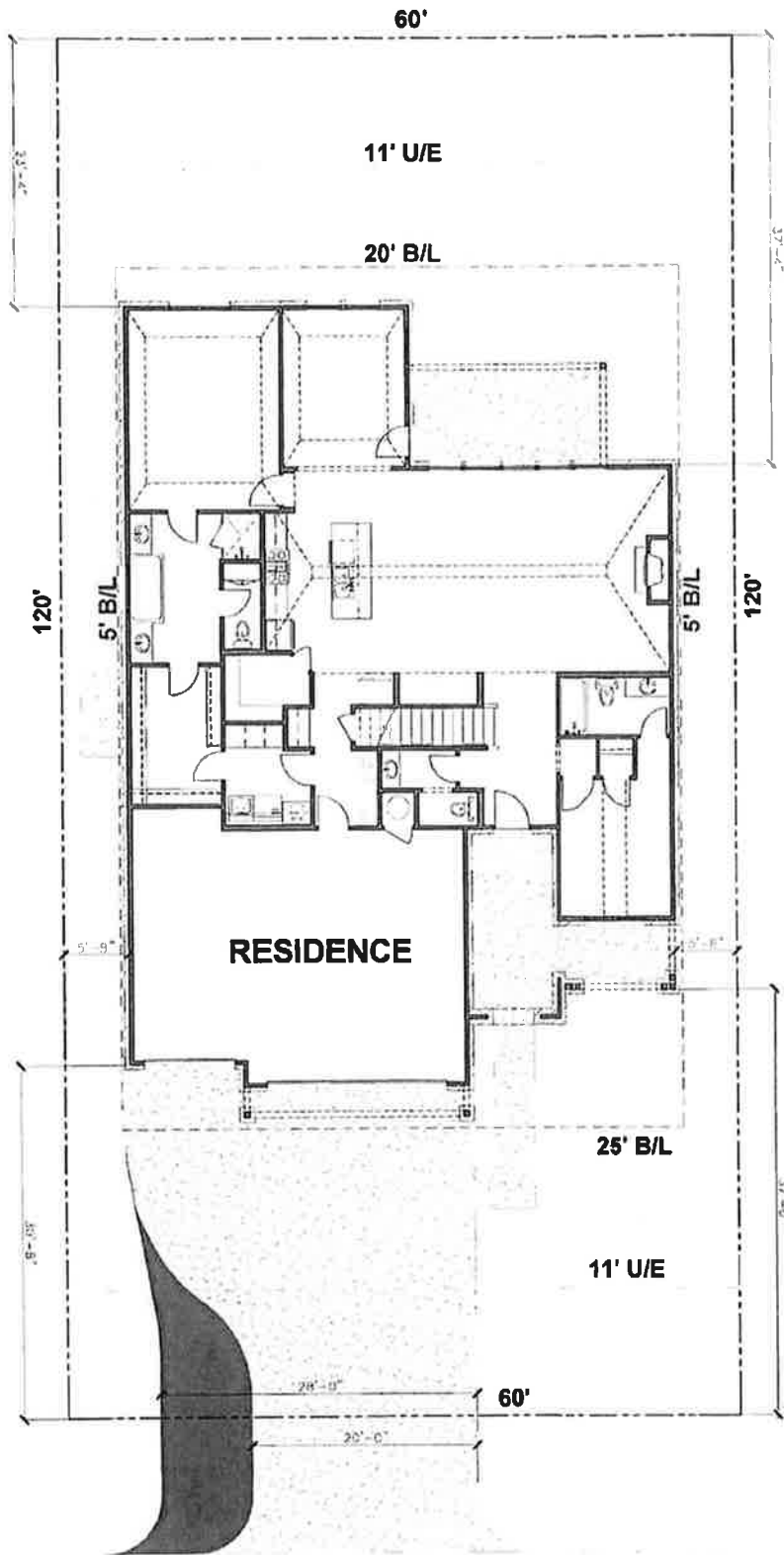
Minimum of two off street parking spaces. No maximum measurement or percentage found.

Raleigh, NC

Minimum of two off street parking spaces. No maximum measurement or percentage found.

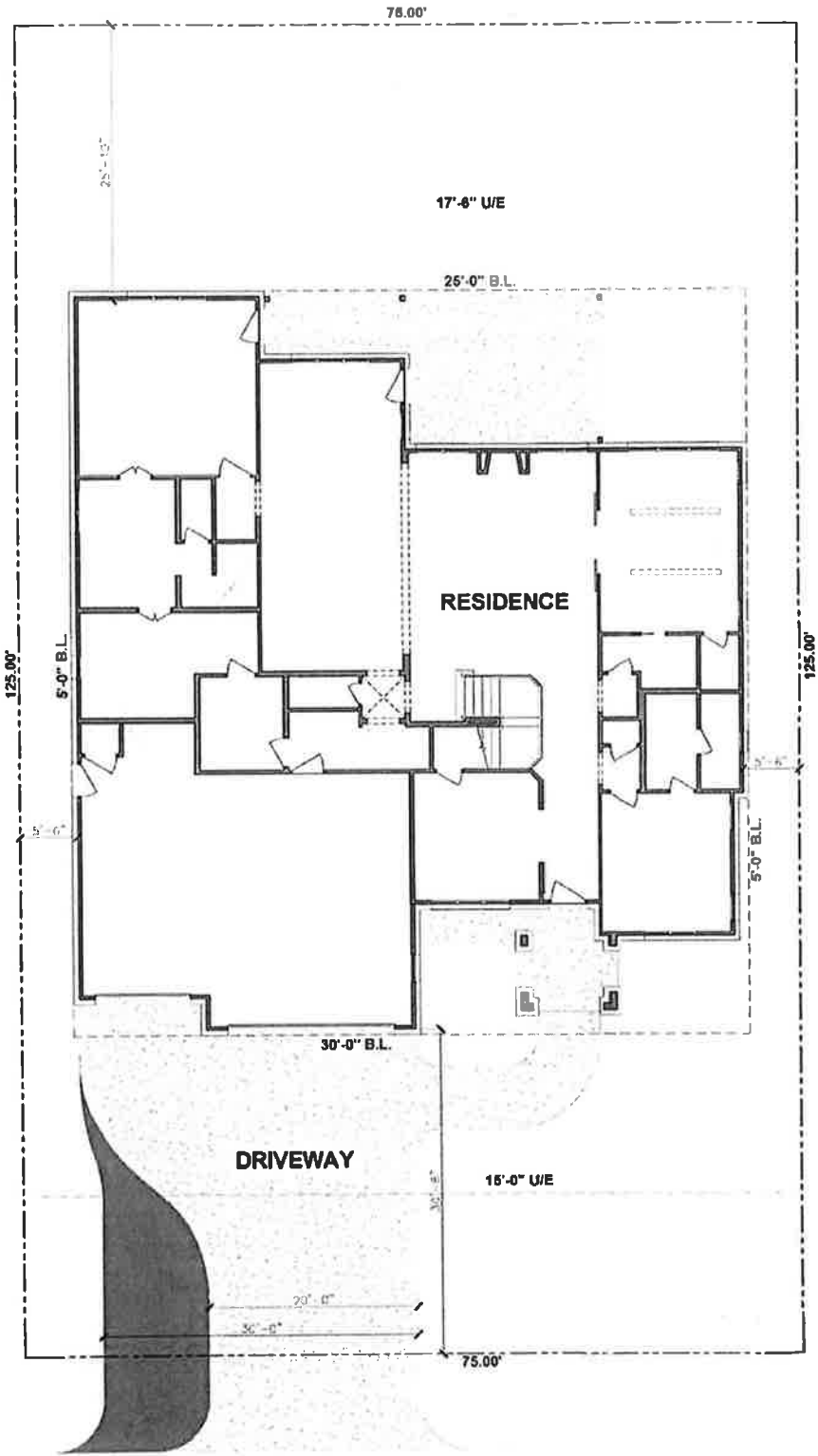
Cleveland, OH

(3) The maximum width of such driveway shall be thirty (30) feet measured at right angles to the angle of the driveway entrance. Such driveway shall have an apron of six (6) feet radius at the curb, and provide a means for motor vehicles to enter and leave without obstructing traffic.



1 SITE PLAN
SCALE: NTS

17.22



1 SITE PLAN
SCALE: NTS

17.23

Attachment VI

Code Comparisons:

17.24.

City	Ordinance
Tulsa	Maximum Driveway Width (feet)
	RE RS-1 RS-2 RS-3 RS-4 RS-5
	Within Right-of-Way 20 20 20 20 20 12
	On the Lot (Outside ROW) 30 30 30 30 20 12
Bixby	<i>Street Type</i> <i>Max Width (feet)</i>
	Arterial 35
	Collector 35
	Minor 20
Jenks	No maximum driveway width.
Owasso	Driveways shall be a maximum of 35 feet in width.
Broken Arrow	Driveway ingress width shall be no greater than 25 feet exclusive of curb returns at the street curb or pavement edge for two-car garages and no more than 27 feet for three-car garages.
Glenpool	No maximum driveway width.
Sand Springs	Two car garage – max 26 feet. Three car garage – max 36 feet.

17.25

City	Driveway Width Ordinance							Additional Regulations or Information	
Tulsa - Current	Max Width (ft)	RE	RS-1	RS-2	RS-3	RS-4	RS-5		
	Within ROW	20	20	20	20	20	12		
	Outside ROW	30	30	30	30	20	12		
Tulsa - Proposed		<u>Lot Frontage</u>							
	Max Driveway Width	75'+	60'-74'	46'-59'	30'-45'	Less than 30'			
	Within ROW (ft)	30	28	24	20	12			
Oklahoma City, OK	Driveway area must have min width of 8.5 ft for each automobile and parking area must be located more than 5 ft from street pavement.							<p>^ A minimum of 25 percent of the lot shall be maintained as open space with no buildings or parking.</p> <p>^ Majority of Urban Conservation Districts set a maximum driveway width of 24 ft. Additional regulations on driveway location and carports within the individual Districts.</p>	
Fort Worth, TX	<u>Garage Size</u>	<u>Approach Width (ft)</u>						<p>^ Majority of residential districts allow for two parking spaces per dwelling unit, located behind the front building wall or line.</p> <p>^ Additional requirements in Historic districts and Urban Villages.</p>	
	1 car or none	11-15							
	2 car	18-24							
	3 car or greater	28							
Cincinnati, OH	Maximum curb cut width - 38 ft							^ Driveway cannot utilize more than 60 percent of property frontage.	
Louisville, KY	Max driveway width of 20 ft in front or side yard							<p>^ Parking is prohibited in the private yard area and is permitted only in driveways that lead to a garage or rear yard parking area.</p> <p>^ Infill Development Regulations listed in Ch 5 of Zoning Code.</p>	
Kansas City, MO	Max driveway at property line - 22 ft							<p>^ The width of the driveway at the property line shall not exceed the width of the garages or parking spaces to which the driveway leads.</p> <p>^ Maximum percentage of pavement in front yard - 40 percent</p> <p>^ Maximum percentage of pavement in street-side yard - 20 percent</p>	
Omaha, NE	Maximum driveway width - 30 ft							<p>^ Maximum 25-55 percent impervious coverage of lot</p> <p>^ Minimum 1.5-2 automobile spaces per residential unit</p> <p>^ Frontages of 60 ft or less shall be limited to 1 driveway.</p>	
Pittsburgh, PA	Maximum curb cut width - 36 ft							^ Maximum 2-4 automobile spaces per residential unit	

17.24

Attachment VII

Public Comment:

FILE COPY



April 25, 2018

Re: Proposed amendment to section 55.090-F of the zoning code

Commissioners:

As pedestrian advocates, BPAC strongly opposes the proposed changes to the zoning code related to residential driveway width.

Wide driveways cause several negative impacts to the comfort and safety of people on foot.

- Driveways, by definition, cross pedestrian pathways. Wider driveways increase the size of this conflict zone, and reduce the comfort and safety of people who walk.
- Wide driveways enable higher driving speeds on residential streets and encourage drivers to make faster turns. The extra width allows for a wide turn radius, and eliminates the need to slow while approaching a turn.
- Wide driveways are associated with street-facing multi-car garages. Street-facing garages mean more blank walls, fewer windows, and fewer “eyes on the street.”
- Wider driveways mean more asphalt and less green space. They contribute to heat islands, eliminate space for shade trees, and increase runoff to local stormwater sewer systems.

The proposed amendment, if adopted, would mean that residential driveways could be wider than many neighborhood streets throughout Tulsa. It would also allow people to pave their entire front yards, assuming the “open space” requirements could be met elsewhere on the lot. Tulsa deserves better than this.

For the above reasons, BPAC opposes the proposed amendment.

Thank you,

Larry Mitchell
President, BPAC

17.28

Sawyer, Kim

From: Beverly Schafer <bacs74114@yahoo.com>
Sent: Thursday, April 26, 2018 9:02 AM
To: Sawyer, Kim
Subject: Proposed Zone Change to widen driveways

Kim, I have just read your email to Mitch Drummond and his response. I wish to urge you to vote against the proposed driveway zoning change for all the reasons mentioned. 35 year Maple Ridge homeowner, Beverly Schafer

FILE COPY

Sawyer, Kim

From: Julie Anderson <julesa1951@gmail.com>
Sent: Thursday, April 26, 2018 11:20 AM
To: Sawyer, Kim
Subject: Proposal to Allow Wider Driveways in Maple Ridge

Good morning,

I would like to state my objections to the proposal to allow larger driveways in our vintage neighborhood. We do not want more concrete nor the negative aesthetics of them. Let's preserve our lovely heritage.

Thank you,

Julie Anderson
2812 S. Cincinnati Ave.
281/352-7589

Sent from my iPhone

Sawyer, Kim

From: terry meier <tmeier51@gmail.com>
Sent: Thursday, April 26, 2018 4:55 PM
To: Sawyer, Kim
Subject: ZCA-10 Proposed Zoning Code Amendment to allow larger driveways

I received today the agenda for the May 2, 2018 TMAPC meeting and I am writing with regard to item 23. I am adamantly opposed to this amendment as it is an assault on the character of midtown neighborhoods. While other cities value their neighborhoods close to their downtown hub it seems for some reason Tulsa is all too willing to destroy them. These neighborhoods are highly sought for their unique character and property values steadily increase. Any request for a giant driveway should be considered on an individual basis and not an overall zoning change.

As a 30 year resident of midtown I must say that the TMAPC process is truly flawed and highly suspect. Citizens are automatically put at a disadvantage when a zoning request is made and the public is kept in the dark until the approval process is well on it's way. The public should be notified before and not after the TMAPC decides to research a zoning request and determine whether or not they support approval. Again I reiterate my opposition to ZCA-10 and respectfully request the TMAPC deny its approval.

Sawyer, Kim

From: Jo Farrimond <jfarri4230@gmail.com>
Sent: Thursday, April 26, 2018 8:42 PM
To: Sawyer, Kim
Subject: Proposal to Allow Wider Driveways

As a resident of Yorktown Historic Preservation District, I would like to express my opposition to allowing larger driveways to reduce front yard size. My husband and I specifically chose to live in a historic area because of its charm and because its guidelines would guarantee that the character and tradition of the neighborhood would be maintained. I am a life-long Tulsan. I know what midtown neighborhoods should look like and cry when driving through so many of them that are being ruined by tearing down traditional homes only to erect huge cookie cutter monstrosities that are a total disregard for what was there originally. While these new buildings cannot be stopped in most parts of town, I am asking the committee to consider what will happen to our historic preservation districts if they are included in this change. We don't have 3 car garages. Our lots are small and our driveways are narrow. Our own is difficult to maneuver, but it's a trade off that we were willing to make to live in an area that looks like a 1920's or 1930's movie set. Please consider the ramifications of this zoning change and keep our historic preservation areas sacred.

Mike and Jo Farrimond
2215 E 20 ST

Sawyer, Kim

FILE COPY

From: Terry Heller <osugolfmom@aol.com>
Sent: Thursday, April 26, 2018 8:59 PM
To: Sawyer, Kim
Subject: Driveway Expansion

Hi, Kay. I'm a resident of Maple Ridge who cannot understand the need to expand driveways in our beautiful historic neighborhoods or anywhere else in our charming mid-town communities. In what way does this enhance our neighborhoods? And, can we not just leave them alone?

I fail to see how this adds value. Is it necessary to put south Tulsa in our mid-town yards? Can we not just appreciate the differences and leave our quaint neighborhoods as they are. As they have always been? I SO value what we have here and I would gladly move to Jenks we're it what I wanted to come home to.

Sincere thanks for your consideration.
Terry Heller-Auxter

Sent from my iPhone

Sawyer, Kim

From: Matt Bayne <mattbayne@gmail.com>
Sent: Friday, April 27, 2018 8:49 AM
To: Sawyer, Kim
Subject: Driveway Width proposed changes

Hi Kim!

Wanted to send a quick note about the proposed zoning change to increase the maximum driveway width in residential neighborhoods.

I'm strongly opposed to any changes which would allow wider driveways than what is currently allowed in the code. In fact, I would support changes to REDUCE the allowable width both within the property and within the ROW.

The current garage-centric design of many of the modern infill houses is distasteful, out of character for the neighborhoods, and is fundamentally anti-social. In addition to reducing the green space area for water absorption within front yards, this proposed change sends the message that our houses and yards exist to accommodate vehicles, not people.

If widening is being looked at, how about some of the major arterial streets like Peoria and 31st street which aren't even wide enough to fit a large SUV within the lanes. This is said somewhat tongue in cheek as I realize this is a completely different set of codes which govern but I feel makes the point: why should residential driveways be allowed to be wider than many of our major streets?

Thanks for taking and passing along this feedback and for all that you do.
Best Regards,
Matt

Matt Bayne | mattbayne@gmail.com | 405.633.3169

Sawyer, Kim

From: Rachel Piotraschke <repiotraschke@gmail.com>
Sent: Friday, April 27, 2018 10:05 AM
To: Sawyer, Kim
Subject: ZCA-10 public opinion

Hello,

As a Tulsa resident and homeowner, I am writing to register my opposition to the proposed Zoning Code amendments regarding maximum driveway width (ZCA-10). I can't imagine why we would want to allow people to pave as much of their front yard as they like without having to seek an exception (other than the obvious reason that it's financially beneficial to homebuilders). My home is in an older midtown neighborhood and I am concerned that such developments would have a negative impact on the character of the neighborhood as well as our property values.

Best regards,

Rachel Piotraschke
2219 E 13th St.
Tulsa, OK

Sawyer, Kim

From: V. <cochard@webzone.net>
Sent: Saturday, April 28, 2018 5:26 AM
To: esubmit
Cc: mayor@cityoftulsa.org
Subject: Public Hearing Item 23: ZCA-10

Good morning,

I am disheartened to hear about a proposal to allow wide driveways no matter the neighborhood.

I live in the Brookside addition , southwest corner of 31st and Peoria. My neighborhood is starting seeing builders building big houses (all grey so far), which do not fit the quaint look of the neighborhood.

Allowing wide driveway will further destroy the beauty of a the neighborhood, with less green spaces and making it unsafe as well.

I moved there because of walkability and beauty of the surroundings.

I would love to see us preserve the beautiful architecture we have, or at least build to fit the neighborhood instead of letting builders build mc mansions to make their profits.

Sincerely,
Virginie Cochard
3124 S Owasso av
Tulsa, OK 74105

FILE COPY

Sawyer, Kim

From: AUDREY ALCORN <audrey_alcorn@hotmail.com>
Sent: Saturday, April 28, 2018 11:32 AM
To: esubmit; mayor@cityoftulsa.org
Subject: Public Hearing Item 23: ZCA-10

Greetings.

I would like to express my serious concerns about Public Hearing Item 23: ZCA-10, a proposal to change zoning to allow much wider driveways. Now, if this was allowed in a brand new subdivision, in which a large percentage of homeowners wanted 3-car garages and giant driveways, I have no problem. But to change zoning for existing neighborhoods will create eyesores; increase safety risk to bikers and pedestrians (full disclosure: I'm a walker and my husband is a biker); and reduce greenery in neighborhoods. This can be seen in my own neighborhood. Just drive down Trenton south of 71st, and you will see an expanded driveway close to Riverside. It is hideous, having turned what was once a lovely front yard with a big tree with a swing hanging from it into what is now essentially a parking lot. This is probably against zoning, but it's done and there's no going back. Changing zoning will produce many such driveways. So, while this might make a few builders happy, when a client wants a three-car garage on a new house being built in an existing neighborhood, it will lead to all kinds of unattractive results, as people will widen driveways on smaller lots with only two car garages, to better accommodate their three, four, or five car households. The love people have for their city begins with the fondness and attachment they have for their neighborhoods, including neighborhood parks and walkable streets. Bigger driveways damage neighborhood personality and charm, and in so doing, are a net loss for Tulsa.

Thank you for your consideration of all sides of this matter.

Sincerely,
Audrey L. Alcorn

Sawyer, Kim

FILE COPY

From: Jo Farrimond <jfarri4230@gmail.com>
Sent: Saturday, April 28, 2018 8:27 PM
To: esubmit
Subject: Opposition to Proposal to Allow Wider Driveways (Public Hearing Item 23: ZCA-10)

Mr. Covey,

As a resident of Yorktown Historic Preservation District, I would like to express my opposition to allowing larger driveways and thereby reducing front yard sizes. My husband and I specifically chose to live in a historic area because of its charm and because its guidelines would guarantee that the character and tradition of the neighborhood would be maintained. I am a life-long Tulsan. I know what midtown neighborhoods should look like and cry when driving through so many of them that are being ruined by tearing down traditional homes only to erect huge cookie cutter monstrosities that are a total disregard for what was there originally. While these new buildings cannot be stopped in most parts of town, I am asking the committee to consider what will happen to our historic preservation districts if they are included in this change. We don't have, want, or need 3 car garages. Our lots are small and our driveways are narrow. Our own is difficult to maneuver, but it's a trade off that we were willing to make to live in an area that looks like a 1920's or 1930's movie set. Please consider the ramifications of this zoning change and keep our historic preservation areas sacred.

Mike and Jo Farrimond
2215 E 20 ST

17.38

Sawyer, Kim

From: Mark Wenner <mark.a.wenner@gmail.com>
Sent: Sunday, April 29, 2018 7:27 AM
To: Sawyer, Kim
Subject: proposed zoning code changes to allow larger driveways - NO!

Ms. Sawyer,

I saw on Nextdoor that there are proposed - and recommended - zoning code changes to allow larger/wider driveways in Tulsa neighborhoods. This is a VERY BAD idea, especially for the older city neighborhoods, and should not be approved. I've seen this done before and it looks bad even in newer neighborhoods, it would absolutely ruin the character of older neighborhoods.

I live in Lewiston Gardens and realize that living in these older neighborhoods with their generally small homes and small lots involves certain compromises, but I could certainly live somewhere else if I didn't want to deal with those compromises. Let the people that must have larger homes/garages/driveways live somewhere else, frankly - don't allow our older neighborhoods to be ruined by changes such as this which don't belong there.

Thank you.

Mark Wenner

Sawyer, Kim

From: Julie Rowland <julierow@cox.net>
Sent: Sunday, April 29, 2018 12:00 PM
To: esubmit
Cc: mayor@cityoftulsa.org
Subject: Public Hearing Item 23:ZCA-10

Dear Chairman Covey,

I am writing to advise you of my opposition to the above-referenced proposed amendment to the zoning code.

As you are aware, current regulations prohibit driveways wider than 20' inside the public right of way. I'm not certain why the HBA advocates a blanket amendment to the current regulations rather than continuing its current available remedy of applying for a special exemption. Perhaps this proposal is designed to make their lives easier.

I would urge the TMAPC Planning Commissioners to consider the lives of those who live in existing Tulsa neighborhoods. We are watching our neighborhoods slowly eroded by giant homes, crowded lot lines and ever-widening expanses of concrete.

The HBA members already have the option of pouring ever-widening driveways: apply for special exceptions, which they routinely do. But I urge you to oppose this blanket change to the zoning code so that home builders no longer even have to take those steps, which, in theory, provide notice to surrounding landowners and provide them with the opportunity to speak to how exemptions impact them.

Sincerely,

Julie T. Rowland
2721 East 22nd Place
Tulsa, OK. 74114

Sent from my iPad

FILE COPY

Sawyer, Kim

From: Diana Boatman <boatmand@cox.net>
Sent: Sunday, April 29, 2018 12:33 PM
To: esubmit
Subject: Driveway zoning

I am against expanding driveways in midtown. We have small yards and not only will it reduce our green areas, but ruin the aesthetics of our 1920/30 cottage style homes.

I do not want to look like a south side neighborhood that is all garage and driveways.

Thank you in advance for considering my opinion.

Sincerely,
Diana Boatman
1128 S Lewis Pl
Tulsa, Ok 74104

Sent from my iPhone

Sawyer, Kim

From: Alice Rodgers <cainsgal@icloud.com>
Sent: Sunday, April 29, 2018 4:47 PM
To: esubmit
Subject: Wider Driveways

Builders continue to want to insert homes in areas that were designed for beauty and taste. They pay a premium for a home, tear it down and build a large sometimes architecturally 'inappropriate' structure in order to recoup the price they paid scrunching as large a home as possible with amenities what people expect on less expensive property. Half less green space?

"Pave paradise put up a parking lot."

Alice RODGERS
Terwilliger Heights

Sent from my iPhone

FILE COPY

Sawyer, Kim

From: toli debrosse <teachertoli@gmail.com>
Sent: Sunday, April 29, 2018 7:53 PM
To: esubmit
Subject: 23:ZCA-10

Concerning item number 23:ZCA-10 This would be a really bad idea for established neighborhoods. Our neighborhoods were not planned to have this kind of a driveway situation. Please do not allow this special interest take away the beauty of midtown! It would sell our city short.

Sawyer, Kim

From: Bill@BillLeighty.Com on behalf of Bill@SmartGrowthTulsa.Org
Sent: Monday, April 30, 2018 10:49 AM
To: esubmit
Cc: Miller, Susan; Wayne Greene
Subject: We urge you to oppose Item #23, ZCA-10



SMART GROWTH TULSA
TO ADVOCATE AND SHAPE SMART PUBLIC POLICY

Dear Planning Commission members;

I'm writing on behalf of the 1,100 members and 6,300 followers of Smart Growth Tulsa, a local non-profit corporation whose mission is To Advocate and Shape Smart Public Policy. We urge you to oppose Item #23, ZCA-10, TMAPC, Amendment of the City of Tulsa Zoning Code to Section 55.090-F3.

This amendment is effectively "blanket zoning." It is uncalled for and represents a serious threat to the character of Tulsa's beautiful established neighborhoods. There are several zoning tools available to the Home Builders Association of Greater Tulsa for developing new neighborhoods where the demand might exist for wider driveways, without the potential damaging consequences to the rest of the city's residents.

If you were to approve this ill-advised idea and the Council agreed, you would essentially be opting-in every neighborhood and homeowner without their knowledge or consent. There has been virtually no media attention or public discussion about this matter, and the exhibits attached to the Agenda do not in my view paint a true or balanced picture of what the potential outcomes of this amendment could or would look like in Sunset Terrace or the many hundreds of other established neighborhoods in Tulsa.

Please support the existing residential character and development patterns in the older parts of our community; and prevent the possibility of lots becoming fully paved parking areas in front of single family homes.

We support but will not repeat the concerns outlined in BPAC's letter to you that illustrates why this is a bad idea. Without the influence of perceived political pressure, I suspect most professional planners would be outspoken about the lack of merits of this city-wide change to the zoning code. I'm quite confident that that a legitimate professional review and staff recommendation would conclude that this amendment is inconsistent with our adopted comprehensive plan.

Please vote no on this item in favor of another more reasoned approach to solve what some perceive as a problem.

Respectfully submitted,

Bill Leighty, Chair
Smart Growth Tulsa

918.605.5520

Bill@SmartGrowthTulsa.Org

<https://www.smartgrowthtulsa.org/>

Sawyer, Kim

From: Daven Tackett <daven.tackett@gmail.com>
Sent: Monday, April 30, 2018 11:43 AM
To: esubmit
Subject: Public Hearing Item 23: ZCA-10

I am against the widening of driveways included in the Item 23:ZCA-10 at the Public Hearing. I have owned a home in this area for over 22 years and know first hand this would not be a positive change for everyone. For our neighborhood, this change would not be helpful to our midtown culture of a small town neighborhood where every neighbor knows you and watches out for you.
Thank you, Daven Tackett

Sawyer, Kim

From: coleman downing <colemandowning@gmail.com>
Sent: Monday, April 30, 2018 3:01 PM
To: esubmit
Cc: mayor@cityoftulsa.org
Subject: Reagarding Public Hearing Item 23: ZCA-10 and my opposition to Wider Driveways

Dear Mr Covey,

I am writing to inform you that I strongly oppose the proposed changes to the zoning code related to residential driveway width.

Wide driveways cause several negative impacts to the comfort and safety of people on foot:

- Driveways, by definition, cross pedestrian pathways. Wider driveways increase the size of this conflict zone, and reduce the comfort and safety of people, **especially children who are smaller and less visible**, who walk and play in the streets and sidewalk.
- Wide driveways enable higher driving speeds on residential streets and encourage drivers to make faster turns. The extra width allows for a wide turn radius, and eliminates the need to slow while approaching a turn.
- Wide driveways are associated with street-facing multi-car garages. Street-facing garages mean more blank walls, fewer windows, and fewer "eyes on the street."
- Wider driveways mean more asphalt and less green space. They contribute to heat islands, eliminate space for shade trees, and increase runoff to local stormwater sewer systems.

The proposed amendment, if adopted, would mean that residential driveways could be wider than many neighborhood streets throughout Tulsa. It would also allow people to pave their entire front yards, assuming the "open space" requirements could be met elsewhere on the lot. Tulsa deserves better than this. For the above reasons, I strongly oppose the proposed amendment.

--
coleman downing
www.colemandowning.com
347-645-8727

Sawyer, Kim

From: Shirley Moore <haveglass@aol.com>
Sent: Monday, April 30, 2018 3:09 PM
To: esubmit
Cc: mayor@cityoftulsa.org
Subject: Driveway width

We feel that 20' is wide enough for any driveway in the city limits. Please leave it at that.

Thank you.
Shirley Moore
918-646-3952

Sent from my iPhone

Sawyer, Kim

From: The COHN Officers <cohnot@yahoo.com>
Sent: Monday, April 30, 2018 3:35 PM
To: Sawyer, Kim
Subject: Item 23, ZCA-10, May 2nd Agenda

Hello Kim,

Please include in this week's packet, thank you.

Cherie

April 30, 2018

TULSA METROPOLITAN AREA PLANNING COMMISSION
Meeting No. 2769
May 2, 2018, 1:30 PM
175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber

RE: ZCA-10, TMAPC

TO: ksawyer@incog.org

FROM: COHN-Coalition of Historic Neighborhoods

COHN is a conduit for broadening awareness of zoning changes that affect the midtown area, especially those with HP designations. Communication was forwarded to our group, last Thursday evening, upon receipt of this week's Agenda, not one resident who contacted COHN were in favor of this change.

This board will hear specifics from those members and other interested parties, each of whom will provide relevant zoning and ordinance details, with pictures and maps, as to *why* this proposal carries **significant detrimental impact on all residential zoning.**

Our general belief, is that it is loosely written with unintended consequences and is being offered on behalf of one special interest group, vs. the overall results for a majority of Tulsa residents. We urge caution and would ask, this proposal, as currently drafted, **be denied.**

Thank you.

Cherie Cook
COHN, Founding Member, Board of Directors

FILE COPY

The Coalition of Historic Neighborhoods of Tulsa COHN Neighborhoods represented under this Coalition are as follows:

Brady Heights
Crosbie Heights
Mayo Meadow
Riverview
Tracy Park
Owen Park
White City
Lewiston Gardens
Swan Lake
Maple Ridge
Gillette
Ranch Acres
Renaissance
Yorktown
Terwilliger Heights

ZCA-10

FILE COPY

Sawyer, Kim

From: Daniel Gomez <dgomez@okstatealumni.org>
Sent: Monday, April 30, 2018 4:15 PM
To: esubmit
Subject: Objection to Proposed Amendment to Section 55.90-F of the Zoning Code

To the Planning Commission:

I am a resident and Terrace Drive Neighborhood, in the heart of midtown (11th to 15th, Utica to Lewis), and am vice-president of the Neighborhood Association. Our neighborhood (and my street in particular, 14th place, which is south of the BA expressway) consists mostly of small lots and bungalows built circa the 1920s. Most have one car detached garages which sit towards the back of the property. They use single width driveways. Some houses have wider garages, but they too utilize single width driveways and curb cuts until they widen far back on the property closer to the detached garage. This setup has served our neighborhood well. It preserves walkability and is consistent with the time during which the houses were built. Two car households such as mine either double up in the single width driveway or use street parking, none of which has been a subject of controversy.

The proposed zoning code amendment is greatly over-inclusive and harmful to older established neighborhoods that dominate midtown. The amendment appears to be for the benefit of newer homes with attached garages that take up significant frontage of the home. As describe above, this does not apply to my neighborhood and dozens like it in midtown, where most garages are detached and to the rear of the property. The proposal is clearly intended to give a single special interest group (the Home Builders Association of Greater Tulsa) the right to build suburban style driveways in existing neighborhoods in midtown without exception. Special exceptions are the only protection midtowners have when a homebuilder tries to build suburban style homes which do not match the existing character of the neighborhood. The special exception process is not onerous and is simply the cost of doing business when tearing down homes and rebuilding in older established neighborhoods. The special exception process should remain the standard.

To the extent homebuilders want more freedom for new neighborhoods in sprawling areas, there are much better solutions that can apply solely to those neighborhoods without removing existing protections for established neighborhoods. Developers can request broad relief applicable to an entire new neighborhood, or can request overlays, or utilize other parts of the zoning code. To make this change city-wide is significantly over-inclusive. The risk to older established neighborhoods vastly outweighs any interest homebuilders have to broad, permanent, city-wide changes to the zoning code. The staff report shows that the special exception process has only been needed 14 times since January 2016, and all have been approved. It is therefore difficult to see the harm to homebuilders in seeking these exceptions.

I further am in full agreement with the comments and objections made by the Bicycle/Pedestrian Advisory Committee concerning the harm to walkability and our city's more recent support for bike friendliness. My street in particular has active sidewalks with kids riding bikes and and parents pushing strollers. We walk often to Cherry Street and its amenities, and is used by pedestrians and cyclists cutting through on their commutes. If a homebuilder wants to change the character of our neighborhood, it is only fair that they make a case to the commission specific to their plan. I again reiterate that applying this broad amendment city-wide is greatly over-inclusive.

I know that many others in midtown feel the same. Please do not let a single special interest obtain overly broad relief at the expense of concerns citizens of older, established neighborhoods. Please reject the proposed amendment and let the special exception process remain the proper procedure, or find a narrower plan that avoids application to established neighborhoods which work hard to preserve their urban character.

Daniel E. Gomez
1788 East 14th Place
Tulsa, OK 74104

FILE COPY

Sawyer, Kim

From: Hammontree, Tony <htonyl@ostatemail.okstate.edu>
Sent: Monday, April 30, 2018 4:23 PM
To: Sawyer, Kim
Cc: Ewing, Blake; Mayor
Subject: ZCA-10 Sidewalk Increase

Kim Sawyer,

I live at 2540 S. Florence Ave. #4 Tulsa, OK. 74114.

I wanted to voice my concern in regards to the proposed changes to the city Zoning Code in regards to increasing driveway widths. Please do not accept this proposed change.

This change would potentially do the following:

1. **Alter the character of many established neighborhoods in Tulsa.**
2. **Create wider distances for people crossing vehicular zones like driveways.** This would discourage walk-ability and make it more unsafe for children to play and people to use their neighborhoods for recreational activity like jogging, walking, biking, etc.
3. Increase storm water by adding more pavement in Tulsa, negatively impacting our watersheds and increasing the volume of water to areas that already have flooding issues.
4. In general, the proposal is to allow for three car garages and/or three cars to park side by side on a single driveway. This would potentially make it more financially feasible to demolish older homes for for larger homes with 3 car garages, which would alter the character of many neighborhoods that many Tulsan's take pride in.
5. This proposed change is also a contradiction to the goals in Tulsa's Comprehensive Plan, by further encouraging vehicular dependence while at the same discouraging alternative means of transit through consequence.

Thank you,

Tony

Sawyer, Kim

From: Robert Brejcha <bobbrejcha@aol.com>
Sent: Tuesday, May 1, 2018 11:04 AM
To: Sawyer, Kim
Cc: 'Alice Rodgers'; Martha Blevins; 'Mike Keys'; Greg Dukes; Rshewey@swbell.net; Debbie Favell; 'cullen koger'; 'HALL Tracey'; okpops@cox.net; john@favell.com; 'Alice Rodgers'; 'HALL Tracey'; Martha Blevins; 'Mike Keys'; Greg Dukes; Rshewey@swbell.net; Debbie Favell; 'cullen koger'
Subject: May 2, 2018 - ZCA-LO, Residential Driveway Width PROPOSED Zoning Code Amendments
Importance: High

Kim:

Please advise the Commission of a request to continue the above proposed Zoning Code Amendment regarding wider drive-ways for future consideration or deny the proposal for the above Amendments scheduled as Item 23 for the MPAC Meeting No. 2769 to be held on May 2, 2018 meeting date. http://www.tmapc.org/current_agenda.html

I am the President of the Museum Neighborhood Association which represents home owners in the neighborhood surrounding the Philbrook Museum.

We became aware of this proposal yesterday, April 30.

I have reviewed the Staff Report and note that as of today, May 1, 2018, the report does not include Examples of how the proposed amendment would operate, however, within the Mid-Town area 30 foot wide drive-ways on 75 foot wide lots would be a significant disruption to the character of the area.

We are experiencing significant teardown / rebuild and remodeling in the area and have properties creating significant hard surface use of the properties (who is checking on the 80% maximum? What if the whole area goes to 80%) as well as questionable uses, such as, astro-turf front yards !

We find the letter you received in opposition to the proposed Amendment from the Bicycle / Pedestrian Advisory Committee, dated August 25, 2018, to be compelling.

Our membership is having an Annual Meeting at Philbrook on Wednesday, May 2, and we will advise them of this situation and request their further in-put.

The parties copied on this email are members of the Board of the Association and other interested residents who have raised the issue and support the request to defer action or deny the Amendment at this time.

I have also copied the President of the Maple Ridge Home Owners Association.

I would appreciate your acknowledgement of recipient of this email and its transmittal to the Commission.

Very truly yours,

Robert Brejcha
President, Museum Neighborhood Association
918-605-8272

This e-mail, including attachments, if any, may include confidential information and may be used only by the person or entity to which it is addressed. If the reader of this e-mail is not the intended recipient or his or her authorized agent, the reader is hereby notified that any dissemination, distribution or copying of this e-mail is prohibited. If you have received this e-mail in error, please notify the sender by replying to this message and delete this e-mail immediately.

FILE COPY

Sawyer, Kim

From: terry meier <tmeier51@gmail.com>
Sent: Tuesday, May 1, 2018 3:08 PM
To: esubmit
Subject: Item 23 ZCA-10 on May 2 agenda
Attachments: 20170518_124626.jpg

Attn: Chairman Michael Covey Susan Miller has confirmed for me that if this proposed amendment is passed nearly my entire front yard could be turned into a driveway/parking lot if I wanted. This is something I would never do as it would destroy my home and neighborhood near 15th and Utica. I've attached a pic of my 1920's craftsman which has been lovingly updated and cared for. Please deny this zoning amendment as it is builder overreach and would signal a death knell to midtown neighborhoods as we know them.



17.56

FILE COPY

Sawyer, Kim

From: Joseph Westervelt <jwestervelt@mapleviewassociates.com>
Sent: Wednesday, May 2, 2018 8:46 AM
To: bobbrejcha@aol.com
Cc: Miller, Susan; Sawyer, Kim; Wilkerson, Dwayne
Subject: Three car driveway letter

Robert,

I am in receipt of your memo to Kim Sawyer. As a homeowner in the Museum Neighborhood, I am concerned that you have decided to speak on behalf of others in the neighborhood, that may not share your personal position on three car driveways. I also take exception to your notion that our neighborhood fabric is being threatened by "tear downs." Surely you are not speaking about the Day home, Thomas home, etc. The new homes that have been constructed by our neighborhood in recent years are of high quality and are additions to the Museum Neighborhood that will be admired years from now for their beauty and style.

The changes being sought by the home building industry will have little effect on homes in our area. Home prices and land prices on our neighborhood are well above the price point that this policy change will affect.

Smaller homes in the Brookside area between Riverside and Peoria, where lot prices have risen from the \$60k mark to well over \$200k and similar areas in the Tulsa market, that this change is intended to help. This escalation of value in Midtown is due to the positive impact of the Gathering Place, that is attracting young families back into the Midtown area, that have in recent years moved to more suburban areas where schools and amenities that they require were available. The impact on our neighborhood will be modest if at all.

We should embrace the change in demographics that is occurring in the older areas of Tulsa, rather than take a position that is based on creating a fear that is unfounded and inaccurate.

I would remind you that the letter you have submitted to the TMAPC has not had a vote of the members of the Museum Neighborhood, that should determine the position our neighborhood chooses to support. That vote has not occurred to my knowledge, and I would suggest that you provide concrete examples of the threat to our neighborhood and have an open and honest discussion with the rest of your neighbors, before allowing your personal bias and ignorance of this issue appear to be shared by the association.

At this time your memo should be considered your personal position, and not that of the Museum Neighborhood.

Joe Westervelt

Joseph Westervelt
Mapleview Associates Inc.
1630 S. Boston Ave.
Tulsa, Oklahoma 74119
918-583-8808 (office)
918-607-8808 (cell)
jwestervelt@mapleviewassociates.com

Sawyer, Kim

From: Bill Ramsay <billramsay01@icloud.com>
Sent: Tuesday, May 1, 2018 10:08 PM
To: Sawyer, Kim
Subject: May 2, 2018 - ZCA-LO, Residential Driveway Width PROPOSED Zoning Code Amendments

Importance: High

Kim:

Please advise the Commission of a request to continue the above proposed Zoning Code Amendment regarding wider drive-ways for future consideration or deny the proposal for the above Amendments scheduled as Item 23 for the MPAC Meeting No. 2769 to be held on May 2, 2018 meeting date. http://www.tmapc.org/current_agenda.html

I found out about this proposed amendment only today, and although I have not yet advised the Southern Pointe Homeowners Association, I will do so tomorrow and I believe the Association would vote to deny this proposal. Thanks for your consideration.

**Bill Ramsay
8727 S Hudson
Tulsa, Ok 74137**

Sawyer, Kim

From: Maple Ridge Neighborhood Association <contactus@mapleridgeneighborhood.com>
Sent: Wednesday, May 2, 2018 11:47 AM
To: Sawyer, Kim
Subject: Statement on Proposed Amendment ZCA-10

Good morning Kim,

Please find below our statement for TMAPC review regarding the proposed Zoning Code Amendment to Driveway Widths:

Maple Ridge Neighbors (Maple Ridge neighborhood association) supports the current City of Tulsa Zoning Code regarding driveway width. When it is proposed that a residential single family property wishes to increase the width of their driveway beyond the current Code restrictions, Maple Ridge Neighbors supports the careful review of each application, on a case by case basis, to determine if the exception is in harmony with the spirit and intent of the Code.

The proposed Amendment to the current Code could lead to unintended safety issues and prove detrimental to the historical and aesthetic character of neighborhoods under Historic Preservation Overlay as well as those that embrace our unique urban forest setting and celebrate the intrinsic value of green spaces.

Respectfully,

Cullen Koger
MRN, President

Sawyer, Kim

From: Robert Brejcha <bobbrejcha@aol.com>
Sent: Wednesday, May 2, 2018 12:14 PM
To: Sawyer, Kim
Cc: 'Alice Rodgers'; Martha Blevins; 'Mike Keys'; Greg Dukes; Rshewey@swbell.net; Debbie Favell; 'cullen koger'; 'HALL Tracey'; okpops@cox.net; john@favell.com
Subject: RE: May 2, 2018 - ZCA-LO, Residential Driveway Width PROPOSED Zoning Code Amendments

Importance: High

Kim:

It has been brought to my attention that despite my statements below as follows:

“The parties copied on this email (*emphasis added*) are members of the Board of the Association and other interested residents who have raised the issue and support the request to defer action or (*emphasis added*) deny the Amendment at this time.”;

And,

“Our membership is having an Annual Meeting at Philbrook on Wednesday, May 2, and we will advise them of this situation and request their further in-put.”;

There may be an impression that this matter has been voted upon by our general membership.

So let me be clear – **The Museum Neighborhood Association has not had a vote on this matter** – the request to **defer or deny “at this time”** represents the various opinions of those copied on the email and is not a representation of the general membership of the Association.

Obviously for those requesting a deferment of action, the opportunity to review the matter with the Exhibits you provided this morning and to discuss the matter with a reasonable time for consideration is desirable.

Please transmit this clarification to the Commission.

Thank you

Robert Brejcha
President, Museum Neighborhood Association
918-605-8272

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From: Robert Brejcha <bobbrejcha@aol.com >
Sent: Tuesday, May 1, 2018 11:04 AM
To: 'ksawyer@incog.org' <ksawyer@incog.org>
Cc: 'Alice Rodgers' <cainsgal@icloud.com>; Martha Blevins (mmblevins@hotmail.com) <mmblevins@hotmail.com>;

17.60

'Mike Keys' <michaeldkeys@aol.com>; Greg Dukes (Gregdukes@sbcglobal.net) <Gregdukes@sbcglobal.net>; Rodney Schewey (Rshewey@swbell.net <Rshewey@swbell.net>; Debbie Favell (debbie@favell.com) <debbie@favell.com>; 'cullen koger' <cullenk13@gmail.com>; 'HALL Tracey' <tahallco@cox.net>; 'okpops@cox.net' <okpops@cox.net>; 'john@favell.com' <john@favell.com>; 'Alice Rodgers' <cainsgal@icloud.com>; 'HALL Tracey' <tahallco@cox.net>; Martha Blevins (mmblevins@hotmail.com) <mmblevins@hotmail.com>; 'Mike Keys' <michaeldkeys@aol.com>; Greg Dukes (Gregdukes@sbcglobal.net) <Gregdukes@sbcglobal.net>; Rodney Schewey (Rshewey@swbell.net <Rshewey@swbell.net>; Debbie Favell (debbie@favell.com) <debbie@favell.com>; 'cullen koger' <cullenk13@gmail.com>

Subject: May 2, 2018 - ZCA-LO, Residential Driveway Width PROPOSED Zoning Code Amendments

Importance: High

FILE COPY

Kim:

Please advise the Commission of a request to continue the above proposed Zoning Code Amendment regarding wider drive-ways for future consideration or deny the proposal for the above Amendments scheduled as Item 23 for the MPAC Meeting No. 2769 to be held on May 2, 2018 meeting date. http://www.tmapc.org/current_agenda.html

I am the President of the Museum Neighborhood Association which represents home owners in the neighborhood surrounding the Philbrook Museum.

We became aware of this proposal yesterday, April 30.

I have reviewed the Staff Report and note that as of today, May 1, 2018, the report does not include Examples of how the proposed amendment would operate, however, within the Mid-Town area 30 foot wide drive-ways on 75 foot wide lots would be a significant disruption to the character of the area.

We are experiencing significant teardown / rebuild and remodeling in the area and have properties creating significant hard surface use of the properties (who is checking on the 80% maximum? What if the whole area goes to 80%) as well as questionable uses, such as, astro-turf front yards !

We find the letter you received in opposition to the proposed Amendment from the Bicycle / Pedestrian Advisory Committee, dated August 25, 2018, to be compelling.

Our membership is having an Annual Meeting at Philbrook on Wednesday, May 2, and we will advise them of this situation and request their further in-put.

The parties copied on this email are members of the Board of the Association and other interested residents who have raised the issue and support the request to defer action or deny the Amendment at this time.

I have also copied the President of the Maple Ridge Home Owners Association.

I would appreciate your acknowledgement of recipient of this email and its transmittal to the Commission.

Very truly yours,

Robert Brejcha
President, Museum Neighborhood Association
918-605-8272

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Sawyer, Kim

From: Robert Brejcha <bobbrejcha@aol.com>
Sent: Wednesday, May 2, 2018 12:22 PM
To: 'Joseph Westervelt'
Cc: Miller, Susan; Sawyer, Kim; Wilkerson, Dwayne
Subject: FW: May 2, 2018 - ZCA-LO, Residential Driveway Width PROPOSED Zoning Code Amendments

Importance: High

FILE COPY

Joseph:

Please see the clarification email to the Commission below.

Robert Brejcha
President, Museum Neighborhood Association
918-605-8272

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17.62

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President, Museum Neighborhood Association
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Sawyer, Kim

FILE COPY

From: Susan White <swhite4homes@gmail.com>
Sent: Wednesday, May 2, 2018 12:41 PM
To: esubmit
Subject: Item: Amendment of Section 55.090-F3 of the City of Tulsa Zoning Code

Mr. Michael Covey:

RE: Item: Amendment of Section 55.090-F3 of the City of Tulsa Zoning Code (Maximum Width of Residential Driveways in RE and RS Districts) to revise the maximum driveway width regulations established by that section.

I would like to express my disgust with TMAPC and the City of Tulsa, in general. I know making money is important to the City, but to render our older established midtown areas to look like all of the south Tulsa neighborhoods is unforgiveable.

I have lived in Tulsa for 70 years and in my current home for 39 years near 22nd and Lewis. What has been happening to the pride of midtown Tulsa is unforgiveable. Brookside neighborhoods have almost disappeared.

Tulsa needs to stop allowing builders to put money in their pockets at the expense of midtown Tulsans who have lived in these areas because we love the history of our city and the architecture of our homes. We know what a wonderful area this is to live, but to allow builders to remove all the homes just so they can make money does not seem to be preserving what adds to the beauty of our City. During my 30 years as a realtor, I have given many clients moving to Tulsa a "welcome tour" down Riverside Drive and through the older neighborhoods to show just what Tulsa has to offer - a little bit of everything!

Please help midtowners keep what is left of our little area of Tulsa by getting the above amendment turned down. Allowing builders to add three car driveways and garages is not what midtown is about. Please - let's preserve what is left of this area so that our grandchildren and their grandchildren can also enjoy this part of Tulsa's history.

Sincerely,

Susan White

Susan White



swhite4homes@gmail.com Cell: 918-637-0517

Office:918-749-8374 Fax:918 747-8458

FILE COPY

If we ever forget that we're one nation under God,
then we will be a nation gone under! (Ronald Reagan)

Sawyer, Kim

FILE COPY

From: Jackie Hope <jhopeok@aol.com>
Sent: Wednesday, May 2, 2018 12:46 PM
To: esubmit

Midtown needs to be preserved - the City is allowing too much construction - like the Marshall property - the is ruining the property value.

Sent from my iPhone

Sawyer, Kim

From: Bill Thomas <wthomas@seniorstar.com>
Sent: Wednesday, May 2, 2018 1:04 PM
To: Sawyer, Kim; Wilkerson, Dwayne
Cc: bobbrejcha@aol.com; mmblevins@hotmail.com; Gregdukes@sbcglobal.net; mkeys@mcgrawok.com
Subject: INCOG Related Hearing/May 2, 2018

Kim and Dwayne,

My name is Bill Thomas; I reside at 1376 East 29th Street, having built that home between 2010 and 2012. Additionally, our family has lived in the mid-town area for over forty years. Our family also contributed to the *Gathering Place*. We are very excited about the positive impact it will have on Tulsa, mid-town and beyond. I remember well my first move into mid-town with kids in tow. To see new opportunities in this new age for such a youthful influx is very exciting, again.

A neighbor brought to my attention this morning that a hearing is scheduled this afternoon to consider certain proposed restrictions that may affect midtown residential properties. I was also made aware that **Bob Brejcha** (copied here) has reached out to you by letter with recommendations on and/or about such matters. Because Bob lives in the neighborhood surrounding **Philbrook Museum of Art** and very kindly (and voluntarily) serves as the President of the *Museum Neighborhood Association (Association)*, I am cautiously concerned that you (INCOG or others) may interpret Bob's personal recommendations as recommendations made on *behalf* of the *Association*. Accordingly, I spoke with my neighbor and friend Mike Keys, who serves as Vice President and Communications officer of the *Association*, to ascertain that the letter reflected Bob's personal views only. Mike assured me that Bob's letter to you was appropriately only his personal entreaties on the matters.

So in my caution to make be clear on this, I am writing you to make sure that you do not interpret Bob's letter recommendations as on *behalf* of the *Association*; otherwise, you may tangentially misconstrue my personal thinking on the matters, merely because I am a dues-paying member of the *Association*.

Hopefully, this clarifies my concern. If you have any questions or comments, please feel free to contact me. My cell is 918-691-0348.

Kindly,
~Bill

Note: Copied are the officers of *Association*. I much appreciate their service to the *Association* whose original founding in 2010, was exclusively to serve a neighborhood fully unified in security/safety concerns.

Bill Thomas

Co-Owner
1516 S. Boston Avenue, Ste. 301 • Tulsa, OK 74119
P (918) 592-4400



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Sawyer, Kim

From: pfmoore@sbcglobal.net
Sent: Wednesday, May 2, 2018 1:52 PM
To: esubmit
Subject: 3 car driveways

I am a resident of a mid-city historic district neighborhood. I am opposed to allowing an increase in the allowable size of parking areas and drives in my neighborhood. A two car garage and curbside parking should be ample for a family. I suspect this proposal is being shopped by the Airbnb industry that has ruined so many formerly desirable districts around the world.

Paul Moore
1611 S Detroit Ave
Tulsa OK 74120

Sent from my HTC phone.

May 2, 2018

Mr. Michael Covey, Chairman
Tulsa Metropolitan Area Planning Commission
Two West 2nd Street, Suite 800
Tulsa, OK 74103
Delivered in person at TMAPC meeting

FILE COPY

Subject: ZCA-10, Residential Driveway Width-Zoning Code Amendment

Dear Commissioner Covey,

Allow me to first apologize for being out of state and not being in attendance at today's TMAPC meeting where ZCA-10, the proposed zoning code amendment regarding residential driveway width will be heard.

I have been meeting with Dawn Warrick, Susan Miller, and the Mayor's office for the last 14 months to develop a zoning code amendment that facilitates consumer demand for wider driveways in the City of Tulsa. With construction of the Gathering Place nearing completion as well as other area attractions and amenities, the city is experiencing increased demand for new residential construction. This demand is coming primarily from young families who want to live and work near these developments. This is exciting news for the City of Tulsa as we expect increased population growth to result. For those who are raising families comes the need for maximum garage space and corresponding driveway width to accommodate off-street vehicle parking, storage needs, and family sports and activities.

Yesterday, I became aware of one objection in particular from an existing homeowner who has been led to believe that "if this proposed amendment is passed nearly my entire front yard could be turned into a driveway/parking lot if I wanted". Nothing could be further from the truth since the Zoning Code's open space coverage requirement is not subject to change. For example, a RS-3 zoned property requires a minimum of 7,200 square feet with an open space of 4,000 square feet. That leaves 3,200 square feet for the home's living space, garage, patios, driveway, and walkways. This will not result in a paving all or nearly all of the front yard because the open space requirement simply won't allow it.

This amendment has been specifically developed with City of Tulsa staff input to promote residential development and to protect existing neighborhoods. TMAPC approval of this proposed amendment serves to provide a variety of housing options that accommodates both housing types and affordability in all areas of the city in accordance with the Comprehensive Plan. The HBA is in agreement with the

17.71

staff recommendation for approval of the proposed amendments to the City of Tulsa Zoning Code as shown in Attachment I.

I am, however, concerned that the exhibit packet for this agenda item did not include all referenced attachments when the agenda was released for public notice, and that Attachments II and III have been distributed to TMAPC members less than 24 hours in advance of this meeting. I believe it is in everyone's best interest to continue this item to another date so that all attachments pertaining to this proposed amendment receive the attention they deserve by all interested parties, and that this material accurately communicates what will and will not be allowed.

Sincerely,

A handwritten signature in cursive script that reads "Jeffrey Smith". The signature is written in black ink and is positioned to the right of the word "Sincerely,".

Jeffrey Smith
Executive Vice President/CEO

17.72

Sawyer, Kim

From: Alice Rodgers <cainsgal@icloud.com>
Sent: Thursday, May 3, 2018 5:45 PM
To: Sawyer, Kim
Subject: Committee

I volunteer to be on committee to discuss driveway widening proposal.

Alice RODGERS
1519 East 26th Pl
Tulsa, OK 74114

9183448701
cainsgal@aol.com

Sent from my iPhone

FILE COPY

Sawyer, Kim

From: Ronnie Cookson <cyclust@hotmail.com>
Sent: Thursday, May 3, 2018 6:41 PM
To: esubmit
Subject: re: driveway lengths
Attachments: Paved yard.jpg

TMAPC,

Please do not consider increasing widths for driveways. I live in midtown and do not want my neighborhood to be filled with mcmansion driveways on lots meant for bungalow houses. This decreases the livability of the neighborhood and decreases property value. If a person would like to live in a mcmansion with a three car garage, they can purchase one in other Tulsa neighborhoods where lots are larger.

Thank you for your time.

Ronnie Cookson

Sent from [Mail](#) for Windows 10

SL.L1



FILE COPY

Sawyer, Kim

From: Eileen Shane <eileen.g.shane@gmail.com>
Sent: Saturday, May 5, 2018 9:51 AM
To: Sawyer, Kim
Subject: Please block changes.

My husband and myself are very much against changing the plan for South Maple Ridge. Wider streets would change the Looking and feeling of our family neighborhood. Wide driveways would destroy trees and landscaping that have been here for decades upon decades.

It would encourage "dead cars" in driveways and much more water in our yards and streets.

Banking you in advance for your support.

Eileen and John Shane
2828 S Cincinnati Ave

Sawyer, Kim

From: Mark Leavitt <creative-matters@cox.net>
Sent: Friday, May 18, 2018 10:13 AM
To: esubmit; Miller, Susan
Cc: Kathy Taylor
Subject: re: Public Hearing Item 23: ZCA-10

I am troubled by this specific proposed amendment to the zoning code. The amendment would arguably be a step backwards in achieving the goals of Midtown neighborhoods' comprehensive plan. Current regulations prohibit driveways that are wider than 20' inside the public right of way, and for good reason. Driveways generally cross pedestrian pathways and keeping them narrow helps create the kind of safe, walkable neighborhoods that are typically high priorities in the place-making strategies of smart cities. The current zoning code establishes residential driveway width based on zoning districts by applying specific dimensions, which was determined to be easier for applicants to calculate and for staff to administer.

Sincerely,
Mark Leavitt
Renaissance Neighborhood

Sawyer, Kim

From: karen mccall dunning <kmdunningaia@juno.com>
Sent: Sunday, May 20, 2018 12:28 PM
To: esubmit
Cc: Miller, Susan; mayor@cityoftulsa.org; 'dist4@tulsacouncil.org.'
Subject: Public Hearing Item 23: ZCA-10

Dear Mr. Covey,

As a licensed architect and District 4 Midtown resident, I am contacting you to voice my opposition to the proposal to allow increased paving surface for driveways.

I oppose the measure for the following reasons:

- Impact on water run off
 - As you know, infill in older neighborhoods has impacted the community in many ways, both good and bad. Due to the smaller lot size and relative high cost of land acquisition (land prices + (frequently) the cost to demolish existing structures to make room for new), builders choose to dramatically increase the size of building footprint on a lot thereby also decreasing pervious land area, creating greater water runoff. The older sewer systems have a difficult time processing the water and our high level of vegetation in Midtown often exacerbates this issue due to clogged collection points. Additionally, my experience has been that builders often change existing drainage patterns as part of the process, thereby causing adjacent properties to be negatively affected, sometimes with more minor consequences (standing water, silted patios, ruined landscaping) and other times with major problems such as house/basement flooding. Allowing larger expanses of paving will amplify the issue by further decreasing the percolation area on the lot.
 - Our zoning codes contain green space requirements requiring minimum pervious open area on properties. Midtown is primarily composed of RS-1, RS-2, and RS-3 properties. For these, the green (impervious) space required is 53% - 58% of the lot space (see charts below). It has been my observation that this ordinance is rarely followed nor enforced, neither in new construction nor in additions to existing structures. One does not have to be a design professional to recognize this, one only has to drive through our Midtown neighborhoods to see structures built from setback to setback (even in the backyard) to know that the lot does not comply with these green space requirements of greater than 50%. Allowing additional driveway width will further hinder compliance and increase water runoff issues.

FROM 5/10/18 Tulsa Zoning Code

Table 5-3: R District Lot and Building Regulations

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RM-0	RM-1	RM-2	RM-3	RMH
Minimum Lot Area (sq. ft.)													
Detached house	22,500	13,500	9,000	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Patio house				6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Townhouse				4,500	4,500	2,200	2,750	1,600	1,600	1,600	1,600	1,600	1,600
Cottage house dev't						15,000	15,000	15,000	15,000	15,000	15,000	15,000	15,000
Duplex				9,000	9,000	3,300	6,900	6,900	6,900	6,900	6,900	6,900	6,900
Multi-unit house						3,300	6,900	5,500	5,500	5,500	5,500	5,500	5,500
Apartment/condo									10,000	10,000	6,000	24,000	-
Mobile home park													(1)
Other allowed buildings/uses													
Permitted by right	22,500	13,500	9,000	6,900	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Special exceptions	22,500	13,500	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
Min. Lot Area per Unit (sq. ft.)													
Detached house	22,500	13,500	9,000	6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Patio house				6,900	5,500	3,300	5,500	5,500	5,500	5,500	5,500	5,500	5,500
Townhouse				4,500	4,500	2,200	2,750	1,600	1,600	1,600	1,600	1,600	1,600
Cottage house dev't						2,750	2,750	2,750	2,750	2,750	2,750	2,750	2,750

17:78

Regulations	RE	RS-1	RS-2	RS-3	RS-4	RS-5	RD	RT	RAA-0	RAA-1	RAA-2	RAA-3	RMH
Duplex	-	-	-	4,500	4,500	1,650	1,450	1,450	1,450	1,450	1,450	1,450	-
Multi-unit house	-	-	-	-	-	1,100	1,800	1,800	1,800	1,375	1,100	900	-
Apartment/condo	-	-	-	-	-	-	-	-	2,900	1,250	1,100	400	-
Other allowed buildings/uses	-	-	-	-	-	-	-	-	-	-	-	-	-
Permitted by right	-	-	-	-	-	-	-	-	5,500	5,500	5,500	5,500	5,500
Special exceptions	22,500	13,500	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000	12,000
Minimum Lot Width (ft.)													
Detached house	150	100	75	60	50	30	50	50	50	50	50	50	-
Patio house	-	-	-	60	50	30	50	50	50	50	50	50	-
Townhouse	-	-	-	30	30	20	25	20	20	20	20	20	-
Cottage house dev'l	-	-	-	-	-	75	75	75	75	75	75	75	-
Duplex	-	-	-	75	75	30	50	60	60	60	60	60	-
Multi-unit house	-	-	-	-	-	30	50	50	50	50	50	50	-
Apartment/condo	-	-	-	-	-	-	-	-	100	100	50	100	-
Other allowed buildings/uses	-	-	-	-	-	-	-	-	-	-	-	-	-
Permitted by right	150	100	75	60	50	50	50	50	50	50	50	50	50
Special exceptions	150	100	100	100	100	100	100	100	100	100	100	100	100
Minimum Street Frontage													
Residential bldgs/uses (2)	30	30	30	30	30	30	30	30	30	30	30	30	30
Min. Building Setbacks (ft.)													
Street (3)	35	35	35	35	35	35	35	35	35	35	35	35	35
Arterial or fwy service rd	35	35	30	25	20	20	25	10	25	25	10	25	25
Other streets	15	5	5	5	5	5	5	5(0)	5(6)	5(6)	5(6)	5(7)	5(6)
Side (interior) (4)	25	25	25	20	20	20	20	20	20	20	10	20	15
Rear (4)	25	25	25	20	20	20	20	20	20	20	10	20	15
Min. Open Sp./Unit (sq. ft.)	12,000	7,000	5,000	4,000(8)	2,500	600	2,000	1,200	1,200	600	700	-	2,500

- Neighborhood aesthetics, viability, and value
 - Data shows that “walkability” is a key factor in the value and desirability of our inner neighborhoods. It is my contention that promoting greater vehicle use and increasing the size of curb cuts will negatively affect this aspect of Midtown living.
 - From the zoning charts above, one can see that in an RS-1, RS-2, or RS3 districts, (most of Midtown), the minimum lot width is 100’, 70’, 60’ (resp.). Allowing larger driveways and wider curb cuts would result in driveway access being as much as 50% of the street frontage. I suggest that this increases risk to pedestrians and decreases the aesthetic appeal of our older neighborhoods. While there may not be a statistically measurable cause/effect relationship, I would contend that both these will negatively affect Midtown neighborhood viability and value.

Thank you for considering these potential ramifications when you assess the proposed changes to the code. Feel free to contact me by return email or at 918.851.5058 with any questions.

Karen McCall Dunning

Unbelievable German World War 2 Photo Shocks Americans

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Sawyer, Kim

From: terry meier <tmeier51@gmail.com>
Sent: Tuesday, May 29, 2018 8:26 PM
To: esubmit
Subject: ZCA-10

Attn: Chairman Michael Covey

My email addresses inaccurate statements in the May 2, 2018 letter to you from Jeffrey Smith with the HBA. In paragraph 3, Mr. Smith discusses a particular objection from an existing homeowner and why that objection is without merit. While he does not state the homeowner's name it is clear that he is referencing my objection and my home at 1760 E., 14th Place. You may recall my objection as I attached a picture of my craftsman bungalow.

Surprisingly Mr. Smith apparently lacks a full understanding of the existing RS-3 zoning and it's application to my particular property which is typical of the many 1920's homes built in Tulsa's original footprint. His statements directly contradict the analysis of my home under the proposed zoning amendment that Susan Miller at INCOG was gracious enough to provide to me. I trust she has a comprehensive and detailed understanding of the zoning code and I have no reason to believe she would be anything other than accurate. I seriously doubt Susan Miller is wrong and I feel that if she discovered she had made an error she would have let me know and I have heard nothing from her to that effect. INCOG has been very helpful in helping me understand the scope of ZCA-10 and what it would look like in the real world. Clearly the HBA is confused and to avoid any possible confusion I would like the record to reflect the inaccuracy of Mr. Smith's statements in paragraph 3.