

TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2788

February 20, 2019, 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:

1. Minutes of February 6, 2019, Meeting No. 2787

CONSENT AGENDA:

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

2. Northern Territory (County) Reinstatement of a Preliminary Plat, Location: North of the northwest corner of East 176th Street North and North 113th East Avenue

PUBLIC HEARINGS:

3. Milo's (County) Preliminary Plat, Location: Southeast corner of East 76th Street North and North 75th East Avenue
4. Boulder Pointe (CD 2) Preliminary Plat and Modification to Subdivision and Development Regulations to allow flag lots, Location: Northwest corner of West 78th Street South and South Union Avenue
5. Stone Creek Hollow (CD 2) Preliminary Plat, Location: North of the northwest corner of West 81st Street South and South Elwood Avenue

6. **Z-7466 Lou Reynolds** (CD 1) Location: South and West of the southwest corner of East 36th Street North and North Yale Avenue requesting rezoning from **IL and AG** to **IH** (Continued from January 2, 2019, January 16, 2019 and February 6, 2019) (**Applicant requests a continuance to March 6, 2019**)
7. **CO-8 Mike Thedford** (CD 7) Location: Northeast corner of East 91st Street South and South Mingo Road requesting **Corridor Development Plan** (Continued from February 6, 2019)
8. **Ernest Childers VA Clinic** (CD 7) Preliminary Plat, Location: Northeast corner of East 91st Street South and South Mingo Road (Related to CO-8 and Accelerated Release of Building Permit) (Continued from February 6, 2019) (**Staff requests a continuance to March 6, 2019**)
9. **Ernest Childers VA Clinic** (CD 7) Authorization for Accelerated Release of Building Permit, Location: Northeast corner of East 91st Street South and South Mingo Road (Related to CO-8 and Preliminary Plat) (Continued from February 6, 2019) (**Staff requests a continuance to March 6, 2019**)
10. **MR-2, The Summit at Tulsa Hills** (CD 2) Modification to Subdivision and Development Regulations to remove sidewalk requirement along Union Avenue, Location: South of the southeast corner of West 71st Street South and South Union Avenue (Continued from December 19, 2018, January 16, 2019, and February 6, 2019)
11. **MPD-1 Katy O'Meilia, Planning Design Group** (CD 6) Location: Southwest corner of East 31st Street South and South 177th East Avenue requesting a Master Plan Development for private street mixed use community (Continued from February 6, 2019)
12. **MPD-2 Nathan Cross** (CD 1) Location: West and north of the northwest corner of West Edison Street and North 41st West Avenue requesting a Master Plan Development for private street mixed use community (**Staff requests a continuance to March 6, 2019**)
13. **ZCA-14** Various amendments to the City of Tulsa Zoning Code in the following sections: Chapter 1 Introductory Provisions: Section 1.090-I, Public Officials and Agencies, subsections 4 and 10; Chapter 5 Residential Districts: Table 5-2: R District Use Regulations, and add Table Note; Chapter 10 Mixed-use Districts: Table 10-2: MX District Use Regulations and Table Note [1] to Table 10-2; Chapter 15 Office, Commercial and Industrial Districts: Table 15-2: O, C and I District Use Regulations and Table Note [2] to Table 15-2; Table 15-2.5: O, C and I District Building Type Regulations for Household Living; Chapter 25 Special Districts: Table 25-1: AG District Use Regulations; Table 25-5: SR District Use Regulations; Table 25-7: IMX District Use Regulations and Table Notes [1] and [4] to Table 25-7; Table 25-7.5: IMX District Building Type Regulations for

Household Living; Chapter 35 Building Types and Use Categories: Section 35.050-D Commercial Service, subsection 4, Personal Improvement Service; Section 35.050-K, Restaurants and Bars, subsection 1, Bar; Section 35.050-L, Retail Sales, subsection 1, Convenience Goods; Chapter 40 Supplemental Use and Building Regulations: Section 40.300, Plasma Centers, Day Labor, Liquor Stores, Bail Bonds, Pawn Shops and subsection 40.300-A; Section 40.090, Community Garden, and subsections 40.090-A, -D, -E, -G, -J, and -K; Chapter 45 Accessory Uses and Structures: Section 45.110, Intoxicating Beverage and Low-point Beer Sales and Service; Section 45.150, Parking and Storage of Recreational Vehicles, subsection 45.150-A; Chapter 60 Signs: Table 60-2: Maximum Aggregate Number of Signs; Chapter 70 Review and Approval Procedures: Section 70.060, Historic Preservation (HP) Zoning Map Amendments, subsection 70.060-H, Protest Petitions; Section 70.110, Spacing and Separation Distance Verification, subsection 70.110-D, Action; Chapter 90 Measurements: Table 90-1: Permitted Setback Obstructions in R Zoning Districts and add Table Note [3] to Table 90-1; Section 90.140, Transparency, subsections 90.140-A, 90.140-B, and 90.140-C; Figure 90-17: Ground Floor Transparency Measurement; Figure 90-18: Upper Floor Transparency Measurement; Chapter 95 Definitions: Add definitions for Alcoholic Beverage and Package Store; revise definition of Accessory Use Bar; delete definitions of Intoxicating Beverages and Low Point Beer

OTHER BUSINESS

14. **Adopt Resolution 2788:995** to concur with the updated findings and recommended actions contained within the small area plan review project.
15. **TMAPC's Reappointment to the River Parks Authority** – Marvin Jones
16. **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 Tulsa Planning Office, INCOG. Ringing/sound on all cell phones 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.



Tulsa Metropolitan Area
Planning Commission

Case : Northern Territory

Hearing Date: February 20, 2019

Case Report Prepared by:

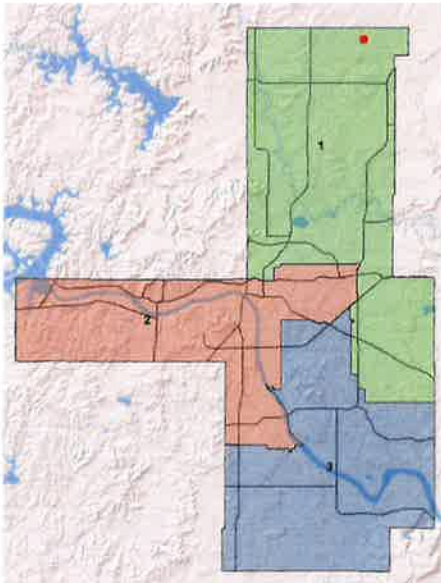
Nathan Foster

Owner and Applicant Information:

Applicant: Tanner Consulting, LLC

Owner: Smalygo Properties, Kurt & Misty Gross, Christopher & Jessica Rich

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Reinstatement of approved preliminary plat

10 lots, 2 blocks, 21.28 ± acres

Location: North of the northwest corner of East 176th Street North and North 113th East Avenue

Zoning: RE (Residential – Estate)

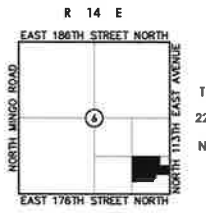
Staff Recommendation:

Staff recommends **approval** of the reinstatement

County Commission District: 1

Commissioner Name: Stan Sallee

EXHIBITS: Draft Final Plat – Submitted 2/6/19



Location Map
Scale: 1"=100'

UNDIVISION CONTAINS:
TEN (10) LOTS
IN TWO (2) BLOCKS
GRAB SUBDIVISION AREA: 21.281 ACRES

Draft Final Plat

Northern Territory Amended

A RE-PLAT OF ALL OF NORTHERN TERRITORY,
AN ADDITION TO TULSA COUNTY, STATE OF OKLAHOMA,
ACCORDING TO THE PREVIOUSLY RECORDED PLAT NO. 8712.

SURVEYOR:
Tanner Consulting, L.L.C.

DAN E. TANNER, P.L.S. NO. 1435
OK CA NO. 2661, EXPIRES 6/30/2019
EMAIL: DAN@TANNERCONSULTING.COM
5333 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929

ENGINEER:
BIRD Surveying & Design, PLLC

ROBERT E. BIRD, P.E. NO. 18932
OK CA NO. 4454, EXPIRES 6/30/2020
EMAIL: REB@BDCONET
9020 North 775th East Avenue
Owasso, Oklahoma 74055
Phone: (918) 645-8392



LEGEND

- B/L BUILDING LINE
- B/U BUILDING LINE & UTILITY EASEMENT
- BK PG BOOK & PAGE
- CD CHORD BEARING
- CD CHORD DISTANCE
- C CENTERLINE
- Δ DELTA ANGLE
- DOC DOCUMENT
- ESMT EASEMENT
- LNA LIMITS OF NO ACCESS
- R/W RIGHT-OF-WAY
- U/E UTILITY EASEMENT

FINAL PLAT
CERTIFICATE OF APPROVAL

I hereby certify that this plat was approved by the Tulsa Board of Planning Commission on _____.

The approval of this final plat will expire on _____ with the state of Tulsa County Commission required if not filed in the Office of the County Clerk before that date.

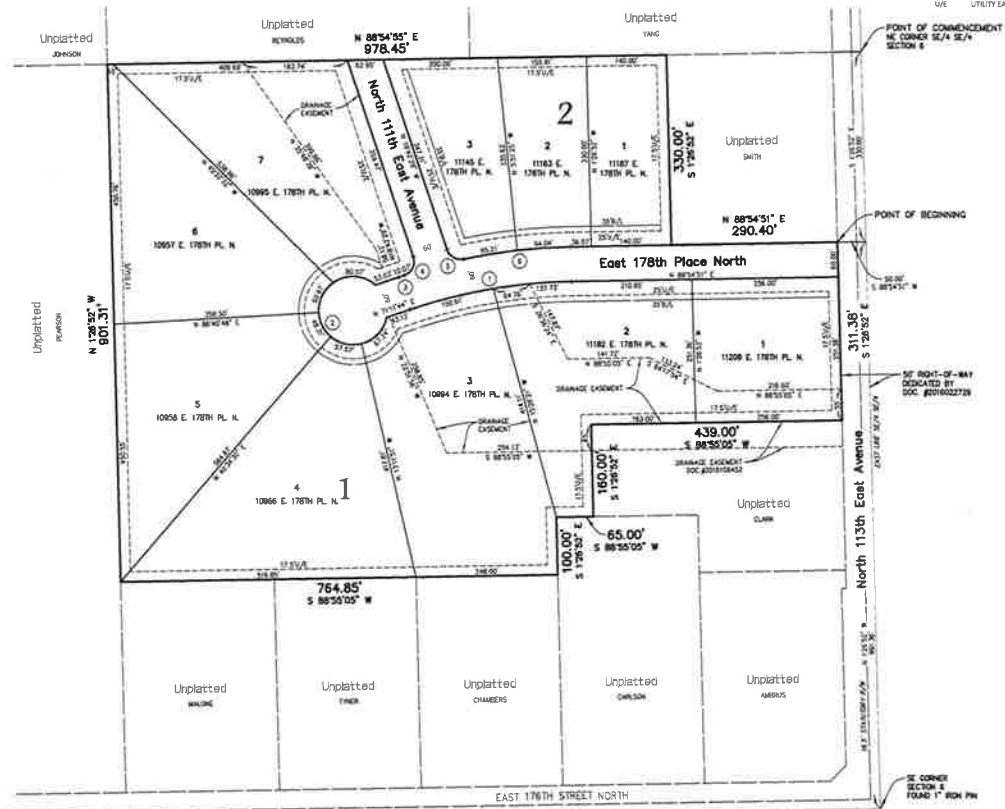
COUNTY ENGINEER

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 1495" UNLESS OTHERWISE NOTED.
- THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANNED COORDINATE SYSTEM, NORTH ZONE (S82), NORTH AMERICAN DATUM 1983 (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
 - (A) FOUND 1" IRON PIN AT THE SOUTHEAST CORNER OF THE SOUTHWEST QUARTER (SE/4) OF SECTION 6;
 - (B) FOUND MANG NAIL AT THE NORTHEAST CORNER OF THE SOUTHWEST QUARTER (SE/4) OF SECTION 6;
 THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 1°26'32" WEST.
- ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AT THE TIME THIS PLAT 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 NORTH 113TH EAST AVENUE, BEING A PUBLIC ROADWAY.

Curve Table

CURVE	LENGTH	RAADIUS	DELTA ANGLE	CHORD BEARING	CHORD DIST.
1	108.33'	312.30'	37°40'01"	N80°10'38" E	203.18'
2	62.83'	60.00'	50°59'58"	N18°18'20"W	60.00'
3	10.07'	992.33'	0°34'03"	N71°29'13" E	10.07'
4	38.44'	25.00'	80°29'08"	N42°02'28" E	33.50'
5	26.35'	25.00'	83°18'17"	N60°11'37" W	33.23'
6	188.25'	443.82'	30°40'33"	N40°23'09" E	188.93'



OWNER:
Smalgo Properties, Inc.
123 North 7th Street
Collinsville, Oklahoma 74021
Phone: (918) 371-3183
Contact: Kyle Smalgo
info@smalgotproperties.com

OWNER:
Kurt Joseph Gross & Misty Deon Gross
11208 East 178th Place North
Collinsville, Oklahoma 74021

OWNER:
Christopher Paul Rich & Jessica Rich
10966 East 178th Place North
Collinsville, Oklahoma 74021

DATE OF PREPARATION: January 24, 2019

Northern Territory Amended
SHEET 1 OF 3

2.2

Draft Final Plat

Northern Territory Amended

A RE-PLAT OF ALL OF NORTHERN TERRITORY, AN ADDITION TO TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE PREVIOUSLY RECORDED PLAT NO. 6712.

DEED OF DEDICATION

KNOW ALL MEN BY THESE PRESENTS:

THAT SMALYGO PROPERTIES, INC., AN OKLAHOMA CORPORATION, ("SMALYGO PROPERTIES") IS THE OWNER OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN TULSA COUNTY, STATE OF OKLAHOMA:

ALL OF "NORTHERN TERRITORY," AN ADDITION IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT (PLAT NO. 6712) THEREOF, LESS AND EXCEPT LOTS 1 AND 4, BLOCK 1, THEREOF.

THAT KURT JOSEPH AND MISTY DEON GROSS, HUSBAND AND WIFE, ("GROSS") ARE THE OWNERS OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN TULSA COUNTY, STATE OF OKLAHOMA:

LOT 1, BLOCK 1, "NORTHERN TERRITORY," AN ADDITION IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT (PLAT NO. 6712) THEREOF.

THAT CHRISTOPHER PAUL AND JESSICA RICH, HUSBAND AND WIFE, ("RICH") ARE THE OWNERS OF THE FOLLOWING DESCRIBED REAL ESTATE SITUATED IN TULSA COUNTY, STATE OF OKLAHOMA:

LOT 4, BLOCK 1, "NORTHERN TERRITORY," AN ADDITION IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT (PLAT NO. 6712) THEREOF.

AND THAT SMALYGO PROPERTIES, OWNS, AND NOW HEREAFTER TOGETHER REFERRED TO AS "OWNERS" HAVE CERTAIN EASEMENTS AND RIGHTS HEREIN... AND WHICH PLAT IS MADE A PART HEREOF...

ARTICLE I. PUBLIC STREETS, EASEMENTS, AND UTILITIES

A. STREETS AND GENERAL UTILITY EASEMENTS

THE OWNERS HEREBY DEDICATE TO THE PUBLIC THE STREETS AS DEPICTED ON THE ACCOMPANYING PLAT AS "UTL" OR "UTILITY EASEMENT" FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR IMPROVING ANY AND ALL PUBLIC UTILITIES...

B. UNDERGROUND SERVICE

- 1. OVERHEAD POLES FOR THE SUPPLY OF ELECTRIC, TELEPHONE, COMMUNICATION, AND CABLE TELEVISION SERVICE...
2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES LOCATED WITHIN THE SUBDIVISION...
3. NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED WITHIN A DRAINAGE EASEMENT...

3. THE SUPPLIERS OF ELECTRIC, COMMUNICATION, AND GAS SERVICES, THROUGH THEIR AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION...

4. THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UTILITY SERVICE FACILITIES LOCATED ON SUCH OWNERS LOT AND SHALL PREVENT THE ALTERATION OF GRADE ON ANY CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH THE ELECTRIC, TELEPHONE, COMMUNICATION, CABLE TELEVISION, OR GAS FACILITIES...

5. THE COVENANTS SET FORTH IN THIS SUBSECTION B SHALL BE ENFORCEABLE BY THE SUPPLIERS OF ELECTRIC, COMMUNICATION, AND GAS SERVICE, AND THE OWNER OF EACH LOT WITHIN THE SUBDIVISION AGREES TO BE BOUND HEREBY.

C. GAS SERVICE

1. THE SUPPLIER OF GAS SERVICE, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO ALL UTILITY EASEMENTS DEPICTED ON THE PLAT OR OTHERWISE PROVIDED IN THIS DEED OF DEDICATION...

2. THE OWNER OF THE LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE UNDERGROUND GAS FACILITIES LOCATED WITHIN THE LOT AND SHALL PREVENT THE ALTERATION OF GRADE ON ANY OTHER CONSTRUCTION ACTIVITY WHICH WOULD INTERFERE WITH GAS SERVICE...

3. THE COVENANTS SET FORTH IN THIS SUBSECTION C SHALL BE ENFORCEABLE BY THE SUPPLIER OF GAS SERVICE OR ITS SUCCESSORS AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

D. WATER AND STORM SEWER SERVICE

1. THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS AND STORM SEWERS LOCATED ON THEIR LOT.

2. WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTIGUOUS EXISTING UPON THE COMPLETION OF THE INSTALLATION OF A PUBLIC WATER MAIN OR PUBLIC STORM SEWER, OR ANY CONSTRUCTION ACTIVITY WHICH, IN THE JUDGMENT OF TULSA COUNTY, WOULD INTERFERE WITH SAID STORM SEWERS, SHALL BE PROHIBITED.

3. TULSA COUNTY, OKLAHOMA, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC STORM SEWERS, AND AND WASHINGTON COUNTY RURAL WATER DISTRICT NO. 3, OR ITS SUCCESSORS, SHALL BE RESPONSIBLE FOR ORDINARY MAINTENANCE OF PUBLIC WATER MAINS...

4. TULSA COUNTY, OKLAHOMA, AND WASHINGTON COUNTY RURAL WATER DISTRICT NO. 3, OR THEIR RESPECTIVE SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO ALL UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT...

5. THE FOREGOING COVENANTS SET FORTH IN THIS SUBSECTION D SHALL BE ENFORCEABLE BY TULSA COUNTY, OKLAHOMA, AND WASHINGTON COUNTY RURAL WATER DISTRICT NO. 3, OR THEIR RESPECTIVE SUCCESSORS, AND THE OWNER OF EACH LOT AGREES TO BE BOUND HEREBY.

E. SURFACE DRAINAGE

EACH LOT WITHIN THE SUBDIVISION SHALL RECEIVE AND DRAIN, IN AN UNOBSTRUCTED MANNER, THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION. NO LOT OWNER SHALL CONSTRUCT OR PERMIT TO BE CONSTRUCTED ANY FENCE OR OTHER OBSTRUCTIONS WHICH WOULD IMPAIR THE DRAINAGE OF STORM AND SURFACE WATERS OVER AND ACROSS SAID OWNERS LOT...

F. DRAINAGE EASEMENTS

1. THE OWNERS DO HEREBY DEDICATE TO THE PUBLIC PERPETUAL AND NON-EXCLUSIVE DRAINAGE EASEMENTS ON, OVER, AND ACROSS THOSE AREAS DESIGNATED AND SHOWN ON THE ACCOMPANYING PLAT AS "DRAINAGE EASEMENT" FOR THE PURPOSE OF PERMITTING THE OVERLAND FLOW, CONVEYANCE, RETENTION, RETURN, AND DISCHARGE OF STORMWATER RUNOFF FROM THE VARIOUS AREAS WITHIN THE SUBDIVISION AND FROM ADJACENT PROPERTIES NOT INCLUDED WITHIN THE SUBDIVISION...

2. DRAINAGE FACILITIES LOCATED WITHIN DRAINAGE EASEMENTS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ADOPTED STANDARDS OF TULSA COUNTY, OKLAHOMA, AND PLANS AND SPECIFICATIONS APPROVED BY TULSA COUNTY ENGINEER'S OFFICE.

3. NO FENCE, WALL, BUILDING, OR OTHER OBSTRUCTION SHALL BE PLACED OR MAINTAINED WITHIN A DRAINAGE EASEMENT UNLESS APPROVED BY THE TULSA COUNTY ENGINEER'S OFFICE, PROVIDED THAT THE PLACING OF TURF SHALL NOT REQUIRE THE APPROVAL OF THE TULSA COUNTY ENGINEER'S OFFICE.

3. DRAINAGE FACILITIES LOCATED WITHIN DRAINAGE EASEMENTS SHALL BE MAINTAINED BY THE OWNER OF THE LOT CONTAINING SUCH EASEMENTS TO THE EXTENT NECESSARY TO ACHIEVE THE INTENDED DRAINAGE FUNCTIONS, INCLUDING REPAIR OF APURTANCES, REMOVAL OF OBSTRUCTIONS AND SILTATION, AND CUSTOMARY GROUNDS MAINTENANCE...

4. THE COVENANTS SET FORTH IN THIS SUBSECTION F SHALL BE ENFORCEABLE BY TULSA COUNTY, OKLAHOMA, CRITS SUCCESSORS, AND THE OWNERS OF EACH LOT AGREE TO BE BOUND BY THESE COVENANTS.

G. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT AFFECTED SHALL BE RESPONSIBLE FOR THE REPAIR OR DAMAGE TO DRIVEWAY AND PAVING OCCASIONED BY INSTALLATION OR NECESSARY MAINTENANCE OF UNDERGROUND WATER, SANITARY SEWER, STORM SEWER, NATURAL, GAS, ELECTRIC, OR COMMUNICATION FACILITIES WITHIN THE UTILITY AND DRAINAGE EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED HOWEVER, TULSA COUNTY, OKLAHOMA, OR ITS SUCCESSORS, OR THE SUPPLIER OF THE UTILITY SERVICE SHALL USE REASONABLE CARE IN THE PERFORMANCE OF SUCH ACTIVITIES.

ARTICLE II. THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

NORTHERN TERRITORY AMENDED IS AN AREA OF DISTINCTIVE LANDSCAPE AND NATURAL BEAUTY. IT IS THE DESIRE AND INTENT OF SMALYGO PROPERTIES, INC., AN OKLAHOMA CORPORATION ("THE DEVELOPER"), TO CREATE A RESIDENTIAL COMMUNITY IN WHICH SUCH BEAUTY SHALL BE SUBSTANTIALLY PRESERVED AND ENHANCED BY THE CREATION AND ENFORCEMENT OF DEVELOPMENT STANDARDS...

A. DWELLINGS UNLESS WAIVED BY THE DEVELOPER IN WRITING, THE FOLLOWING STANDARDS SHALL APPLY TO ALL DWELLINGS IN THE SUBDIVISION:

- 1. DWELLING SIZE: ALL SINGLE STORY DWELLINGS SHALL HAVE A MINIMUM LIVING SPACE OF AT LEAST 1,800 SQUARE FEET...
2. MASONRY: ALL DWELLINGS SHALL HAVE AT LEAST FIFTY PER CENT (50%) OF THE EXTERIOR WALLS THEREOF COMPRSED OF BRICK OR STONE...
3. GARAGES: ALL DWELLINGS SHALL HAVE ATTACHED GARAGES SUITABLE FOR ACCOMMODATING A MINIMUM OF TWO (2) STANDARD SIZE AUTOMOBILES...
4. PATIO COVERS: ALL PATIO COVERS SHALL BE AN INTEGRAL PART OF THE RESIDENCE SUCH THAT THEY ARE CONTAINED WITHIN THE ROOFLINE AND SHALL BE CONSTRUCTED WITH THE SAME DESIGN, SHINGLE COLOR AND MATERIALS AS THE RESIDENCE...
5. DRIVEWAYS: ALL DRIVEWAYS INTO A LOT FROM ANY STREET SHALL BE CONSTRUCTED OF CONCRETE AND SHALL NOT BE LESS THAN FOURTEEN (14) FEET IN WIDTH...
6. ANTENNAE: NO TELEVISION, RADIO, OR OTHER ANTENNAE OR RECEPTION DEVICES, OTHER THAN ON EIGHTEEN (18) INCH OR SMALLER TELEVISION SATELLITE DISH, SHALL BE CONSTRUCTED OR MAINTAINED ON ANY LOT WITHOUT THE WRITTEN APPROVAL OF THE DEVELOPER.

6. MAILBOXES: ALL MAILBOXES SHALL EITHER BE (A) OF A UNIFORM STRUCTURE AND COLOR AND THAT IS APPROVED BY THE DEVELOPER, OR (B) MAILBOXES MUST BE MASONRY HEADWALL, IF ANY.

7. ROOF PITCH: MATERIALS: THE ROOF OF THE DWELLING SHALL HAVE A PITCH OF AT LEAST 8/12 OVER 75 PERCENT OF THE TOTAL ROOF AREA. AND NONE OF THE ROOF AREA SHALL HAVE A PITCH OF LESS THAN 8/12. ROOF MATERIALS SHALL BE HERITAGE II OR EQUAL COMPOSITION SHINGLES AND SHALL BE DARK EARTH TONE IN COLOR TO RESEMBLE WEATHERED WOOD.

8. SOODING: LANDSCAPING: UPON COMPLETION OF CONSTRUCTION OF ANY RESIDENCE, THE OWNER SHALL BE RESPONSIBLE FOR CAREFULLY RE-ESTABLISHING THE FINAL GRADE OF THE BAR DITCH TO PERMIT THE FREE FLOW OF STORMWATER. THE BAR DITCH SHALL BE FULLY SOODED UP TO THE EDGE OF THE STREET SURFACE MATERIAL. THE FRONT YARD OF EACH LOT MUST BE FULLY SOODED. CORNER LOTS, HOWEVER, MUST BE FULLY SOODED UP TO THE EDGE OF THE STREET SURFACE ALONG THE BAR DITCH ON BOTH SIDES OF THE LOT AND SHALL EITHER BE FULLY SOODED OR SEEDED ON FRONT, BACK AND SIDE YARDS. EACH LOT SHALL HAVE A PROFESSIONAL LANDSCAPE PACKAGE INSTALLED IN THE FRONT YARD UPON COMPLETION OF THE CONSTRUCTION OF ANY RESIDENCE.

B. APPROVAL OF PLANS: FOR THE PURPOSE OF FURTHER INSURING THE DEVELOPMENT OF THE SUBDIVISION AS AN AREA OF HIGH STANDARDS, THE DEVELOPER RESERVES THE POWER TO CONTROL THE BUILDINGS, STRUCTURES AND OTHER IMPROVEMENTS PLACED ON EACH LOT, AS WELL AS TO MAKE SUCH EXCEPTIONS TO THESE COVENANTS AS THE DEVELOPER SHALL DEEM NECESSARY AND PROPER. IN ITS REVIEW OF PLANS OR CONSIDERATION OF ANY REQUEST FOR WAIVER HEREBY AUTHORIZED, THE DEVELOPER 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 CONSTRUCTED, AND THE HARMONY THEREOF WITH THE SURROUNDING AREA.

1. THE DEVELOPER SHALL NOT BE LIABLE FOR ANY APPROVAL, DISAPPROVAL OR FAILURE TO APPROVE HEREUNDER, OR ITS APPROVAL OF BUILDING PLANS SHALL NOT CONSTITUTE A WARRANTY OF OR RESPONSIBILITY FOR BUILDING METHODS, MATERIALS, PROCEDURES, STRUCTURAL DESIGN, GRADING, DRAINAGE, RESTRICTIVE COVENANT COMPLIANCE OR CODE COMPLIANCE. THE APPROVAL, DISAPPROVAL, OR FAILURE TO APPROVE OF ANY BUILDING PLANS SHALL NOT BE DEEMED A WAIVER OF ANY RESTRICTIONS, UNLESS THE DEVELOPER IS HEREBY AUTHORIZED TO GRANT THE WAIVER AND IS SO DEEMED TO DO SO. IN FACT, GRANTING THE WAIVER, IT IS THE RESPONSIBILITY OF EACH LOT OWNER, AND NOT THE DEVELOPER, TO INSURE THAT SUCH OWNER'S GRANTEE AND/OR BUILDER HAS CAUSED THE SUBJECT LOT, AND ALL IMPROVEMENTS THEREON, TO BE IN FULL COMPLIANCE WITH ALL RELEVANT COVENANTS AND RESTRICTIONS IMPOSED UPON THE SUBDIVISION.

2. THE RESPECTIVE OWNER OF EACH DWELLING AND THE OWNERS BUILDER SHALL BE RESPONSIBLE FOR ALL STRUCTURAL DESIGN, GEOTECHNICAL DESIGN, GRADING, DRAINAGE, AND ALL OTHER STRUCTURAL ASPECTS OF THE DWELLING INDEPENDENT OF THE DEVELOPER AND THE DEVELOPER'S ENGINEER. SAID OWNER AND BUILDER SHALL CONSTRUCT ALL ASPECTS OF THE DWELLING IN ACCORDANCE WITH ALL FEDERAL, STATE, AND TULSA COUNTY BUILDING CODES.

3. SET-BACK LINES: NO BUILDINGS, OUTBUILDINGS, STRUCTURES, OR PARTS THEREOF SHALL BE CONSTRUCTED OR MAINTAINED ON LOTS NEARER TO THE PROPERTY LINES THAN THE SETBACK LINES PROVIDED HEREIN OR SHOWN ON THE ACCOMPANYING PLAT. UNLESS OTHERWISE PROVIDED BY EASEMENT OR SET-BACK LINES SHOWN ON THE ACCOMPANYING PLAT, THE MINIMUM BUILDING SET-BACK LINES FOR DWELLINGS OR OTHER OUTBUILDING STRUCTURES SHALL BE:

FRONT YARD: 40 FEET
SIDE YARD: 15 FEET
OTHER SIDE YARD: 15 FEET
BACK YARD: 35 FEET

4. FENCES: THE FOLLOWING RESTRICTIONS SHALL PERTAIN TO FENCING; NO FENCE OR WALL SHALL BE ERECTED, PLACED OR ALTERED ON ANY LOT NEARER THE STREET THAN THE MINIMUM SET-BACK LINES ESTABLISHED HEREIN; NO FENCE SHALL BE ERECTED ON ANY LOT CLOSER TO ANY STREET THAT THE MAIN STRUCTURE WITHOUT THE WRITTEN APPROVAL OF THE DEVELOPER; AND NO FENCE ON ANY LOT SHALL EXCEED FOUR (4) FEET IN HEIGHT WITHOUT THE WRITTEN APPROVAL OF THE DEVELOPER. NO FENCES SHALL BE CONSTRUCTED ON OVERLAND DRAINAGE EASEMENTS OR UPON WALKWAY OR ACCESS EASEMENTS WHICH IN THE OPINION OF THE DEVELOPER WOULD IMPAIR OR HINDER THE IN THE USE THEREOF.

IN ADDITION TO ALL FENCING RESTRICTIONS SET FORTH IN THE PARAGRAPH ABOVE, THE FOLLOWING FENCE RESTRICTIONS SHALL APPLY TO ALL LOTS:

1. IF A FENCE IS ERECTED UPON A LOT, SUCH FENCE SHALL BE A "WOOD POST AND RAIL" STRUCTURE WITH BLACK WOOD CHAIN LINK THEREON. NO PRIVACY FENCES ALLOWED. SUCH FENCES SHALL BE NEATLY MAINTAINED. THE DEVELOPER RESERVES THE RIGHT TO ENTER UPON SUCH LOTS IN ORDER TO MAINTAIN, REPAIR SUCH FENCES IN A MANNER WHICH THE DEVELOPER, IN ITS SOLE DISCRETION, BELIEVES TO BE REASONABLE AND APPROPRIATE, AND THE COST THEREOF SHALL BE CHARGED BACK TO THE LOT OWNER AS A LIEN AND SHALL BE GOVERNED HEREBY.

5. OUTBUILDINGS: ALL TOOL SHEDS, HOBBY ROOMS OR OTHER OUTBUILDINGS SHALL CONFORM TO THE BASIC EXTERIOR PAINT COLORS OF THE DWELLING. ALL SUCH OUTBUILDINGS SHALL BE SHINGLED WITH THE SAME COLOR AND TYPE OF SHINGLES AS THE DWELLING. ALL SUCH OUTBUILDINGS SHALL HAVE A MINIMUM FLOOR AREA OF 160 SQUARE FEET. NO OUTBUILDING CONSTRUCTED ELSEWHERE SHALL BE MOVED INTO NORTHERN TERRITORY AMENDED.

6. ANTENNAE: NO TELEVISION, RADIO, OR OTHER ANTENNAE OR RECEPTION DEVICES, OTHER THAN ON EIGHTEEN (18) INCH OR SMALLER TELEVISION SATELLITE DISH, SHALL BE CONSTRUCTED OR MAINTAINED ON ANY LOT WITHOUT THE WRITTEN APPROVAL OF THE DEVELOPER.

2.3

Draft Final Plat

Northern Territory Amended

A RE-PLAT OF ALL OF NORTHERN TERRITORY, AN ADDITION TO TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE PREVIOUSLY RECORDED PLAT NO. 6712.

DEED OF DEDICATION & DECLARATION OF COVENANTS, CONDITIONS & RESTRICTIONS (CONTINUED)

- C. LOT USE AND RESTRICTIONS. UNLESS WAIVED BY THE DEVELOPER IN WRITING, THE FOLLOWING RESTRICTIONS SHALL APPLY TO THE USE OF LOTS WITHIN THE SUBDIVISION.
1. LOT USE. LOTS SHALL BE USED ONLY FOR RESIDENTIAL SINGLE-FAMILY PURPOSES. NO RESIDENTIAL LOT SHALL BE USED FOR ANY BUSINESS, COMMERCIAL OR MANUFACTURING PURPOSE.
2. NOISE/NUISANCE. NO NOXIOUS OR OFFENSIVE ACTIVITY OF ANY SORT SHALL BE PERMITTED...

- ACCORDANCE WITH THE RULES AND REGULATIONS SET FORTH BY THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY.
15. DRAINAGE. EACH LOT SHALL RECEIVE AND DRAIN IN AN UNOBTAINABLE MANNER THE STORM AND SURFACE WATERS FROM LOTS AND DRAINAGE AREAS OF HIGHER ELEVATION AND FROM PUBLIC STREETS AND EASEMENTS...
16. COMPLIANCE WITH CODE. ALL RESIDENTIAL LOTS ARE SUBJECT TO THE USES, RESTRICTIONS AND REQUIREMENTS OF THE OKLAHOMA DEPARTMENT OF ENVIRONMENTAL QUALITY.

ARTICLE III. PRUDENTIAL CONSIDERATIONS

- A. ENFORCEMENT AND DURATION. THE RESTRICTIONS HEREIN SET FORTH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNERS, THEIR RESPECTIVE CHANGES, TRANSFERS, SUCCESSORS AND ASSIGNS...
B. COVENANTS CONTAINED WITHIN ARTICLE I, SECTION I, PUBLIC STREETS, EASEMENTS, AND UTILITIES AND ARTICLE II, PRUDENTIAL CONSIDERATIONS ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THEREOF...
C. WAIVER. THE WAIVER OF ANY PHRASE, CLAUSE OR PROVISIONS HEREIN CONTAINED SHALL NOT RENDER THE BALANCE OF THIS INSTRUMENT VOID, OR UNENFORCEABLE...

- D. DEFINITIONS. IN THE EVENT OF AMBIGUITY OF ANY WORD OR TERM SET FORTH HEREIN, THE MEANING THEREOF SHALL BE DEEMED TO BE DEFINED AS SET FORTH WITHIN THE TULSA COUNTY ZONING CODE...
E. WAIVER OF RIGHT OF RECOVERY. EACH OWNER SHALL BE RESPONSIBLE FOR OBTAINING INSURANCE COVERAGE FOR THE RISK OF BODILY INJURY AND PHYSICAL LOSS OR DAMAGES OF ANY KIND TO HIS HOME...
F. DISCLAIMER OF WARRANTY. EXCEPT AS EXPRESSLY PROVIDED IN WRITING, DEVELOPER MAKES NO WARRANTY, EXPRESS OR IMPLIED, REGARDING THE SUBDIVISION OR ANY IMPROVEMENT IN THE SUBDIVISION...
G. BINDING EFFECT; AMENDMENTS. THESE COVENANTS, CONDITIONS AND RESTRICTIONS ARE TO BE BINDING UPON ALL PARTIES AND ALL PERSONS CLAIMING UNDER THEM...

IN WITNESS WHEREOF, THE OWNER HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS 20th DAY OF 2019

SMALYGO PROPERTIES, INC. AN OKLAHOMA CORPORATION. BY: KYLE M. SMALYGO, PRESIDENT

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY OF 2019, PERSONALLY APPEARED KYLE M. SMALYGO, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT...

MY COMMISSION EXPIRES: NOTARY PUBLIC

BY: KURT JOSEPH GROSS
STATE OF OKLAHOMA)
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY OF 2019, PERSONALLY APPEARED KURT JOSEPH GROSS AND MISTY DEON GROSS, HUSBAND AND WIFE, TO ME KNOWN TO BE THE IDENTICAL PERSONS WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT...

MY COMMISSION EXPIRES: NOTARY PUBLIC
BY: CHRISTOPHER PAUL RICH

BY: JESSICA RICH
STATE OF OKLAHOMA)
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY OF 2019, PERSONALLY APPEARED CHRISTOPHER PAUL RICH AND JESSICA RICH, HUSBAND AND WIFE, TO ME KNOWN TO BE THE IDENTICAL PERSONS WHO EXECUTED THE WITHIN AND FOREGOING INSTRUMENT...

MY COMMISSION EXPIRES: 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...

BY: DAN E. TANNER LICENSED PROFESSIONAL LAND SURVEYOR OKLAHOMA NO. 1436

STATE OF OKLAHOMA)
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS DAY OF 2019, PERSONALLY APPEARED DAN E. TANNER, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING INSTRUMENT...

MY COMMISSION EXPIRES: NOTARY PUBLIC

DATE OF PREPARATION: January 24, 2019

24



Tulsa Metropolitan Area
Planning Commission

Case : Milo's

Hearing Date: February 20, 2019

Case Report Prepared by:

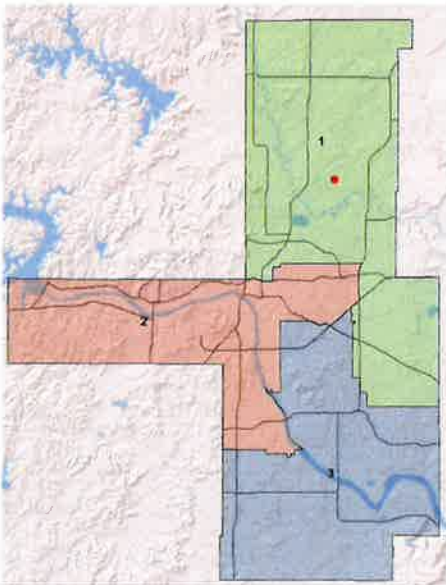
Nathan Foster

Owner and Applicant Information:

Applicant: John Droz, Cyntergy

Owner: 7611 Investment Company, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Preliminary Plat

1 lot, 1 block, 19.59+ acres

Location: Southeast corner of East 76th
Street North and North 75th East Avenue

Zoning: IL/IM

Staff Recommendation:

Staff recommends **approval** of the preliminary plat

County Commission District: 1

Commissioner Name: Stan Sallee

EXHIBITS: Site Map, Aerial, Preliminary Plat, Conceptual Improvements Plan

PRELIMINARY SUBDIVISION PLAT

Milo's - (County)

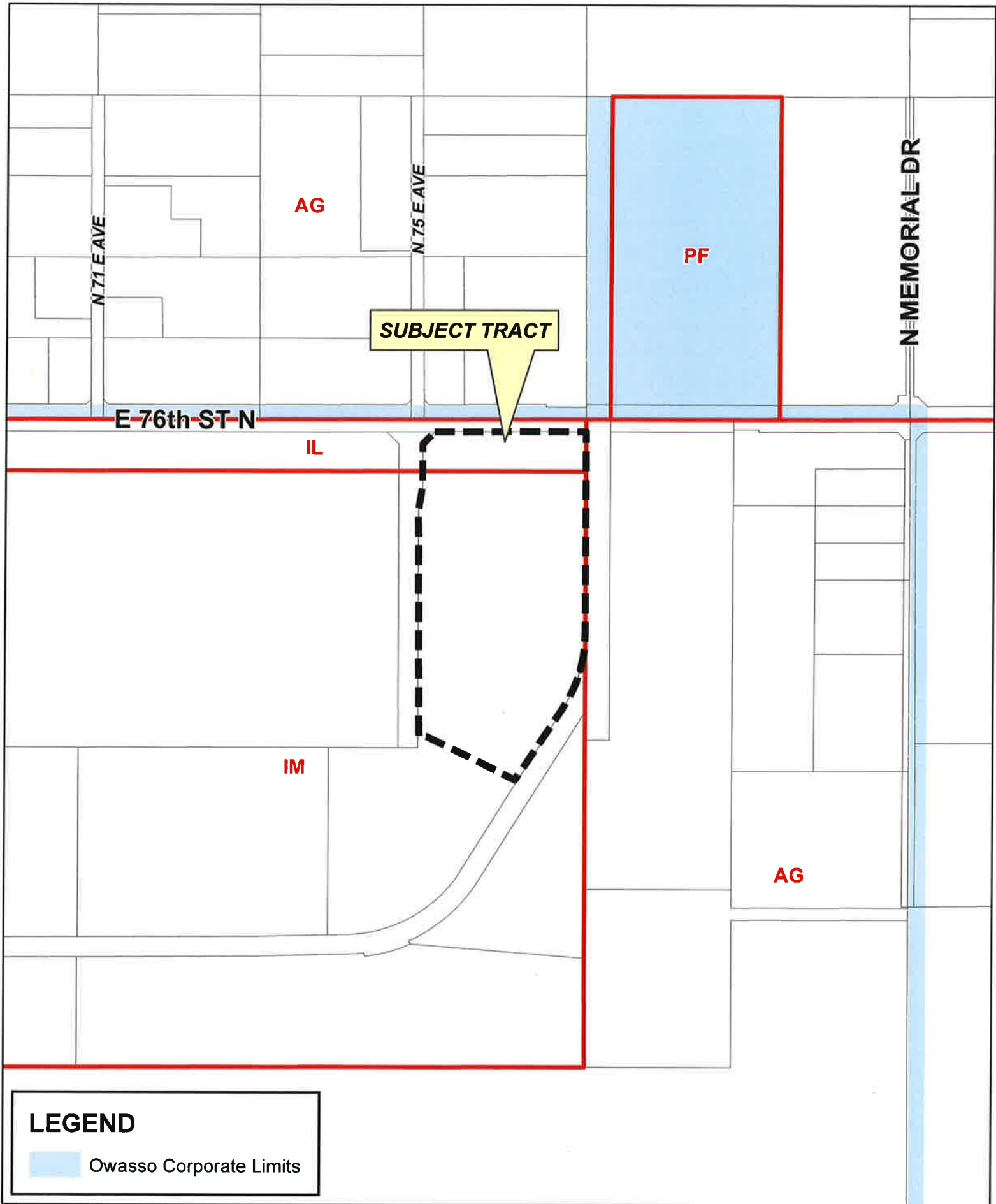
Southeast corner of East 76th Street North and North 75th East Avenue

This plat consists of 1 lot, 1 block on 19.59 ± acres.

The Technical Advisory Committee (TAC) met on February 7, 2019 and provided the following conditions:

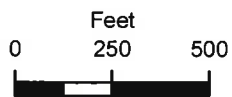
1. **Zoning:** The property is currently zoned both IM (Industrial-Moderate) and IL (Industrial-Light). The IL zoning is constrained to an area approximately 150' in depth running the length of the East 76th Street North frontage. Proposed lot conforms to the requirements of both zoning district requirement in the Tulsa County Zoning Code.
2. **Addressing:** INCOG will assign an address to the lot. Include lot address on the face of the final plat. Add address caveat/disclaimer to face of plat.
3. **Transportation & Traffic:** Dimension and label adjacent right-of-way with recording information or indicate "by plat".
4. **Sewer:** The site will be served by City of Tulsa sewer. Sewer main line extension is needed and will require appropriate easements. Infrastructure Development Plans (IDP) must be approved prior to approval of the final plat.
5. **Water:** The site will be served by City of Tulsa water. Water main line extension is needed and will require appropriate easements. Infrastructure Development Plans (IDP) must be approved prior to approval of the final plat.
6. **Engineering Graphics:** Submit a subdivision data control sheet with final plat submittal. Remove contours from final plat submittal.
7. **Stormwater, Drainage, & Floodplain:** Drainage must comply with all applicable County standards. County Engineer approval required.
8. **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 all other requirements of the Subdivision and Development Regulations.



LEGEND

 Owasso Corporate Limits



MILO'S

21-13 35

3.3





N 71 E AVE

N 75 E AVE

N MEMORIAL DR

E 76th ST N



Subject Tract

MILO'S

21-13 35

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

Aerial Photo Date: February 2018

3.4

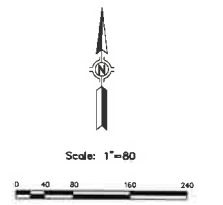
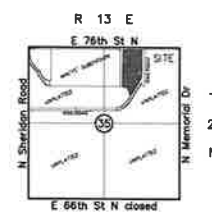


East 76th Street North



PRELIMINARY SUBDIVISION PLAT
Milo's

A PART OF SECTION 35, TOWNSHIP 21 NORTH, RANGE 13 EAST, INDIAN BASE & MERIDIAN
AN ADDITION TO TULSA COUNTY, STATE OF OKLAHOMA
ADDITION HAS 1 LOT IN 1 BLOCK AND CONTAINS 19.594 ACRES, MORE OR LESS



Location Map
SCALE: 1"=300'

Legend

ACC	ACCESS PERMITTED
B/L	BUILDING SETBACK LINE
BM	BENCHMARK
BC	BOUNDARY CORNER FOUND
CS	CONCRETE SET
CD	CONCRETE DRIVE
DE	DEFENDANT/GRANTEE EASEMENT
E/E	ELECTRIC EASEMENT
GA	GAS EASEMENT
U/A	UNITS OF NO ACCESS
OD/E	OVERLAND DRAINAGE EASEMENT
R/E	ROADWAY EASEMENT
RO	RIGHT-OF-WAY
SD/E	STORM DRAIN EASEMENT
SS/E	SANITARY SEWER EASEMENT
U/E	UTILITY EASEMENT
HW/E	RESTRICTED WATER LINE EASEMENT

OWNER/DEVELOPER:
MILO'S TEA COMPANY, INC
3112 DUBLIN LANE
BESSEMER, ALABAMA 35022
205-732-0556

ENGINEER:
CYNERGY
810 SOUTH CINCINNATI
TULSA, OKLAHOMA 74119
918-520-9576
CERTIFICATE OF AUTHORIZATION NO. 3537
RENEWAL DATE: JUNE 30, 2020
CHUCK MITCHELL
CMITCHEL@CYNERGY.COM

SURVEYOR:
BENCHMARK SURVEYING AND LAND SERVICES, INC.
P.O. BOX 1078
OWASSO, OK 74055
918-274-0081
CERTIFICATE OF AUTHORIZATION NO. 2235
RENEWAL DATE: JUNE 30, 2020
KEVIN M. NEWMAN
BENCHMARK@TASOK.COM

FINAL PLAT	
ENDORSEMENT OF APPROVAL	
Tulsa Metropolitan Planning Commission	Approved Date: _____
_____	TOWNSHIP
_____	CITY ENGINEER
_____	COUNTY ENGINEER
Council to the City of Tulsa: Chairman	Approved Date: _____
_____	CHAIRMAN
_____	MAYOR
_____	CITY ATTORNEY

The approval of the final plat will expire one year from the date of City Council approval or County Commission approval, whichever occurs first, if not filed in the office of the County Clerk within that date.

Lot Summary

LOT 1: 813,519 Square Feet (19,584 Acres) net

Basis of Bearing/Coordinates

THE BASIS OF BEARING IS THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE 3501, NAD83(1983) SURVEY FEET THE BEARING OF THE NORTH LINE OF THE NE/4 OF SECTION 35, T-21-N, R-13-E, INDIAN BASE & MERIDIAN IS N 88°45'27" E.

COORDINATES SHOWN ARE ON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE 3501, NAD83(1983)

NORTHEAST SUBDIVISION CORNER
3/8" REBAR 18" LONG W/ORANGE PLASTIC CAP LABELED RLS 1289
NORTHING 466,892.35; EASTING 2,500,942.34

SOUTH SUBDIVISION CORNER
3/8" REBAR 18" LONG W/ORANGE PLASTIC CAP LABELED RLS 1289
NORTHING 465,427.80; EASTING 2,590,889.04

ALL SUBDIVISION CORNERS ARE MONUMENTED WITH A 3/8" REBAR 18" LONG W/ORANGE PLASTIC CAP LABELED RLS 1289 OR AS SHOWN.

Addresses

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

Benchmarks

ADS 175: 1-1/2" CAP, STAMPED "175" IN NW QUADRANT OF INTERSECTION OF E 78TH ST N AND N 74th AVE
NORTHING 466,788.20 EASTING 2,581,627.79 ELEVATION 685.48(NAD83)

ADS 176: 1-1/2" CAP, STAMPED "176" IN NW QUADRANT OF INTERSECTION OF E 66th ST N AND N LEWIS AVE
NORTHING 481,303.01 EASTING 2,571,193.83 ELEVATION 601.24(NAD83)

SITE BENCHMARK 1: CHISELED BOX AT SW CORNER OF CONCRETE AT STORM DRAIN MANHOLE
NORTHING 465,562.77 EASTING 2,590,213.00 ELEVATION 614.84(NAD83)

Flood Note

THE SUBJECT TRACT IS LOCATED IN ZONE X (UNSHADED) AS SHOWN ON THE FEMA FLOOD INSURANCE RATE MAP 40143C0120L, REVISED DATE OCTOBER 16, 2012.

3.5

PRELIMINARY SUBDIVISION PLAT

Milo's

A PART OF SECTION 35, TOWNSHIP 21 NORTH, RANGE 13 EAST, 1.B.&M. AN ADDITION TO TULSA COUNTY, STATE OF OKLAHOMA. ADDITION HAS 1 LOT IN 1 BLOCK AND CONTAINS 19.594 ACRES, MORE OR LESS

Deed of Dedication and Declaration of Restrictive Covenants

KNOW ALL MEN BY THESE PRESENTS:

Milo's Tea Company, Inc., an Alabama Corporation, hereinafter referred to as the "Owner/Developer", is the owner of the following described land in Tulsa County, State of Oklahoma, to-wit:

A tract of land located in the West Half of the Northeast Quarter (W/2 NE/4) of Section Thirty-five (35) of Township Twenty-one (21) North and Range Thirteen (13) East of the Indian Base and Meridian (1.B.&M.), according to the U.S. Government Survey, thereof, Tulsa County, State of Oklahoma, being more particularly described as follows: Commencing at the NW corner of the NE/4 of Sec. 35, T-21-N, R-13-E, 1.B.&M.; Thence S 01°14'2" E a distance of 50.00 feet to the present right-of-way on East 76th Street North; Thence N 88°45'27" E along said present right-of-way a distance of 711.82 feet to the Point of Beginning being on the east right-of-way of platted North 75th East Avenue; Thence N 88°45'27" E along said present right-of-way a distance of 610.83 feet to the westerly railroad right-of-way, Thence S 01°14'00" E along said westerly railroad right-of-way (until otherwise noted) a distance of 803.39 feet, Thence along a curve to the right having a radius of 553.81 feet, a central angle of 33°09'05", a chord bearing of S 15°30'33" W, a chord length of 319.47 feet, for a distance of 333.86 feet; Thence S 32°15'00" W a distance of 348.91 feet, Thence N 65°31'50" W a distance of 97.19 feet; Thence N 65°26'33" W a distance of 282.08 feet; Thence N 54°49'44" W a distance of 21.73 feet; Thence S 88°45'36" W a distance of 32.50 feet to said east right-of-way of platted North 75th East Avenue; Thence N 01°14'24" W along said east right-of-way (until otherwise noted) a distance of 919.01 feet; Thence N 08°13'20" E a distance of 97.32 feet; Thence N 01°14'24" W a distance of 173.98 feet; Thence N 43°48'31" E a distance of 70.71 feet to the Point of Beginning, and containing 19.594 acres, more or less.

and has caused the above described tract of land to be surveyed, staked, plotted and subdivided into 1 Lot in 1 Block, in conformity with the accompanying plat and has designated the subdivisions as MLO'S, a subdivision in the City and County of Tulsa, Oklahoma (hereinafter referred to as "MLO'S", or the "Subdivision")

SECTION I. EASEMENTS AND UTILITIES

A. Utility Easements

1. The Owner/Developer does hereby dedicate to the public the utility easements as depicted on the accompanying plat as "U/E" 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, and equipment for each of such facilities and any other appliances thereto, with the rights of ingress and egress to and upon the utility easements for the wires and purposes aforesaid, provided however, the Owner/Developer hereby reserves the right to construct, maintain, operate, lay and renew water lines and sewer lines, together with the right of ingress and egress for such construction, maintenance, operation, laying and renewing over, across and along all of the utility easements depicted on the plat, for the purpose of furnishing water and/or sewer services to the area included in the plat. The Owner/Developer herein 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 when the utility easements depicted on the accompanying plat no building, structure or other above or below ground obstruction that interferes with the above set forth uses and purposes of an easement shall be placed, erected, installed or maintained, provided however, nothing herein shall be deemed to prohibit streets, parking areas, utilities, landscaping, auxiliary screening fences and walls that do not constitute an obstruction.

B. Restricted Waterline Easement

1. The Owner/Developer does hereby dedicate to the public perpetual easements on, over, and across those areas depicted on the accompanying plat as "Waterline Easement" as "Waterline Easement" for the purposes of constructing, maintaining, operating, repairing, replacing, and/or removing waterlines together with all fittings including the pipes, valves, meters and equipment and other appliances thereto together with rights of ingress and egress to and upon the easement for the uses and purposes aforesaid.

C. Underground Service

1. Street light poles or standards may be served by overhead line or underground cable and risers throughout the Subdivision and utility lines for the supply of electric, telephone and cable television services shall be located underground in the general utility easements, service easements and transformers, as sources of supply at secondary voltages, may also be located in the general utility easements.

2. Underground services cables to all structures which may be located within the Subdivision may be run from the nearest service pedestal or transformer to the point of usage determined by the location and construction of such structure as may be located upon the lot, provided that upon the installation of a service cable to a particular structure, the supplier of service shall thereafter be deemed to have a definitive, permanent, and effective easement on the lot, covering a 5 foot strip extending 2.5 feet on each side of the service cable, extending from the service pedestal or transformer to the service entrance on the structure.

3. The supplier of electric, telephone and cable television services, through its agents and employees, shall at all times have right of access to all general 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 and all electric, telephone, or cable television facilities installed by the supplier of the utility service.

4. The owner of each lot shall be responsible for the protection of the underground service facilities located on their lot and shall prevent the alteration of grade or any construction activity which would interfere with the electric, telephone, or cable television facilities. The supplier of service shall be responsible for the protection of underground utility facilities, but the lot owner shall pay for damage or restoration of such facilities caused or necessitated by acts of the owner or his agents or contractors.

5. The foregoing covenants set forth in this paragraph B shall be enforceable by the supplier of the electric, telephone, or cable television service, and the owner of the lot agrees to be bound hereby.

D. Water, Sanitary Sewer and Storm Sewer Services

1. The owner of the lot shall be responsible for the protection of the public water main, sanitary sewer mains and storm sewers located on its lot.

2. Within the utility easement and Restricted Waterline Easement areas 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.

3. The City or County of Tulsa, Oklahoma, or its successors, shall be responsible for the ordinary maintenance of public water main, sanitary sewer mains and storm sewers, but the owner of the lot shall pay for damage or restoration of such facilities caused or necessitated by acts of the owner or his agents or contractors.

4. The City or County of Tulsa, Oklahoma, or its successors or successors shall at all times have right of access to all 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 this paragraph C shall be enforceable by the City or County of Tulsa, Oklahoma, or their respective successors, and the owner of the lot agrees to be bound hereby.

E. Gas Service

1. The owner of each lot shall be responsible for the protection of gas facilities located on their lot.

2. Within the utility easement areas depicted on the accompanying plat, the owner of each lot shall prevent the alteration of grade or any construction activity which would interfere with a gas main.

3. The supplier of gas service shall be responsible for ordinary maintenance of gas mains, but the owner shall pay for damage or restoration of such facilities caused or necessitated by acts of the owner, its agents or contractors.

4. The supplier of gas service shall at all times have right of access to all 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 gas facilities.

5. Underground gas service lines to all structures which may be located within the Subdivision may be run from the nearest gas main to the point of usage determined by the location and construction of such structure as may be located upon the lot, provided that upon the installation of a service line to a particular structure, the supplier of gas shall thereafter be deemed to have a definitive, permanent and effective easement on the lot, covering a 5 foot strip extending 2.5 feet on each side of the service line, extending from the gas main to the service entrance on the structure.

6. The foregoing covenants set forth in this paragraph D shall be enforceable by the supplier of gas service, and the owner of each lot agrees to be bound hereby.

F. Surface Drainage and Lot Grading Restriction

1. Each lot shall receive and drain, in an unobstructed manner, the storm and surface waters from the drainage areas of higher elevation and from public streets and adjacent areas of the lot, provided that upon the installation of any fencing or other obstruction that would impede the drainage of storm and surface waters over and across any lot. The foregoing covenants set forth in this paragraph shall be enforceable by any affected lot owner and by the City or County of Tulsa, Oklahoma, as appropriate.

G. Limits of No Access

1. The undersigned Owner/Developer hereby relinquishes rights of vehicular ingress or egress from any portion of the property adjacent to East 76th Street North and North 76th East Avenue within the bounds designated as "Limits of No Access" (L.N.A.) on the accompanying plat, which "Limits of No Access" may be amended or released by the Tulsa Metropolitan Area Planning Commission or its successor, or with the approval of the City of Tulsa, Oklahoma, or as otherwise provided by the statutes and laws of the State of Oklahoma pertaining thereto, and the Limits of No Access above established shall be enforceable by the County of Tulsa.

H. Overland Drainage Easements

1. The Owner/Developer does hereby grant to the County of Tulsa, Oklahoma and establish perpetual easements on, over, and across those areas designated on the accompanying plat as "Drainage" or "Overland Drainage Easement" for the purposes of permitting the overland flow, conveyance, and discharge of stormwater runoff from the various lots within the Subdivision.

2. Drainage facilities constructed within drainage easements shall be in accordance with the approved standards of the County of Tulsa, Oklahoma and plans and specifications approved by the County of Tulsa, Oklahoma.

3. No fence, wall, building or other obstruction may be placed or maintained in the overland drainage easement areas nor shall there be any alteration of the grades or contours in the easement areas unless approved by the County of Tulsa, Oklahoma, provided, however, that the planting of turf shall not require the approval of the County of Tulsa, Oklahoma.

4. The overland drainage easement areas and facilities located within a lot shall be maintained by the owner of the lot upon which the drainage easement is located at its cost in accordance with standards prescribed by the County of Tulsa, Oklahoma. In the event the owner of a lot over which an overland drainage easement is located should fail to properly maintain the easement areas and facilities located thereon or in the event of the placement of an obstruction within the easement areas, or the alteration of the grade or contour thereof, the County of Tulsa, Oklahoma, or its designated contractor may enter the easement areas and perform maintenance necessary to the achievement of the intended drainage functions and may remove any obstruction or correct any alteration of grade or contour, and the costs thereof shall be paid by the owner. In the event the owner fails to pay the cost of maintenance after completion of the maintenance and receipt of a statement of costs, the County of Tulsa, Oklahoma, may file of record a copy of the statement of costs, and thereafter the costs shall be a lien against the lot of the owner. A lien established as above provided may be foreclosed by the County of Tulsa, Oklahoma.

5. The above ground area of the drainage and detention easement shall be maintained by the owner of the lot within which the easement is located, and maintenance shall be in accordance with standards prescribed by Tulsa County, Oklahoma. In the event the lot owner fails to properly maintain the drainage and detention easement or, in the event of the placement of an obstruction within the drainage and detention easement, or the alteration of the grade thereon, Tulsa County, or its designated contractor may enter the easement and perform maintenance necessary to achieve the intended drainage functions and may remove any obstruction or correct any alteration of grade, and the costs thereof shall be paid by the lot owner. In the event the lot owner fails to pay the cost of maintenance after completion of the maintenance and receipt of a statement of costs, Tulsa County may file of record a copy of the statement of costs, and thereafter the costs shall be a lien against the lot. A lien established as above may be foreclosed by Tulsa County.

6. The foregoing covenants set forth in this paragraph H shall be enforceable by the City or County of Tulsa, Oklahoma, or their successors, and the owner of the lot agrees to be bound hereby.

I. Drainage and Detention Easement

1. The owner does hereby dedicate to the public perpetual easements on, over, and across those areas depicted on the accompanying plat as "Drainage and Detention Easement" for the purposes of permitting the overland flow, conveyance, and discharge of stormwater runoff from Lot 1 in Block 1 and for the purposes of constructing, maintaining, operating, removing and replacing storm sewers, and any appliances thereto, with the rights of ingress and egress to and upon the drainage easements for the uses and purposes stated.

2. Drainage facilities located within the Drainage and Detention Easement shall be constructed in accordance with standards and specifications approved by Tulsa County, Oklahoma, or its successors.

3. No fence, wall, building or other obstruction shall be placed or maintained in the Drainage and Detention Easement, nor shall there be any alteration of grade in the easement areas unless approved by Tulsa County, Oklahoma, provided the planting of turf shall not require the approval of Tulsa County.

4. The above ground area of the drainage and detention easement shall be maintained by the owner of the lot within which the easement is located, and maintenance shall be in accordance with standards prescribed by Tulsa County, Oklahoma. In the event the lot owner fails to properly maintain the drainage and detention easement or, in the event of the placement of an obstruction within the drainage and detention easement, or the alteration of the grade thereon, Tulsa County, or its designated contractor may enter the easement and perform maintenance necessary to achieve the intended drainage functions and may remove any obstruction or correct any alteration of grade, and the costs thereof shall be paid by the lot owner. In the event the lot owner fails to pay the cost of maintenance after completion of the maintenance and receipt of a statement of costs, Tulsa County may file of record a copy of the statement of costs, and thereafter the costs shall be a lien against the lot. A lien established as above may be foreclosed by Tulsa County.

5. The above ground area of the drainage and detention easement shall be maintained by the owner of the lot within which the easement is located, and maintenance shall be in accordance with standards prescribed by Tulsa County, Oklahoma. In the event the lot owner fails to properly maintain the drainage and detention easement or, in the event of the placement of an obstruction within the drainage and detention easement, or the alteration of the grade thereon, Tulsa County, or its designated contractor may enter the easement and perform maintenance necessary to achieve the intended drainage functions and may remove any obstruction or correct any alteration of grade, and the costs thereof shall be paid by the lot owner. In the event the lot owner fails to pay the cost of maintenance after completion of the maintenance and receipt of a statement of costs, Tulsa County may file of record a copy of the statement of costs, and thereafter the costs shall be a lien against the lot. A lien established as above may be foreclosed by Tulsa County.

6. The foregoing covenants set forth in this paragraph I shall be enforceable by the City or County of Tulsa, Oklahoma, or their successors, and the owner of the lot agrees to be bound hereby.

J. Paving and Landscaping Within Easements

1. The owner of the lot affected shall be responsible for the repair of damage to landscaping and other occurrences, by necessary installation or maintenance of underground water, sewer, storm, sanitary sewer, telephone, cable television, or electric facilities within the utility easement areas depicted upon the accompanying plat, provided however, the City or County of Tulsa, Oklahoma, or its successors, or the supplier of the utility service shall use reasonable care in the performance of such activities.

K. Sidewalks

1. Sidewalks are required along East 76th Street North and North 76th East Avenue in accordance with the Tulsa Metropolitan Area Subdivision and Development Regulations. Required sidewalks shall be constructed in conformance with the Tulsa County Engineering Design Standards. Where the sidewalks are not constructed by the Owner/Developer, the builder of each lot must construct the required sidewalks at the time of development of such lot.

SECTION II. ENFORCEMENT, DURATION, AMENDMENT AND SEVERABILITY

A. Enforcement

1. The restrictions herein set forth are covenants to run with the land and shall be binding upon the Owner/Developer, its successors and assigns. Within the provisions of Section I, Easements and Utilities are set forth certain covenants and the enforcement rights pertaining thereto, and additionally the covenants within Section I, whether or not specifically therein set stated, shall inure to the benefit of and shall be enforceable by the City and County of Tulsa, Oklahoma.

B. Duration

1. These restrictions and covenants, 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

1. The covenants contained within Section I, Easements and Utilities 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 the City and County of Tulsa, Oklahoma. The provisions of any instrument amending or terminating covenants as above set forth shall be effective from and after the date it is properly recorded in the records of the County Clerk of Tulsa County.

D. Severability

1. 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 set forth herein, which shall remain in full force and effect.

IN WITNESS WHEREOF, Owner/Developer, has executed this instrument this ___ day of _____, 2019.

Milo's Tea Company, Inc. an Alabama Corporation

By _____

Manager

State of Oklahoma) ss.

County of Tulsa)

This instrument was acknowledged before me on this ___ day of _____, 2019, by _____ as Manager

Notary Public

My commission expires: _____

Certificate of Survey

I, Kevin M. Newlin, a registered professional land surveyor in the State of Oklahoma, do hereby certify that I have carefully and accurately surveyed, staked, subdivided, and plotted the tract of land described above, and that the accompanying plat designated herein as MLO'S, a Subdivision in the City and County of Tulsa, State of Oklahoma, is a representation of the survey made on the ground using generally accepted practices and meets or exceeds the Oklahoma Minimum Standards for the practice of land surveying.

Kevin M. Newlin Date

Registered Professional Land Surveyor

Oklahoma No. 1299

STATE OF OKLAHOMA) ss.

COUNTY OF TULSA)

Before me, the undersigned a Notary Public in and for said State of Oklahoma, do hereby certify that I am known to be and personally appeared Kevin M. Newlin, to me known to be the identical person who subscribed his name as the maker thereof to the foregoing instrument, and acknowledged to me that he executed the same as his free and voluntary act and deed, for the uses and purposes set forth therein. Given under my hand and seal of office the day and year last above written.

Notary Public

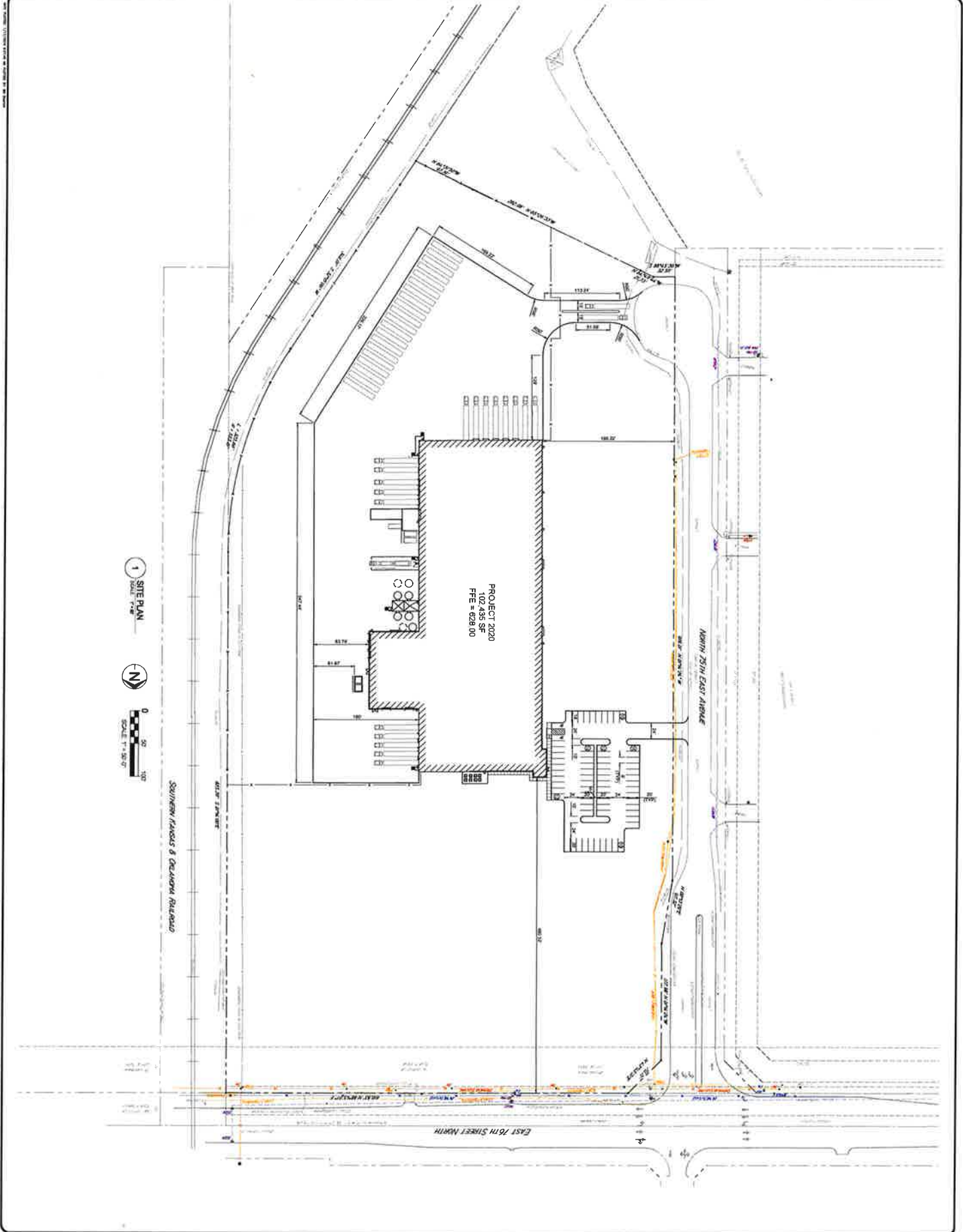
My Commission Expires: _____

Commission No. _____



3.16

3.7



CS101

PROGRESS
NOT FOR
CONSTRUCTION

DATE: 10/20/20
DRAWN BY: JLD
CHECKED BY: JLD
DATE: 10/20/20

CLIENT: MILO'S TEA COMPANY, INC.
BESSEMER, AL

PROJECT: NEW MANUFACTURING PLANT
OWASSO, OK

DRAWING TITLE: SITE PLAN



NO.	DATE	BY	REVISION

Design Group
Facility Solutions

100 EAST 15TH STREET, SUITE 100 TULSA, OK 74104
PHONE: (918) 435-3751 FAX: (918) 800-0772
OKLAHOMA CERT. OF AUTH. NO. 5220

CYNERGY

810 SOUTH CROWBATH
SECOND FLOOR
TULSA, OK 74118
918.871.800
www.cynergy.com



Tulsa Metropolitan Area
Planning Commission

Case : Boulder Pointe

Hearing Date: February 20, 2019

Case Report Prepared by:

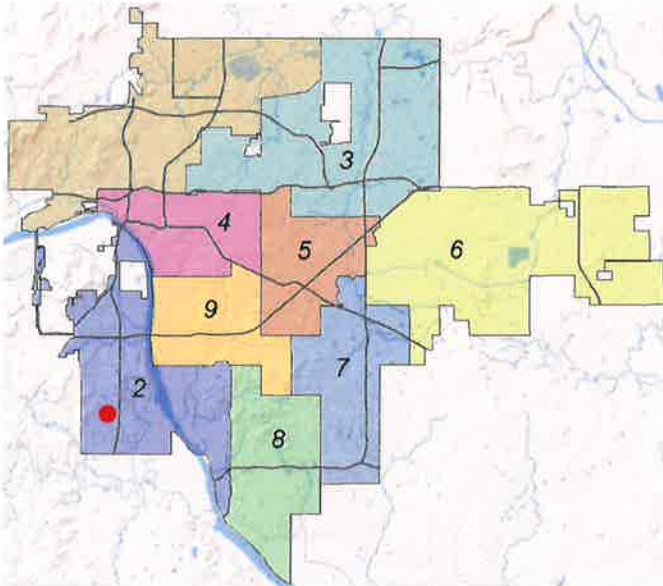
Nathan Foster

Owner and Applicant Information:

Applicant: Tanner Consulting, LLC

Owner: Precision Project Management, INC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Preliminary Plat and a Modification of the Subdivision & Development Regulations to allow flag lots

16 lots, 1 block, 7.05 ± acres

Location: Northwest corner of West 78th Street South and South Union avenue

Zoning: RS-3

Staff Recommendation:

Staff recommends **approval** of the preliminary plat and the modification request

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

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

4.1

PRELIMINARY SUBDIVISION PLAT

Boulder Pointe - (City of Tulsa, CD 2)

Northwest corner of West 78th Street South and South Union Avenue

This plat consists of 16 lots, 1 block on 7.05 ± acres.

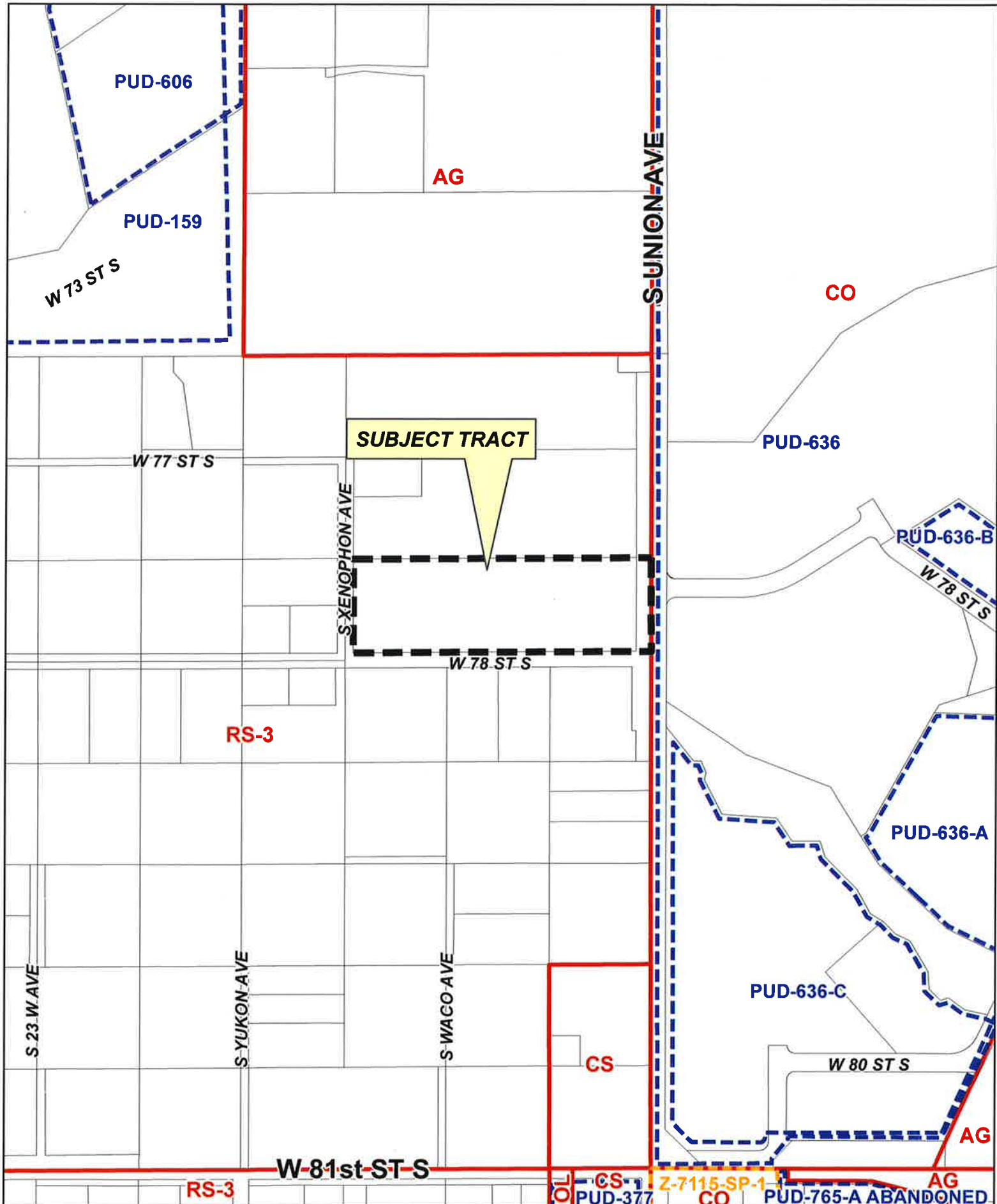
The Technical Advisory Committee (TAC) met on February 7, 2019 and provided the following conditions:

1. **Zoning:** The property is zoned RS-3 (Residential Single-Family). The proposed lots conform to the lot regulations of the zoning district. Zoning on the property was established in 1970.
2. **Addressing:** City of Tulsa will assign addresses to the proposed lots. Include addresses on the face of the final plat and provide address disclaimer.
3. **Transportation & Traffic:** Dimension and label adjacent right-of-way with recording information or indicate "by plat". Sidewalks required along South Union Avenue.
4. **Sewer:** The site will be served by City of Tulsa sewer. Sewer main line extension is needed and will require appropriate easements. Infrastructure Development Plans (IDP) must be approved prior to approval of the final plat. Correct easement dimensions/depictions.
5. **Water:** City of Tulsa water service in the area.
6. **Engineering Graphics:** Submit a subdivision data control sheet with final plat submittal. Remove contours from final plat submittal. Make location map corrections as stated. Correct written legal description to match face of the plat.
7. **Airport:** Avigation notice required to be affixed to the face of the plat. Federal Aviation Administration obstruction evaluation required prior to construction.
8. **Stormwater, Drainage, & Floodplain:** Substantial offsite runoff from the north will be required to be intercepted and placed in appropriate drainage easements. Onsite detentions areas and any storm sewer which will convey offsite flows are required to be placed in easements.
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.

Modification of the Subdivision & Development Regulations:

A modification is required to approve the proposed configuration of Lots 13, 14, and 15 on the preliminary plat due to the existing topography on the property and a desire to utilize the north end of the property for larger lots.

Staff recommends **APPROVAL** of the preliminary subdivision plat and the requested modification of the Subdivision & Development Regulations subject to the conditions provided by TAC and all other requirements of the Subdivision and Development Regulations.



SUBJECT TRACT

AG

CO

PUD-636

PUD-636-B

PUD-636-A

PUD-636-C

CS

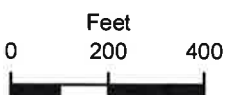
AG

RS-3

CS PUD-377

Z-7115-SP-1

CO PUD-765-A ABANDONED

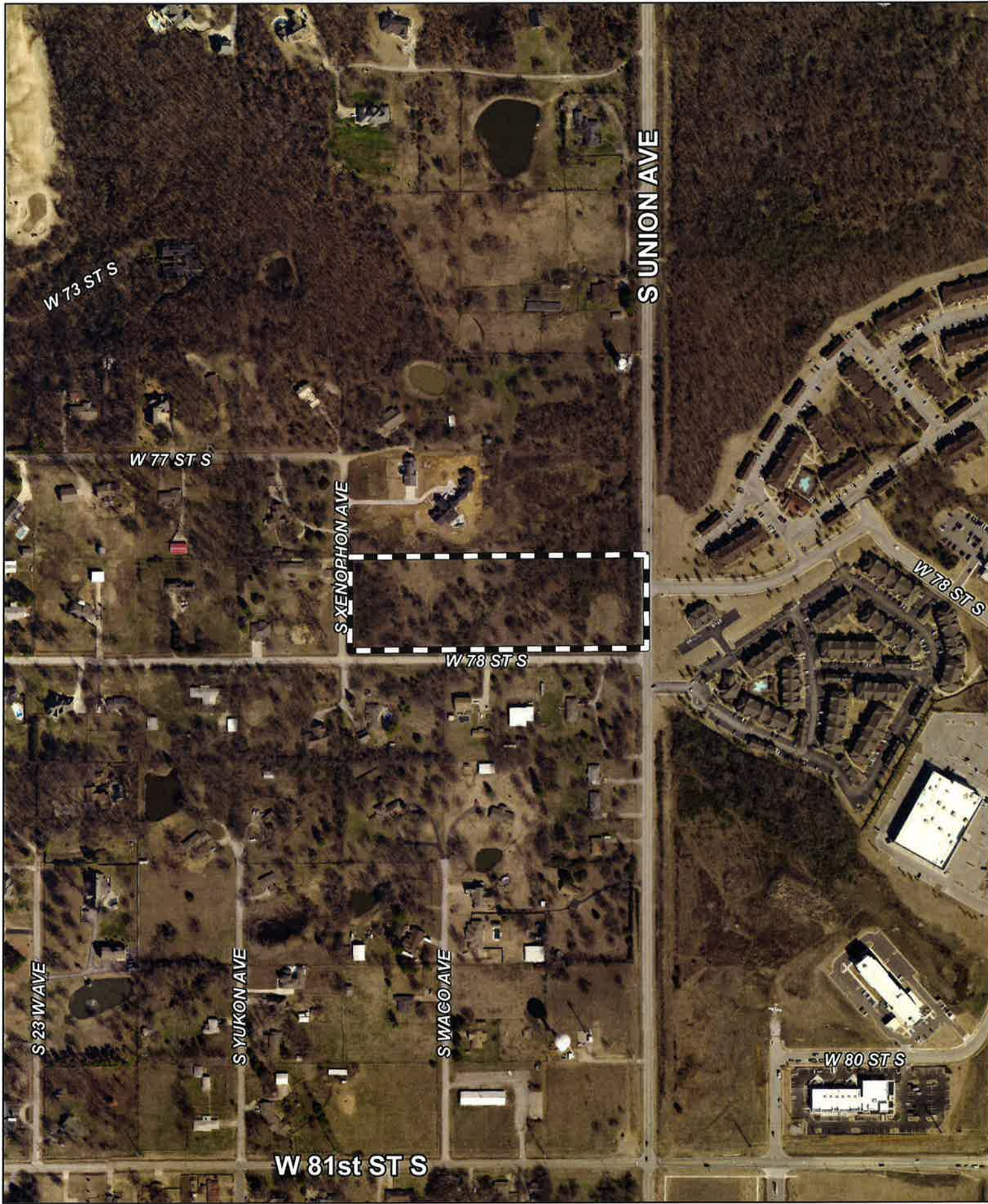


**BOULDER
POINTE**

18-12 10

4.4





S UNION AVE

W 73 ST S

W 77 ST S

S XENOPHON AVE

W 78 ST S

W 78 ST S

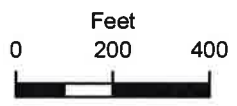
S 23 W AVE

S YUKON AVE

S WACO AVE

W 81st ST S

W 80 ST S



Subject Tract

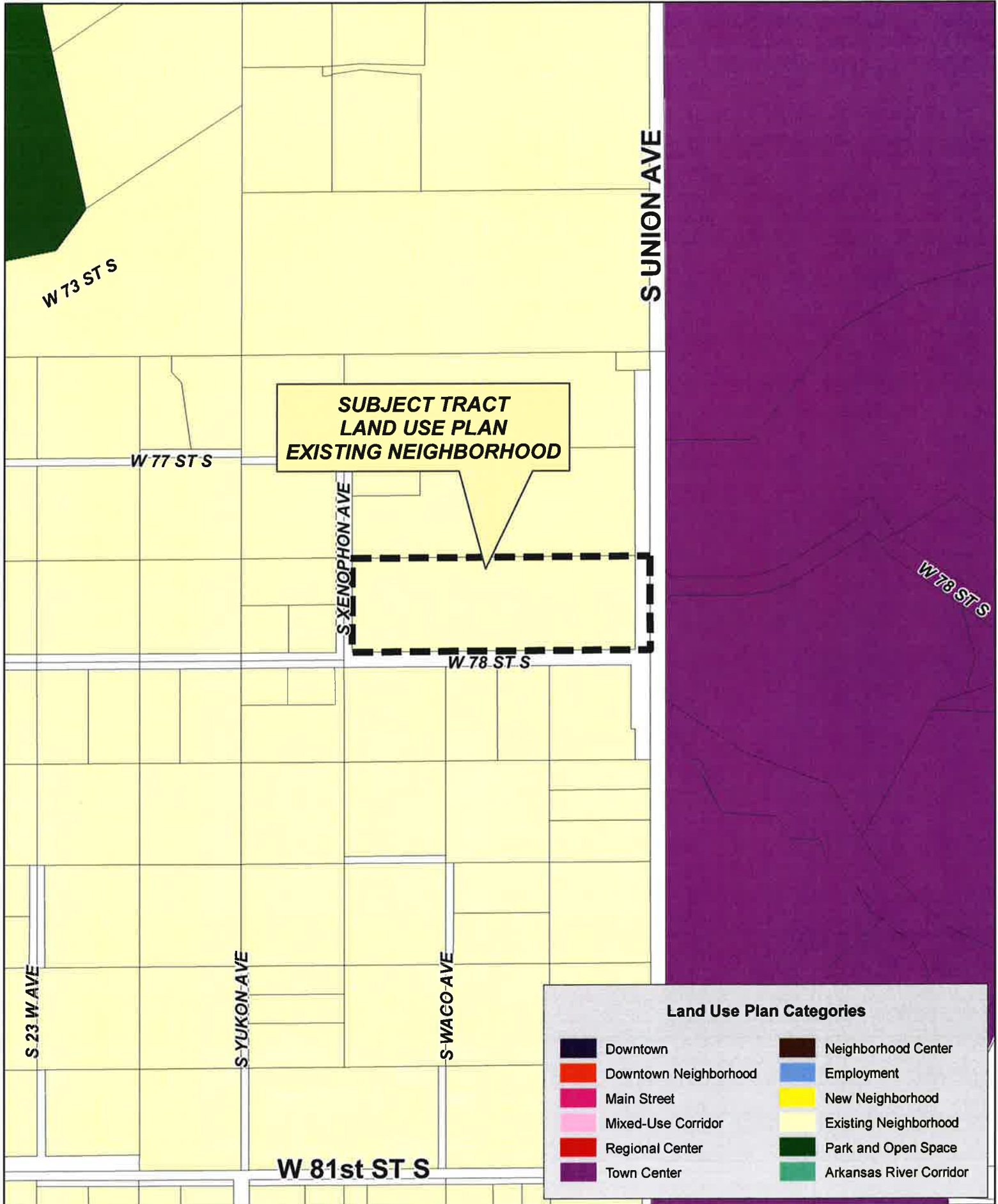
BOULDER POINTE

18-12 10

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

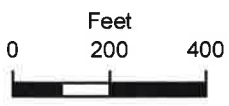
Aerial Photo Date: February 2018





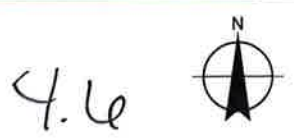
**SUBJECT TRACT
LAND USE PLAN
EXISTING NEIGHBORHOOD**

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



**BOULDER
POINTE**

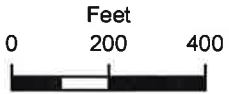
18-12 10





Growth and Stability

- Area of Growth
- Area of Stability



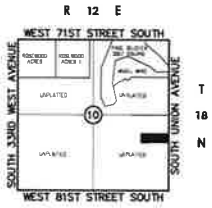
**BOULDER
POINTE**

18-12 10

4.7



4.8



Location Map
Scale: 1"= 200'

SUBDIVISION CONTAINS:
SATELLITE LOTS
IN ONE (1) BLOCK,
WITH NO RESERVE AREAS.
GROSS SUBDIVISION AREA: 7.252 ACRES.

Preliminary Plat

Boulder Pointe

PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION TEN (10)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST, OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

OWNER:
Precision Project Management Inc.
CONTACT: JAMIE SHELTON
9128 South Braden Avenue
Tulsa, Oklahoma 74127
Phone: (918) 814-0881

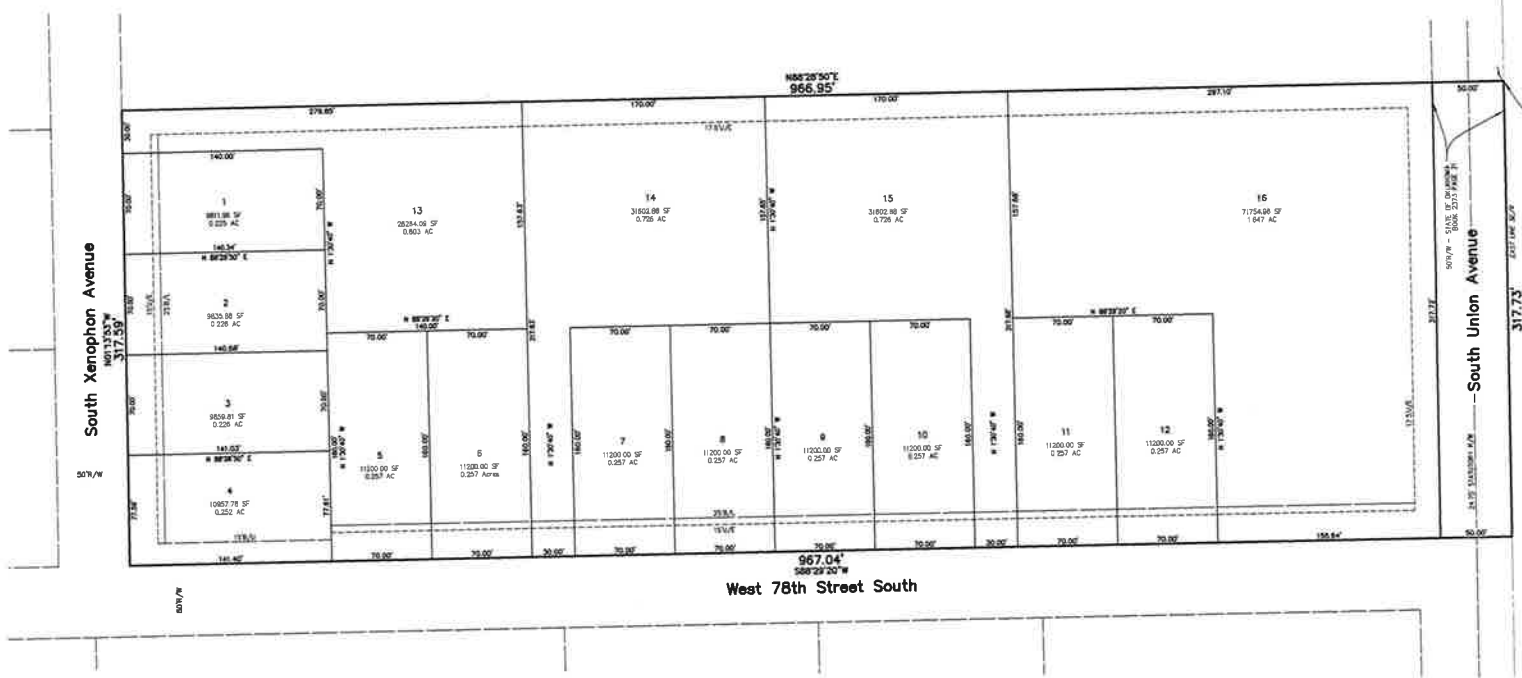
SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.
DAN E. TANNER, P.L.S., NO. 2455
OK CA NO. 2661, EXPIRES 6/30/2019
EMAIL: DAN@TANNERBAITSHOP.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929



LEGEND

- BL BUILDING LINE
- B/U BUILDING LINE & UTILITY EASEMENT
- BOOK & PAGE
- CB CHORD BEARING
- CD CHORD DISTANCE
- CL CENTERLINE
- Δ DELTA ANGLE
- DOC DOCUMENT
- ESMT EASEMENT
- LMA LIMITS OF NO ACCESS
- RAW RIGHT-OF-WAY
- U/E UTILITY EASEMENT
- AAA ADDRESS ASSIGNED

FINAL PLAT ENDORSEMENT OF APPROVAL	
Tulsa Metropolitan Area Planning Commission	
Approval Date: _____	
TMAPC/CCDC	
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:**
- 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 1433" UNLESS OTHERWISE NOTED.
 - THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, NORTH ZONE (3304); NORTH AMERICAN DATUM (83) (NAD83); SAID BEARINGS ARE BASED LOCALLY UPON FIELD-OBSERVED TIES TO THE FOLLOWING MONUMENTS:
 - (A) FOUND BRASS CAP STEM AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 10.
 - (B) FOUND 3/8" IRON PIN STAMPED "TULSA CO 4038" AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 10.
 THE BEARING BETWEEN SAID MONUMENTS BEING NORTH 17°45'32" WEST.
 - ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AT THE TIME THE PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
 - ACCESS AT THE TIME OF PLAT WAS PROVIDED BY WEST 78TH STREET SOUTH, BEING A PUBLIC STREET.

DATE OF PREPARATION: January 24, 2019

Preliminary Plat

Boulder Pointe

PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION TEN (10)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST, OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

DEED OF DEDICATION & RESTRICTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS:

PRECISION PROJECT MANAGEMENT, INC., AN OKLAHOMA CORPORATION, HEREINAFTER REFERRED TO AS THE "OWNER," IS THE OWNER OF THE FOLLOWING DESCRIBED LAND IN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA:

PER OUR CLAIM DEED FILED OF RECORD OCTOBER 20, 2015 IN THE RECORDS OF THE TULSA COUNTY CLERK, AS DOCUMENT NO. 2015093492:

A TRACT OF LAND LOCATED IN THE NORTHEAST QUARTER (NE/4) OF THE SOUTHEAST QUARTER (SE/4) OF SECTION TEN (10), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE NORTHEAST CORNER OF SAID SE/4; THENCE 500°04'30" E ALONG THE EAST LINE OF SAID SE/4 A DISTANCE OF 660.0 FEET TO A POINT; SAID POINT BEING THE POINT OF BEGINNING; THENCE S89°39'12" W A DISTANCE OF 966.95 FEET TO A POINT, THENCE S00°03'17" E A DISTANCE OF 317.59 FEET TO A POINT; THENCE N69°39'42" E A DISTANCE OF 807.04 FEET TO A POINT ON THE EAST LINE OF SAID SE/4; THENCE N00°34'30" W ALONG THE EAST LINE OF SAID SE/4 A DISTANCE OF 317.73 FEET TO THE POINT OF BEGINNING, SUBJECT TO ROADWAY RIGHT-OF-WAYS ON THE EAST LINE;

SAID TRACT CONTAINING XXXXXX SQUARE FEET OR XXXXXX ACRES.

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

- (1) FOUND XXX;
- (2) FOUND XXX;

THE BEARINGS BETWEEN SAID MONUMENTS BEING XXXXXX'XXX'XXX'.

PRECISION PROJECT MANAGEMENT, INC., AN OKLAHOMA LIMITED LIABILITY COMPANY, CAUSED THE ABOVE DESCRIBED LAND TO BE SURVEYED, STAKED, PLATTED, AND SUBDIVIDED INTO BLOCKS, LOTS, RESERVE AREAS AND STREETS AND HAS DESIGNATED THE SAME AS "BOULDER POINTE", A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, OKLAHOMA (THE "SUBDIVISION").

SECTION I, EASEMENTS AND UTILITIES

A. GENERAL UTILITY EASEMENTS

THE OWNER HEREBY DEDICATES TO THE PUBLIC THE UTILITY EASEMENTS AS DEPICTED ON THE ACCOMPANYING PLAT AS "UTL" 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, ELECTRIC POWER LINES AND TRANSFORMERS, GAS LINES, WATER LINES, TELEPHONE, COMMUNICATION, AND CABLE TELEVISION LINES, TOGETHER WITH ALL FITTINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND ANY OTHER APPURTENANCES THERETO, WITH THE RIGHTS OF ACCESS AND EGRESS TO, OVER AND UNDER THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, OWNER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY, AND REPAIR OR REPLACE WATER LINES AND SEWER LINES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS FOR SUCH CONSTRUCTION, MAINTENANCE, OPERATION, LAYING, REPAIRING, AND REPLACING OVER, ACROSS AND ALONG ALL OF THE UTILITY EASEMENTS DEPICTED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. OWNER HEREBY IMPOSES A RESTRICTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA, AND BY THE SUPPLIER OF ANY AFFECTED UTILITY SERVICE THAT, WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, NO BUILDING, STRUCTURE, OR OTHER ABOVE OR BELOW GROUND OBSTRUCTION THAT INTERFERES WITH THE ABOVE SET FORTH USES AND PURPOSES OF A UTILITY EASEMENT SHALL BE PLACED, ERRECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT PROPERLY PERMITTED DRIVES, PARKING AREAS, CURBING, LANDSCAPING AND CUSTOMARY SCREENING FENCES THAT DO NOT CONSTITUTE AN OBSTRUCTION.

B. UNDERGROUND SERVICES

1. OVERHEAD POLES FOR THE SUPPLY OF ELECTRIC, TELEPHONE, COMMUNICATION, AND CABLE TELEVISION SERVICES MAY BE LOCATED ALONG THE ADJACENT SIDEWALKS OR STREETS OR STANDARDS MAY BE SERVED ONLY BY UNDERGROUND CABLE AND, EXCEPT AS PROVIDED IN THE IMMEDIATELY PRECEDING SENTENCE, ALL SUPPLY LINES INCLUDING ELECTRIC, TELEPHONE, COMMUNICATION, CABLE TELEVISION, AND GAS LINES SHALL BE LOCATED UNDERGROUND IN THE EASEMENTS-RESERVED FOR GENERAL UTILITY SERVICES AS DEPICTED ON THE ACCOMPANYING PLAT. SERVICE PEDESTALS AND TRANSFORMERS, AS SOURCES OF SUPPLY AT SECONDARY VOLTAGES, MAY ALSO BE LOCATED IN THE UTILITY EASEMENTS.

2. UNDERGROUND SERVICE CABLES AND GAS SERVICE LINES TO ALL STRUCTURES LOCATED WITHIN THE SUBDIVISION MAY BE RUN FROM THE NEAREST GAS MAIN, SERVICE PEDESTAL, OR TRANSFORMER TO THE POINT OF USAGE DETERMINED BY THE LOCATION AND CONSTRUCTION OF SUCH STRUCTURE, PROVIDED THAT, UPON THE INSTALLATION OF A SERVICE CABLE OR GAS SERVICE LINE TO A PARTICULAR STRUCTURE, THE SUPPLIER OF SERVICE SHALL THEREAFTER BE DEEMED TO HAVE A DEFINITIVE, PERMANENT, EFFECTIVE, AND NON-EXCLUSIVE EASEMENT ON THE LOT COVERING A 5 FOOT STRIP EXTENDING 2.5 FEET ON EACH SIDE OF THE SERVICE CABLE OR LINE, EXTENDING FROM THE SERVICE PEDESTAL, GAS MAIN, OR TRANSFORMER TO THE SERVICE ENTRANCE ON THE STRUCTURE.

3. THE SUPPLIERS OF ELECTRIC, TELEPHONE, COMMUNICATION, CABLE TELEVISION, AND GAS SERVICES, THROUGH THEIR AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS TO ALL UTILITY EASEMENTS SHOWN ON THE PLAT OR OTHERWISE PROVIDED FOR IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, OR REPLACING ANY PORTION OF THE UNDERGROUND ELECTRIC, TELEPHONE, COMMUNICATION, CABLE TELEVISION, OR GAS FACILITIES INSTALLED BY THE SUPPLIER OF THE UTILITY SERVICE.

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

5. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE SUPPLIERS OF ELECTRIC, TELEPHONE, COMMUNICATION, CABLE TELEVISION, AND GAS SERVICE AND THE OWNER OF EACH LOT WITHIN THE SUBDIVISION AGREES TO BE BOUND HEREBY.

C. GAS SERVICE

1. THE SUPPLIER OF GAS SERVICE, THROUGH ITS AGENTS AND EMPLOYEES, SHALL AT ALL TIMES HAVE THE RIGHT OF ACCESS WITH THEIR EQUIPMENT TO ALL UTILITY EASEMENTS DEPICTED ON THE PLAT OR OTHERWISE PROVIDED IN THIS DEED OF DEDICATION FOR THE PURPOSE OF INSTALLING, MAINTAINING, REMOVING, REPAIRING, OR REPLACING ANY PORTION OF THE FACILITIES INSTALLED BY THE SUPPLIER OF GAS SERVICE.

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

3. THE COVENANTS SET FORTH IN THIS SUBSECTION SHALL BE ENFORCEABLE BY THE SUPPLIER OF GAS SERVICE OR ITS SUCCESSORS AND THE OWNER OF THE LOT AGREES TO BE BOUND HEREBY.

D. WATER, SANITARY SEWER, AND STORM SEWER SERVICE

1. THE OWNER OF EACH LOT SHALL BE RESPONSIBLE FOR THE PROTECTION OF THE PUBLIC WATER MAINS, SANITARY SEWER MAINS, AND STORM SEWERS LOCATED ON THEIR LOT.

2. WITHIN THE UTILITY EASEMENTS DEPICTED ON THE ACCOMPANYING PLAT, THE ALTERATION OF GRADE FROM THE CONTROLS 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, OKLAHOMA, WILL INTERFERE WITH SAID PUBLIC WATER MAINS, SANITARY SEWER MAINS, OR STORM SEWERS, SHALL BE PROHIBITED.

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 SHALL PAY FOR DAMAGE OR RELOCATION OF SUCH FACILITIES CAUSED OR NECESSITATED BY ACTS OF THE LOT OWNER OR SUCH OWNERS AGENTS AND/OR CONTRACTORS.

4. THE CITY OF TULSA, OKLAHOMA, OR ITS SUCCESSORS, SHALL AT ALL TIMES HAVE RIGHT OF ACCESS WITH THEIR EQUIPMENT 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 THE UNDERGROUND WATER, SANITARY SEWER, AND STORM SEWER FACILITIES.

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

E. SURFACE DRAINAGE

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

F. PAVING AND LANDSCAPING WITHIN EASEMENTS

THE OWNER OF THE LOT AFFECTED 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, ELECTRIC, TELEPHONE, COMMUNICATION, OR CABLE TELEVISION FACILITIES WITHIN THE UTILITY EASEMENT AREAS DEPICTED UPON THE ACCOMPANYING PLAT, PROVIDED HOWEVER, 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.

G. SIDEWALKS

SIDEWALKS SHALL BE CONSTRUCTED AND MAINTAINED ALONG STREETS DESIGNATED BY AND IN ACCORDANCE WITH THE SUBDIVISION REGULATION OF THE CITY OF TULSA, OKLAHOMA, AND IN CONFORMANCE WITH THE CITY OF TULSA ENGINEERING DESIGN STANDARDS. PRIOR TO THE ISSUANCE OF AN OCCUPANCY PERMIT FOR THE DWELLINGS 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 CONTINUOUS WITH ADJOINING SIDEWALKS.

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 THE CONSTRUCTION OF THE REQUIRED INFRASTRUCTURE 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 IN THE CITY'S SOLE DISCRETION, UNDER THE CIRCUMSTANCES SUPPORTING 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 FROM THE CITY'S ACCEPTANCE OF THE INFRASTRUCTURE SHALL BE AT THE RISK OF THE OWNER OF THE LOT, NOTWITHSTANDING THE ISSUANCE OF A BUILDING PERMIT OR A TEMPORARY CERTIFICATE OF OCCUPANCY.

SECTION II, ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, & SEVERABILITY

A. ENFORCEMENT AND DURATION

THE RESTRICTIONS HEREIN SET FORTH SHALL BE COVENANTS RUNNING WITH THE LAND AND SHALL BE BINDING UPON THE OWNER, ITS GRANTEE, TRANSFEREE, SUCCESSORS AND ASSIGNS AND ALL PARTIES CLAIMING UNDER IT FOR A PERIOD OF TWENTY-FIVE (25) YEARS FROM THE DATE OF RECORDING OF THIS DEED OF DEDICATION, AFTER WHICH TIME SAID COVENANTS SHALL BE AUTOMATICALLY EXTENDED FOR SUCCESSIVE PERIODS OF TEN (10) YEARS UNLESS AMENDED OR TERMINATED AS HEREIN PROVIDED. WITHIN THE PROVISIONS OF SECTIONS I, EASEMENTS AND UTILITIES AND II, ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, & SEVERABILITY ARE SET FORTH CERTAIN COVENANTS AND THE ENFORCEMENT RIGHTS PERTAINING THERE TO, AND ADDITIONALLY THE COVENANTS WITHIN SECTIONS I AND II, WHETHER OR NOT SPECIFICALLY THEREIN SO STATED, SHALL INURE TO THE BENEFIT OF AND SHALL BE ENFORCEABLE BY THE CITY OF TULSA, OKLAHOMA IF THE UNDERGROUND OWNER, OR ITS SUCCESSORS OR ASSIGNS, SHALL VIOLATE ANY OF THE COVENANTS WITHIN SECTION I, OR I, IT SHALL BE LAWFUL FOR ANY OWNER OF A LOT 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 COMPEL 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 EQUITABLE PROCEEDING HAS AN ADEQUATE REMEDY AT LAW, IS HEREBY WAIVED. IN ANY JUDICIAL ACTION BROUGHT BY ANY OWNER OF A LOT WHICH ACTION SEEKS TO ENFORCE THE COVENANTS CONTAINED HEREIN 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.

B. AMENDMENT OR TERMINATION

THE COVENANTS CONTAINED WITHIN SECTION I, EASEMENTS AND UTILITIES AND SECTION II, ENFORCEMENT, DURATION, AMENDMENT OR TERMINATION, & SEVERABILITY MAY BE AMENDED OR TERMINATED AT ANY TIME BY A WRITTEN INSTRUMENT SIGNED AND ACKNOWLEDGED BY THE OWNER OF THE LOT OR LOTS TO WHICH THE AMENDMENT OR TERMINATION IS TO BE APPLICABLE AND APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR ITS SUCCESSORS, WITH THE APPROVAL OF THE CITY OF TULSA. THE PROVISIONS OF ANY INSTRUMENT AMENDING OR TERMINATING COVENANTS AND RESTRICTIONS SHALL BE EFFECTIVE FROM AND AFTER THE DATE IT IS PROPERLY RECORDED.

C. SEVERABILITY

THE INVALIDITY OF ANY PHRASE, CLAUSE OR PROVISIONS HEREIN CONTAINED SHALL NOT RENDER THE BALANCE OF THIS INSTRUMENT VOID, OR UNENFORCEABLE, AND THE SAME SHALL BE THEREAFTER CONSTRUED AS IF SUCH PHRASE, CLAUSE OR PROVISION WERE NOT HEREIN CONTAINED, OR TO OTHERWISE GIVE MAXIMUM EFFECT TO THE INTENT OF THE OWNER, THE FAILURE OF THE OWNER OR ANY SUCCESSOR IN TITLE, TO ENFORCE ANY RESTRICTION, COVENANT, OR CONDITION AT ANY TIME, OR FROM TIME TO TIME, SHALL NOT BE DEEMED TO BE A WAIVER OR RELINQUISHMENT OF ANY RIGHT OR REMEDY NOR A MODIFICATION OF THESE RESTRICTIONS, COVENANTS OR CONDITIONS.

D. DEFINITIONS

IN THE EVENT OF AMBIGUITY OF ANY WORD OR TERM SET FORTH HEREIN, THE MEANING THEREOF SHALL BE DEEMED TO BE DERIVED AS SET FORTH WITHIN THE CITY OF TULSA ZONING CODE AS THE SAME EXISTED ON THE DATE THIS PLAT WAS APPROVED BY THE TULSA METROPOLITAN AREA PLANNING COMMISSION, OR AS SUBSEQUENTLY AMENDED.

IN WITNESS WHEREOF, THE OWNER HAS CAUSED THESE PRESENTS TO BE EXECUTED THIS ____ DAY OF _____, 2015.

PRECISION PROJECT MANAGEMENT, INC.
AN OKLAHOMA CORPORATION

BY: _____
DANIEL R. HULL, PRESIDENT

STATE OF OKLAHOMA)
) 155
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF _____, 2015, PERSONALLY APPEARED DANIEL R. HULL, TO ME KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED THE NAME OF PRECISION PROJECT MANAGEMENT, INC. TO THE FOREGOING INSTRUMENT AS ITS PRESIDENT 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 SAID CORPORATION FOR THE USES AND PURPOSES THEREIN SET FORTH.

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

MY COMMISSION EXPIRES: _____ 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 AS "BOULDER POINTE", 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 _____, 2015.



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

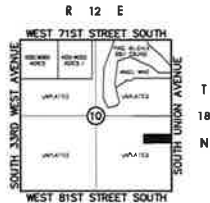
STATE OF OKLAHOMA)
) 155
COUNTY OF TULSA)

BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS ____ DAY OF _____, 2015, PERSONALLY APPEARED TO ME DAN E. TANNER KNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME TO THE FOREGOING CERTIFICATE AS LICENSED PROFESSIONAL LAND SURVEYOR, AS HIS FREE AND VOLUNTARY ACT AND DEED, FOR THE USES AND PURPOSES THEREIN SET FORTH.

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

MY COMMISSION EXPIRES: _____ NOTARY PUBLIC

6.4



Location Map

Scale: 1" = 2000'

SUBDIVISION CONTAINS:

SIXTEEN (16) LOTS
IN ONE (1) BLOCK
WITH NO RESERVE AREAS

(S)16S SUBDIVISION AREA: 7.242 ACRES

Conceptual Utility Plan

Boulder Pointe

PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION TEN (10)
TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST, OF THE INDIAN MERIDIAN
A SUBDIVISION WITHIN THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

OWNER:
Precision Project Management Inc.
CONTACT: AMY SHELTON
9128 South Braden Avenue
Tulsa, Oklahoma 74127
Phone: (918) 614-0881

SURVEYOR/ENGINEER:
Tanner Consulting, L.L.C.
DAN E. TANNER, P.L.S., NO. 3435
OK CA NO. 2961, EXP. RES. 6/30/2019
EMAIL: DAN@TANNERCONSULTING.COM
5323 South Lewis Avenue
Tulsa, Oklahoma 74105
Phone: (918) 745-9929



Scale: 1" = 40'
Tanner Consulting

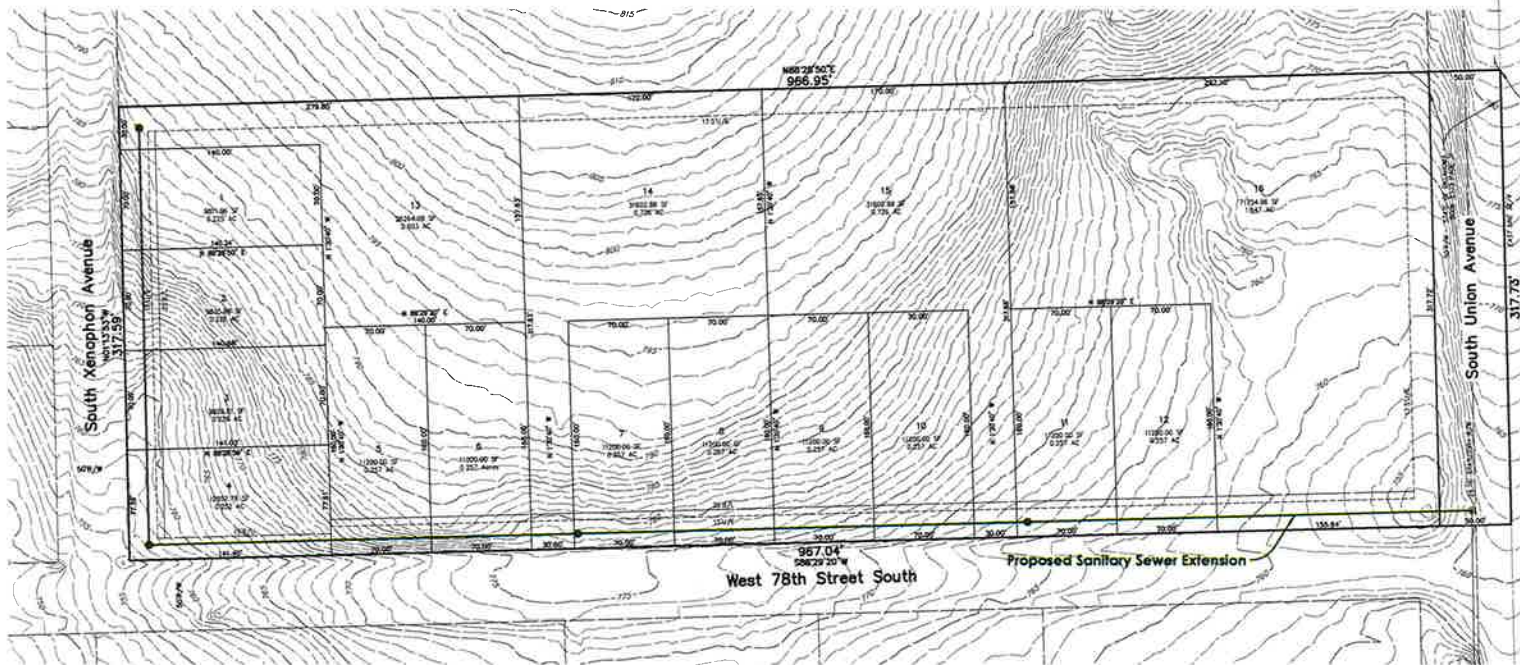
LEGEND

- BL BUILDING LINE & UTILITY EASEMENT
- BLK & PAGE CHORD BEARING
- CD CHORD DISTANCE
- CL CENTERLINE
- DA DELTA ANGLE
- DOC DOCUMENT EASEMENT
- LSA LIMITS OF NO ACCESS
- R/W RIGHT-OF-WAY
- U/E UTILITY EASEMENT
- PPZ ADDRESS ASSIGNED

POINT OF COMMENCEMENT
NORTHEAST CORNER SE/4
SECTION 10, T18N R12E
FOUND 3/8" IRON PIN W/ YELLOW CAP
STAMPED "T.C. 06/07"

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

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 LICENSES FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.
2. ALL PROPERTY CORNERS ARE SET 3/8" IRON REBAR WITH YELLOW CAP STAMPED "TANNER RLS 1493" UNLESS OTHERWISE NOTED.
3. THE BEARINGS SHOWN HEREON ARE BASED UPON THE OKLAHOMA STATE PLUMBING COORDINATE SYSTEM, NORTH ZONE (1300), NORTH AMERICAN DATUM, 1983 (NAD83). SAID BEARINGS ARE BASED LOCALLY UPON FIELD OBSERVED TIES TO THE FOLLOWING MONUMENTS:
 - (A) FOUND BRASS CAP STAK AT THE SOUTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 10;
 - (B) FOUND 3/8" IRON PIN STAMPED "T.C. 06/07" AT THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER (SE/4) OF SECTION 10.
 THE BEARINGS BETWEEN SAID MONUMENTS BEING NORTH 17°14'34" WEST.
4. ADDRESSES SHOWN ON THIS PLAT ARE ACCURATE AT THE TIME THIS PLAT WAS FILED. ADDRESSES ARE SUBJECT TO CHANGE AND SHOULD NEVER BE RELIED ON IN PLACE OF THE LEGAL DESCRIPTION.
5. ACCESS AT THE TIME OF PLAT WAS PROVIDED BY WEST 78TH STREET SOUTH, BEING A PUBLIC STREET.

DATE OF PREPARATION: January 24, 2019

4.10

Ken March
7719 S. Xenophon Ave
Tulsa, OK 74132
Harber Hills sub-division

Case: Boulder Pointe.

Petitioner: Erik Enyart. Tanner Consulting.

Action Requested: Preliminary Subdivision Plat Approval and a modification of the subdivision & development regulations to allow flag lots.

“The high density/small flag-lot construction project proposed by the petitioner is inconsistent with the Harber Hills neighborhood for the following reasons”

- Visual Intrusion/rural setting: Proposed development and downsizing of the 6 .68 acres undermines the neighborhoods parcels that on average are 2 acres, thus impacting the country/rural residential character.
- Flag Lots: No precedents in Harber Hills. Application #LS-21103 presented to the TMAPC on 2/7/2017 at S. Xenophon Avenue and W.78th street was denied after the panel supported testimony indicating the RS3 zoning needed to be revised to address the “rural residential” nature of the area west of S. Union Ave. The stakeholders are currently working on gathering signatures to propose amending the existing district.
- Petitioner has made little attempt to contact the property owners impacted by the high density-small lot development, thus showing little concern of the neighbors.
- Street Congestion: Traffic & noise that will be generated by motorized access to the high density/small lot development are a danger to residents and a school bus stop on the corner of S. Xenophon Ave and W.78th Street. In addition, cross-traffic originating from Tuscany Hills Apartments will create more congestion and may even increase the number of accidents for the blind spot originating at the top of the hill for traffic continuing south of S. Union.
- Utilities infrastructure: Additional housing will put more pressure on an already low pressure water system.
- Flooding: The increased density development planned may overrun the proposed catchment basin and could possibly flood the corner of W.78th street and S. Union.

Harber Hills Neighborhood



4.12





Tulsa Metropolitan Area
Planning Commission

Case : Stone Creek Hollow

Hearing Date: February 20, 2019

Case Report Prepared by:

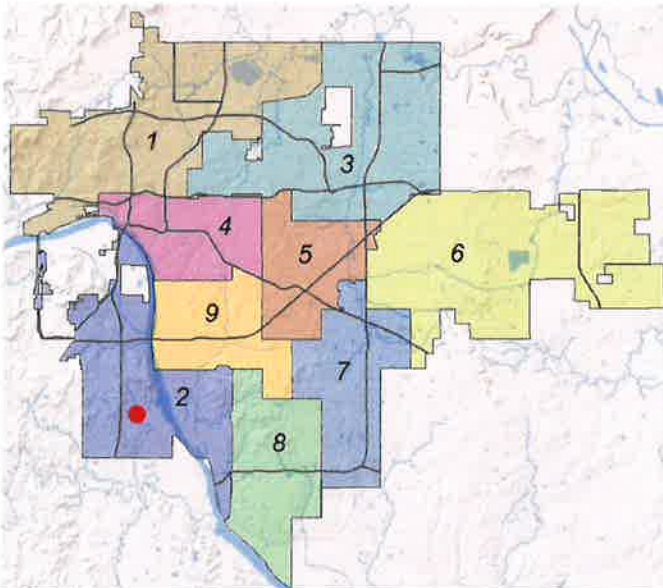
Nathan Foster

Owner and Applicant Information:

Applicant: Crystal Keller, Wallace Engineering

Owner: Stone Creek Hollow LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Preliminary Plat

30 lots, 3 blocks, 5.4± acres

Location: North of the northwest corner of West 81st Street South and South Elwood Avenue

Zoning:

Existing: AG

Proposed: RS-3

Staff Recommendation:

Staff recommends **approval** of the preliminary plat

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

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

PRELIMINARY SUBDIVISION PLAT

Stone Creek Hollow - (City of Tulsa, CD 2)

North of the northeast corner of West 81st Street South and South Elwood Avenue

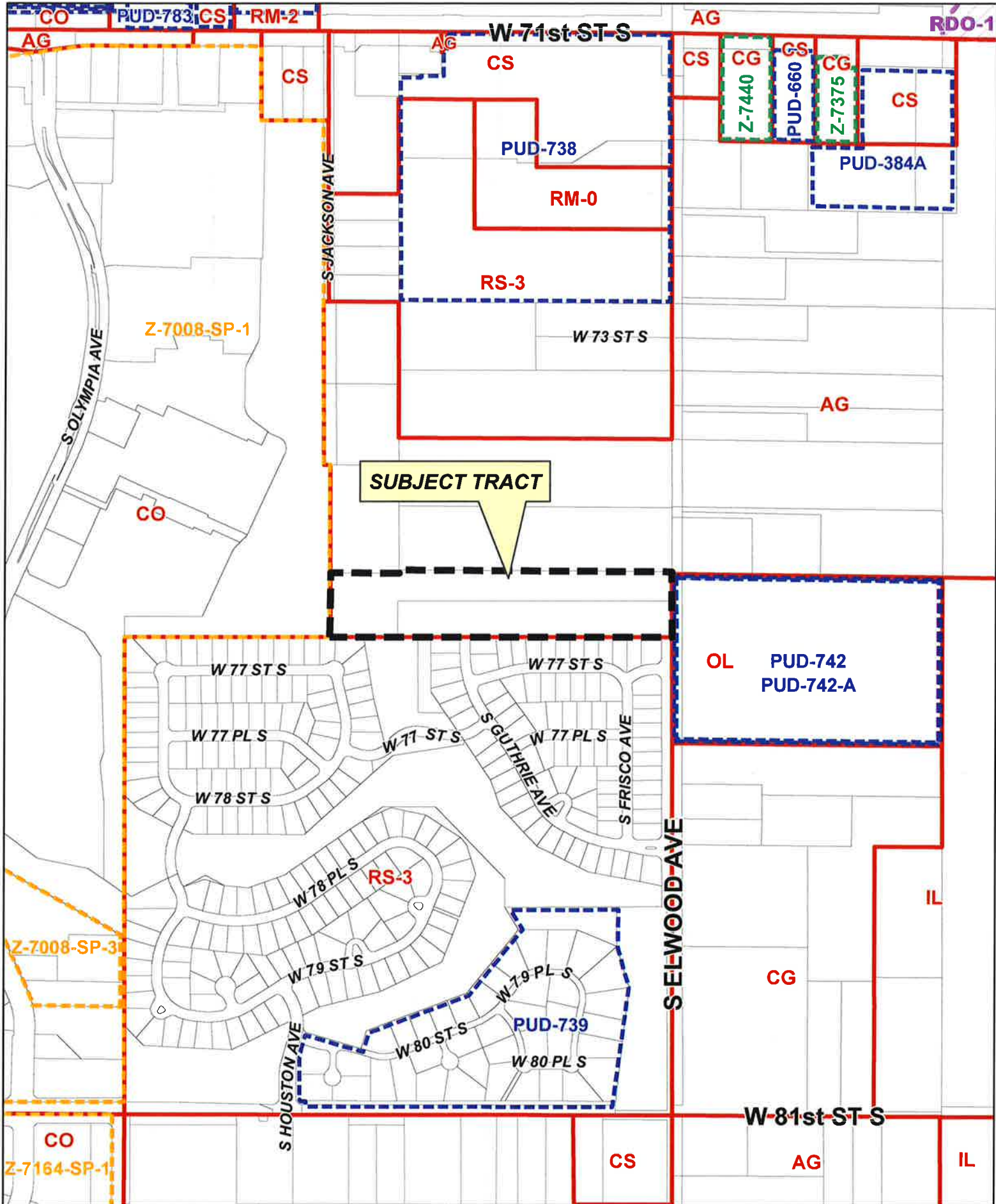
This plat consists of 30 lots, 3 blocks on 5.4 ± acres.

The Technical Advisory Committee (TAC) met on February 7, 2019 and provided the following conditions:

1. **Zoning:** The property is currently zoned AG; however, a rezoning request to change the zoning to RS-3 was recommended for approval by TMAPC on December 19, 2018 and was approved by Council on February 6, 2019. All proposed lots conform to the requirements of the RS-3 district. Zoning is required to be effective prior to the approval of a final plat.
2. **Addressing:** City of Tulsa will assign addresses to the proposed lots. Include addresses on the face of the final plat and provide address disclaimer. Street names will also be assigned by City of Tulsa and should be included on final plat. Provide dimension of right-of-way and indicate dedication by plat.
3. **Transportation & Traffic:** Dimension and label adjacent right-of-way with recording information or indicate "by plat". Sidewalks required along South Union Avenue. Proposed configuration of dead-end must be improved to a cul-de-sac to prevent parking of vehicles, dumping of trash, etc... Stub street must include posted signs indicating the intent of a connection in the future per Subdivision & Development Regulations. Sidewalks required along South Elwood Avenue and on both sides of all internal streets.
4. **Sewer:** The site will be served by City of Tulsa sewer. Sewer main line extension is needed and will require appropriate easements. Infrastructure Development Plans (IDP) must be approved prior to approval of the final plat.
5. **Water:** The site will be served by City of Tulsa water. Water main line extension is needed and will require appropriate easements. Infrastructure Development Plans (IDP) must be approved prior to approval of the final plat.
6. **Engineering Graphics:** Submit a subdivision data control sheet with final plat submittal. Add all platted boundaries to the location map and label subject property with "project location" or "site". Add "City of Tulsa" before Tulsa County in the plat subtitle. Include coordinate system used on basis of bearing heading. Provide a bearing angle shown on the face of the plat. Graphically show all pins found or set associated with the plat. Tie plat to section corner, half-section, or quarter-section. Label Point of Commencement (POC) and Point of Beginning (POB) on the face of the plat. Add required signature block. Label all existing easements impacting the property and provide recording information and dimensions.

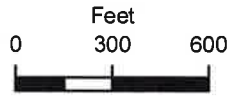
7. **Airport:** Avigation notice required to be affixed to the face of the plat. Federal Aviation Administration obstruction evaluation required prior to construction.
8. **Stormwater, Drainage, & Floodplain:** Floodplain exists on the west end of the property. Delineate all floodplain boundaries and place in a required overland drainage easement. Onsite detention areas and any offsite flows will require appropriate easements.
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 all other requirements of the Subdivision and Development Regulations.



**STONE CREEK
HOLLOW**

18-12 11



5.4





W 71st ST S

S JACKSON AVE

S OLYMPIA AVE

W 73 ST S

W 77 ST S

W 77 ST S

W 77 PL S

W 77 ST S

S GUTHRIE AVE

W 77 PL S

S FRISCO AVE

W 78 ST S

W 78 PL S

S SELWOOD AVE

W 79 ST S

W 79 PL S

S HOUSTON AVE

W 80 ST S

W 80 PL S

W 81st ST S

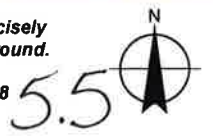


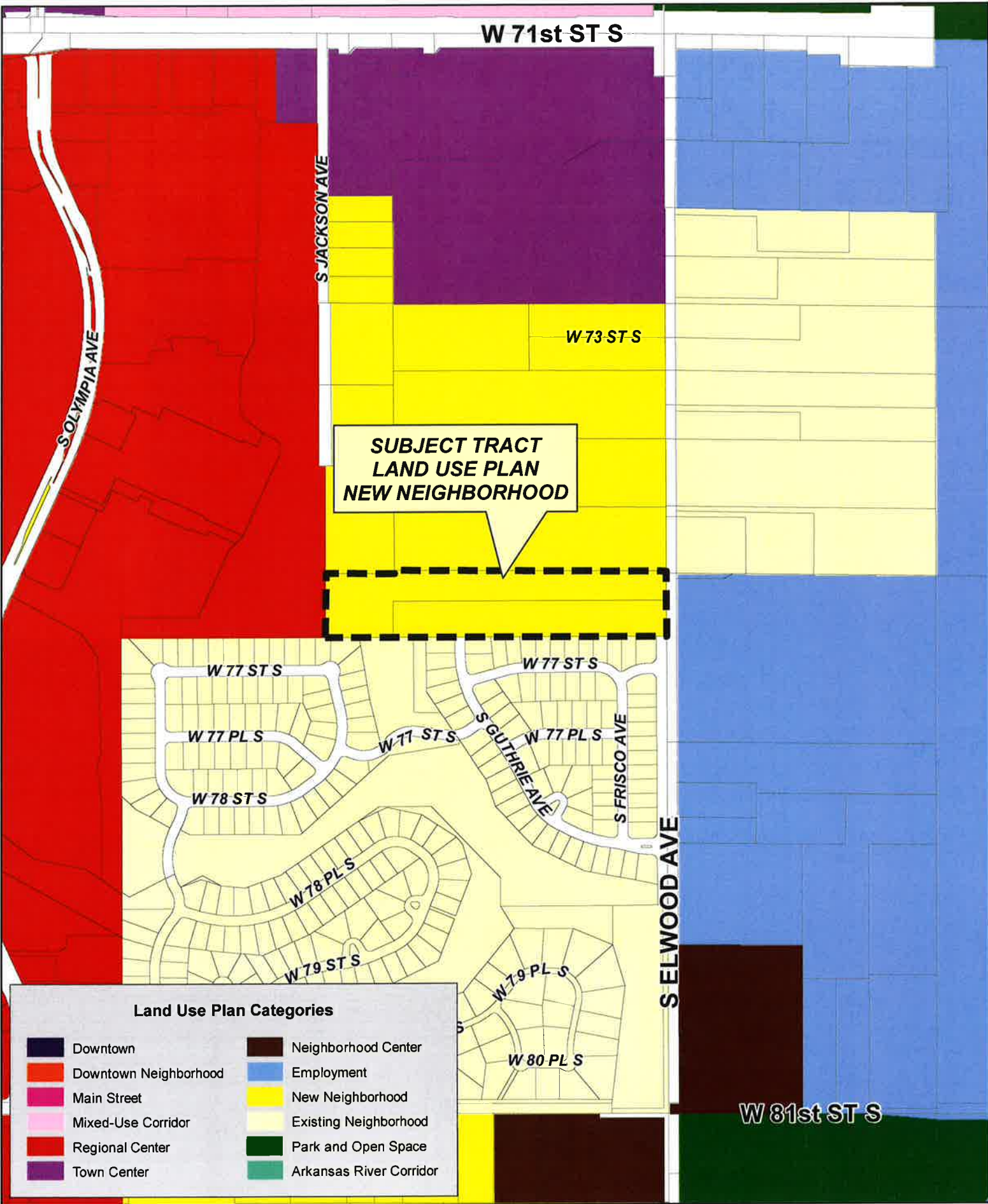
Subject Tract

STONE CREEK HOLLOW

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

Aerial Photo Date: February 2018





W 71st ST S

S JACKSON AVE

W 73 ST S

**SUBJECT TRACT
LAND USE PLAN
NEW NEIGHBORHOOD**

W 77 ST S

W 77 ST S

W 77 PL S

W 77 ST S

W 77 PL S

W 78 ST S

S GUTHRIE AVE

S FRISCO AVE

S SELWOOD AVE

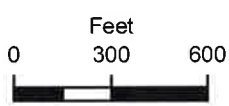
W 78 PL S

W 79 PL S

W 79 ST S

W 80 PL S

W 81st ST S

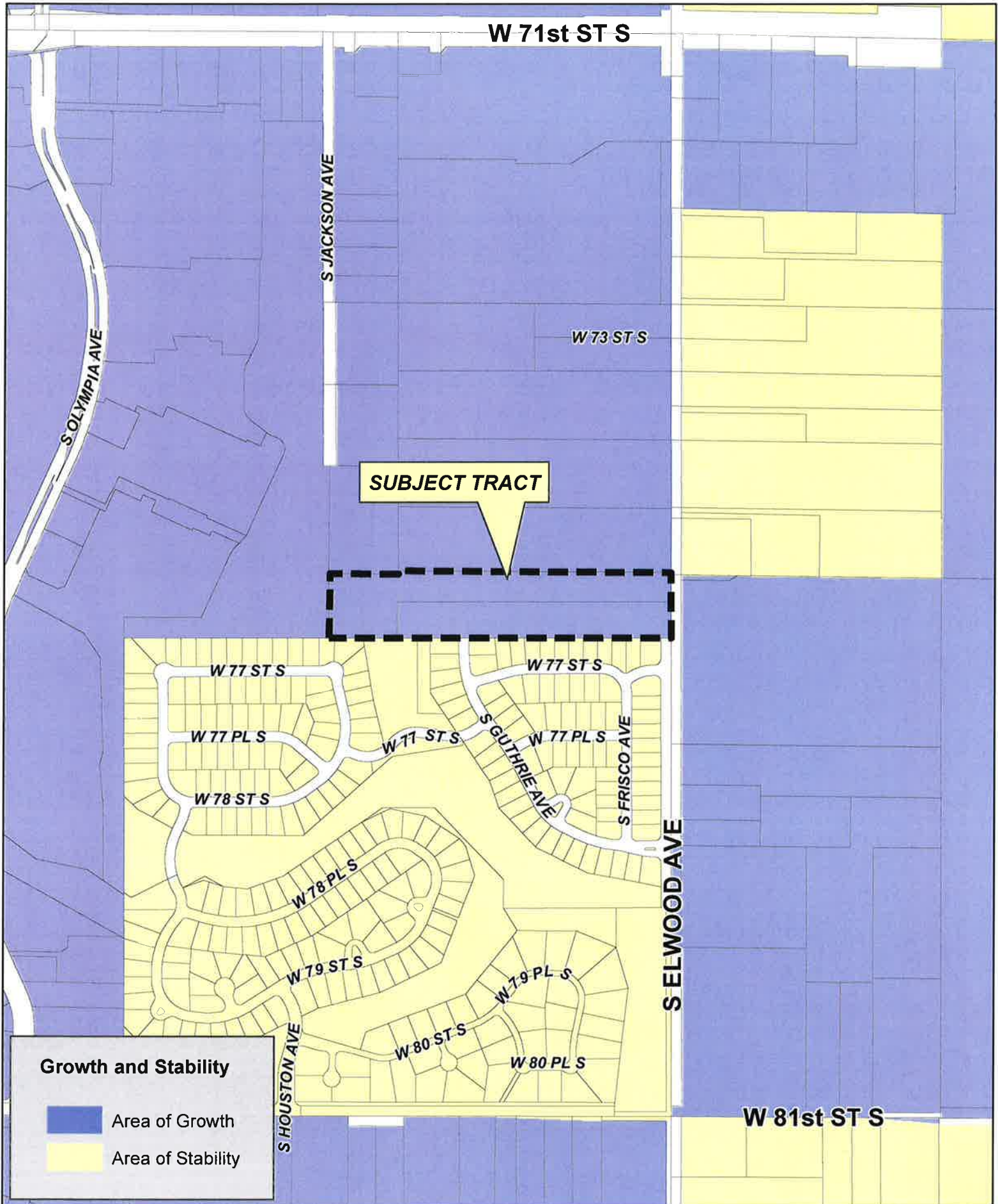


**STONE CREEK
HOLLOW**

18-12 11

5.6





W 71st ST S

S JACKSON AVE

W 73 ST S

SUBJECT TRACT

W 77 ST S

W 77 ST S

W 77 PL S

W 77 ST S

W 77 PL S

W 78 ST S

S GUTHRIE AVE

S FRISCO AVE

W 78 PL S

S SELWOOD AVE

W 79 ST S

W 79 PL S

W 80 ST S

W 80 PL S

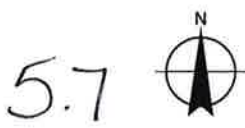
S HOUSTON AVE

W 81st ST S



**STONE CREEK
HOLLOW**

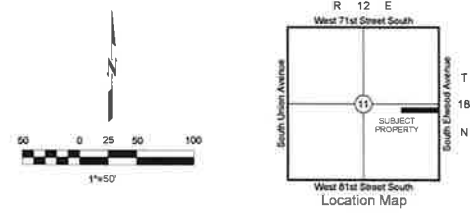
18-12 11



CONCEPTUAL IMPROVEMENTS PLAN

STONE CREEK HOLLOW

PART OF THE SOUTHEAST QUARTER (SE/4) OF SECTION ELEVEN (11), TOWNSHIP EIGHTEEN (18) NORTH, RANGE TWELVE (12) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA



SURVEY DATA TABLE	
EXISTING TOPOGRAPHY IS BASED ON AN ACTUAL FIELD SURVEY BY BENNETT SURVEYING, DATED 06/27/2018	
BENCHMARK 1 PK NAIL ELEV=700.53 N=389535.4870 E=2561462.4050	BENCHMARK 2 PK NAIL ELEV=695.42 N=3895404.8621 E=2561318.9013

DEVELOPER STONE CREEK HOLLOW LLC 427 S. BOSTON AVE STE 400 TULSA, OKLAHOMA 74114	ENGINEER WALLACE ENGINEERING STRUCTURAL CONSULTANTS, INC. 200 EAST BRADY STREET TULSA, OK 74103 (918) 584-5656 OKLAHOMA CA #1490 EXP. DATE 9/30/19	SURVEYOR BENNETT SURVEYING, INC. 210 CHOCATEAU AVENUE CHOCATEAU, OK 74337 TEL: 918-478-7456 RPL# 1669, CA #4502 EXPIRES 6/30/2019 wsnick@bennettsurveying.com
--	--	---

HORIZONTAL DATUM FOR THIS SURVEY IS BASED ON OKLAHOMA STATE PLANE NAD83
 VERTICAL DATUM FOR THIS SURVEY IS BASED ON NAVD 1988

LEGAL DESCRIPTION

THE SOUTH 178.5 FEET OF THE EAST 1330.0 FEET OF THE NORTH 310.0 FEET OF THE SOUTHWEST QUARTER (SE/4) OF SECTION 11, TOWNSHIP 18 NORTH, RANGE 12 EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF.

BASIS OF BEARINGS

THE BASIS OF BEARING IS BASED ON THE EAST SECTION LINE OF THE SE/4 OF SECTION 11 T18N R12E
 THE HORIZONTAL DATUM FOR THIS SURVEY IS BASED ON OKLAHOMA STATE PLANE NAD83

BENCHMARK NOTES

BENCHMARK #1 PK NAIL ELEV=700.53 N=389535.4870 E=2561462.4050	BENCHMARK #2 PK NAIL ELEV=695.42 N=3895404.8621 E=2561318.9013
---	--

NOTE: ALL PROPOSED UTILITIES SHOWN ON THIS SHEET SHALL BE A PART OF THIS CIP.

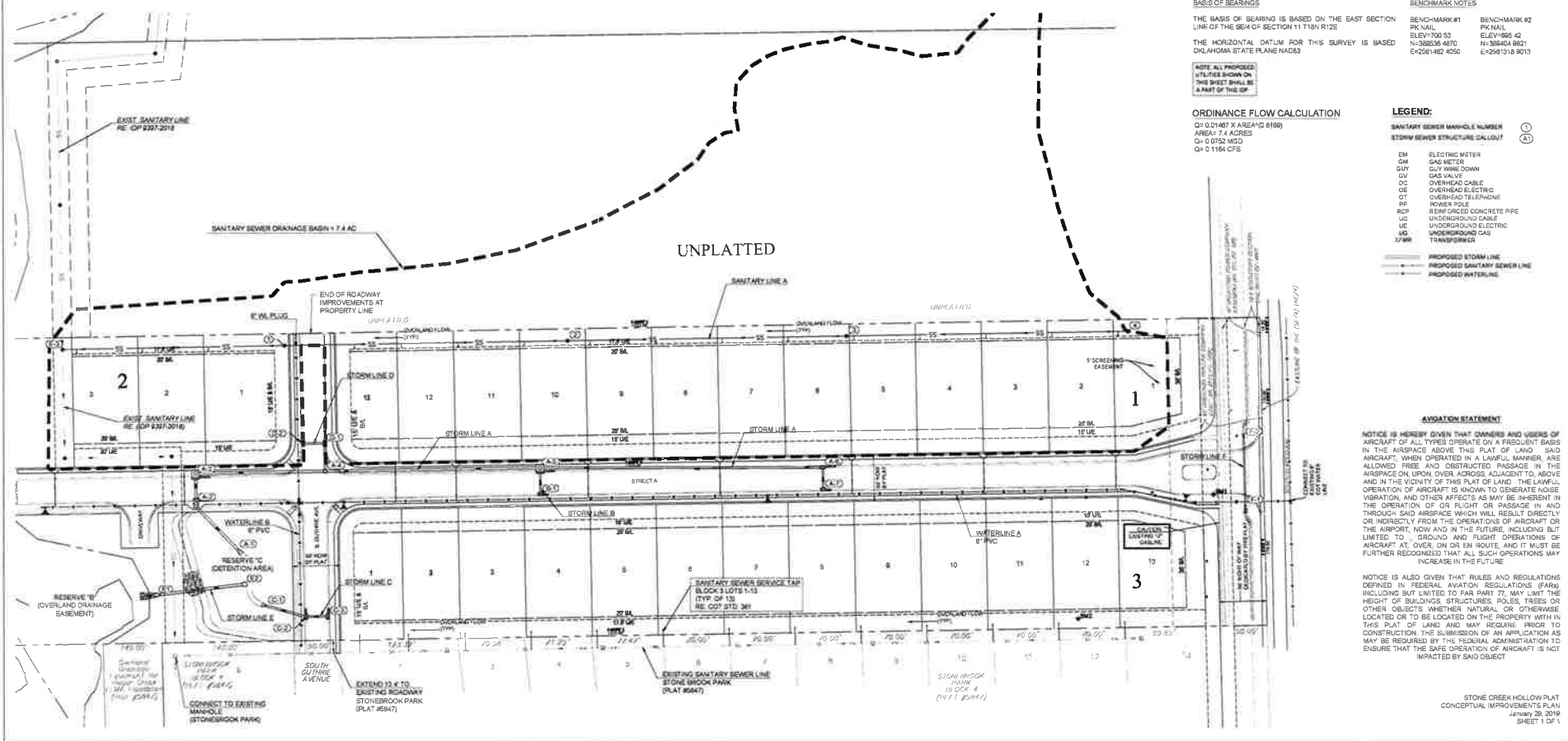
ORDINANCE FLOW CALCULATION

ON 0.07487 X AREA/D 0.000
 AREA: 7.4 ACRES
 Q = 0.0748 MSD
 Q = 0.1164 CFS

LEGEND:

- | | |
|--------------------------------------|------------------------------|
| SANITARY SEWER MANHOLE NUMBER | (M) |
| STORM SEWER STRUCTURE CALLOUT | (S) |
| EM | ELECTRIC METER |
| GM | GAS METER |
| GUY | GUY WIRE DOWN |
| GV | GAS VALVE |
| OC | OVERHEAD CABLE |
| OE | OVERHEAD ELECTRIC |
| OT | OVERHEAD TELEPHONE |
| PP | POWER POLE |
| RCP | REINFORCED CONCRETE PIPE |
| UC | UNDERGROUND CABLE |
| UE | UNDERGROUND ELECTRIC |
| UG | UNDERGROUND GAS |
| WM | WATER METER |
| --- | PROPOSED STORM LINE |
| --- | PROPOSED SANITARY SEWER LINE |
| --- | PROPOSED WATERLINE |

UNPLATTED



AVIATION STATEMENT

NOTICE IS HEREBY GIVEN THAT OWNERS AND USERS OF AIRCRAFT OF ALL TYPES OPERATE ON A FREQUENT BASIS IN THE AIRSPACE ABOVE THIS PLAT OF LAND. SAID AIRCRAFT, WHEN OPERATED IN A LAWFUL MANNER ARE ALLOWED FREE AND UNRESTRICTED PASSAGE IN THE AIRSPACE ON, UPON, OVER ACROSS, ADJACENT TO, ABOVE AND IN THE VICINITY OF THIS PLAT OF LAND. THE LAWFUL OPERATION OF AIRCRAFT IS KNOWN TO GENERATE NOISE, VIBRATION, AND OTHER EFFECTS AS MAY BE INHERENT IN THE OPERATION OF OR FLIGHT OR PASSAGE IN AND THROUGH SAID AIRSPACE WHICH WILL RESULT DIRECTLY OR INDIRECTLY FROM THE OPERATIONS OF AIRCRAFT OR THE AIRPORT, NOW AND IN THE FUTURE, INCLUDING BUT NOT LIMITED TO GROUND AND FLIGHT OPERATIONS OF AIRCRAFT AT OVER OR ON ROUTE, AND IT MUST BE FURTHER RECOGNIZED THAT ALL SUCH OPERATIONS MAY INCREASE IN THE FUTURE.

NOTICE IS ALSO GIVEN THAT RULES AND REGULATIONS DERIVED IN FEDERAL AVIATION REGULATIONS (FAR) INCLUDING BUT LIMITED TO FAR PART 77, MAY LIMIT THE HEIGHT OF BUILDINGS, STRUCTURES, POLES, TREES OR OTHER OBJECTS WHETHER NATURAL OR OTHERWISE LOCATED OR TO BE LOCATED ON THE PROPERTY WITHIN THIS PLAT OF LAND AND MAY REQUIRE PRIOR TO CONSTRUCTION THE SUBMISSION OF AN APPLICATION AS MAY BE REQUIRED BY THE FEDERAL ADMINISTRATION TO ENSURE THAT THE SAFE OPERATION OF AIRCRAFT IS NOT IMPACTED BY SAID OBJECT.

STONE CREEK HOLLOW PLAT
 CONCEPTUAL IMPROVEMENTS PLAN
 FEBRUARY 28, 2019
 SHEET 1 OF 1

5.9

Wilkerson, Dwayne

From: Wilkerson, Dwayne
Sent: Wednesday, February 13, 2019 4:52 PM
To: 'R. Louis Reynolds'
Subject: RE: Z-7466 (Staff request for continuance to the March 6th Planning Commission Meeting)

Lou,

Thanks for your reply.

I will ask for another staff continuance to March 6th.

Respectfully,

INCOG

Dwayne Wilkerson, ASLA, RLA
Assistant Director Land Development Services
2 West Second Street | Suite 800
Tulsa OK, 74103
dwickerson@incog.org
918-579-9475

From: R. Louis Reynolds <LReynolds@ellerdetrich.com>
Sent: Wednesday, February 13, 2019 4:16 PM
To: Wilkerson, Dwayne <DWilkerson@incog.org>
Subject: RE: Z-7466 (Applicant request for continuance to the February 20th Planning Commission Meeting)

Dear Dwayne: Yes, if necessary another continuance is acceptable. Best, Lou

R. Louis Reynolds

Eller & Detrich

2727 E. 21st Street, Ste 200
Tulsa, Oklahoma 74114-3533

☎ (918) 747-8900 *phone*
☎ (866) 547-8900 *toll free*
☎ (918) 392-9407 *e-fax*
✉ LReynolds@EllerDetrich.com

 <http://www.EllerDetrich.com/>

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Please consider the environment before printing this e-mail! ~ Thank you!

From: Wilkerson, Dwayne <DWilkerson@incog.org>
Sent: Wednesday, February 13, 2019 4:00 PM
To: R. Louis Reynolds <LReynolds@ellerdetrich.com>
Subject: RE: Z-7466 (Applicant request for continuance to the February 20th Planning Commission Meeting)

Hi Lou,

We need to issue a staff report today. I support the idea of another continuance to March 6th if we still do not have anything from the building permit office on the zoning clearance permit. Have you heard anything? Do you agree that another continuance request is appropriate?

Thanks

INCOG

Dwayne Wilkerson, ASLA, RLA
Assistant Director Land Development Services
2 West Second Street | Suite 800
Tulsa OK, 74103
dwickerson@incog.org
918-579-9475

From: R. Louis Reynolds <LReynolds@ellerdetrich.com>
Sent: Tuesday, January 29, 2019 10:57 AM
To: Wilkerson, Dwayne <DWilkerson@incog.org>; Sawyer, Kim <ksawyer@incog.org>; Miller, Susan <SMiller@incog.org>
Subject: RE: Z-7466 (Applicant request for continuance to the February 20th Planning Commission Meeting)

Thanks.

R. Louis Reynolds

Eller & Detrich

2727 E. 21st Street, Ste 200
Tulsa, Oklahoma 74114-3533

☎ (918) 747-8900 *phone*
☎ (866) 547-8900 *toll free*
☒ (918) 392-9407 *e-fax*
✉ LReynolds@EllerDetrich.com



<http://www.EllerDetrich.com/>



Tulsa Metropolitan Area
Planning Commission

Case Number: CO-8

Hearing Date: February 6, 2019

Case Report Prepared by:

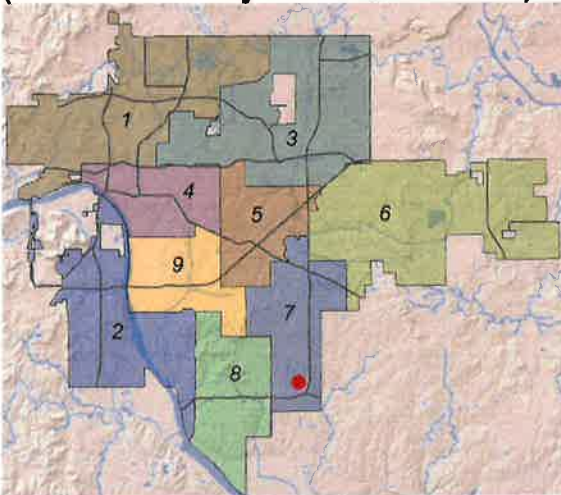
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Mike Thedford

Property Owner: MORNINGCREST HEALTHCARE FOUNDATION

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Vacant

Proposed Use: Healthcare/Mixed-Use

Concept summary: This site was zoned CO in 1983 but a development plan was never prepared. This application establishes a development plan for uses and design standards for a Veterans Administration clinic and a separate out parcel.

Tract Size: 29.83 ± acres

Location: Northeast corner of East 91st Street South & South Mingo Road

Zoning:

Existing Zoning: CO

Proposed Zoning: CO with a Development Plan

Comprehensive Plan:

Land Use Map: Regional Center

Stability and Growth Map: Area of Growth

Staff Recommendation:

Staff recommends approval.

Amended by staff 2/18/2019

Staff Data:

TRS: 8418

CZM: 54, 58

Atlas: 1731

City Council District: 7

Councilor Name: Lori Decter Wright

County Commission District: 3

Commissioner Name: Ron Peters

SECTION I: CO-8

DEVELOPMENT CONCEPT:

DEVELOPMENT SUMMARY:

The proposed L-shaped building for Development Area "A" is approximately 180,000 square feet split between 2 levels. The building will be situated on the northeastern portion of the site with the parking to be distributed south, west and north of the building with central loop for drop off and amenities located immediately adjacent to the south wall. Building services will be located immediately to the east of the facility.

All utilities are available to the entire development.

There is an intermittent stream running northwest/south west through the site the stream will serve as an amenity to be maintained as a park like setting. The site slopes from north to south and the drainage/detention basin will be located on the southeast corner of the site.

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:

Conceptual site plan

Conceptual building birds eye view

DETAILED STAFF RECOMMENDATION:

CO-8 is consistent with the Regional Center Land Use designation in the Comprehensive Plan and is compatible with the existing and expected development of surrounding areas and,

CO-8 provides a unified treatment of the development possibilities of the project site and the previously approved uses in the surrounding Planned Unit Development and Corrido District and,

Permitted uses and building types identified in CO-8 are consistent with the uses that may be permitted in a CO district as identified in the Tulsa Zoning Code and,

CO-8 identifies development standards that are consistent with the mandatory development plan standards in the Tulsa Zoning Code and,

CO-8 is consistent with the purpose of a CO district identified in the Tulsa Zoning code and,

Staff recommends Approval of CO-8 to rezone property from CO/ to CO-8 as identified in Section II below.

SECTION II: CO-8 DEVELOPMENT STANDARDS:

Net Land Area: 29.94 acres

Permitted Use Categories, Subcategories and Specific Uses:

PUBLIC, CIVIC AND INSTITUTIONAL – Limited to subcategories below

- Government Service
- Hospital
- Parks and Recreation
- Natural Resource Preservation
- Safety Service

MAXIMUM BUILDING COVERAGE: 50% of net lot area

MAXIMUM BUILDING HEIGHT: 80 feet

MINIMUM BUILDING PERIMETER SETBACKS:

- From the east boundary 50 feet
- From the north boundary 50 feet
- From the south boundary 20 feet
- From the west boundary 40 feet

MINIMUM OFF-STREET PARKING SPACES:

All uses shall meet the parking ratio as required in the Tulsa Zoning Code

MINIMUM BICYCLE PARKING SPACES:

As provided in the Tulsa Zoning Code

OTHER LOT AND BUILDING REGULATIONS: As established with the CH District

LANDSCAPE REQUIREMENTS:

Landscaping for the project shall meet or exceed the landscaping requirements identified in the Tulsa Zoning Code.

In addition to the landscape requirements of the Tulsa Zoning Code, 100 trees shall be placed or saved within 50' of the abutting street right-of-way on all perimeter streets. Trees may be grouped or evenly spaced. Existing trees on the lot with a caliper greater than 6" and within 50' of the abutting street right of way that will be protected and maintained may include in the that count.

Within this requirement a minimum of 25 trees shall be placed between the storm water detention pond and the street right of way.

SIGNS:

Ground Signs:

One (1) ground sign shall be permitted at each vehicular entrance from a public street with a maximum display of 200 SF of surface area and a maximum height of 25 FT

Wall Signs:

Wall signs shall be permitted with a display surface not to exceed 100 SF for each sign. The length of a wall sign shall not exceed 75% of the ~~frontage of the building~~ length of the wall upon which the sign is located.

LIGHTING:

Lighting for the project will comply with applicable City of Tulsa Zoning

Code regulations. Parking lot lighting and wall lighting shall not exceed 16 feet in height as measured from the light emitting element to the ground surface immediately below the light.

All lighting all be pointed down and away from the abutting lot lines. Final Lighting design standards will be included in the detailed site or landscape plan approval process as required for a mandatory development plan.

TRASH, MECHANICAL, AND EQUIPMENT AREAS:

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

Trash dumpsters shall be screened by masonry construction enclosures with steel frame doors. The doors shall be covered with appropriate covering containing a minimum of ninety **five** percent (90%) capacity to the gate frame.

GENERAL PROVISIONS:

A. Vehicular Access and Circulation:

The site has an adequate road network on all sides with proposed access to Development Area "A" from S 101st East Avenue from the east, 88th Street South from the north.

Vehicular access will be prohibited from East 91st Street south.

Vehicular access on the remaining parcel along **94st S. Mingo** shall be limited to a single access point south of the floodplain. No additional access is allowed between the flood plain boundary and E. 88th street south.

B. Site Plan and landscape plan review:

No building permit shall be issued for any building within CO-8 until a Detail Site Plan and a Detail Landscape Plan have been submitted approved as meeting or exceeding the Development Standards of CO-8.

~~BUILDING CHARACTERISTICS:~~

~~Development Area "A" will establish the general building characteristics relating to materials, colors and architectural style as depicted conceptual plans.~~

SECTION II: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: The proposed uses and design standards supports large scale uses that are consistent with the expected development pattern in a Regional Center land use designation.

Land Use Vision:

Land Use Plan map designation: Regional Center

Regional Centers are mid-rise mixed-use areas for large-scale employment, retail, and civic or educational uses. These areas attract workers and visitors from around the region and are key transit hubs; station areas can include housing, retail, entertainment, and other amenities. Automobile parking is provided on-street and in shared lots. Most Regional Centers include a parking management district.

Areas of Stability and Growth designation: Area of Growth

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

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

Transportation Vision:

Major Street and Highway Plan:

Trail System Master Plan Considerations: The Tulsa GO plan recommends a Bicycle Corridor on the north side of South 91st East Avenue. The internal vehicular corridor has been established and supports the concept that additional driveway connections east of the creek crossing should be prohibited along E. 91st Street south. The bicycle corridor is anticipated to be on the existing pavement and does not require additional street right of way.

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The site is undeveloped and is bisected by a flood plain. It is likely that the floodplain is also considered a wetlands area.

Environmental Considerations: Preservation of the floodplain area and floodplain management standards should be integrated into the plat and the Corridor Plan standards. The conceptual plan shows the lot line configuration near the center of the creek. Some consideration should be given to move the lot line, so the entire flood plain is on one lot.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Mingo	Secondary Arterial	100 feet	
East 91 st Street south	Secondary Arterial with Multi Modal corridor	100 feet	5 total 2lanes each direction with center turn lane
East 88 th Street South	None	50 feet	2
South 101 st East Avenue	Residential Collector	60 feet	2

Utilities:

The subject tract has municipal water and sewer available.

Surrounding Properties:

Location	Existing Zoning	Existing Land Use Designation	Area of Stability or Growth	Existing Use
North	CO with PUD development plan for multifamily uses	Regional Center	Growth	Vacant
East	CO with PUD development plan for hospital and office uses	Regional Center	Growth	Hospital and offices
South	CS and Corridor zoning for office use	Regional Center	Growth	Convenience store, single family residential and offices
West	PUD with OL and CS zoning	Town Center	Growth	Vacant

SECTION III: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 15956 dated December 13, 1983, established zoning for the subject property.

Subject Property:

Z-5888 December 1983: All concurred in **approval** of a request for *rezoning* a 320+ acre tract of land (less the portion of the property proposed for the Creek Turnpike) from PUD-220, RS-3, RM-O, and CS to CO on property located on the north side of 91st Street between Mingo Road and Garnett Road. (Ordinance number 15956, dated December 13, 1983, amended ordinance number 14591.) A development plan was never approved with the application for Z-5888.

PUD-220 October 1979: All concurred in **approval** of a proposed *Planned Unit Development* on a 320+ acre tract of land on property located on the north side of 91st Street between Mingo Road and

Garnett Road. Ordinance number 14591, dated October 30, 1979, amended ordinance number 11834. Note - This should have amended ordinance number 14153.

Z-5126 June 1978: All concurred in **approval** of a request for *rezoning* a 320+ acre tract of land from AG to RS-3, RM-O, and CS on property located on the north side of 91st Street between Mingo Road and Garnett Road. Ordinance number 14153, dated June 20, 1978, amended ordinance number 11834. Note - This should have amended ordinance number 11830.

Ordinance number 11830 dated June 20, 1978, established zoning for this property.

Surrounding Property:

CO-6 April 2018: All concurred in **approval** of a request for a *Corridor Development Plan* on a 5.12+ acre tract of land for a Skilled Nursing Facility on property located on the northwest corner of East 88th Street South and South 101st East Avenue.

BOA-22091 June 2016: The Board of Adjustment **approved** a *special exception* to permit a dynamic display sign for Forest Park Christian Church in the AG District, on property located at the southwest corner of East 91st Street South and South Mingo Road.

Z-6910-SP-2 April 2006: All concurred in **approval** of a proposed Corridor Site Plan on a 4.45+ acre tract of land for commercial and medical office use and to establish the aggregate floor area of 27,380 square feet for office development, on property located east of southeast corner of East 91st Street South and South Mingo Road.

Z-7003/PUD-721 January 2006: All concurred in **approval** of a request for *rezoning* and **approval** of a proposed *Major Amendment* to PUD on a 40+ acre tract of land from AG to CS/OL/RS-3/PUD to permit office, commercial, and residential uses on property located on the northwest corner of East 91st Street South and south Mingo Road.

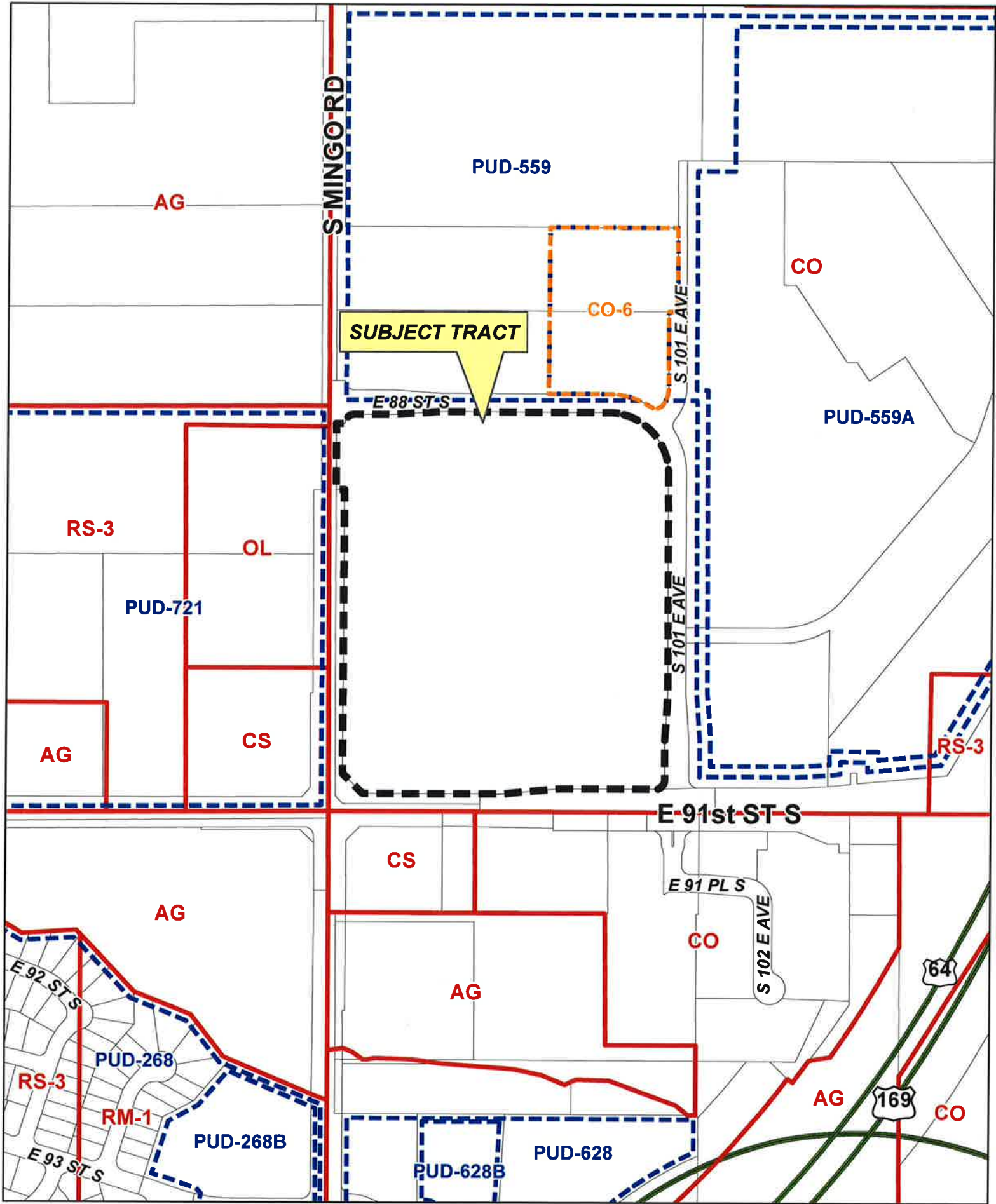
Z-6910-SP-1 December 2003: All concurred for **approval** of the proposed Corridor Site plan on a 4.5+ acre tract for a 4-story bank and medical office building located east of the southeast corner of East 91st Street and South Mingo Road.

Z-6910 November 2003: All concurred in **approval** of a request for *rezoning* a 4.5+ acre tract from AG to CO, for office and bank use, on property located east of the southeast corner of East 91st Street and South Mingo Road.

PUD-559/Z-5888-SP-I Mav 1997: All concurred in **approval**, subject to modifications, of a request for a proposed *Planned Unit Development* and a *Corridor Site Plan* on a 111+ acre tract of land for a multi-use PUD for apartments, offices, colleges, and universities on property located north and east of the northeast corner of East 91st Street and South Mingo Road.

Z-5888 December 1983: All concurred in **approval** of a request for *rezoning* a 320+ acre tract of land (less the portion of the property proposed for the Creek Turnpike) from PUD-220, RS-3, RM-O, and CS to CO on property located on the north side of 91st Street between Mingo Road and Garnett Road.

Z-5916 December 1987: All concurred in **approval** of a request for *rezoning* a 2± acre tract of land from AG to CS on property located on the southeast corner of East 91st Street South and South Mingo Road.



SUBJECT TRACT

PUD-559

AG

CO

CO-6

PUD-559A

E 88 ST S

S 101 E AVE

S 101 E AVE

RS-3

OL

PUD-721

RS-3

AG

CS

E 91st ST S

CS

E 91 PL S

CO

S 102 E AVE

AG

64

E 92 ST S

PUD-268

RS-3

RM-1

AG

169

CO

PUD-268B

PUD-628B

PUD-628

CO-8

18-14 18

7.8





S MINGO RD

E 88 ST S

S 101 EAVE

S 101 EAVE

E 91st ST S

E 91 PL S

S 102 EAVE

E 92 ST S

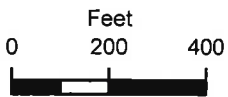
S 94 EAVE

S 95 EAVE

E 93 ST S

64

169



Subject Tract

CO-8

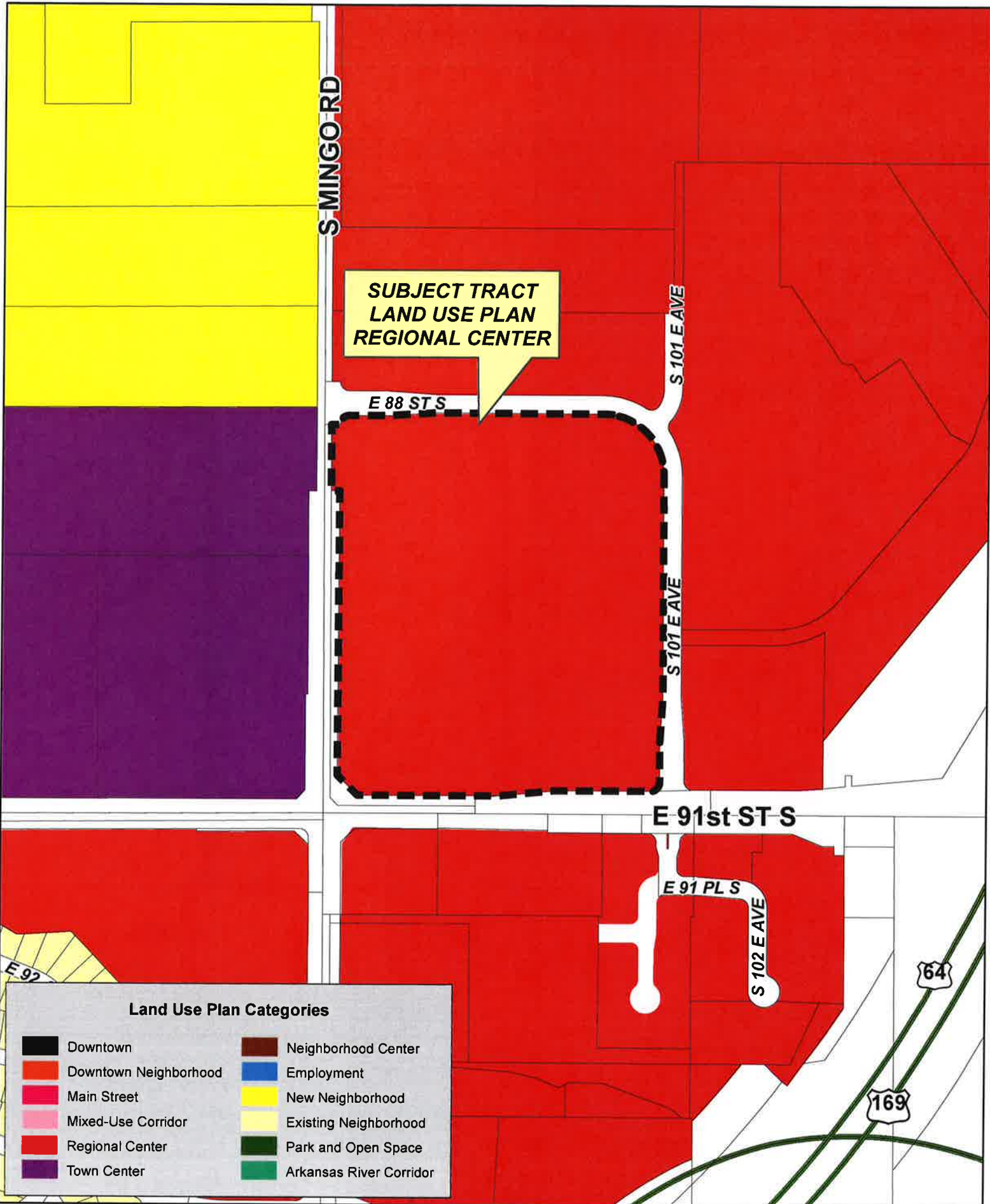
18-14 18

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

Aerial Photo Date: February 2018

7.9





**SUBJECT TRACT
LAND USE PLAN
REGIONAL CENTER**

S MINGO RD

E 88 ST S

S 101 E AVE

S 101 E AVE

E 91st ST S

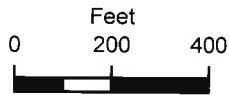
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S 102 E AVE

E 92

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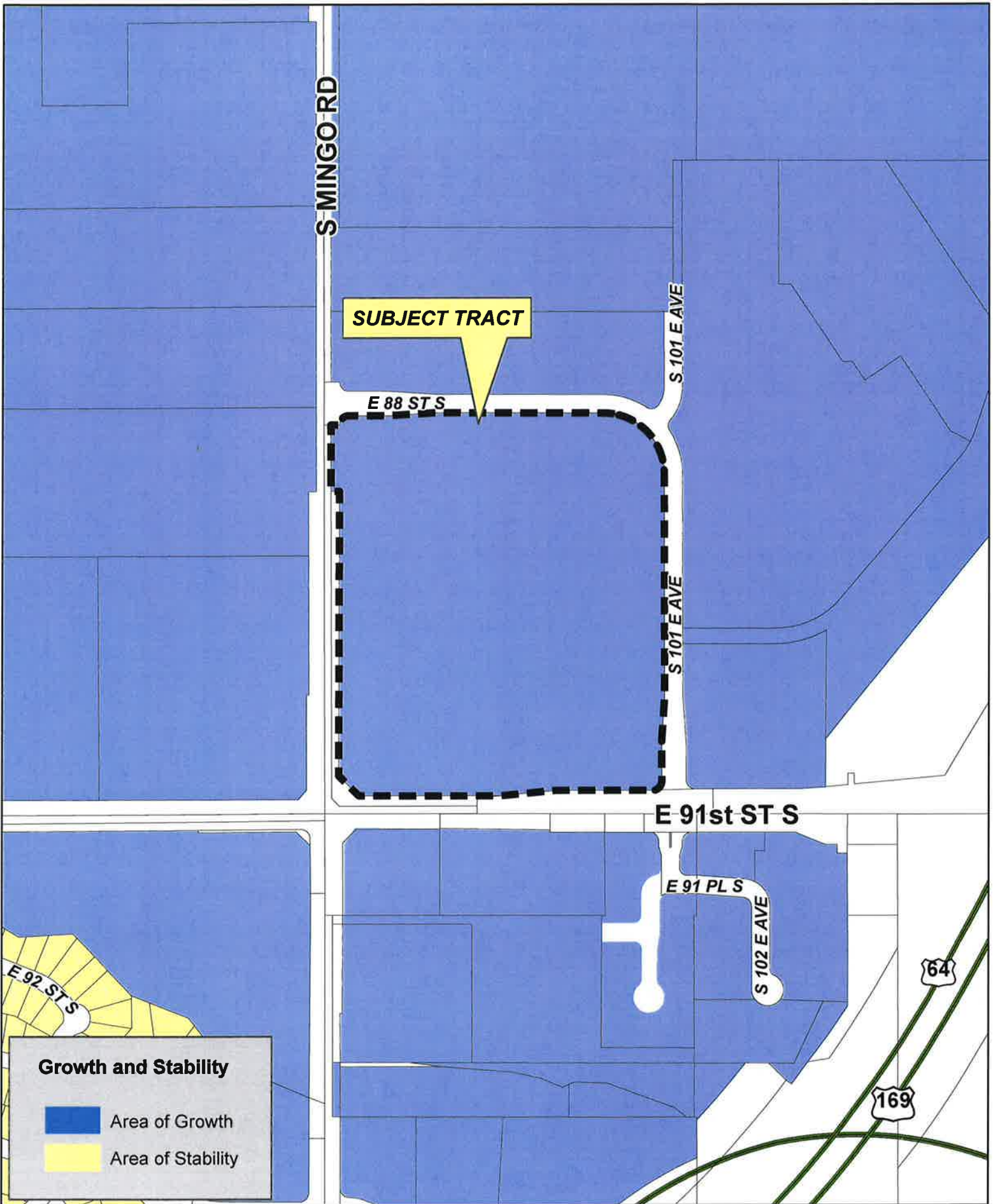
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CO-8

18-14 18





SUBJECT TRACT

S MINGO RD

E 88 ST S

S 101 E AVE

S 101 E AVE

E 91st ST S

E 91 PL S



S 102 E AVE

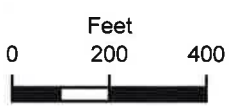
E 92 ST S

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169

Growth and Stability

-  Area of Growth
-  Area of Stability



CO-8

18-14 18

7.11



- GENERAL SITE NOTES**
1. ALL WORK AND MATERIALS SHALL COMPLY WITH ALL MUNICIPAL REGULATIONS AND CODES, WHICHEVER IS MORE STRINGENT.
 2. ALL WORK AND MATERIALS SHALL COMPLY WITH O.S.H.A. STANDARDS.
 3. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS INCLUDING BUT NOT LIMITED TO ALL UTILITIES, STORM DRAINAGE SIGNS, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH GOVERNING AUTHORITIES SPECIFICATIONS AND SHALL BE APPROVED BY SUCH. ALL COST SHALL BE INCLUDED IN BIDDING.
 4. REFER TO PLANTING PLANS (C000) FOR SMALL TREES AND PLANTED MATERIALS.
 5. ALL DIMENSIONS AND COORDINATES ARE FROM BACK OF CURB UNLESS SHOWN OTHERWISE.
 6. GRADE = 7.50' U.L.G.
 7. BUILDING COORDINATES ARE TO OUTSIDE FACE OF WALL.

PARKING SUMMARY

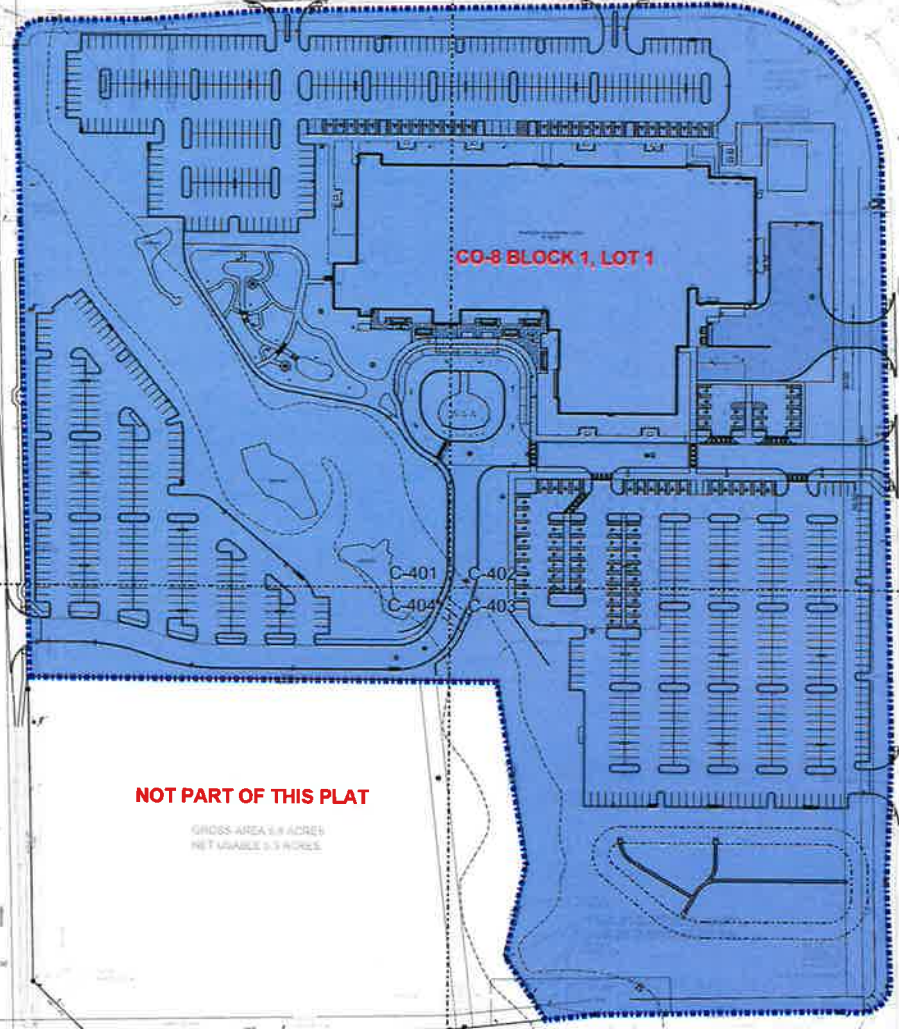
ADA VAN ACCESSIBLE	18
ADA ACCESSIBLE SPACES	76
STANDARD PARKING	996
MOTORCYCLE SPACES	-
TOTAL PARKING	1090
TOTAL PARKING + MOTORCYCLE	-

IMPERVIOUS AREA TABLE

EXISTING IMPERVIOUS AREA	89966 SF
EXISTING IMPERVIOUS AREA	0 SF
PROPOSED PERVIOUS AREA	26530 SF
PROPOSED IMPERVIOUS AREA	636476 SF
TOTAL DISTURBED AREA	31.88 ACRES
TOTAL PROPERTY AREA	24.18 ACRES

LEGEND

HEAVY DUTY REINFORCED CONCRETE PAVING RE: 3C-800	
STANDARD DUTY CONCRETE PAVING RE: 3C-800	
HEAVY DUTY ASPHALT PAVING RE: 3C-800	



NOT PART OF THIS PLAT

GROSS AREA 9.8 ACRES
NET USABLE 5.3 ACRES



CAUTION
NOTICE TO CONTRACTOR
THE CONTRACTOR IS SPECIFICALLY CAUTIONED THE LOCATION AND ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS ARE BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND MEASUREMENTS TAKEN IN THE FIELD. THE INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE LOCAL UTILITY LOCATION CENTER AT LEAST 72 HOURS BEFORE ANY EXCAVATION TO REQUEST EXACT FIELD LOCATIONS OF THE UTILITIES.

<p>Revision Schedule</p> <table border="1"> <thead> <tr> <th>Number</th> <th>Description</th> <th>Date</th> </tr> </thead> <tbody> <tr> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>			Number	Description	Date				<p>DEVELOPER: S430 Development Group LLC 85W Pacific Highway San Diego, California 92118 Telephone: 619 757 5273 Facsimile: 619 222 4541 www.sanderapros.com</p>	<p>BUILDER: C&S CONSTRUCTION, INC. 85W Pacific Highway San Diego, California 92118 Telephone: 619 757 6275 Facsimile: 619 222 4781 www.joulespergram.com</p>	<p>ARCHITECT: PERKINS — EASTMAN 925 Third Street, Suite 200 Oakland, CA 94612 T: 415 778 6600 F: 415 778 6600</p>	<p>ENGINEERS/CONSULTANTS: <i>wallace</i> Wallace Engineering 11444 - 17th Street San Diego, CA 92131 Telephone: 619 594 8800 www.wallace-engineering.com</p>	<p>THIS DOCUMENT IS PRELIMINARY IN NATURE AND IS NOT A FINAL SIGNED AND SEALED DOCUMENT.</p>	<p>Office of Construction and Facilities Management U.S. Department of Veterans Affairs</p>	<p>Project Title: ERNEST CHILDERS COMMUNITY BASED OUT-PATIENT CLINIC Location: Tulsa, OK Date: February 11, 2018 Drawn by: [blank] Checked by: [blank] Scale: [blank]</p>	<p>Project Number: VA1501-17-R-0026 Drawing Number: [blank] Date of Number: [blank] C-400 Sheet of: [blank]</p>
Number	Description	Date														

7.12

ERNEST CHILDERS COMMUNITY BASED OUTPATIENT CLINIC TULSA, OKLAHOMA SFO# VA-101-17-R-0320

7.13

DEVELOPER SASD DEVELOPMENT GROUP LLC 4805 PACIFIC HIGHWAY SAN DIEGO, CALIFORNIA 92110 619 220-4161 WWW.SASDENTRIPDES.COM	BUILDER CASD CONSTRUCTION, INC. 800 PACIFIC HIGHWAY SAN DIEGO, CALIFORNIA 92110 619 220-4161 WWW.SASDENTRIPDES.COM	CIVIL WALLACE ENGINEERING 200 EAST MATTHEW BRADY STREET TULSA, OKLAHOMA 74103 918.464.2558 WWW.WALLACE22.COM	STRUCTURAL WALTER P. MOORE AND ASSOCIATES, INC. 1209 PRAIRIE STREET, W.E. 400 COLONY SQUARE, SUITE 700 ATLANTA, GEORGIA 30327-8207 404.268.9020 WWW.WALTERMOORE.COM	ARCHITECT PERKINS EASTMAN ARCHITECTS, P.C. 200 W SIXTH STREET CHARLOTTE, NC 28202 704.340.2201 WWW.PERKINSEASTMAN.COM	FP-PME TLC ENGINEERING FOR ARCHITECTURE 874 BIRCH BULLYBARK SOUTH TULSA, OKLA 321.626.0274 WWW.TLCENGINEERS.COM	BUILDING ENVELOPMENT SERVICES MISS. JANREY, CLIFTON 200 PINGSTON ROAD WATTSVILLE, TENNESSEE 37052 615.277.7400 WWW.INFO@WJE.COM	CODE CONSULTING RAM GROUP, P.L.L.C. ARCHITECTS 200 REGENCY EXECUTIVE PARK DRIVE SUITE 115 CHARLOTTE, NORTH CAROLINA 28217 704.800.7001 WWW.RAMGROUP.COM	MEDICAL EQUIPMENT STRATEGIC HOSPITAL RESOURCES 2252 LOS CASHM DRIVE SE SUITE 100, ATLANTA, GA 30329 770.454.3960 INFO@SHPHIRE.COM	ACQUISITION DESIGN TRUDRAN ASSOCIATES 20800 RAKER ROAD CASTRO VALLEY, CA 94546 916.966.7823 WWW.TA.BC.COM	WAYFINDING TAFEFORM 11601 MAPLE RIDGE ROAD MEDINA, OHIO 44038-1403 800.528.1338 WWW.TAFEFORM.NET
--	--	--	--	---	---	---	--	---	---	--



50% DESIGN DEVELOPMENT

Number	Description	Date		DEVELOPER: SASD Development Group LLC 800 Pacific Highway San Diego, California 92110 Telephone: 619 787 8273 Facsimile: 619 220 4161 www.sasdentripdes.com	BUILDER: CASD CONSTRUCTION, INC. 800 Pacific Highway San Diego, California 92110 Telephone: 619 787 8270 Facsimile: 619 220 4161 www.sasdentripdes.com		ARCHITECT: PERKINS EASTMAN 200 W. Sixth Street Charlotte, NC 28202 704.340.2201	ENGINEERS/CONSULTANTS: 	Office of Construction and Facilities Management 	Drawing Title: COVER Approved: Project Director	Project File: ERNEST CHILDERS COMMUNITY BASED OUT-PATIENT CLINIC	Project Number: VA101-17-R-0320 Drawing Number: G-000
				Location: Tulsa, OK Date: December 17, 2018 Scale:	Sheet Number: of Volume: of							

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Sawyer, Kim

From: Foster, Nathan
Sent: Thursday, February 14, 2019 9:14 AM
To: Sawyer, Kim
Subject: Ernest Childers VA Preliminary Plat & Accelerated Release Request - Continuance

Kim,

Staff is requesting a continuance on these items to the March 6th TMAPC agenda due to new submittals being received yesterday.

Nathan Foster | Senior Planner
2 West 2nd Street Suite 800 | Tulsa, Oklahoma 74103
ph: 918.579.9481 | email: nfoster@incog.org



Sawyer, Kim

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Tulsa Metropolitan Area Planning Commission

Case : MR-2 – The Summit at Tulsa Hills

Hearing Date: February 20, 2019
(Continued from: February 6, 2019, January 16, 2019, December 19, 2018)

Case Report Prepared by:

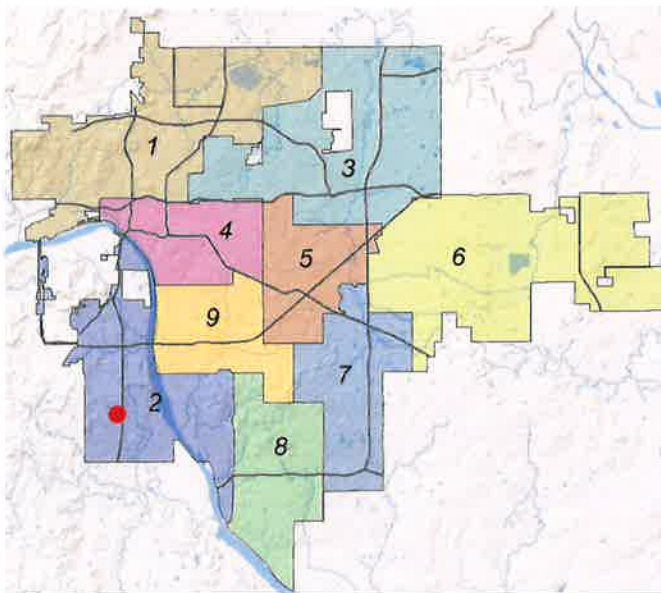
Nathan Foster

Owner and Applicant Information:

Applicant: Nathalie Cornett, Eller & Detrich

Owner: Nickel Creek Developers, INC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Modification to the Subdivision and Development Regulations

Purpose: Requesting a modification to the sidewalk requirements of Section 5.070 to remove the requirement for construction of sidewalks along South Union Avenue.

Location: South of the southeast corner of West 71st Street South and South Union Avenue

Zoning: CO/PUD-636

Staff Recommendation:

Staff recommends **denial** of the modification

City Council District: 2

Councilor Name: Jeannie Cue

County Commission District: 2

Commissioner Name: Karen Keith

EXHIBITS: Site Map, Aerial, Preliminary Plat, Applicant’s Request & Exhibits

MODIFICATION OF THE SUBDIVISION AND DEVELOPMENT REGULATIONS

MR-2 – The Summit at Tulsa Hills - (CD 2)

South of the southeast corner of West 71st Street South and South Union Avenue

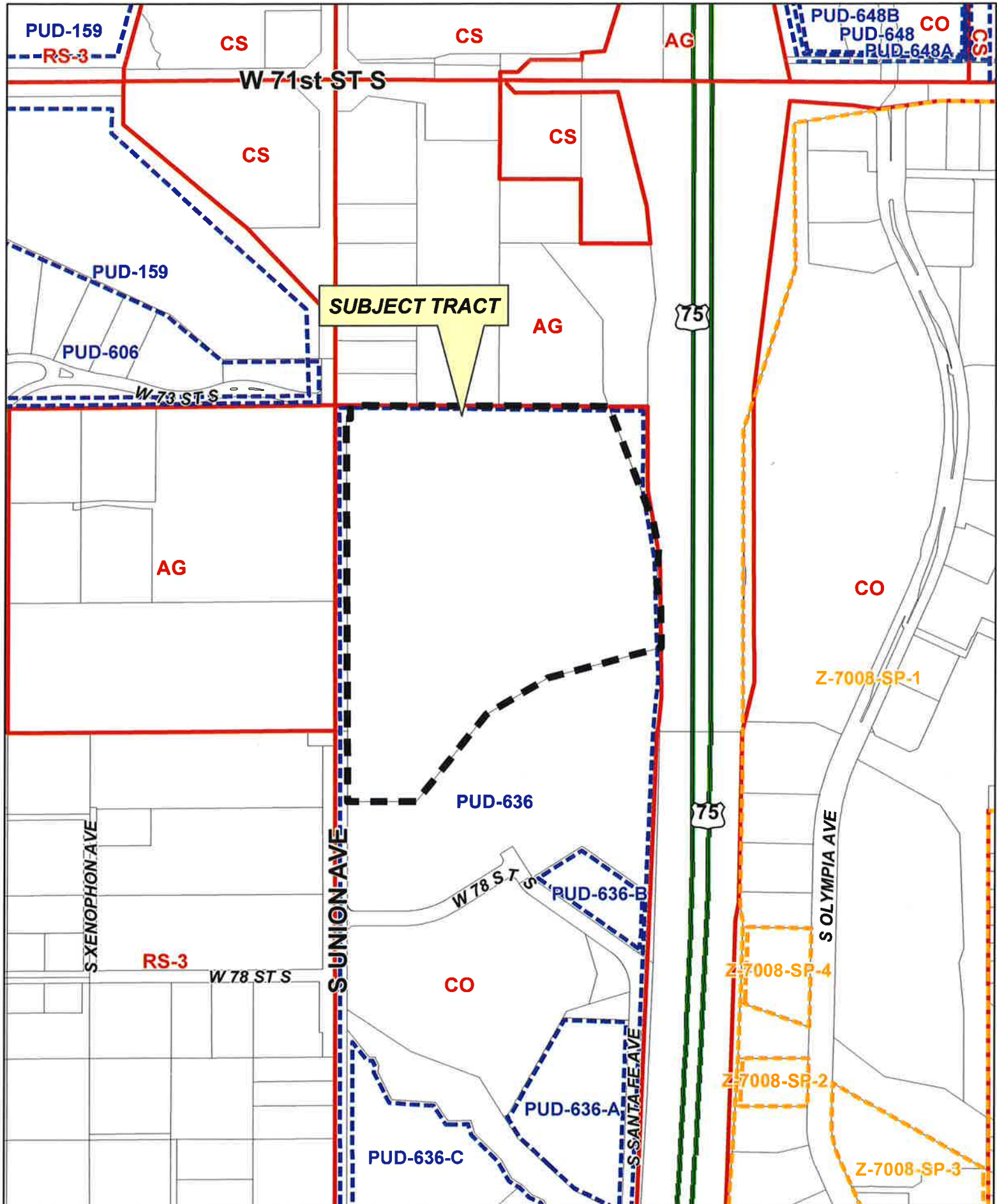
The applicant has requested that the Planning Commission remove the requirement that the property owner construct a sidewalk as part of the construction of a new single-family subdivision. The Subdivision and Development Regulations require sidewalks to be constructed on all arterial streets adjacent to new subdivisions.

The proposed subdivision includes 59 new single-family residential lots. The property is situated between an existing apartment complex and commercial uses to the south and undeveloped property to the north. If the property to the north were rezoned and developed, platting requirements would be incurred and sidewalks would be required to be installed that would connect the subject property to West 71st Street. There are existing sidewalks and a Tulsa Transit stop on West 71st Street that should be connected to new developments occurring along South Union Avenue via a sidewalk.

Sidewalks were required for the multifamily project south of the site; however, they were not installed. The requirement for sidewalks remains and could cause future permitting issues for the property owners.

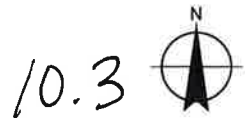
There are currently no plans for widening of South Union Avenue. The City of Tulsa does not have funding in place nor do they have any imminent plans to alter the configuration of the street.

Staff recommends **denial** of the modification of the Subdivision and Development Regulations to remove the requirement for sidewalk construction along South Union Avenue adjacent to the proposed "The Summit at Tulsa Hills" subdivision plat finding that it does not align with the Tulsa Comprehensive Plan or meet the modification requirements of the Subdivision and Development Regulations.



**THE SUMMIT AT
TULSA HILLS**

18-12 11





W 71st ST S

W 73 ST S

75

75

S XENOPHON AVE

S UNION AVE

W 78 ST S

W 78 ST S

S SANTA FE AVE

S OLYMPIA AVE



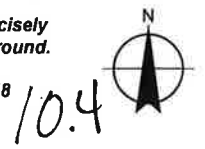
Subject Tract

THE SUMMIT AT TULSA HILLS

18-12 11

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

Aerial Photo Date: February 2018



Eller & Detrich
A Professional Corporation

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R. Louis Reynolds
Shanann Pinkham Passley
Daniel C. Cupps
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Jerry M. Snider
John H. Lieber
Joshua M. Tietsort
Kenneth E. Crump Jr.

Writer's E-Mail

NCornett@EllerDetrich.com

February 13, 2019

VIA E-MAIL

Tulsa Metropolitan Area Planning Commission
c/o INCOG
Attn: Mr. Nathan Foster
nfoster@incog.org

Re: MR-2 Request for Modification of Subdivision Regulations for
The Summit at Tulsa Hills

Dear Nathan:

This letter serves to supplement the original request for a modification of the Tulsa Subdivision and Development Regulations (the "Regulations") to waive the requirement for sidewalk installation (Section 5-070) along South Union Avenue at The Summit at Tulsa Hills (the "Project").

In conjunction with the exhibits submitted to INCOG on February 12, 2019, the Applicant requests the waiver of the sidewalk requirement for the South 445 linear feet of the Project boundary along Union Ave.



www.EllerDetrich.com

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

10.5

The reasons for the requested waiver are the difficult topography and existing bar ditch and sloping that runs along Union Ave. which cannot be altered due to multiple adjacent utilities, above and below ground, making the installation of a sidewalk impractical. Alternative locations for a sidewalk are severely limited due to the proximity of Union Ave. to the bar ditch and the absence of curbs and guttering along the shoulder.

Lastly, the property owner is unable to defer sidewalk installation by payment of a fee-in-lieu because the City of Tulsa does not have a program in place to accept such fees.

Based on the foregoing, strict compliance with the sidewalk requirement would cause undue hardship to the property owner. In accordance with Section 10-070.4 of the Regulations, the requested waiver will not be detrimental to the public safety, health or welfare; nor will it be injurious to other property or improvements; nor will it impair the spirit and intent of the Tulsa Zoning Code or Comprehensive Plan.

Sincerely,

ELLER & DETRICH
A Professional Corporation



Nathalie M. Cornett

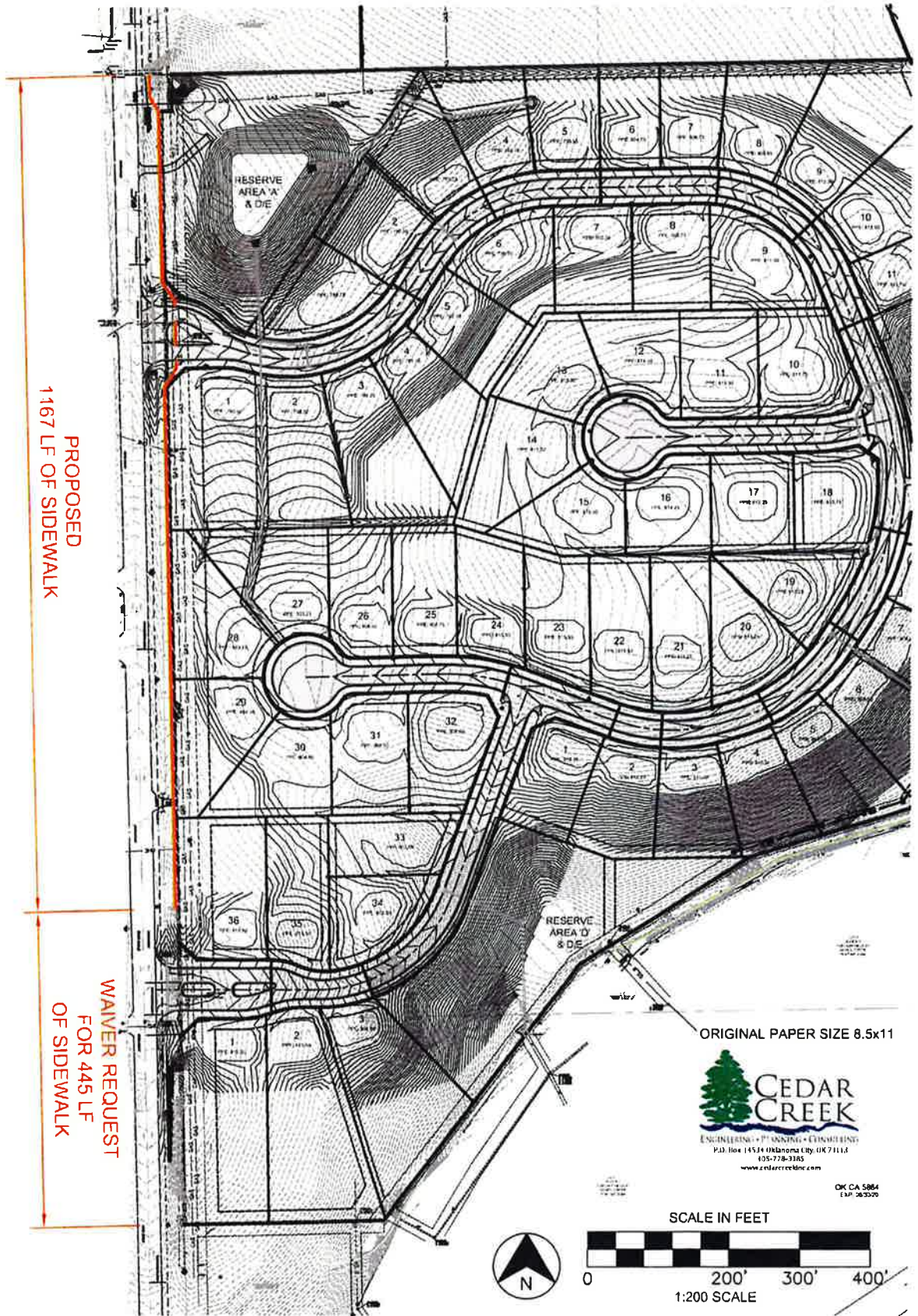
Cc: Jason Emmett
Enclosures

I:\13.1320\0004\Preliminary Plat\Request for Sub Reg Waiver (Revised 2019 0213).docx

10.6

EXHIBIT 'A1'

OVERALL UNION AVE. SIDEWALK LAYOUT



ORIGINAL PAPER SIZE 8.5x11

CEDAR CREEK
ENGINEERING • PLANNING • CONSULTING
P.O. Box 14514 Oklahoma City, OK 73114
405-778-3185
www.cedarcreekinc.com

OK CA 5884
131-263226

SCALE IN FEET

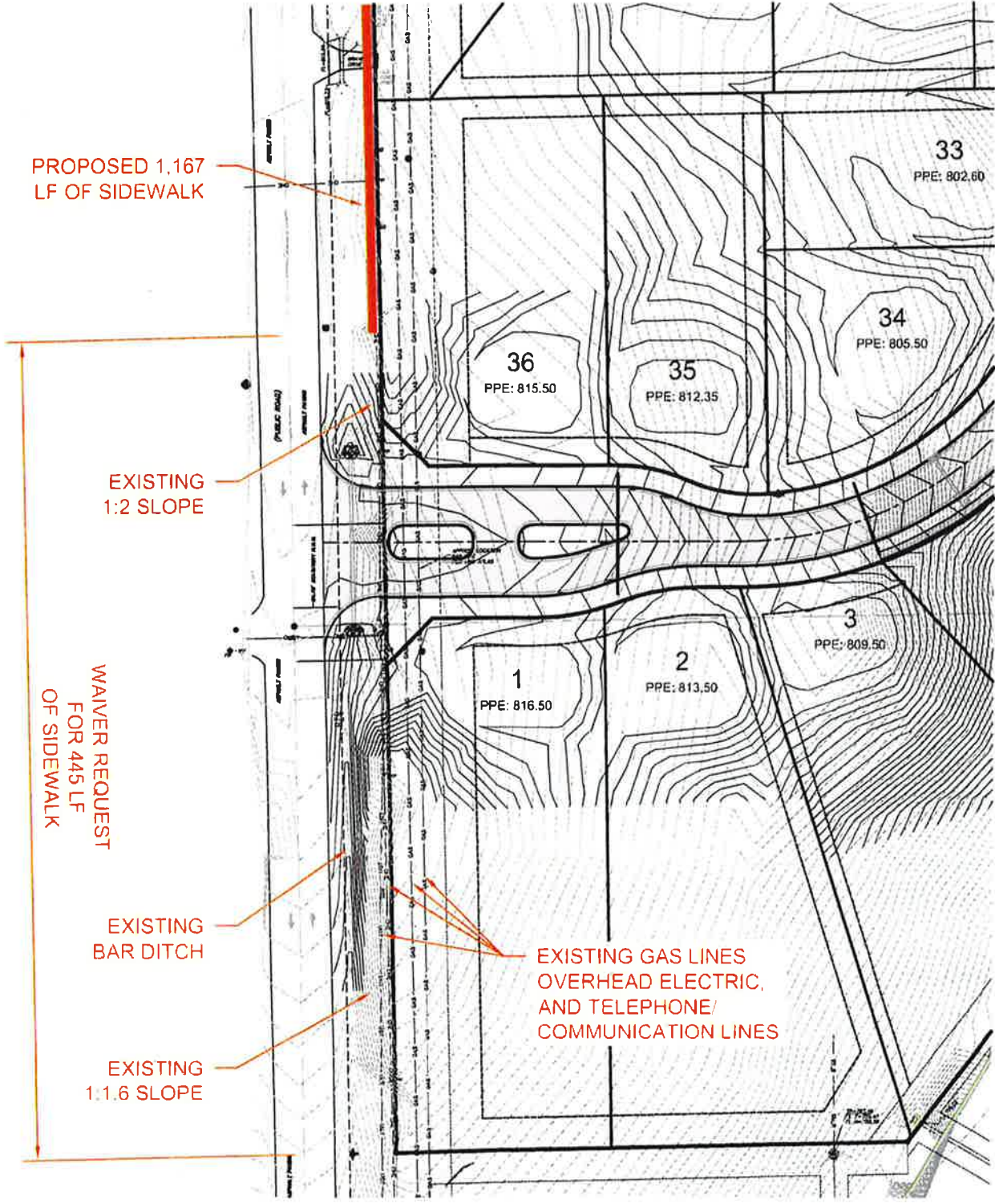


1:200 SCALE

10.7

EXHIBIT 'A2'

UNION AVE. SIDEWALK WAIVER LAYOUT



ORIGINAL PAPER SIZE 8.5x11

10.8



Tulsa Metropolitan Area
Planning Commission

Case Number: MPD-1

Hearing Date: February 20, 2019
(Continued from February 6, 2019)

Case Report Prepared by:

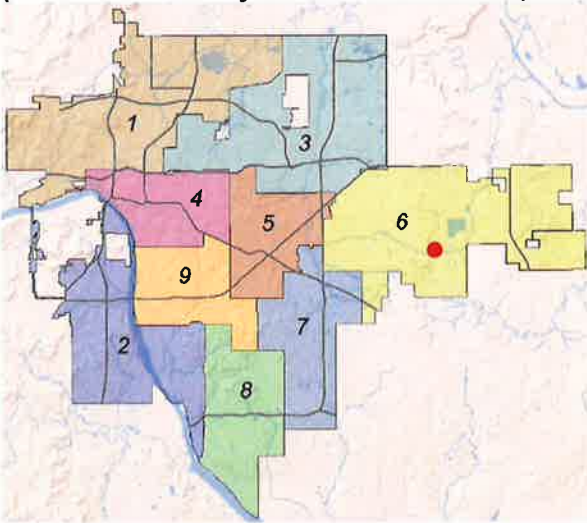
Dwayne Wilkerson

Owner and Applicant Information:

Applicant: Katy O'Meilia, Planning Design Group

Property Owner: Flat Top Developments, LLC

Location Map:
(shown with City Council Districts)



Applicant Proposal:

Present Use: Agricultural

Proposed Use: Residential with Neighborhood
Commercial Town Center

Concept summary: Master Planned Development
for some private streets, mixed use and lot
configurations that cannot be accomplished by the
normal zoning code provisions.

Tract Size: 117.5 ± acres

Location: Southwest corner of East 31st Street &
South 177th East Avenue

Zoning:

Existing Zoning: AG

Proposed Zoning: Master Planned
Development (MPD)

Comprehensive Plan:

Land Use Map: Neighborhood Center, New
Neighborhood

Stability and Growth Map: Area of Growth

Staff Recommendation:

**Staff recommends approval of CONCORD a
Master Planned Development as defined in
Section II of the staff report, including
supplemental staff standards.**

Staff Data:

TRS:

CZM: 40, 50

Atlas:

City Council District: 6

Councilor Name: Connie Dodson

County Commission District: 1

Commissioner Name: Stan Sallee

SECTION I: MPD-1

DEVELOPMENT CONCEPT:

Concord is a master planned community that utilizes new urbanist design principles in order to create a walkable, environmentally sustainable and economically diverse community. The project is proposed to be a mixed-use master planned community consisting of multiple housing types, recreational, civic and commercial uses with integrated open space and park development.

The traditional neighborhood model has several physical, social, and economic attributes that provide several positive consequences that help to sustain a pattern of livability and economic vitality.

The social and environmental benefits of a new urbanist community result from certain physical and organizational characteristics. An authentic new urbanism neighborhood should include most of the following:

1. Development should preserve sensitive natural and cultural areas as permanent open space.
2. The basic increment of development should be a walkable, diverse pedestrian walking shed that forms a neighborhood.
3. The neighborhood should have a discernible center to serve as community gathering space.
4. The pedestrian walking shed should be a five to ten-minute walk to the neighborhood center. This distance averages one-quarter of a mile.
5. There should be shops within, or in proximity to, the neighborhood sufficiently varied to satisfy ordinary daily household needs.
6. The neighborhood should incorporate a variety of places to work, including those that enable work at the dwelling.
7. The neighborhood should incorporate a variety of dwelling types, so that younger and older people, single household and families can be housed.
8. That there are small playgrounds and/or pocket parks near every dwelling unit.
9. Thoroughfares within the neighborhood be a network, connecting whenever possible, to adjacent thoroughfares in order to provide a variety of route options and disperse traffic.
10. That thoroughfares be designed to slow traffic, creating an environment appropriate for pedestrians, bicyclists, as well as automobiles.
11. Building frontages should collectively support pedestrian streetscapes and mask most parking lots.
12. That certain prominent sites are reserved for civic buildings. Buildings for meeting, education, religion, or culture are located at the termination of street vistas or at the neighborhood center.
13. When these basic design principles are utilized, a new urbanist neighborhood can have several positive consequences:
14. By bringing most of the activities of daily living into walking distance, everyone (especially the elderly and the young) gain independence of movement.
15. By reducing the number and length of automobile trips, traffic congestion is minimized, the expense of road construction and long-term maintenance are limited, and air pollution is reduced.
16. By providing walkable streets and squares of comfortable scale and distance, neighbors can come to know each other and to watch over their collective security.
17. By providing a full range of housing types and work places, age and economic classes are integrated, and the bonds of an authentic community are formed.
18. By providing civic buildings and spaces, democratic initiatives are encouraged and the connection with one's fellow neighbor and community is facilitated.

19. The street design standards, building placement, mixed use opportunities and residential building types can be integrated in a way that cannot be accomplished by the normal zoning process. The Master Planned Development is consistent with the city's adopted plans and provides greater public benefits than could be achieved using conventional zoning regulations.

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:
 - CONCORD Master Plan Development Standards

DETAILED STAFF RECOMMENDATION:

MPD-1 is consistent with the New Neighborhood and Neighborhood Center Land Use designation in the Comprehensive Plan and is compatible with the existing and expected development of surrounding areas and,

MPD-1 provides a unified treatment of the development possibilities of the project site and,

Permitted uses and building types identified in MPD-1 are consistent with the uses that may be permitted in a Master Plan Development District as identified in the Tulsa Zoning Code and,

MPD-1 identifies development standards that are consistent with the mandatory development plan standards in the Tulsa Zoning Code and,

MPD-1 is consistent with the purpose and intent of Master Planned Development Districts as identified in the Tulsa Zoning Code therefore,

Staff recommends **Approval** of MPD-1 as defined in Section II below:

SECTION II MPD-1 DEVELOPMENT STANDARDS:

MPD-1 shall allow all uses defined below, customary accessory uses, and supplemental regulations of the Tulsa Zoning as allowed and further defined below. All uses categories and subcategories or specific uses that are not part of the applicant's submittal are prohibited.

Regulating Plan:

Includes Town Center District, Neighborhood Center District, General Neighborhood District and Open Space.





The following may be considered minor amendments to the regulating plan:

- Adjustment of internal development area boundaries provided the allocation of land to uses and the relationship of uses within the project are not substantially altered.
- Modification of the internal circulation system provided the system is not substantially altered.
- Changes in vehicular connections with arterial streets, provided the traffic design and capacity are not substantially altered.

DIAGRAM - REGULATING PLAN

The regulating plan is a map showing the various district categories within the development. The regulating plan also shows the form and location of public spaces and the thoroughfares.

LEGEND

-  Town Center District (TC)
-  Neighborhood Center District (NC)
-  General Neighborhood District (GN)
-  Open Space



Permitted Uses:

As defined by the Regulating Plan and by the Allowed Uses defined in Table 2.0.

The following may be considered minor amendments:

- Limitation or elimination of previously approved uses provided the character of the development is not substantially altered.
- Addition to previously approved uses, provided the character of the development is not substantially altered.

11.4

USE REGULATIONS

Uses are listed in the first column of Allowed Use Table 2.0. This MPD classifies uses into categories and subcategories. In some cases, specific use types are listed in addition to the use categories and subcategories. Building types are defined in the Urban Standards section of this MPD.

PERMITTED USES

Uses identified with a "P" are permitted as-of-right in the subject zoning district, subject to compliance with any supplemental regulations identified in the final column of Table 2.0 and with all other applicable regulations of this MPD. Uses identified with a "P*" are uses that are permitted with special standards. The special standards section is identified in the supplemental regulation's column in Table 2.0.

PROHIBITED USES

Uses identified with an "-" are expressly prohibited. Uses that are not listed in the table and that cannot be reasonably interpreted to fall within any defined use category are also prohibited.

SPECIAL EXCEPTION USES

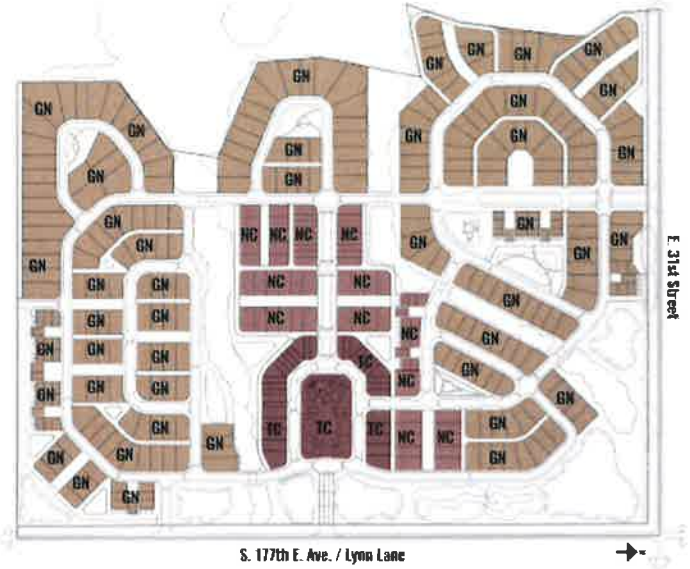
Uses identified with an "S" may be allowed if reviewed and approved in accordance with the special exception procedures of Section 70.120 of the Tulsa Zoning Code. Special exception uses are subject to compliance with any supplemental regulations identified in the final column of Table 2.0 and with all other applicable regulation's of this MPD.

SUPPLEMENTAL REGULATIONS




The "Supplemental Regulations" column in Table 2.0 identifies additional regulations that apply to some uses. Unless otherwise expressly stated, compliance with these regulations is required regardless of whether the use is permitted as-of-right or requires special exception approval.

ACCESSORY USES

Accessory uses are not regulated by Table 2.0. Customary accessory uses are allowed in conjunction with principal uses permitted by right or by special exception, subject to review and compliance by the Concord Town Urban Planner.



LEGEND

-  Town Center District (TC)
-  Neighborhood Center District (NC)
-  General Neighborhood District (GN)

REFER TO USE TABLE 2.0 on following pages:

ALLOWED USE TABLE 2.0

	TC	NC	GN	Supplemental Use Standards
Residential				
Household Living				
Detached House	P*	--	P	See Detached House Urban Standards
Bungalow Court	--	P	P	
Cottage Court	--	P	P	
Duplex	--	P	P	
Townhouse	P	P	--	
Multi-Unit House	P	P	--	
Public, Civic, & Institutional				
Day Care	P	--	--	See Section 40.120 Tulsa Zoning Code
Library or Cultural Exhibit	P	--	--	
Natural Resource Preservation	P	P	P	
Parks and Recreation	P	P	P	
Postal Service	P	--	--	
Religious Assembly	P*	--	--	See Section 40.320 Tulsa Zoning Code
School	P	P	--	
Commercial				
Animal Service				
Boarding or shelter	--	--	--	
Grooming	P	--	--	

P = Permitted, P* = Permitted w/ Special Standards, S = Special Exception, -- = Not Permitted

ALLOWED USE TABLE 2.0 CONTINUED

	TC	NC	GN	Supplemental Use Standards
Veterinary	P	--	--	
Financial Services (except below)	P	--	--	
Personal credit establishment	--	--	--	
Funeral or Mortuary Service	--	--	--	
Lodging				
Bed & Breakfast	P	--	--	
Hotel/Motel	--	--	--	
Office				
Business or professional office	P	--	--	
Medical, dental or health practitioner office	P	--	--	
Plasma center	--	--	--	
Parking, Non-accessory	--	--	--	
Restaurants & Bars				
Restaurant	P	--	--	
Bar	P	--	--	
Wine bar or Brew Pub	P	--	--	
Coffee shop	P	--	--	
Retail Sales				
Building supplies & equipment	--	--	--	
Consumer shopping goods	P	--	--	
Convenience goods	P	--	--	
Marijuana dispensary	--	--	--	
General Store	P	--	--	

P = Permitted, P* = Permitted w/ Special Standards, S = Special Exception, -- = Not Permitted

TULSA, OKLAHOMA

ALLOWED USE TABLE 2.0 CONTINUED

	TC	NC	GN	Supplemental Use Standards
Assembly & Entertainment				
Gym/Fitness Facility	P	--	--	
Vendor, Food, Mobile Food Court	P	--	--	
Vendor, Merchandise	P	--	--	
Community Pool	P	--	--	
Entertainment/Event Center	P	--	--	
Outdoor seating and dining areas that exceed 50% of the indoor floor area of the subject principal use	P	--	--	
Self-service storage facility	--	--	--	
Sexually oriented establishment	--	--	--	
Studio, Artists, or Instructional Service	P	--	--	
Vehicle sales & service	--	--	--	
Industrial				
Manufacturing & Industry	--	--	--	
Recycling				
Consumer material drop-off station	--	--	--	
Agricultural				
Community Garden	P	P	P	
Farmer's Market	P	--	--	
Other Uses				
Drive-in or drive-through facility	--	--	--	
Oil or Gas Well	S	S	S	See Title 40A of the Tulsa Revised Ordinance

P = Permitted, P* = Permitted w/ Special Standards, S = Special Exception, -- = Not Permitted
 TULSA, OKLAHOMA

Refer to following standards for allowed locations for Detached house, Bungalow court, Cottage Court, Duplex, Multi Use House and Multi Use Building.

SUMMARY TABLE 1.0

ZONING DISTRICT	DETACHED HOUSE	BUNGALOW COURT	COTTAGE COURT	DUPLEX	TOWNHOUSE	MULTI-UNIT HOUSE	MIXED-USE BUILDING
							
	A detached house is a single-family residence on its own lot. Garages and/or surface parking shall be provided in the rear yard and, if possible, accessed from a private lane. Parking may be accessed from the front setback if urban provisions are adhered to.	A Bungalow Court is a series of single-family dwellings that front a linear shared green space. The Bungalow Court accommodates parking in the rear.	A Cottage Court is a small single-family dwelling on a small lot that is clustered around a common open space or shared courtyard. Cottage Courts may share one or more outbuildings. Surface parking shall be provided and accessed via a rear private lane.	A Duplex is a residential building occupied by 2 dwelling units, both which are located on a single lot that is not occupied by other principal residential buildings. Units are attached and may be located on separate floors, side-by-side, or front to back.	A Townhouse is a single-family dwelling that shares a party wall with another of the same type and occupies the full frontage line of a lot. Townhouses accommodate parking in the rear via a private lane.	A Multi-Unit House is a principal residential building that contains 3 or 4 dwelling units that share common walls and/or common floors/ceilings. Multifunit houses have the appearance of large detached house.	A Mixed-Use Building is a principal building occupied by one or more commercial, office, and/or entertainment uses. One or more residential dwelling units may be located above the ground floor use.
TOWN CENTER	X			X	X	X	X
NEIGHBORHOOD CENTER		X	X	X	X	X	
GENERAL NEIGHBORHOOD	X	X	X	X			

DETACHED HOUSE

Overview

A detached house is a principal residential building, other than a manufactured housing unit or mobile home, that contains only one dwelling unit and that is located on a single lot that is not occupied by other principal residential buildings. Detached houses are not attached to and do not abut other dwelling units.

Urban Provisions

Principal Building and Yards

- A Detached House shall be oriented to and have a main entry accessible from the primary street.
- Stoops, balconies, porches, and bay windows may encroach within the front yard and corner lot side yard setbacks but shall provide a 5' min. setback from the public right-of-way.
- Where possible, buildings located on corner lots should utilize porches and stoops that wrap the corner of the structure in order to provide a residential entrance/presence along both street frontages.
- Fences, garden walls, and hedges are allowed and further defined by the neighborhood covenants and restrictions.
- Building height shall be measured from grade elevation to eave line. Refer to Section 90.10C-A of the Tulsa zoning code for height measurements regarding sloped sites.

Parking

- Parking shall be 2 spaces minimum per unit on each individual lot
- Front loaded driveways are permitted on lots with widths of 45 feet or greater.
 - Front loaded garage doors shall be recessed from the primary building facade a minimum of 20 feet.
 - Units with front loaded garages are highly encouraged to utilize detached and/or attached garages that set toward the back of the lot or garages that are turned to the side where the doors do not directly face the street frontage.
 - Front loaded driveways shall have a 20' maximum pavement width
- For lots with parking access off of a rear private lane, the maximum driveway paving width shall be no larger than 1' either side of the garage door.
- Parking within the private lane drive aisle is not permitted.

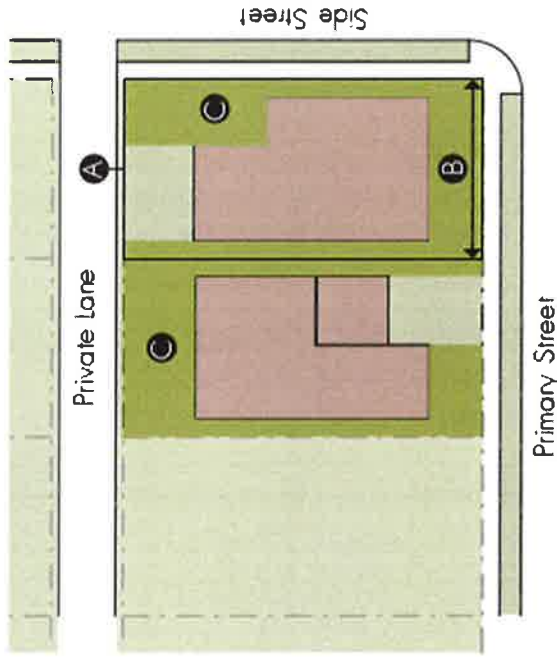
Open Space

- A Detached House shall provide 15% min. of the total lot area as open space.
 - Lot areas that are not occupied by buildings, driveways, or parking areas and are generally usable by residents shall be counted toward satisfying the minimum open space requirement.

Special Standards

- Front loaded driveways shall not be permitted within the Town Center District. All parking shall be accessed via a rear private lane.

LOT PARAMETERS



Lot

Single-unit detached 4,500 SF min. 45' min.

Open Space

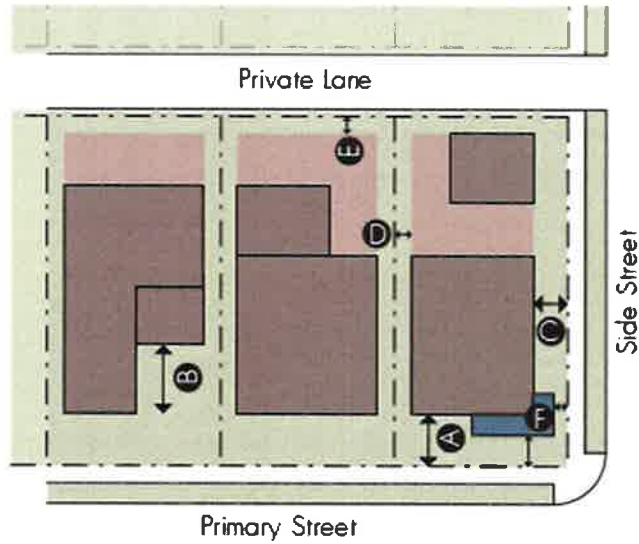
☉ Open Space per Unit Required
 (15% min. of total lot area) 675 sq. ft. min.

Height

Maximum height 35' max.

NOTE: lot width shall be measured as the average (mean) horizontal distance between the side property lines of a lot. See Section 90.060 lot Width of the Tulsa Zoning Code for graphic representation of irregular lots and/or lots that have curved street frontage.

BUILDING PLACEMENT



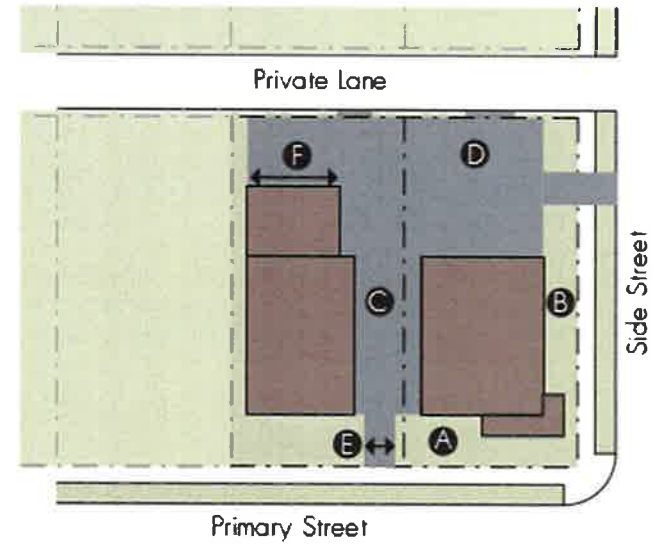
Building Setbacks

A	Primary street: principal structure	10' min./20' max.
B	Primary street: garage	20' min. from primary building facade
C	Side street	10' min.
D	Side: common lot line or side private lane	5' min.
E	Rear: common lot line or rear private lane	5' min.
F	Front & side encroachment	5' min. from ROW

NOTE Refer to Section 90.090- B Setback Measurements on Irregular Lots

TULSA, OKLAHOMA

ACCESS & PARKING LOCATION



Access

With rear private lane: new street curb-cuts per lot	None
With no rear private lane: new street curb-cuts per lot	E 1 max, 15' max. driveway width
With rear private lane:	F Paving width max. is equal to 1' either side of garage door width

Parking Location

A	Primary street yard	Not allowed
B	Side street yard	Not allowed
C	Side yard	Allowed
D	Rear yard	Allowed

BUNGALOW COURT

Overview

A Bungalow Court is a series of single-family dwellings that front a linear shared green space. Generally, there are two different approaches for how the building unit can be positioned on the lot. Option one has buildings shifted to one side of the lot so that there is a more usable side yard on one side of the house and no yard on the other side. Option two has buildings with standard side yard setbacks on both sides of the common lot line. The Bungalow Court accommodates parking in the rear.

Urban Provisions

Principal Building and Yards

- Bungalow Court houses shall be oriented to and have a main entry onto a linear green that is accessible by all residents in the Bungalow Court development.
- Porches that front the linear greenbelt are required
 - Where possible, buildings located on corner lots that abut a primary street should utilize a larger setback and have porches and/or stoops that wrap the corner of the structure in order to provide a residential entrance/presence along both the street and the linear green frontages.
- Front loaded garage are not permitted
- Fences, garden walls, and hedges are allowed and further defined by the neighborhood covenants and restrictions.
- Building height shall be measured from grade elevation to eave line. Building height shall be measured from grade elevation to eave line. Refer to Section 90.160-A of the Tulsa zoning code for height measurements regarding sloped sites.

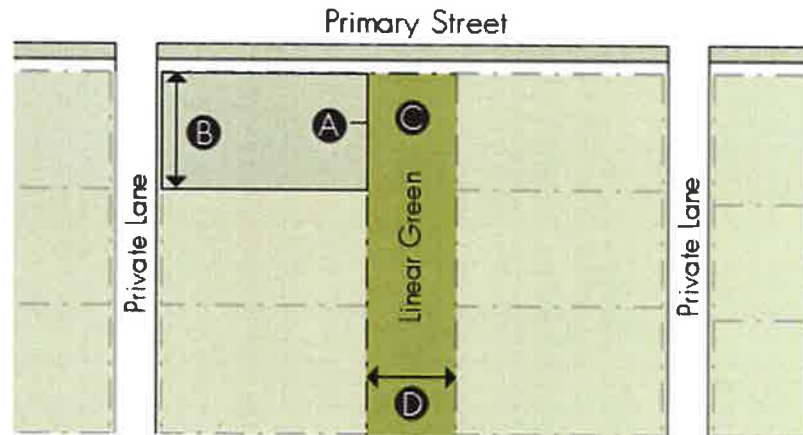
Parking

- Parking shall be 2 spaces minimum per unit on each individual lot
 - Parking shall be accessed via a rear private lane.
 - Driveway paving width shall be no larger than 1' either side of the garage door width.
- Parking within the private lane drive aisle is not permitted.

Open Space

- A Bungalow Court shall provide 15% min. open space per lot
 - lot areas that are not occupied by buildings, driveways, or parking areas and are generally usable by residents shall be counted toward satisfying the minimum open space requirement.
- The total required open space shall be provided in a front yard, linear common green with a minimum width of 35'.
- Linear greens shall provide required landscaping as outlined in the neighborhood covenants and restrictions.

LOT PARAMETERS

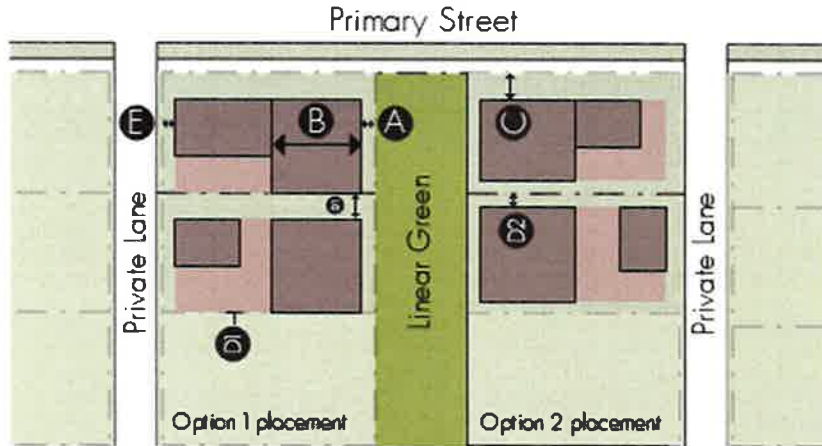


Lot	A Area	B Width
Single-unit detached	3,200 SF min.	40' min.
Open Space		Required
Common space (15% min. of each lot provided in a common linear green)		C 480 sq. ft. min. per lot D 35' min. width
Height		
Maximum height		35' max.

NOTE: Lot width shall be measured as the average (mean) horizontal distance between the side property lines of a lot. See Section 90.060 Lot Width of the Tulsa Zoning Code for graphic representation of irregular lots and/or lots that have curved street frontage.

11.12

BUILDING PLACEMENT

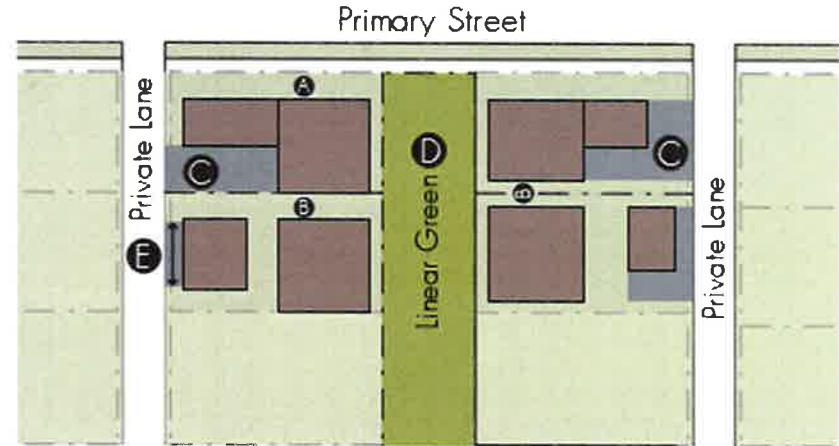


Building Setbacks

A	Linear green: principal structure	5' min./15' max
B	Linear green: accessory structure	40' min.
C	Primary street	10' min.
D1	Side Option 1: common lot line	0' min. with 10' total separation
D2	Side Option 2: common lot line	5' min.
E	Rear: common lot line/private lane	5' min.

NOTE Refer to Section 90.090- B Setback Measurements on Irregular Lots

ACCESS & PARKING LOCATION



Access

With private lane: new curb-cuts per lot E 1 max, paving width max. is equal to 7' either side of garage door.

Parking Location

A	Primary street yard	Not allowed
B	Side yard	Not Allowed
C	Rear yard	Allowed
D	Linear green	Not Allowed

COTTAGE COURT

Overview

A Cottage Court is a small single-family dwelling on a small lot that is clustered around a common open space or shared courtyard. Cottage Courts may share one or more outbuildings. Surface parking shall be provided and accessed via a rear yard alley.

Urban Provisions

Principal Building and Yards

- Cottage Court development must contain at least 4 and no more than 10 houses arranged around at least two sides of a courtyard or common open space.
- Cottage Court houses shall be oriented to and have a main entry onto a courtyard or common green space area that is accessible by all residents in the cottage court development.
- Stoops and porches that front the common green are highly encouraged
 - Where possible, buildings located on corner lots that abut a primary street should utilize a larger setback and have porches and/or stoops that wrap the corner of the structure in order to provide a residential entrance/presence along both the street and the common green frontages.
- Fences, garden walls, and hedges are allowed and further defined by the neighborhood covenants and restrictions.
- Building height shall be measured from grade elevation to eave line. Building height shall be measured from grade elevation to eave line. Refer to Section 90.160-A of the Tulsa zoning code for height measurements regarding sloped sites.

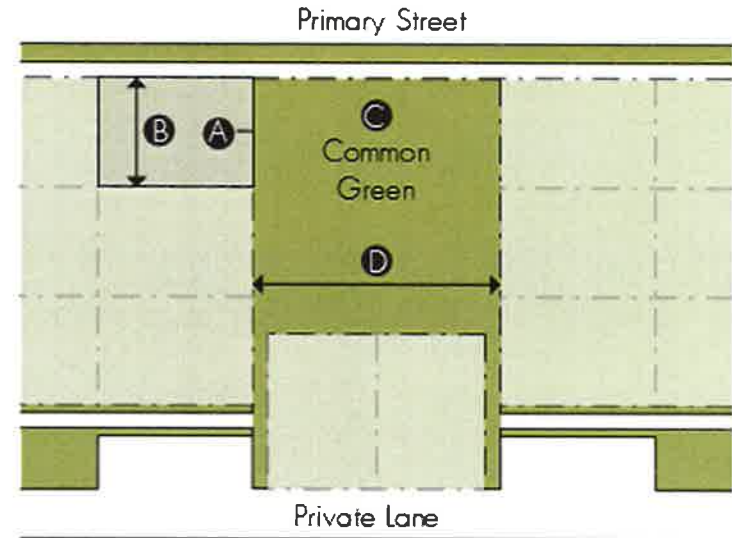
Parking

- Parking shall be 1 space minimum per unit
 - Parking shall be accessed via a rear private lane and provided in a shared surface lot and/or a shared garage/covered space.
- Parking within the private lane drive aisle is not permitted.

Open Space

- A Cottage Court shall provide 15% min. open space per lot
 - lot areas that are not occupied by buildings, driveways, or parking areas and are generally usable by residents shall be counted toward satisfying the minimum open space requirement.
- The total required open space shall be provided in a front yard, common green with a minimum width of 45'.
- Linear greens shall provide required landscaping as outlined in the neighborhood covenants and restrictions.

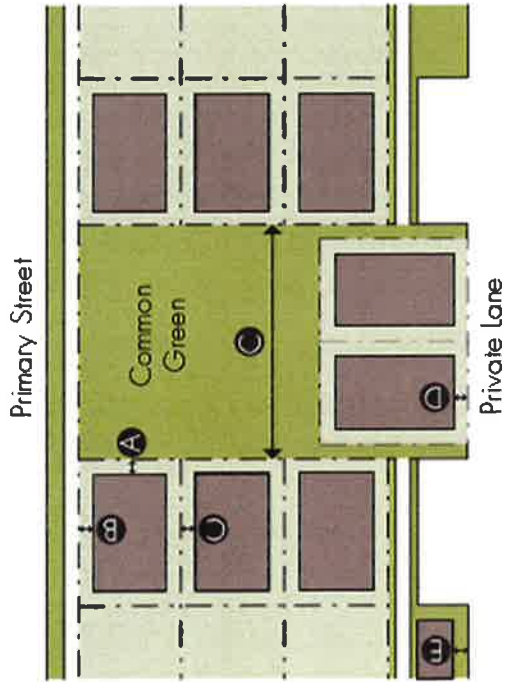
LOT PARAMETERS



Lot	A Area	B Width
Single-unit detached	1,750 SF min.	35' min.
Open Space		Required
Common space (15% min. of each lot provided in a common green)	C 263 sq. ft. min. per lot	
	D 45' min. width	
Height		
Maximum height		35' max.

NOTE: Lot width shall be measured as the average (mean) horizontal distance between the side property lines of a lot. See Section 90.060 Lot Width of the Tulsa Zoning Code for graphic representation of irregular lots and/or lots that have curved street frontage.

BUILDING PLACEMENT

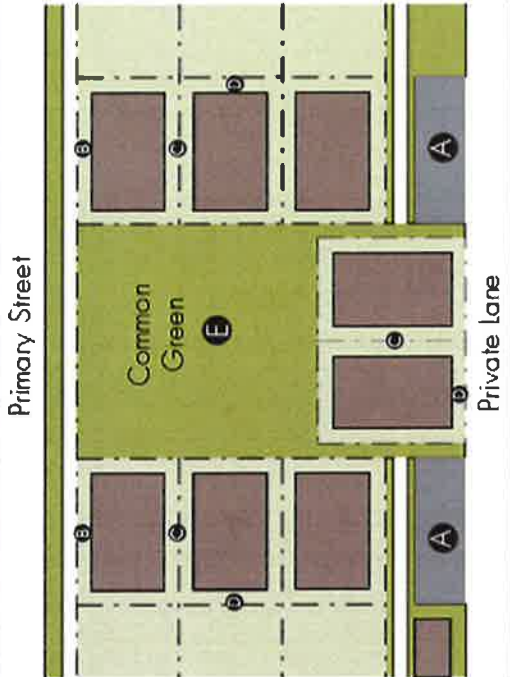


Building Setbacks

A	Linear green: principal structure	5' min./10' max
B	Primary street	10' min.
C	Side: common lot line or side private lane	5' min.
D	Rear: common lot line or rear private lane	5' min.
E	Rear: accessory structure/covered parking	5' min.

NOTE Refer to Section 90.090- B Setback Measurements on Irregular Lots

ACCESS & PARKING LOCATION



Access

A	With alley: surface parking off private lane	1 space/unit min.
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Parking Location

B	Primary street yard	Not allowed
C	Side yard	Not Allowed
D	Rear yard	Not Allowed
E	Common green	Not Allowed

DUPLEX

Overview

A Duplex is a principal residential building occupied by 2 dwelling units, both which are located on a single lot that is not occupied by other principal residential buildings. Units are attached and may be located on separate floors, side-by-side, or front to back.

Urban Provisions

Principal Building and Yards

- A Duplex unit shall be oriented to and have its main entries accessible from the primary street.
- Stoops, balconies, porches, and bay windows may encroach within the front yard and corner lot side yard setbacks but shall provide a 5' min. setback from the public right-of-way.
- Fences, garden walls, and hedges are allowed and further defined by the neighborhood covenants and restrictions.
- Building height shall be measured from grade elevation to eave line. Building height shall be measured from grade elevation to eave line. Refer to Section 90.160-A of the Tulsa zoning code for height measurements regarding sloped sites.
- *Side common yard setbacks shall be 5' min. unless a driveway/parking court is shared between adjacent properties.

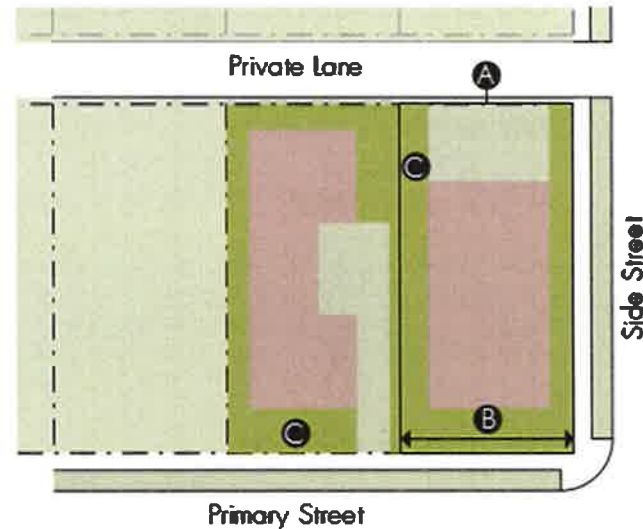
Parking

- Parking shall be 2 spaces minimum per unit on each individual lot
- Street facing garage doors on a Duplex unit are prohibited.
 - Garage doors accessed from a front driveway shall be turned to the side of the unit.
 - Front loaded driveways are permitted but shall have a 15' max. pavement width.
- For lots with parking access off of a rear private lane, the maximum driveway paving width shall be no larger than 1/2 either side of the garage door width.
- Parking within the private lane drive aisle is not permitted.

Open Space

- A Detached House shall provide 15% min. of the total lot area as open space.
 - Lot areas that are not occupied by buildings, driveways, or parking areas and are generally usable by residents shall be counted toward satisfying the minimum open space requirement.

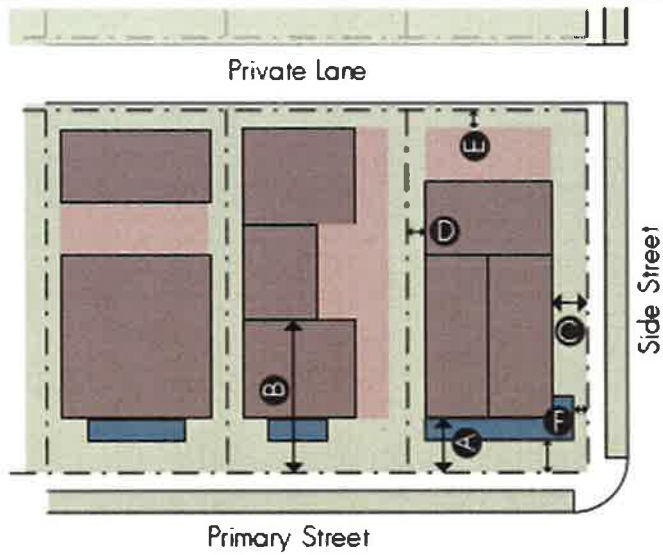
LOT PARAMETERS



Lot	Ⓐ Area	Ⓑ Width
Single-unit detached	5,000 SF min.	50' min.
Open Space		Required
Ⓒ Open Space per Unit (15% min. of total lot area)		750 sq. ft. min.
Height		
Maximum height		35' max.

NOTE Lot width shall be measured as the average (mean) horizontal distance between the side property lines of a lot. See Section 90.060 Lot Width of the Tulsa Zoning Code for graphic representation of irregular lots and/or lots that have curved street frontage.

BUILDING PLACEMENT

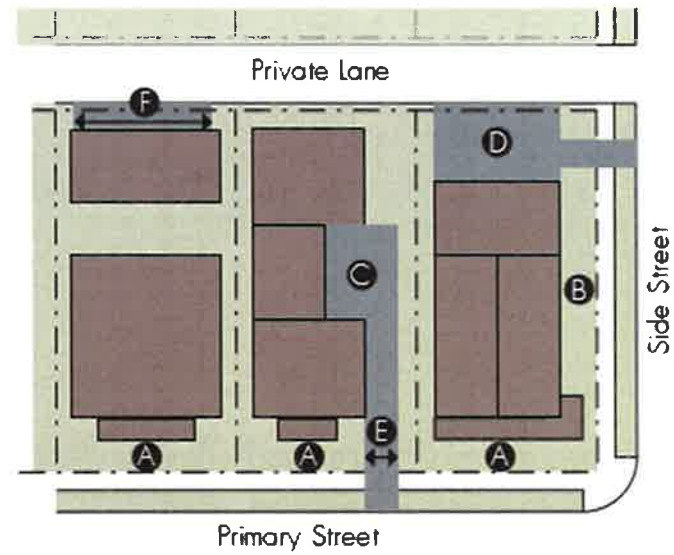


Building Setbacks

A	Primary street: principal structure	10' min./20' max.
B	Primary street: garage	50' min.
C	Side street	10' min.
D	*Side: common lot line or side private lane	5' min.
E	Rear: common lot line or rear private lane	5' min.
F	Front & side encroachment	5' min., from ROW

NOTE Refer to Section 90.090- B Setback Measurements on Irregular Lots

ACCESS & PARKING LOCATION



Access

With private lane: new street curb-cuts per lot	None
With no private lane: new street curb-cuts per lot	E 1 max, 15' max front driveway width
With private lane:	F paving width max. is equal to 1' either side of garage door.

Parking Location

A	Primary street yard	Not allowed
B	Side street yard	Not allowed
C	Side yard	Allowed
D	Rear yard	Allowed

DUPLEX (continued)

TOWNHOUSE

Overview

A Townhouse is a single-family dwelling that shares a party wall with another of the same type and occupies the full frontage line of a lot. Townhouses should be located in more urban areas. Parking shall be accommodated in the rear.

Urban Provisions

Principal Building and Yards

- Townhouses shall be oriented to and have a main entry accessible from the primary street.
- Stoops, balconies, porches, and bay windows may encroach within the front yard and corner lot side yard setbacks.
- Townhouses must be affixed to a permanent foundation.
- Fences, garden walls, and hedges are allowed and further defined by the neighborhood covenants and restrictions.
- Building height shall be measured from grade elevation to eave line. Building height shall be measured from grade elevation to eave line. Refer to Section 90.160-A of the Tulsa zoning code for height measurements regarding sloped sites.

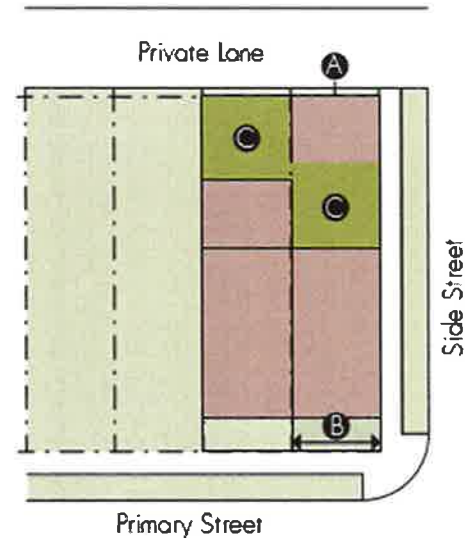
Parking

- Parking shall be 2 spaces minimum per unit on each individual lot
- Front loaded driveways are prohibited.
- Parking shall be accessed via a rear private lane.
 - The maximum driveway paving width shall be no larger than 1' either side of the garage door width.
- Parking within the private lane drive aisle is not permitted.

Open Space

- A Townhouse shall provide 15% min. of the total lot area as open space.
 - lot areas that are not occupied by buildings, driveways, or parking areas and are generally usable by residents shall be counted toward satisfying the minimum open space requirement.
 - * For townhouses located within the Town Center District, required open space may be provided on each townhouse lot or may be provided in outdoor common areas within the Town Center as designated on the recorded plat or in a separately recorded legal instrument. For townhouses located within the Neighborhood Center District, required open space shall be provided on each lot.

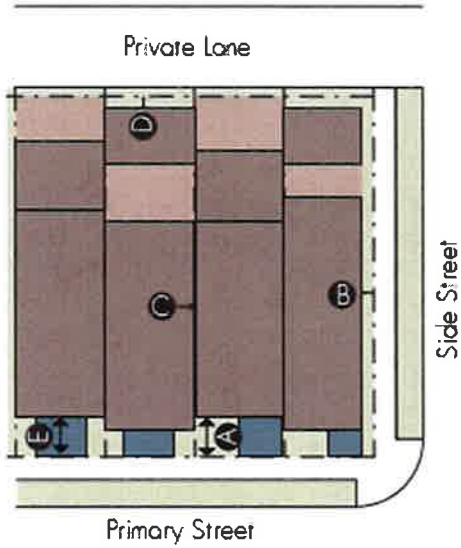
LOT PARAMETERS



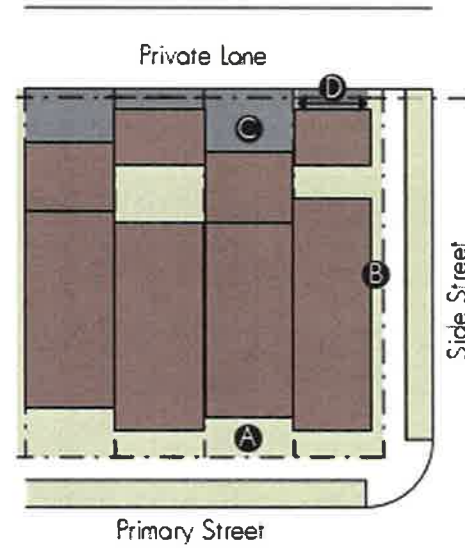
Lot	A Area	B Width
Single-unit detached	1,600 SF min.	20' min.
Open Space		Required
● Open Space per Unit *(15% min. of total lot area)		240 sq. ft. min.
Height		
Maximum height		35' max.

NOTE: lot width shall be measured as the average (mean) horizontal distance between the side property lines of a lot. See Section 90.060 Lot Width of the Tulsa Zoning Code for graphic representation of irregular lots and/or lots that have curved street frontage.

BUILDING PLACEMENT



ACCESS & PARKING LOCATION



Building Setbacks

A	Primary street, principal structure	5' min./15' max.
B	Side street or side private lane	5' min.
C	Side, common lot line	0' min.
D	Rear, private lane	5' min.
E	Front & side encroachment	0' min., from ROW

NOTE: Refer to Section 90.090- B Setback Measurements on Irregular Lots

Access

With private lane: new curb cuts per lot D max., paving width max. is equal to γ either side of garage door.

Parking Location

A	Primary street yard	Not allowed
B	Side street yard	Not allowed
	Side yard	NA
C	Rear yard	Allowed

MULTI-UNIT HOUSE

Overview

A Multi-Unit House is a principal residential building that contains 3 or 4 dwelling units that share common walls and/or common floors/ceilings. Multi-unit houses have the appearance of a large detached house and accommodate parking via a rear private lane.

Urban Provisions

Principal Building and Yards

- A Multi-Unit House shall be oriented to and have only one main entry accessible from the primary street. If the building is located on a corner lot, one building entrance may be visible from each street.
- Stoops, balconies, porches, and bay windows may encroach within the front yard and corner lot side yard setbacks but shall provide a 5' min. setback from the public right-of-way.
- Fences, garden walls, and hedges are allowed and further defined by the neighborhood covenants and restrictions.
- Building height shall be measured from grade elevation to eave line. Building height shall be measured from grade elevation to eave line. Refer to Section 90.160-A of the Tulsa zoning code for height measurements regarding sloped sites.

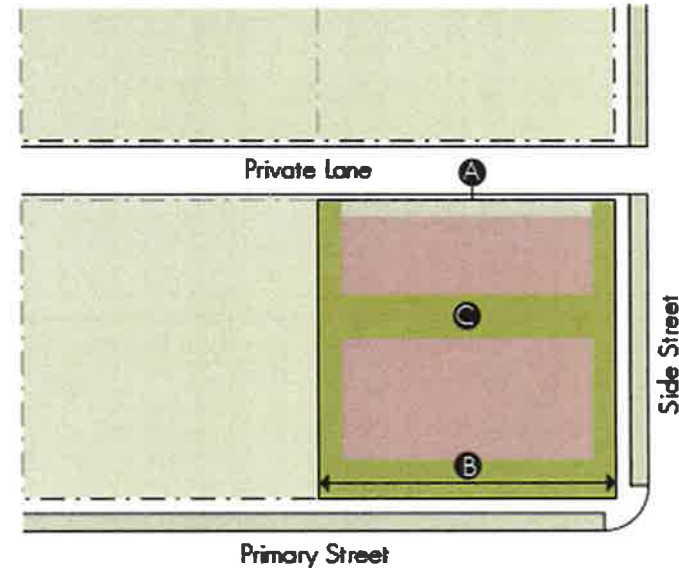
Parking

- Parking shall be 1.25 spaces minimum per unit on each lot
- Front loaded driveways are prohibited.
- Parking within the private lane drive aisle is not permitted.
- Parking shall be accessed via a rear private lane.
 - The maximum driveway paving width shall be no larger than 7' either side of the garage door width.
 - A series of garages shall provide a 3' minimum landscape island between driveways.

Open Space

- A Multi-Unit House shall provide 15% min. of the total lot area as open space.
 - Lot areas that are not occupied by buildings, driveways, or parking areas and are generally usable by residents shall be counted toward satisfying the minimum open space requirement.

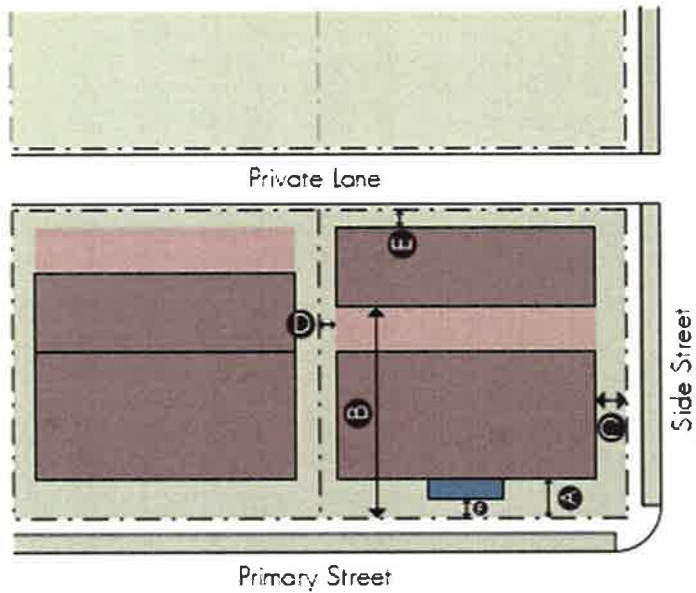
LOT PARAMETERS



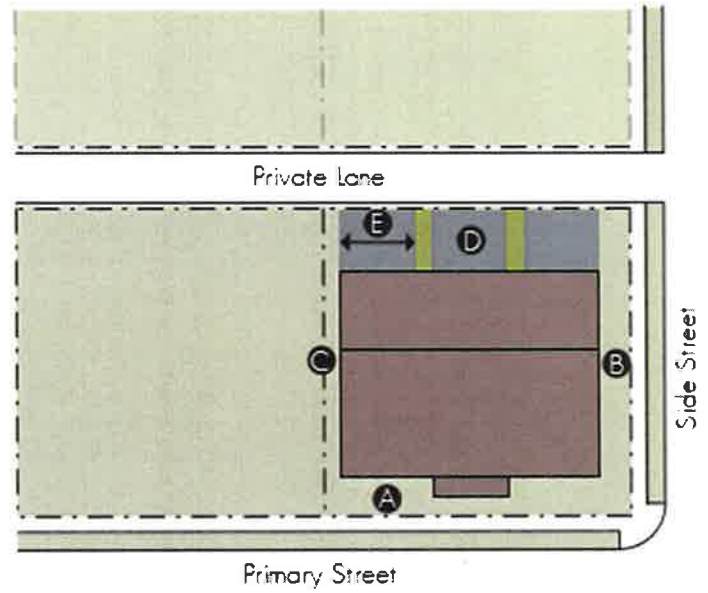
Lot	A Area	B Width
Single-unit detached	10,000 SF min.	100' min.
Open Space		Required
⊕ Open Space per Unit (15% min. of total lot area)		1,500 sq. ft. min.
Height		
Maximum height		35' max.

NOTE Lot width shall be measured as the average (mean) horizontal distance between the side property lines of a lot. See Section 90.060 Lot Width of the Tulsa Zoning Code for graphic representation of irregular lots and/or lots that have curved street frontage.

BUILDING PLACEMENT



ACCESS & PARKING LOCATION



Building Setbacks

A	Primary street; principal structure	10' min./20' max
B	Primary street; accessory structure	60' min.
C	Side street	10' min.
D	Side; common lot line or side private lane	5' min.
E	Rear; common lot line or rear private lane	5' min.
F	Front & side encroachment	5' min. from ROW

NOTE: Refer to Section 90.090- B Setback Measurements on Irregular lots

Access

With private lane: new curb-cuts per lot

E 1 max., paving width max. is equal to 1' either side of garage door. 3' min. planting island req. between multiple garages

Parking Location

A	Primary street yard	Not allowed
B	Side street yard	Not allowed
C	Side yard	Not Allowed
D	Rear yard	Allowed

MIXED-USE BUILDING

Overview

A Mixed-Use Building is a principal building occupied by one or more commercial, office, and/or entertainment uses. One or more residential dwelling units may be located above the ground floor use. In order to create a pedestrian friendly community core that supports a variety of ground floor active uses and services, Mixed-Use Buildings shall be located in the Town Center District only.

Urban Provisions

Principal Building and Yard

- Mixed-use buildings shall have a primary entrance facing the street.
 - Entrance spacing along the primary street shall be 50' max.
- Awnings, canopies, balconies, galleries, and door swings are permitted to encroach within the public right-of-way up to 3' from the back of curb.
- Fences, garden walls, and hedges are allowed and further defined by the neighborhood covenants and restrictions.
- Building height shall be measured from grade elevation to eave line. Building height shall be measured from grade elevation to eave line. Refer to Section 90.160-A of the Tulsa zoning code for height measurements regarding sloped sites.

Transparency

- Ground floor mixed-use buildings facing east toward the Lynn Lane corridor shall provide 50% min. transparency.
- Upper floor units shall have 20% min. transparency.
- Recreational structures such as pool houses, showers, storage units, etc. are not subject to the transparency requirements.

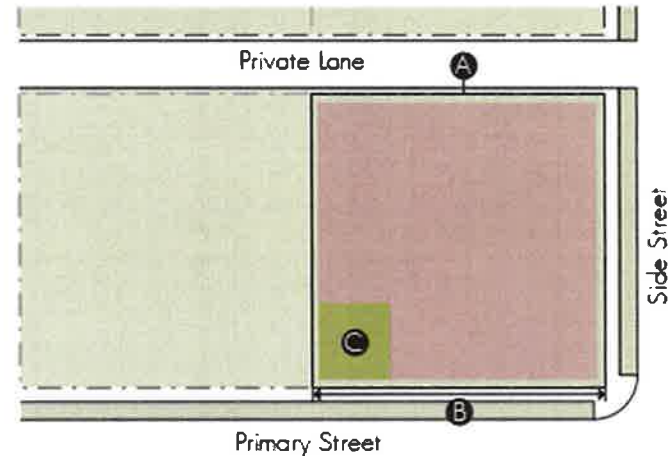
Parking

- Parking for commercial, office, and entertainment uses located within the Town Center District shall be shared and will provided a minimum of 60 on-street parallel spaces.
- If future parking is needed it shall adhere to the following provisions:
 - * Surface parking lots shall not be permitted between a primary building front and the public right-of-way.
 - Parking lots shall be screened with landscaping from the public right-of-way.

Open Space

- A Mixed-Use Building shall provide 100 sq. ft. min. of open space per unit.
 - Lot areas that are not occupied by buildings, driveways, or parking areas and are generally usable by residents shall be counted toward satisfying the minimum open space requirement.
 - * Required open space shall be provided in outdoor common areas within the Town Center District, as designated on the recorded plat or in a separately recorded legal instrument.

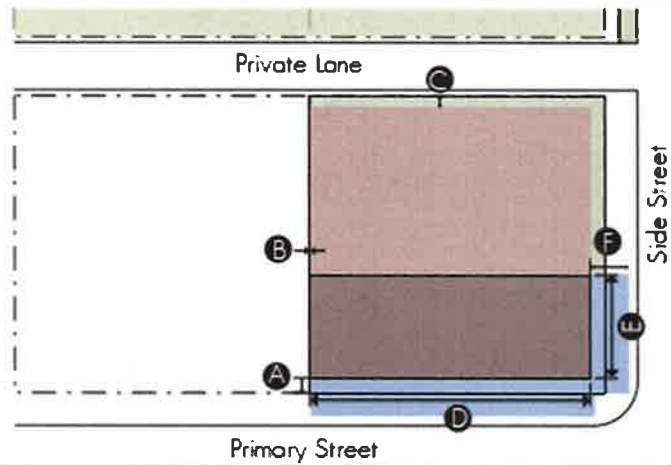
LOT PARAMETERS



Lot	Ⓐ Area	Ⓑ Width
Single-unit detached	3,500 SF min.	25' min.
Open Space		Required
Ⓒ *Open Space per Unit		100 sq. ft. min.
Height		
Maximum height		35' max.

NOTE: Lot width shall be measured as the average (mean) horizontal distance between the side property lines of a lot. See Section 90.060 Lot Width of the Tulsa Zoning Code for graphic representation of irregular lots and/or lots that have curved street frontage.

BUILDING PLACEMENT



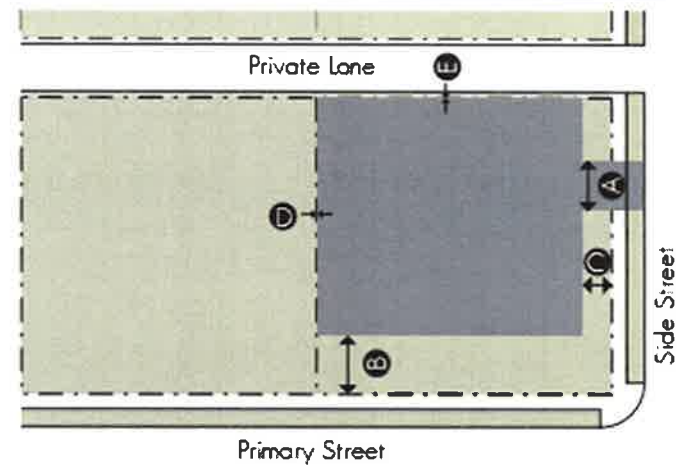
Building Setbacks

A	Build-to zone: primary & side street	0' min., 10' max
B	Side: common lot line	0' min.
E	Side: private lane	5' min.
E	Side: residential district	10' min.
C	Rear: common lot line	0' min.
C	Rear: private lane	5' min.
C	Rear: residential district	15' min.

Build-To

D	% of building facade in primary street build-to zone	80% min.
E	% of building facade in side street build-to zone	30% min.
F	Front & side encroachment	3' max from back of curb

ACCESS & PARKING LOCATION



Access

	Primary street yard	Not allowed
	Side street yard	Allowed
	Private lane	Allowed
A	Driveway width in side street setback	20' max.

Parking Setbacks

E	*Primary street setback	30' min.
C	Side street setback or residential district	10' min.
D	Side: common lot line or private lane	0' min.
E	Rear: common lot line or private lane	0' min.

The following diagram is a master thoroughfare plan that outlines the private street and public street areas within the regulating plan. Conceptual cross sections are identified in the applicant's documents attached.

Private streets are the Private Lane designation and the Private Lane with Fire Access. All other streets are publicly owned and maintained.








DIAGRAM - MASTER THOROUGHFARE PLAN

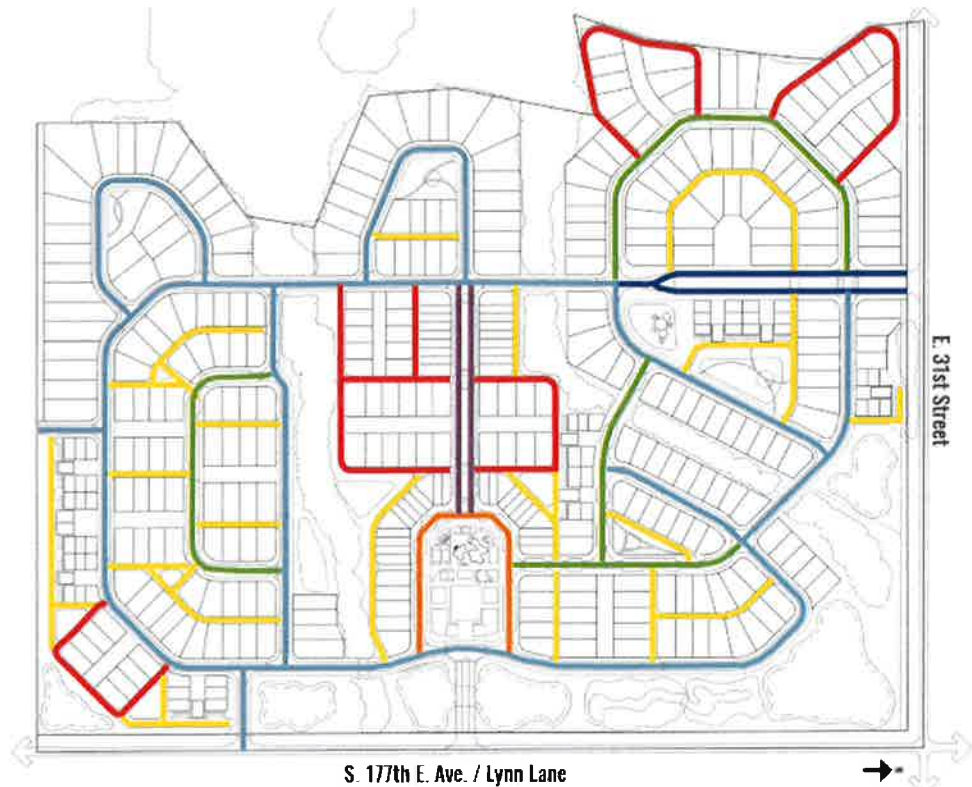
The Thoroughfare Standards are a series of drawings, specifications, and dimensions that assemble vehicular and pedestrian ways into specialized street corridor characters and capacities. The inclusion of the thoroughfare street cross sections in the MPD regulations is to establish a set of street design standards that guide development of pedestrian friendly, walkable, and aesthetically enhanced corridors throughout the Concord Community.

The MPD thoroughfare standards specify travel lanes widths, corridors that require dedicated on-street parking lanes, curb types, maximum turning and radii, planters, street trees, street lights, sidewalks, and general utility placement locations. The Thoroughfare Plan Diagram illustrates the locations of each thoroughfare within the master plan.

The thoroughfare standards provided in this MPD have been vetted and approved by all established development review staff, as well as the Engineering Services Director, through multiple meetings and the pre-development process.

LEGEND

	Residential Street A
	Residential Street B
	Town Center Main Street
	Main Street Boulevard
	Residential Boulevard
	Private lane
	Private lane with Fire Access



Supplemental requirements added by staff:

- 1) Minor or major amendments to MPD-1 must be submitted to TMAPC staff by the Town Planner or its designee.
- 2) Prior to submittal of any building permit to the City of Tulsa the Concord Town Planner shall review and approve plans for submittal to the Building Permit office and to the City of Tulsa Planning Department. An approval statement by the Town Planner shall be added on all pages of any building permit site plan package and shall be signed by the town planner. The approval statement shall say that the plans conform to the provisions of the approved MPD-1 standards.
- 3) No building permit may be issued until a subdivision plat has been filed at Tulsa County Clerk's office. The subdivision plat shall be considered the site plan for any detached house, bungalow court, cottage court, duplex townhouse or multi-unit house. This provision does not require a filed plat prior to beginning infrastructure construction for streets, stormwater drainage, landscaping or public and private utilities.

11.24

- 4) Residential Street A, Residential Street B, Town Center Main Street and Main Street Boulevard and Residential boulevard as illustrated on the Master Thoroughfare Plan will be publicly owned and maintained.
- 5) The conceptual cross sections shown in the applicants development standards illustrate anticipated right of way widths, street cross sections with anticipated street trees, sidewalk and street light locations. Exact placement of utility locations in the street right of way may be modified during the engineering design process.
- 6) Private lanes and private lanes with fire access shall be owned and maintained by a Concord Home Owners Association.
- 7) Landscape design standards, maintenance and enforcement shall be the sole responsibility of the Concord town planner.
- 8) Sign standards, maintenance and enforcement shall be sole responsibility of the Concord town planner.
- 9) Architectural standards identified in the applicant's submittal shall be the sole responsibility of the Concord town planner.

SECTION III: Supporting Documentation

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

Staff Summary: MPD-1 is consistent with the expected uses for a Neighborhood Center and New Neighborhood. The precise alignment of the regulating plan does not align itself with the geographic boundaries shown on the Comprehensive Plan Land use maps however flood plain management and open space was not considered during the land use designation map preparation. The development standards are consistent with the expected development and align themselves with the required flood plain management concepts expected in this area.

Land Use Vision:

Land Use Plan map designation: Neighborhood Center and New Neighborhood

New Neighborhood residential building block is comprised of a plan category by the same name. It is intended for new communities developed on vacant land. These neighborhoods are comprised primarily of single-family homes on a range of lot sizes but can include townhouses and low-rise apartments or condominiums. These areas should be designed to meet high standards of internal and external connectivity and shall be paired with an existing or New Neighborhood or Town Center.

Neighborhood Centers are small-scale, one to three story mixed-use areas intended to serve nearby neighborhoods with retail, dining, and services. They can include apartments, condominiums, and townhouses, with small lot single family homes at the edges. These are pedestrian-oriented places served by transit, and visitors who drive can park once and walk to number of destinations.

Areas of Stability and Growth designation: Area of Growth

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in

some cases, develop or redevelop these areas, ensuring that existing residents will not be displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

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

Transportation Vision:

Major Street and Highway Plan: None

Trail System Master Plan Considerations: None

Small Area Plan: None

Special District Considerations: None

Historic Preservation Overlay: None

DESCRIPTION OF EXISTING CONDITIONS:

Staff Summary: The property is undeveloped and has been historically used for rearing cattle and other agricultural purposes.

Environmental Considerations: Tulsa regulatory flood plain bisects the property in two locations. Both of those flood plain areas have been maintained as open spaces in MPD-1 and will be protected from future development.

Streets:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
East 31 st Street South	Secondary Arterial	100 feet	2
South 177 th East Avenue	Secondary Arterial	100 feet	2

Utilities and private streets:

The subject tract will require offsite sanitary sewer extensions and offsite water infrastructure improvements to provide municipal water and sewer services. Concept locations for utilities and all street sections have been provided during a pre-development meeting and a technical advisory meeting. The concepts are illustrated in the applicants master plan development standards.

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	CS at intersection	Neighborhood	Growth	Vacant / agricultural

11.26

	AG on remainder	Center at intersection, New Neighborhood on remainder		land
East	AG	Neighborhood Center at intersection, New Neighborhood on remainder	Growth	Vacant / agricultural land
South	AG	New Neighborhood	Growth	Vacant /agricultural land
West	AG	New Neighborhood	Growth	Vacant wooded with steep slopes

SECTION IV: Relevant Zoning History

ZONING ORDINANCE: Ordinance number 11826 dated June 26, 1970, established zoning for the subject property.

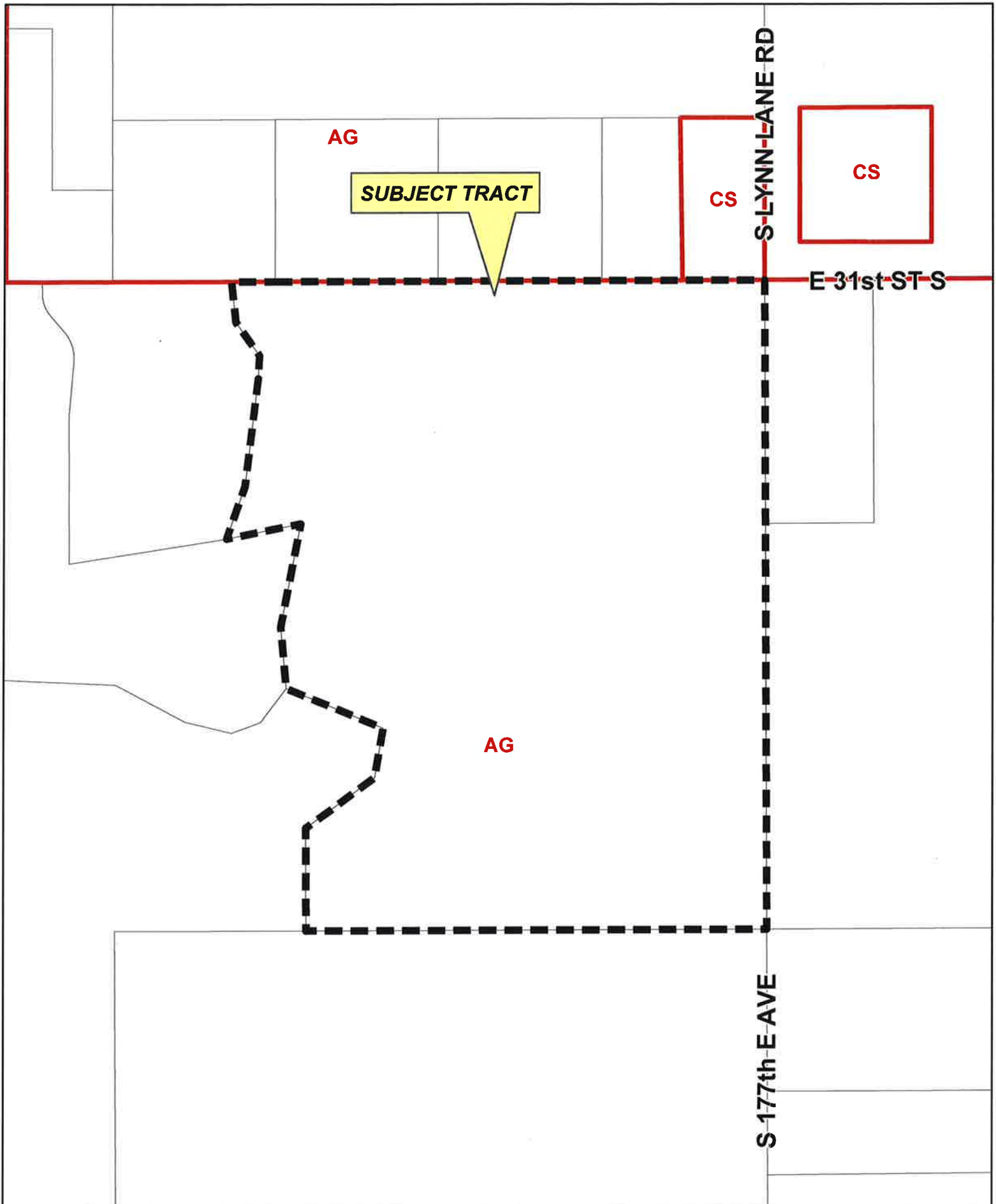
Subject Property: No relevant history

Surrounding Property:

Z-7419 November 2017: All concurred in **approval** of a request for *rezoning* a 67± acre tract of land from AG to RS-1 on property located west of the northwest corner of East 31st Street South and South 177th East Avenue.

2/6/2019 1:30 PM

11.27

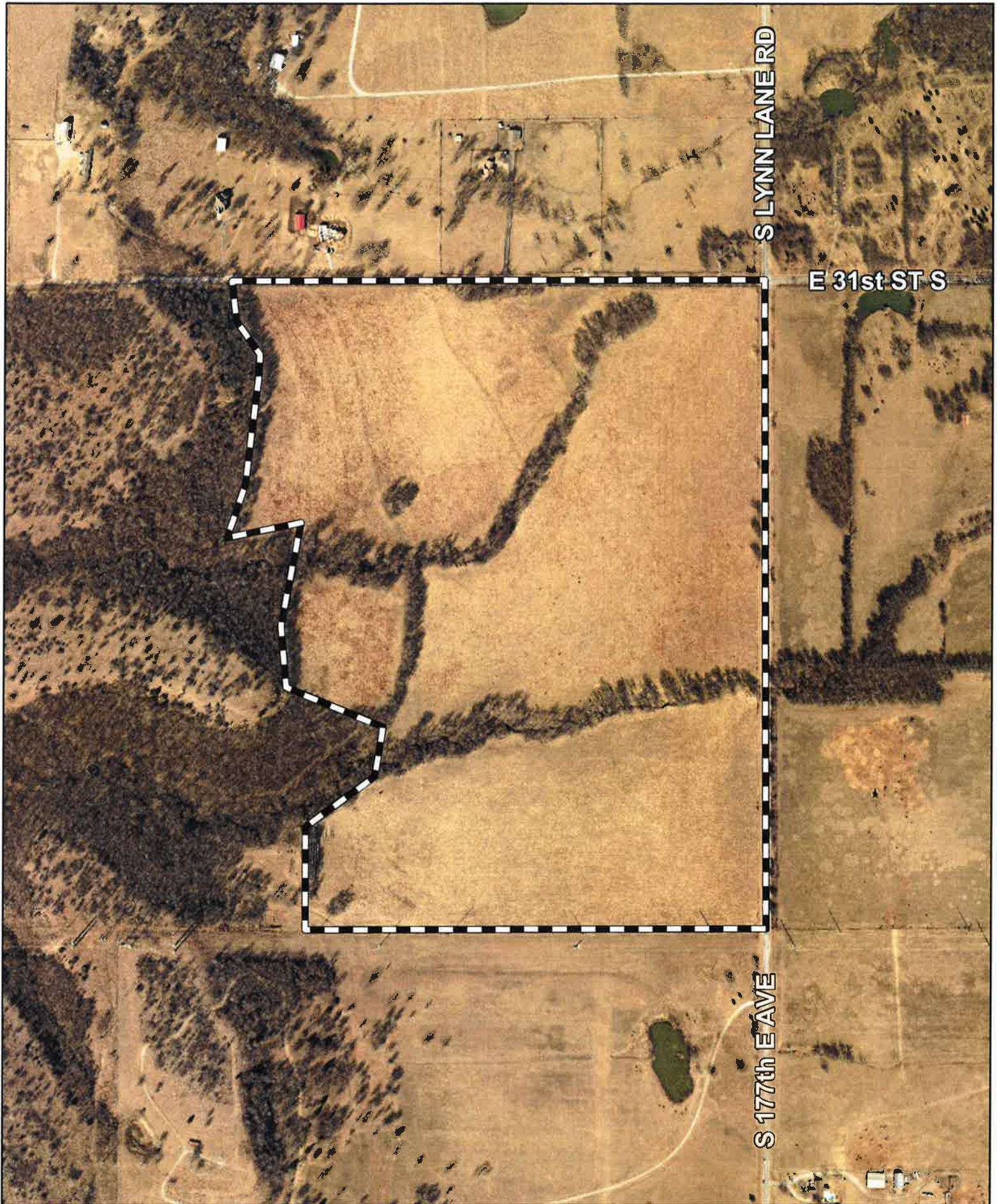


MPD-1

19-14 23

11.28

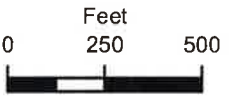




S LYNN LANE RD

E 31st ST S

S 177th E AVE



 Subject Tract

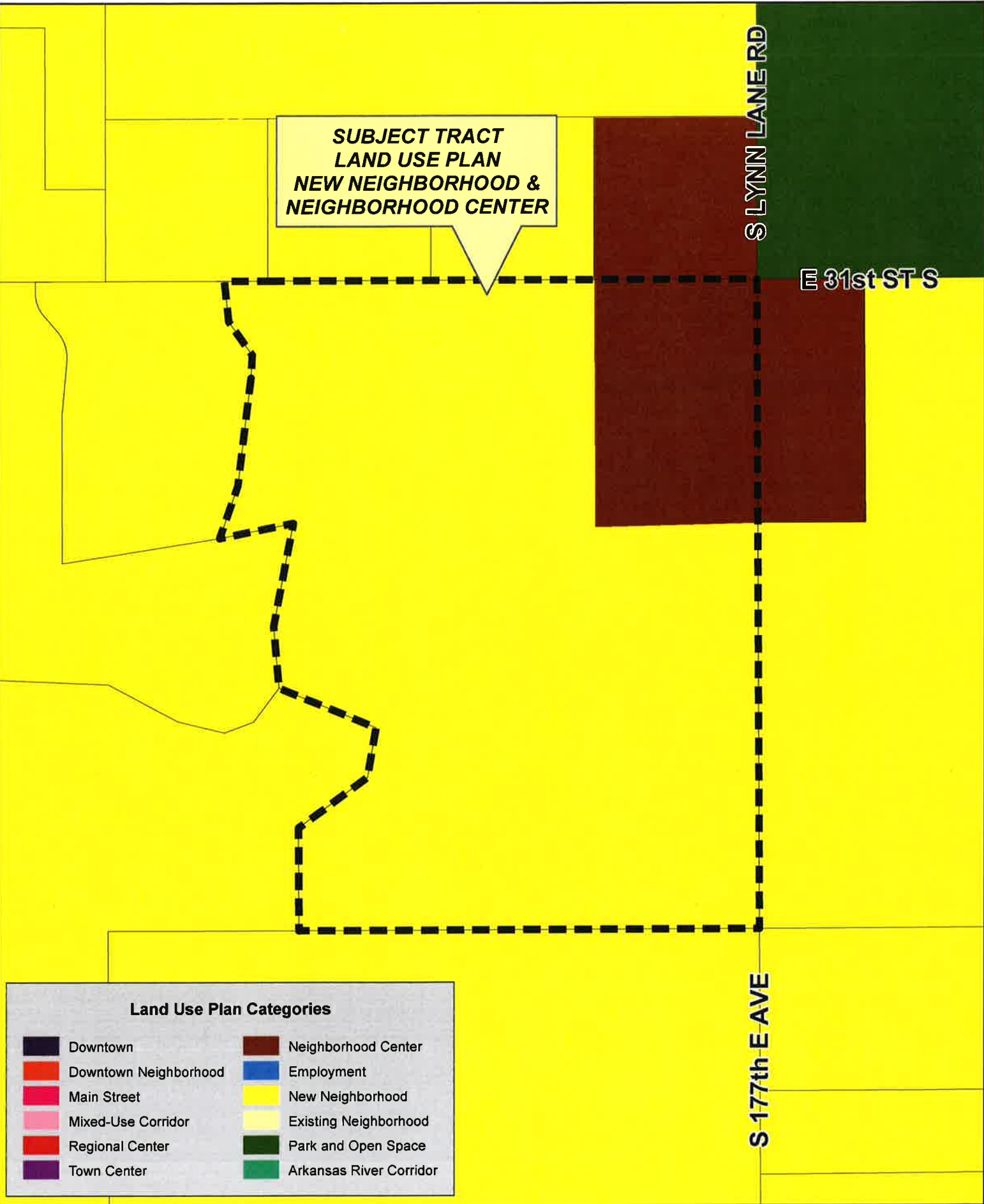
MPD-1

19-14 23

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

Aerial Photo Date: February 2011



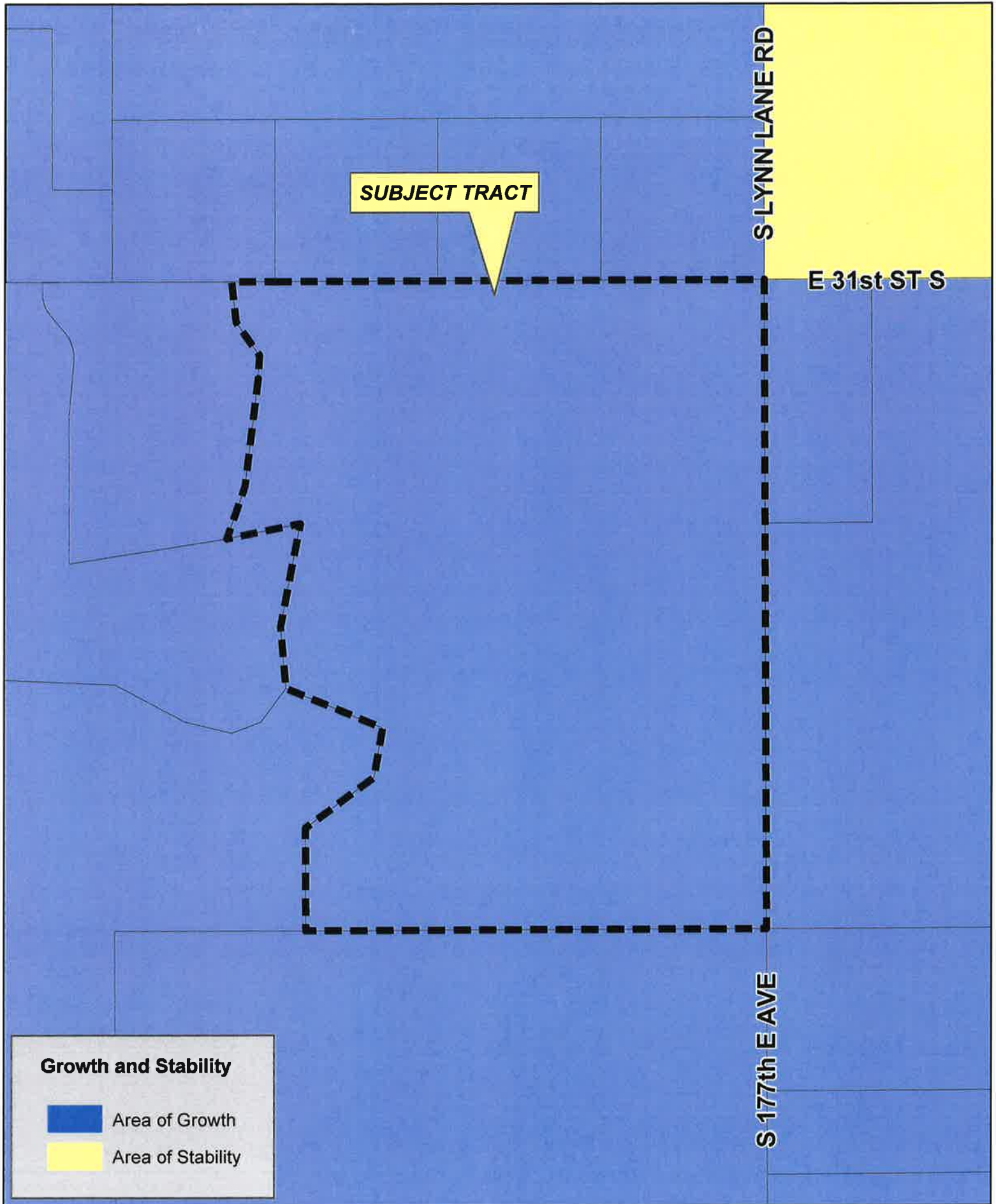


MPD-1



19-14 23

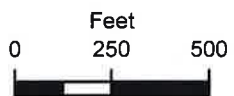
11.30





Growth and Stability

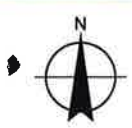
-  Area of Growth
-  Area of Stability



MPD-1

19-14 23

11.31



Wilkerson, Dwayne

From: Wilkerson, Dwayne
Sent: Wednesday, February 13, 2019 5:18 PM
To: Nathan S. Cross (ncross@dsla.com); 'Scott Pardee'; 'pcrabtree@crabtreegroupinc.com'
Cc: Miller, Susan; Sawyer, Kim
Subject: RE: MPD-2 Pardee Development [IWOV-ACTIVE.FID421174] (Staff request for continuance to March 6th, 2019)

Good afternoon everyone.

I am looking forward to working through the zoning details on your new project. I haven't seen any updates to your application therefore I have no choice but to request a staff continuance for MPD-2. I will request a continuance to the next meeting on March 6th. I will be in touch with Mr. Crabtree tomorrow to discuss modifications. We must have an acceptable revision before the end of the day on February 25th to be able to be on the March 6th Planning Commission agenda. I am not expecting changes to the concept but the format must be more consistent with our zoning code land use designations and the clarification of city planning responsibilities must be clarified.

Respectfully,

INCOG

Dwayne Wilkerson, ASLA, RLA
Assistant Director Land Development Services
2 West Second Street | Suite 800
Tulsa OK, 74103
dwickerson@incog.org
918-579-9475

From: Wilkerson, Dwayne
Sent: Monday, February 11, 2019 10:36 AM
To: Nathan S. Cross (ncross@dsla.com) <ncross@dsla.com>; 'Scott Pardee' <spardee@pardeeconstruction.net>; 'pcrabtree@crabtreegroupinc.com' <pcrabtree@crabtreegroupinc.com>
Subject: FW: Pardee Development [IWOV-ACTIVE.FID421174]

Good morning all:

I had a very long meeting about MPD's in general last week which included your project. I believe we need to meet regarding your application. It is not possible to modify this to meet our expectations by Wednesday when the staff report has to be complete for the February 20th meeting.

The essence of the concerns expressed by the legal department are:

- 1) The regulatory planning aspects of the document are things like regulating building types, and locations, open space, height, porch orientation etc....
- 2) All the planning requirements must be measurable.
- 3) The legal department will not allow the planning department to be in a regulatory position over engineering so all of the cross sections need to be shown as concepts (very similar to our major street and highway plan)

- 4) Also please make it very clear what the review aspects are for the developer vs City involvement. Clarify who is approving a use by site plan review and identify what standards are being regulated?

Sorry to be so vague but that summarizes the changes we need to make before the End of the Day on Wednesday.

My thoughts this morning are to reorganize your document as follows:

Concept Statement: (change language from anything that says "Code" to "MPD")

Should include all transect zone descriptions (if any of this is regulatory please make sure it is regulatory from the property owners association)

Thoroughfares need to be identified as public or private streets and must be included in the concept statement. At a glance it looks like all of the private frontage requirements are really private deed restrictions. If any of this is expected to be regulated by the City please clarify. Buildings will not be allowed in a Public right of way as shown in the Arcade or Gallery frontage.

Development Standards (this is the stuff that will be regulatory by the Planning Commission and City Council)

Includes all the Urban Standards

Make sure all building disposition language is consistent with our zoning code language. Examples as follow:

Edge yard is not defined in our code

Side yard descriptions does not align with our zoning code side yard standards

Clarify which street sections are for private or public standards. (if possible provide a letter of support from City Engineering)

Courtyard building disposition is not consistent with anything in our code.

Our code does not regulate retail as outlined. Most of that should be included in property owners association responsibilities.

Our code does not regulate grain storage, chicken coops, greenhouse, stable or kennel like the agricultural standards in this document. All of that should be regulated by the property owners association.

Private development standards (regulated by the developer or architectural review committee)

Architectural standards

Clarify Landscape, screening and lighting standards and enforcement mechanism

Clarify Sign standards and enforcement mechanism

PREVIOUS EMAIL 2/5/2019 REQUEST:

- 1) remove any smart code reference.
- 2) make sure there is some language that says a detailed site plans for residential lots will be reviewed and approved by the home owners association prior to submittal to the building permit office
- 3) say something about the plat being considered the detailed site plan for residential uses.
- 4) Text regarding outbuildings should be modified to say accessory building as defined in our zoning code
- 5) Setback text should be similar to our code ie: street setbacks, side yards, arterial street setbacks etc...
- 6) Please add exhibits and text that identify what streets are public vs private.
- 7) Make sure the provision's as outlined in our zoning code for MPDs are satisfied. I am specifically concerned about the provisions required in 25.070-D. I want to make it very clear that the architectural standards are not regulated by the City of Tulsa. I am mostly concerned about setbacks, uses, open space, heights, screening. The property owners association responsibilities need to be clearly identified.

Bad news is all of this has to be done by the end of the day Wednesday to stay on the February 20th schedule.

Respectfully

INCOG

Dwayne Wilkerson, ASLA, RLA

Assistant Director Land Development Services

2 West Second Street | Suite 800

Tulsa OK, 74103

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918-579-9475

TMAPC Public Hearing Staff Report
February 20, 2019
ZCA-14, Zoning Code amendments

- A. Item:** Various amendments to the City of Tulsa Zoning Code in the following sections: Chapter 1 Introductory Provisions: Section 1.090-I, Public Officials and Agencies, subsections 4 and 10; Chapter 5 Residential Districts: Table 5-2: R District Use Regulations, and add Table Note; Chapter 10 Mixed-use Districts: Table 10-2: MX District Use Regulations and Table Note [1] to Table 10-2; Chapter 15 Office, Commercial and Industrial Districts: Table 15-2: O, C and I District Use Regulations and Table Note [2] to Table 15-2; Table 15-2.5: O, C and I District Building Type Regulations for Household Living; Chapter 25 Special Districts: Table 25-1: AG District Use Regulations; Table 25-5: SR District Use Regulations; Table 25-7: IMX District Use Regulations and Table Notes [1] and [4] to Table 25-7; Table 25-7.5: IMX District Building Type Regulations for Household Living; Chapter 35 Building Types and Use Categories: Section 35.050-D Commercial Service, subsection 4, Personal Improvement Service; Section 35.050-K, Restaurants and Bars, subsection 1, Bar; Section 35.050-L, Retail Sales, subsection 1, Convenience Goods; Chapter 40 Supplemental Use and Building Regulations: Section 40.300, Plasma Centers, Day Labor, Liquor Stores, Bail Bonds, Pawn Shops and subsection 40.300-A; Section 40.090, Community Garden, and subsections 40.090-A, -D, -E, -G, -J, and -K; Chapter 45 Accessory Uses and Structures: Section 45.110, Intoxicating Beverage and Low-point Beer Sales and Service; Section 45.150, Parking and Storage of Recreational Vehicles, subsection 45.150-A; Chapter 60 Signs: Table 60-2: Maximum Aggregate Number of Signs; Chapter 70 Review and Approval Procedures: Section 70.060, Historic Preservation (HP) Zoning Map Amendments, subsection 70.060-H, Protest Petitions; Section 70.110, Spacing and Separation Distance Verification, subsection 70.110-D, Action; Chapter 90 Measurements: Table 90-1: Permitted Setback Obstructions in R Zoning Districts and add Table Note [3] to Table 90-1; Section 90.140, Transparency, subsections 90.140-A, 90.140-B, and 90.140-C; Figure 90-17: Ground Floor Transparency Measurement; Figure 90-18: Upper Floor Transparency Measurement; Chapter 95 Definitions: Add definitions for Alcoholic Beverage and Package Store; revise definition of Accessory Use Bar; delete definitions of Intoxicating Beverages and Low Point Beer
- B. Background:** The new City of Tulsa Zoning Code became effective on January 1, 2016. It was discussed during the development of the zoning code that staff anticipated that cleanup items would be identified as implementation began in 2016. In early 2016, a zoning code implementation team was established and began meeting regularly to discuss situations where inconsistencies existed, clarification was needed, intent was not fully accomplished and where unintended consequences occurred. The zoning code implementation team is comprised of members of the Tulsa Planning Office, City of Tulsa

Development Services and City Legal. Since the effective date of the zoning code, staff has brought several rounds of general clean-up items amendments through the approval process. The amendments are typically identified through interactions with the public, both through the zoning and building permit processes.

Staff presented the proposed amendments at the December 19, 2018 work session and at the January 2, 2019 regular meeting. All items discussed at that time are presented in **Attachment I**, except for the amendment related to social service uses. This item was pulled and will be considered at a later date.

The amendments are a result of the continuing work of the zoning code implementation team. Most of the amendments are primarily minor in nature. However, the proposed zoning code changes related to urban agriculture reflect a new concept that came out of various discussions at the Planning Commission and City Council meetings. The Planning Commission asked staff to prepare a map to identify all residentially zoned parcels greater than 2 acres, which illustrates new areas where Market or Community Supported Farms could be allowed by Special Exception within the City of Tulsa. This Map is shown as **Attachment II**.

The amendments proposed to the City of Tulsa Zoning Code, Title 42 Tulsa Revised Ordinances, are in Attachment I shown in ~~strike-through~~/underline. The proposed amendments are located in Chapters 5, 10, 15, 25, 35, 40, 45, 60, 70, 90 and 95 of the Zoning Code.

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

Attachment I

General City of Tulsa Zoning Code Amendments

For this document any underlined **(example)** text represents proposed text added and any stricken **(example)** text represents a proposed deletion.

Chapter 1

Sec. 1.090-I.4 & 1.090-I.10 Public Officials and Agencies- Changes are proposed to reflect reorganization of the Planning Director to the Tulsa Planning Office.

1.090-I Public Officials and Agencies

1. Unless otherwise expressly stated, all employees, public officials, bodies and agencies to which references are made are those of the City of Tulsa or individuals or agencies legally authorized to act on behalf of the City of Tulsa.
2. References in this zoning code to the "city" are references to the City of Tulsa.
3. References in this zoning code to the "city council" are references to the Tulsa City Council.
4. References in this zoning code to the "planning director" are references to the director of the City of Tulsa planning department Tulsa Planning Office at the Indian Nations Council of Governments (INCOG).
5. References in this zoning code to the "planning commission" are references to the Tulsa Metropolitan Area Planning Commission.
6. References in this zoning code to the "board of adjustment" are references to the City of Tulsa Board of Adjustment.
7. References in this zoning code to the "preservation officer" are references to the City of Tulsa Preservation Commission.
8. References in this zoning code to the "preservation officer" are references to the planning director or the staff member to whom the planning director assigns responsibility for performing the preservation officer's duties under this zoning code.
9. References in this zoning code to the "development administrator" are references to the director of the City of Tulsa development services department. In the performance of his or her duties, the development administrator may consult with the land use administrator.
10. References in this zoning code to the "land use administrator" are references to the director of the Tulsa Planning Office at ~~head of the land development services division of the Indian Nations Council of Governments (INCOG).~~ INCOG performs its responsibilities and duties under this zoning code pursuant to an agreement with the City of Tulsa. In the performance of his or her duties, the land use administrator may consult with the development administrator.

Chapter 35

*Sec. 35.050-D.4 Commercial Service-
Personal Improvement Service-
Fortune telling is illegal in the city of
Tulsa per separate ordinance (See
Title 27, Ch. 22, Sec. 2205 of the Tulsa
Revised Ordinances).*

35.050-D Commercial Service

Uses that provide for consumer or business services and for the repair and maintenance of a wide variety of products. Specific commercial service use types include the following:

4. Personal Improvement Service

Uses that provide personal grooming, cosmetic or health and well-being- related services. Typical uses include barbers, hair and nail salons, tanning salons, day spas, **and** body art services **and fortune telling services.**

Chapter 45

*45.150-B The amendment makes it clear
that an RV cannot be used as an
accessory use building in an AG, O or MX
district.*

45.150-B The parking and storage of recreational vehicles in an **AG, O, MX, or R** district is permitted in accordance with **§45.150-A**, provided that:

1. The vehicle is not used for dwelling purposes;
2. The vehicle is not permanently connected to sewer lines, water lines, or electricity; and
3. The vehicle is not used for storage of goods, materials, or equipment other than those items considered to be a part of the recreational vehicle or essential for its use as a recreational vehicle.

Chapter 60

Table 60-2: Maximum Aggregate Number of Signs – MX zoning districts were inadvertently left out during the 2016 code update

Table 60-2: Maximum Aggregate Number of Signs

Zoning District	Maximum Aggregate Number of Signs Allowed
CG, CH, and CBD	1 per 100 feet of major street frontage or fraction thereof
CO, CS, MX and IL	1 per 150 feet of major street frontage or fraction thereof
IM and IH	1 per 200 feet of major street frontage or fraction thereof

Chapter 70

Reason for Changes:

Sec. 70.110-D- This amendment codifies the Planning Director's interpretation of sign code dated 11/6/2017

Sec. 70.060—The purpose of these amendments is to bring the HP protest petition language in line with recently changed language 70.030-G for zoning map amendments to ensure consistency with the city charter.

70.110-D Action

The board of adjustment must consider the evidence and testimony provided at the public hearing and make a determination of whether the use, structure or other development feature complies with the applicable spacing and separation distance requirements of this zoning code. ~~The board of adjustment's determination must be followed by the development administrator in issuing or not issuing required permits.~~

70.060-H Protest Petitions

1. If a valid protest petition is filed against any proposed HP zoning map amendment, passage of the zoning map amendment requires a favorable vote of three-fourths of the members of the entire city council.
2. A protest petition will be deemed valid if it is signed and acknowledged by the owners of 20% or more of the area of the lots included in the proposed HP zoning map amendment area or by the owners of 50% or more of the area of the lots within 300 feet of the area included in the proposed HP zoning map amendment area and if it meets the other regulations of this Section 70.060-H. Areas designated as right-of-way shall not be included in the calculation. The city council will determine sufficiency of a protest petition if its validity is challenged.
3. A written protest petition opposing an HP zoning map amendment must be submitted to the land use administrator at least 3 business days before the city council's vote.
4. The protest petition must identify the zoning case number for which the protest is filed and must state that it is a formal protest of the proposed HP zoning map amendment.
5. Persons signing the protest petition must be at least eighteen (18) years of age and must hold record title to their properties, as shown in the land records of the Tulsa County Clerk. If a lot is owned jointly by more than one owner, all owners must sign the protest petition. If a lot is owned by a trust, the trustee must sign, noting that he or she signs "as trustee". If there is more than one trustee, and no single trustee is authorized to sign, then all the trustees must sign. If a lot is owned by a corporation, the president or a vice-president or the chair or vice chair of the board of directors, must sign. If a lot is owned by a limited liability company, a manager must sign. If a lot is owned by any other legal entity, the person signing the protest petition must be someone authorized by that entity to convey title to land.
6. Persons signing the protest petition must indicate the street address of the lot owned. If no street address is assigned, a legal description (lot and block of a subdivision, metes and bounds description of unplatted tracts) or a map must be provided.
7. If a protest petition contains multiple signature pages, each page must contain the same protest language. Signatures must be the normal cursive signature of the person signing and should be accompanied by the legibly printed or typed name of the person signing. The name of the person signing must be the same as the name of that person as shown in the land records of the Tulsa County Clerk.
8. A protest petition may not be amended, supplemented or corrected subsequent to the deadline for filing the petition.

Chapter 90

Table 90-1: Permitted Setback Obstructions in R Zoning Districts; Table 90-1 Table Notes- This change corrects unintentional consequences of the street setback requirement when rear yards are in the street setback. In 2018, there have been several variances for pools locating in the rear yards, which in these situations were also in the street setback.

Table 90-1: Permitted Setback Obstructions in R Zoning Districts

Obstruction	Setback		
	Street	Side	Rear
Accessory buildings (see also §90.090-C2)	No	No	Yes
Air conditioning units	No	Yes	Yes
Arbors and trellises	Yes	Yes	Yes
Awnings, canopies, lightshelves and architecturally integrated solar shading devices projecting no more than 2 feet into the setback	Yes	Yes	Yes
Barbeque pits and outdoor fireplaces	No	No	Yes
Bay windows projecting no more than 2 feet into the setback	Yes	Yes	Yes
Carports	Yes [1]	Yes [2]	Yes [2]
Chimneys and flues projecting no more than 2 feet into the setback	Yes	Yes	Yes
Clotheslines	No	Yes	Yes
Decks, patios, and other features and structures less than 30 inches in height above grade	Yes	Yes	Yes
Eaves and gutters projecting no more than 2 feet into the setback	Yes	Yes	Yes
Fences and walls (see also Section 45.080)	Yes	Yes	Yes
Fire escapes projecting no more than 4.5 feet into the setback	Yes	Yes	Yes
Flagpoles and similar features	Yes	Yes	Yes
Geothermal heat pumps and geothermal heat exchange system equipment up to 4 feet in height above grade	No	No	Yes
Green houses and hoop houses	No	No	Yes
Insulation added to the outside of the exterior wall of an existing building	Yes	Yes	Yes
Plants and cold frames	Yes	Yes	Yes
Rainwater harvesting equipment projecting no more than 4.5 feet into the setback	Yes	Yes	Yes
Recreational equipment (e.g., swing sets, playground equipment, tree houses, etc.)	No	No	Yes
Satellite dish antennas	See Section 45.180		
Signs (see also Chapter 60)	Yes	Yes	Yes
Sills, belt courses, cornices and similar architectural features projecting no more than 2 feet into the setback	Yes	Yes	Yes
Solar energy systems, building-mounted	No	Yes	Yes
Solar energy systems, ground-mounted	No	No	Yes
Swimming pools and tennis courts	No [3]	No	Yes
Vehicle parking/storage, inoperable (see also Section 45.140)	No	No	Yes
Wheelchair lifts and ramps that meet federal, state and local accessibility standards	Yes	Yes	Yes

Table 90-1 Notes

- [1] Special exception approval required; see [§90.090-C1](#).
- [2] Must be setback at least 3 feet from side and rear lot lines.
- [3] May be allowed in the street setback within a rear yard.

Proposed Zoning Code Changes in response to State Question 792 (Oklahoma Regulations Governing the Sale of Wine and Beer)

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Detailed Contents

Chapter 40 Supplemental Use and Building Regulations.....	45-1

Section 40.300 Plasma Centers, Day Labor, Package Liquor Stores, Bail Bonds, Pawn Shops.....	45-9

Chapter 45 Accessory Uses and Structures.....	45-1

Section 45.110 Alcoholic Beverage Intoxicating Beverage and Low-point Beer Sales and Service.....	45-9

Chapter 10

10.020-G Table Notes

The following notes refer to the bracketed numbers (e.g., "[1]") in Table 10 2:

[1] Proposed use requires special exception approval if selling or serving alcoholic beverages intoxicating beverages or low-point beer and located on a lot within 150 feet of any residential zoning district other than R-zoned street right-of-way (see Figure 10 1).

Chapter 15

15.020-G Table Notes

The following notes refer to the bracketed numbers (e.g., " [1]") in Table 15 2:

[2] Use requires special exception approval if alcoholic beverages ~~intoxicating beverages or low point beer~~ are sold or served, and the subject lot is located within 150 feet of any residential zoning district other than R-zoned street right-of-way (see Figure 15 1).

Chapter 25

25.060-B Use Regulations

3. Table Notes

The following notes refer to the bracketed numbers (e.g., " [1]") in Table 25-7.

[1] Requires special exception approval if alcoholic beverages ~~intoxicating beverages or low point beer~~ are sold or served and the subject lot is located within 150 feet of any residential zoning district other than R-zoned street right-of-way.

[4] Package Liquor stores require special exception approval, and vehicular and pedestrian circulation must be reviewed and approved by traffic engineering, including the location of ingress and egress points.

Chapter 35

35.050-K Restaurants and Bars

1. Bar

Uses that cater primarily to adults, 21 years of age and older and that sell and serve alcoholic beverages intoxicating beverages and/or low point beer as their principal business. Specific bar use types include bars, taverns, beer bars, brewpubs, nightclubs, pool halls, dance halls, hookah lounges, and similar establishments. See also the definition of accessory use bar in Section 95.040.

35.050-L Retail Sales

1. Convenience Goods

Retail sales uses that sell or otherwise provide (1) sundry goods; (2) products for personal grooming and for the day-to-day maintenance of personal health or (3) food or beverages for off-premise consumption, retail bakeries and similar uses that provide incidental and accessory food and beverage service as part of their primary retail sales business. Typical uses include convenience stores, drug stores, specialty food stores, Package wine or liquor stores, gift shops, newsstands, florists and tobacco stores. Does not include small box discount stores or grocery stores.

Chapter 40

Table of Contents

Section 40.300 Plasma Centers, Day Labor, Package Liquor Stores, Bail Bonds, Pawn Shops...40-15

Section 40.300 Plasma Centers, Day Labor, Package Liquor Stores, Bail Bonds, Pawn Shops
The supplemental use regulations of this section apply to all plasma centers, day labor hiring centers, package liquor stores, bail bond offices and pawn shops.

40.300-A Plasma centers, day labor hiring centers, package liquor stores, bail bond offices and pawn shops must be separated by a minimum distance of 300 feet, provided that bail bond offices located within the CBD district are not subject to this separation requirement.

Chapter 45

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Section 45.110 ~~Alcoholic Beverage Intoxicating Beverage and Low-point Beer~~ Sales and Service...45-9

Section 45.110 ~~Alcoholic Beverage Intoxicating Beverage and Low-point Beer~~ Sales and Service
The development administrator is authorized to allow accessory sales or service of alcoholic beverages intoxicating beverages or low-point beer if the development administrator determines that all of the following criteria are met

Chapter 95

Alcoholic Beverage

As defined in Title 37-A of Oklahoma Statutes

Accessory Use Bar

A commercial establishment open to the public that sells and serves alcoholic beverages intoxicating beverages or low-point beer for consumption on the premises, but that is incidental and subordinate to and that occupies no more than 25% of the floor area of a principal use restaurant or fraternal organization. In order to be classified as an accessory use bar, the bar must occupy the same principal building and contiguous tenant space as the principal use and not contain a separate exterior public entrance (i.e., it must be served solely by the customer entrance that serves the principal use restaurant, hotel/motel or fraternal organization).

Intoxicating Beverages

All beverages containing more 3.2% alcohol by weight and all mixed beverage coolers, as defined in Section 506 of Title 37, Oklahoma Statutes, regardless of percent of alcohol content.

Low Point Beer

Includes beverages containing more than 0.5% alcohol by volume, and not more than 3.2% alcohol by weight, including but not limited to beer or cereal-malt beverages obtained by the alcoholic fermentation of an infusion of barley or other grain, malt or similar products.

Package Store

As defined in Title 37-A of Oklahoma Statutes.

Proposed Zoning Code Changes related to Urban Agriculture

Tables 5.2 and 40.090-Community Garden – This amendment is to provide an avenue to use residentially zoned property for a farming use while maintaining the regulations of a community garden.

Chapter 5

Table 5-2: R District Use Regulations

Subcategory Specific use	RE	RS-					RD	RT	RM-				RMH	Supplemental Regulations	
		1	2	3	4	5			0	1	2	3			
AGRICULTURAL															
Animal Husbandry		See Title 2, Ch. 2 of the Tulsa Revised Ordinances													
Community Garden	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Section 40.090
Farm, Market- or Community-supported (1)	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Section 40.090

Table 5-2 Notes

(1) A Farm, Market or Community supported, may only be allowed in a residential district where the land area of a single parcel is greater than 2 acres.

Chapter 40

Section 40.090 **Community Garden and Farm, Market or Community Supported**

The supplemental use regulations of this section apply to all community garden uses, and to all farms, market or community supported, as may be allowed in a residentially zoned district.

- 40.090-A** Unless permitted by the underlying zoning district or approved as a special exception, on-site sale of community garden products is prohibited.
- 40.090-B** Lawn and garden equipment of the type customarily used by consumers for household lawn and garden care is the only type of motorized equipment allowed. The use of motorized equipment is restricted to hours beginning at 8:00 a.m. and ending at 8:00 p.m.
- 40.090-C** The site must be designed and maintained to prevent any chemical pesticide, fertilizer or other garden waste from draining on to adjacent properties.
- 40.090-D** An on-site trash storage container must be provided and located as close as practicable to the rear lot line. Compost bins or piles must also be located as close as practicable to the rear lot line. Trash must be removed from the site at least once a week. Dumpster style trash containers are prohibited.
- 40.090-E** Only individuals and organizations authorized by the property owner may participate in the a community garden.
- 40.090-F** A sign must be posted on the property identifying the name and phone number of the property owner or the owner's agent name. The sign must be at least 4 and no more than 8 square feet in area and be posted so that it is legible from the public right-of-way.
- 40.090-G** The owner of any lot used for a community garden or a lot used for a farm, market or community supported, must give each abutting property owner and occupant written notice of the intent to establish a community garden or a farm, market or community supported, and the applicable use regulations of this zoning code at least 30 days before the start of the community garden operation.
- 40.090-H** Measures must be taken to prevent cultivated areas from encroaching onto adjacent properties.
- 40.090-I** The property must be maintained free of tall weeds and debris. Dead garden plants must be regularly removed and, in any instance, no later than October 31 of each year.
- 40.090-J** Within a residential zoning district, operating hours for community garden or farm, market or community supported, activities are restricted to between 5:00 a.m. and 11:00 p.m. daily.
- 40.090-K** Any community garden use regulation of this section may be modified by special exception approval.

Proposed Zoning Code Changes to fix references to Supplemental Regulations

Tables 10-2, 15-2, 15-2.5, 25-1, 25-4, 25-4.5, 25-5, 25-7, 25-7.5: These changes are being proposed in order to provide consistent references to supplement regulations for each use.

Table 10-2: MX District Use Regulations

USE CATEGORY				Supplemental Regulations
Subcategory	MX1	MX2	MX3	
Specific use				

Wireless Communication Facility				Section 40.420
Freestanding tower	S	S	S	Section 40.420
Building or tower-mounted antenna	P	P	P	Section 40.420

Table 15-2: O, C and I District Use Regulations

USE CATEGORY												Supplemental Regulations
Subcategory	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	
Specific use												

School												Section 40.350
Established on or before Jan. 1, 1998	P	P	P	P	P	P	P	P	P	P	P	Section 40.350
Others	S	P	P	P	P	P	P	P	S	S	S	Section 40.350

COMMERCIAL												

Commercial Service												Section 40.080
Building service	-	-	-	-	S	P	P	P	P	P	P	
Business support service	-	-	-	-	P	P	P	P	P	P	P	Section 40.300
Consumer maintenance/repair service	-	-	-	-	P	P	P	P	P	P	P	
Personal improvement service	S	S	S	S	P	P	P	P	P	P	P	
Research service	-	-	-	-	S	P	P	P	P	P	P	

Lodging												Section 40.060
Bed & breakfast	S	S	S	S	S	S	S	S	S	S	S	Section 40.060
Campgrounds and RV parks	-	-	-	-	S	P	P	P	P	P	P	

13.14

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
Hotel/motel	-	-	S	S	P	P	P	P	S	S	S	Section 40.170

AGRICULTURAL												
Animal Husbandry	-	-	-	-	-	-	-	-	-	P	P	
Community Garden	P	P	P	P	P	P	P	P	P	P	P	Section 40.090
Farm, Market- or Community-supported	P	P	P	P	P	P	P	P	P	P	P	
Horticulture Nursery	-	-	-	-	-	-	-	-	P	P	P	Section 40.180

Table 15-2.5: O, C and I District Building Type Regulations for Household Living

USE CATEGORY	OL	OM	OMH	OH	CS	CG	CH	CBD	IL	IM	IH	Supplemental Regulations
Subcategory												
Specific use												
Building Types												
RESIDENTIAL												
Household Living												
Single household												
Detached house	P	S	S	S	S	S	S	S	-	-	-	
Townhouse	P	P	P	P	P	P	P	P	-	-	-	
Patio House	P	S	S	S	S	S	S	S	-	-	-	Section 40.290
Manufactured housing unit	-	-	-	-	-	S	S	-	S	S	S	Section 40.210
Mixed-Use building	P	P	P	P	P	P	P	P	S	-	-	
Vertical mixed-use building	P	P	P	P	P	P	P	P	S	-	-	
Two households on single lot												
Duplex	P	S	S	S	S	S	S	S	-	-	-	
Mixed-Use building	P	P	P	P	P	P	P	P	S	-	-	
Vertical mixed-use building	P	P	P	P	P	P	P	P	S	-	-	
Three or more households on single lot												
Multi-unit House	P	S	S	S	S	S	S	S	-	-	-	Section 40.250
Apartment/condo	S	P	P	P	P	P	P	P	-	-	-	Section 40.030
Mixed-Use building	P	P	P	P	P	P	P	P	S	-	-	
Vertical mixed-use building	P	P	P	P	P	P	P	P	S	-	-	

P= Permitted; S=Special Exception Approval Required; - = Prohibited

Table 25-1: AG District Use Regulations

USE CATEGORY	Supplemental Use Regulations	
Subcategory (Section 35.020)	AG	
Specific use		

PUBLIC, CIVIC AND INSTITUTIONAL		
Airport	S	
Cemetery	S	Section 40.150
College	S	Section 40.070
Detention and Correctional Facility	S	Section 40.130
Fraternal Organization	S	Section 40.140
Governmental Service	S	
Hospital	S	Section 40.070
Library or Cultural Exhibit	S	Section 40.200
Natural Resource Preservation	P	
Parks and Recreation	S	
Postal Service	S	
Religious Assembly	S	Section 40.320
School		Section 40.350
Established on or before Jan. 1, 1998	P	Section 40.350
Others	S	Section 40.350
Utilities and Public Service Facility		
Minor	P	
Major	S	
Wireless Communication Facility		Section 40.420
Freestanding tower	S	Section 40.420
Building or tower-mounted antenna	P	Section 40.420

Table 25-5: SR District Use Regulations

USE CATEGORY		Supplemental Regulations
Subcategory (Section 35.020)	SR	
Specific use		
RESIDENTIAL		
Group Living		Section 40.160
Homeless center	S	Section 40.130
Life care retirement center	S	
Re-entry facility	S	
Residential treatment center	S	Section 40.130
Shelter, emergency and protective	S	Section 40.130
Transitional living center	S	Section 40.130
PUBLIC, CIVIC AND INSTITUTIONAL		

School		Section 40.350
Established on or before Jan. 1, 1998	P	Section 40.350
Others	S	Section 40.350
Utilities and Public Service Facility		
Minor	P	
Major	S	
Wireless Communication Facility		
Freestanding tower	P	Section 40.420
Building or tower-mounted antenna	P	Section 40.420
COMMERCIAL		
Assembly and Entertainment		Section 40.040
Indoor gun club	S	
Other indoor	-	
Outdoor gun club	S	
Other outdoor	-	
Broadcast or Recording Studio	P	
Commercial Service		Section 40.080
Research service	P	
Financial Services (except as below)		
Personal credit establishment	-	Section 40.300
Funeral or Mortuary Service	P	
Lodging		
Bed & breakfast	S	Section 40.060
Campgrounds and RV parks	-	
Hotel/motel	-	Section 40.170
Marina	S	
Office		Section 40.260
Business or professional office	P	Section 40.260
Medical, dental or health practitioner office	P	Section 40.260
Plasma center	-	Section 40.300

Table 25-7: IMX District Use Regulations

USE CATEGORY		IMX	Supplemental Regulations
Subcategory (Section 35.020)	Specific use		

COMMERCIAL			

Assembly and Entertainment			Section 40.040
Indoor	P[1]		Section 40.040
Broadcast or Recording Studio	P		
Commercial Service			Section 40.080
Building service	S[2]		
Business support service	P		Section 40.300
Consumer maintenance/repair service	P		
Personal improvement service	P		
Research service	P		
Financial Services (except as below)	P		
Personal credit establishment	S[2]		Section 40.300
Funeral or Mortuary Service	P		
Lodging			
Bed & breakfast	S		Section 40.060
Hotel/motel	S[2]		Section 40.170

Table 25-7.5: IMX District Building Type Regulations for Household Living

USE CATEGORY		IMX	Supplemental Regulations
Subcategory (Section 35.020)	Building Type		
RESIDENTIAL			
Household Living			
Single household			
Detached house	P		
Townhouse	P		Section 40.390
Two households on single lot			
Duplex	P		
Three or more households on single lot			
Multi-unit house	P		Section 40.250
Apartment/condo	P		Section 40.030

P= Permitted; S=Special Exception Approval Required; - = Prohibited

Proposed Zoning Code Changes to Transparency Measurements

Sec. 90.140-A, B and D- The proposed changes are to better define transparency measurements and standards.

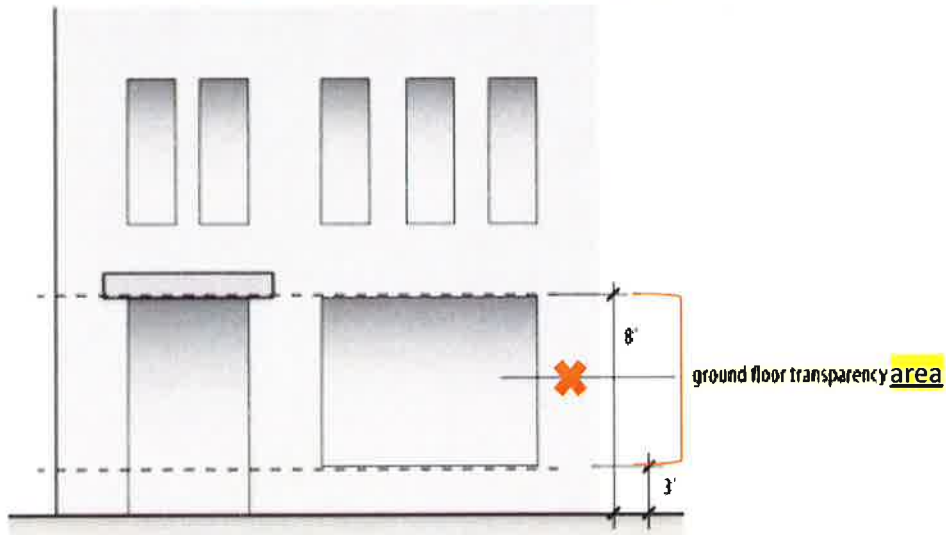
Chapter 90 | Measurements

Section 90.140 Transparency

90.140-A Transparency regulations govern the percentage of a street-facing building façade that must be covered by transparent elements (e.g., transparent windows and doors). Such transparent elements shall be designed and maintained to provide views into and out of the building, and shall not be permanently obstructed by fixed elements, such as signage, shelving, furniture, etc.

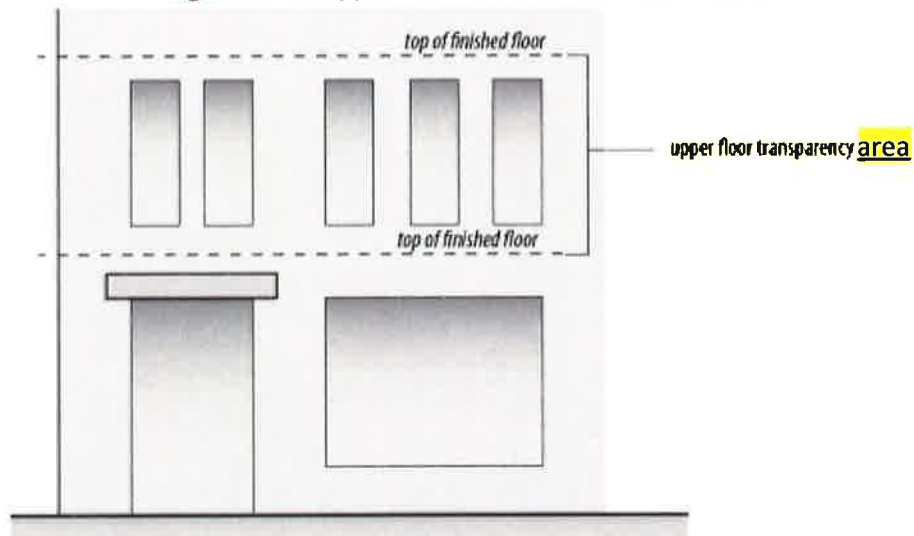
90.140-B Unless otherwise expressly stated, the transparency area of a ground floor facade is measured between 3 and 8 feet above the adjacent curb. Such transparent elements shall not begin higher than 3 feet above the level of the adjoining curb and shall have a minimum width of 2 feet.

Figure 90-17: Ground Floor Transparency Measurement



90.140-C The transparency area of an upper story facade is measured from top of the finished floor to the top of the finished floor above. When there is no floor above, upper story transparency is measured from the top of the finished floor to the top of the wall plate.

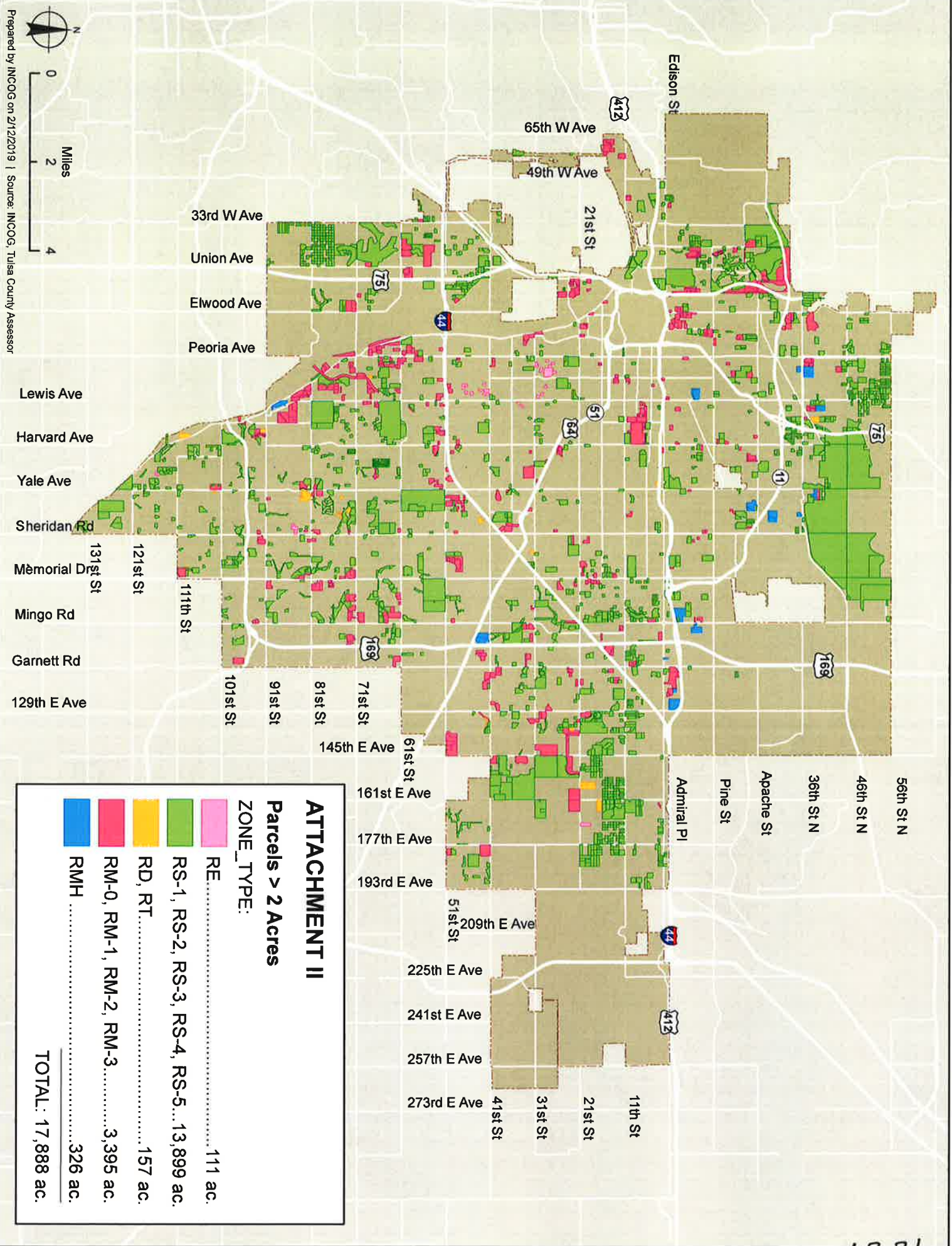
Figure 90-18: Upper Floor Transparency Measurement



90.140-D Glazed elements used to satisfy minimum transparency requirements must be clear and non-reflective and not be painted, or tinted (transparent, low-emissivity glass is permitted). Transparent elements may have a window film to improve energy efficiency or filter UV light to protect internal items from sun damage. The total visible light transmission (VLT) of the glazing and film shall be greater than or equal to 40 percent.

13.21

Prepared by INCOG on 2/12/2019 | Source: INCOG, Tulsa County Assessor



ATTACHMENT II

Parcels > 2 Acres

ZONE_TYPE:

RE	111 ac.
RS-1, RS-2, RS-3, RS-4, RS-5	13,899 ac.
RD, RT	157 ac.
RM-0, RM-1, RM-2, RM-3	3,395 ac.
RMH	326 ac.
TOTAL:	17,888 ac.

13.21

TMAPC Staff Report
February 20, 2019
Adopted Small Area Plan Review

- A. Item:** Adopt resolution to update the status of adopted small area plan review.
- B. Background:** Tulsa's history with neighborhood and small area planning predates the City's comprehensive plan, commonly referred to as PLANiTULSA. Twelve plans were adopted prior to PLANiTULSA's adoption in July of 2010. These plans demonstrate diverse approaches, formats, and visions. In 2015, the Planning Division staff at the City of Tulsa reviewed these existing plans to determine whether they conform with the vision and requirements of PLANiTULSA and continue to be effective.

The review was conducted in response to the following directive from the Tulsa Comprehensive Plan, page LU-65.

Existing neighborhood plans will continue to serve their role guiding City Council decisions. However, existing neighborhood plans vary somewhat in their format and may be out of date. Reviewing existing small area and neighborhood plans for conformance and effectiveness is one of the key PLANiTULSA implementation strategies. Thus, existing and future plans will all work toward implementing Our Vision for Tulsa.

Small Area Plans (SAPs) are important tools to implement the Comprehensive Plan. SAPs are focused on a specific geographic area, guided by a Citizen Advisory Team (CAT), and involve collaboration and consensus from residents, businesses, and other neighborhood stakeholders. SAPs provide a vision to guide change in the neighborhood, update the Comprehensive Plan including land use designations, areas of growth and stability and recommend public projects and programs to implement the plan's vision.

By Resolution No. 2736:961, dated December 21, 2016, the Tulsa Metropolitan Area Planning Commission (TMAPC) formally concurred with the findings and recommended actions contained within the adopted small area plan review project, and approved the following next steps:

1. The following plans are found to be in conformance with the Tulsa Comprehensive Plan and are still effective and shall continue to be implemented: *Sequoyah Area Neighborhood Implementation Plan, Crutchfield Neighborhood Revitalization Master Plan, and Southwest Tulsa Neighborhood Revitalization Plan Phase I*. An Executive Summary, including an Implementation Matrix and Land Use and Growth/Stability Maps for each of these plans will be developed to be presented to the Commission for adoption.

2. The following plans are superseded by more current plans: *Kendall-Whittier Area Neighborhood Master Plan* and *Whittier Square Plan* are superseded by the Kendall-Whittier Sector Plan as adopted by Commission Resolution No. 2729:959.
3. The following plan shall be included in the current planning efforts for Crosbie Heights: those portions of the *Charles Page Boulevard Plan* recommended in the Report for being rolled into another Small Area Plan.
4. The following plan is found to be accomplished through project implementation or to be successfully addressed by the Tulsa Comprehensive Plan and is therefore superseded by the Tulsa Comprehensive Plan: *Springdale Area Plan*.
5. The following plans are found to contain important outstanding projects and vision, and shall continue to provide general guidance, but shall be reevaluated and readdressed as a result of a change of conditions in the geographic areas covered by the plans: those portions of the *Charles Page Boulevard Plan* recommended in the Report for being returned and readdressed, *Brookside Infill Development Recommendation*, *East Tulsa Phase I*, *East Tulsa Phase II*, and *Riverwood Neighborhood Implementation Plan*.

C. Status Update: Since adoption of Resolution No. 2736:961, planning staff has worked to complete each of the steps listed above as approved by TMAPC.

Executive Summaries and Implementation Matrices have been prepared for the *Sequoyah Area Neighborhood Implementation Plan* and the *Southwest Tulsa Neighborhood Revitalization Plan Phase I*. Each plan summary includes the overarching plan goals used to direct land use, infrastructure, and other implementation strategies. In addition, an implementation matrix was created for each plan by enumerating recommended capital projects, programs, and policy changes specific to the plan area. None of the plan content was changed, adjusted, or updated only to summarize and reformat plan components for ease of use. As such, re-adoption of the plans is no longer necessary.

The *Crutchfield Neighborhood Revitalization Master Plan* area is wholly contained within the on-going Crutchfield SAP process and will therefore be superseded at the time of adoption.

All other existing SAPs, not superseded at this time, were reviewed for conformance with the Comprehensive Plan. Portions of the *Charles Page Boulevard Plan* area not covered in the on-going Crosbie Heights SAP along with the *Brookside Infill Development Recommendation*, *East Tulsa Phase I*, *East Tulsa Phase II*, and *Riverwood Neighborhood Implementation* plans. These plans will remain in effect and continue to guide decision-makers during development review such as zoning map amendments, comprehensive plan amendments, and other more general land use activities.

Each plan identified for reevaluation will be considered, along with other prioritized areas of Tulsa, for future small area planning efforts during the formal nomination and selection processes.

- D. Conformance with the Tulsa Comprehensive Plan:** The areas covered by SAPs adopted prior to the adoption of the 2010 Comprehensive Plan areas were assigned PLANiTULSA land use designations during that process. Therefore, the respective plan area of each adopted SAP shall refer to the latest version of the adopted Land Use Map of the Tulsa Comprehensive Plan, “For policy guidance to implement the vision,” (LU 2.3). Also, the respective plan area of each adopted SAP shall likewise refer to the latest version of the adopted Areas of Stability and Growth Map of the Tulsa Comprehensive Plan, “As a guide to where future growth and development will occur...help to establish the implementation priorities for PlaniTulsa in specific geographic areas,” (LU 2.7).
- E. Staff Recommendation:** Adopt resolution to update status of adopted small area plan review.

Marvin E. Jones, Jr.
Bio
as of March 21, 2017

Career / Experience:

Marvin E. Jones, Jr. has over 28 years of experience in the professional world.

Marvin is currently Vice President of Business Development with Bluefin Payment Systems. Bluefin Payment Systems is the leading provider of secure payment technology for retailers, enterprises and small to medium-sized businesses worldwide. Bluefin specializes in PCI-validated Point-to-Point Encryption (P2PE) integrated and stand-alone solutions for retail, mobile, call center and kiosk/unattended environments, and secure Ecommerce technologies including transparent redirect and tokenization.

Marvin served as Executive Vice President with MicahTek for over 14 years, where he managed and directed all departments, which include, Information Systems, Software Development, Call Center, Distribution Center, Mail Processing, Facility Operations, Client Services and Website Design. MicahTek consists of 350-400 employees and contractors during peak season.

He received his Bachelor's degree from the University of North Carolina at Pembroke. Marvin also pursued and received his MBA in Business, while he was a working professional.

Prior to joining MicahTek in 2001, Marvin was a Senior Executive of a rapid growing non-profit organization. He developed the plan to establish international operations in 4 different countries; United Kingdom, South Africa, Australia, and Canada. Afterwards, he developed procedures to efficiently handle logistics between each company and the US headquarters. Timely execution and attention to detail became instrumental to a thriving organization that is still operational today.

Prior to working for the rapid growing non-profit, Marvin worked with AT&T as a Project Manager and Programmer.

Over the course of his career, Marvin Jones has gained respect as an expert in his field and acted as a consultant at many levels. His business success stems from a deep and personal commitment to partnering with those he works with. He believes that by helping others succeed, he succeeds as well and this has proven true in all of his business ventures.

Community:

He is rapidly emerging as a business leader in the Tulsa community. He has experience in serving on volunteer Boards. In addition, he has worked on several committees involving mentoring young males to prepare for their future.

He and his wife Robin have been very involved with the Jack and Jill of America, Tulsa Chapter. This organizations promote growth and development of children and the community via education, financial literacy, among other programs.

Commitment to Family:

A devoted family man, Marvin has been married to Robin for over 25 years. The couple has 2 daughters and currently reside in Tulsa, Oklahoma. They are committed to nurturing their daughters to show respect to all they come in contact with.