

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1606  
Wednesday, June 4, 1986, 1:30 p.m.  
City Commission Room, Plaza Level, Tulsa Civic Center

<b>MEMBERS PRESENT</b>	<b>MEMBERS ABSENT</b>	<b>STAFF PRESENT</b>	<b>OTHERS PRESENT</b>
Carnes	Paddock	Frank	Linker, Legal
Doherty, 2nd Vice- Chairman	Crawford	Gardner	Counsel
Draughon		Setters	
Kempe		Malone	
Parmelee, Chairman		Wilmoth	
Selph			
VanFossen			
Wilson, 1st Vice- Chairman			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, June 3, 1986 at 10:15 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmelee called the meeting to order at 1:30 p.m.

**MINUTES:**

**Approval of Minutes of May 21, 1986, Meeting #1604:**

On MOTION of WOODARD, the Planning Commission voted 8-0-0 (Carnes, Doherty, Draughon, Kempe, Parmelee, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Selph, Crawford, "absent") to APPROVE the Minutes of May 21, 1986, Meeting #1604.

**Approval of Amended Minutes of May 7, 1986, Meeting #1602 (pg 12):**

On MOTION of DOHERTY, the Planning Commission voted 8-0-0 (Carnes, Doherty, Draughon, Kempe, Parmelee, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Selph, Crawford, "absent") to APPROVE the Amended Minutes of May 7, 1986, Meeting #1602, page 12, and renumber the pages that follow.

## REPORTS:

### Committee Reports:

Mr. VanFossen advised the **Comprehensive Plan Committee** met this date to consider the procedures of reconsideration of the Creek Expressway. The Committee received the Staff review which clarified the process and procedures anticipated on the three options currently under consideration. Mr. VanFossen reviewed the process and TMAPC's participation involving the Major Street and Highway Plan.

### Director's Report:

Mr. Jerry Lasker updated the Commission on the budgeting and work program process, and answered questions from the Commission members clarifying areas of cutbacks anticipated in Fiscal Year 1986-87.

## SUBDIVISIONS:

### PRELIMINARY PLAT APPROVAL:

#### Heatherwood Mobile Home Park (PUD 323-1)

S/side Coyote Trail, West of South 241st West Avenue

On **MOTION** of **KEMPE**, the Planning Commission voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Crawford, "absent") to **CONTINUE Consideration of Preliminary Plat Approval for Heatherwood Mobile Home Park (PUD 323-1) until Wednesday, June 18, 1986 at 1:30 p.m. In the City Commission Room, City Hall, Tulsa Civic Center.**

### CORRECTION TO FINAL PLAT:

#### Cedarcrest (Plat #3959)

East 89th Street & South Gary Avenue (RS-3)

It has been discovered that a lot number has inadvertently been left off the plat. The Engineer is filing a document to correct this omission. Easements, building lines, dedications, etc. are not affected, and this is not a PUD. Since the TMAPC originally approved the plat and the filing of this document is necessary to clear title to the lot, Staff recommends **APPROVAL** of the correction as submitted. (This has been discussed with Legal and the Abstract Company and this procedure is agreeable with all concerned.)

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Crawford, "absent") to **APPROVE** the **Correction to the Final Plat for Cedarcrest**, as recommended by Staff.

**LOT SPLITS:**

**LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:**

L-16667 (1302) City of Tulsa	L-16679 ( 724) Teel
L-16669 (1193) Cintas	L-16680 ( 293) Boyd/Rainwater
L-16670 (1192) Evans/Kennedy	L-16681 ( 593) Byers
L-16672 (3113) Gray/Coombs	L-16682 ( 593) Reynolds
L-16674 (3492) Bohnefield/Gruse	

On **MOTION** of **DOHERTY**, the Planning Commission voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Crawford, "absent") to **APPROVE** the **Ratification on the Above Listed Lot Splits**, as recommended by Staff.

**LOT SPLITS FOR WAIVER:**

**L-16655 Inbody** West of the SW/c of 141st Street & Harvard Avenue (AG)

Mr. Darrell Inbody is requesting to split a 168.92' x 288.78' lot in the northeast corner from his irregular-shaped 8.85 acre tract.

The Staff notes that the subject tract is zoned AG, and a variance will be required from the County Board of Adjustment because the lot split will create a lot below the minimum size permitted in the AG district.

A field check of the subject tract area revealed that other lots in the area are as small or smaller than the lot this split is trying to create. The Staff recommends **APPROVAL** of this request subject to the following conditions:

L-16655 Inbody - Cont'd

- 1) The northern 50 feet of the subject tract be dedicated to Tulsa County for road right-of-way.
- 2) Approval from the County Board of Adjustment for the above mentioned variance.
- 3) Approval from the City-County Health Department for percolation tests for both lots of the subject tracts.
- 4) A letter from Okmulgee County RWD #6 saying that water service is available to the subject tracts.

Staff noted that Conditions #3 and #4 above have already been met, so only #1 and #2 are still applicable.

The TAC voted to recommend **approval** of L-16655, subject to conditions #1 and #2 as outlined by Staff and TAC.

On **MOTION** of **CARNES**, the Planning Commission voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Crawford, "absent") to **APPROVE** the **Lot Split Waiver for L-16655 Inbody**, subject to the following conditions.

- 1) The northern 50 feet of the subject tract be dedicated to Tulsa County for road right-of-way.
- 2) Approval from the County Board of Adjustment for the above mentioned variance.

\* \* \* \* \*

L-16667 Dobbs SE/c of 116th Street North & North Garnett Road (AG)

This is a request to split a 1.37 acre lot from a 5 acre tract in order to clear title to the property. This property was split out years ago, but lot split approval was never obtained.

The subject tract is surrounded by the Owasso City Limits and commercial zoning and use. The present use of the subject tract is for a gasoline service station.

Staff notes that a variance of the bulk and area requirements from the County Board of Adjustment will be required in order to permit this lot split.

The Staff recommends **APPROVAL** of this request for lot split subject to the following conditions:

L-16667 Dobbs - Cont'd

- 1) Approval from the County Board of Adjustment for the above mentioned variances.
- 2) A letter from the Owasso Water and Sewer Department stating that they will serve the subject tract.
- 3) That the right-of-way easement (as depicted on the presentation map) be dedicated to Tulsa County for roadway (58' on Garnett and 60' on 116th Street North, measured from centerline).

The TAC voted to recommend **approval** of L-16667, subject to the conditions outlined by Staff.

Comments & Discussion:

Staff advised the applicant may, at some time in the future, come before the TMAPC for a waiver on the right-of-way.

On **MOTION** of **CARNES**, the Planning Commission voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Crawford, "absent") to **APPROVE** the **Lot Split Waiver for L-16667 Dobbs**, as recommended by Staff.

LOT SPLITS FOR DISCUSSION:

L-16675 Laird

West of the NW/c East 12th Street & South Louisville

In the opinion of the Staff, the lot split(s) meets the Subdivision and Zoning Regulations, but since the lot may be irregular in shape, notice has been given to the abutting owner(s). Staff recommends **APPROVAL** of the request.

Comments & Discussion:

Mr. Doherty expressed some concerns as to the size of the frontage. Mr. Gardner stated that the size does meet the requirements at the building line.

On **MOTION** of **KEMPE**, the Planning Commission voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Crawford, "absent") to **APPROVE** the **Lot Split for L-16675 Laird**, as recommended by Staff.

OTHER BUSINESS:

PUD 181-5: 1705 South 141st East Avenue, Lot 2, Block 13 Eastland Park

Staff Recommendation: Minor Amendment

The subject tract is 6,900 square feet in size and is situated on the edge of a developed single-family subdivision. It is abutted to the north, south and west by similar single-family residences and to the east by vacant property. The applicant is requesting a minor amendment to allow a home occupation (beauty shop with accessory uses) within PUD 181.

Normally, such a request would be heard by the Tulsa Board of Adjustment, but due to the subject tract being located within an approved planned unit development, the TMAPC has jurisdiction in the matter.

After review of the application, Staff finds the request to be minor in nature and can support the minor amendment with the following conditions:

- 1) The minor amendment shall be engaged in only by the family or person occupying the dwelling as a private residence. No person shall be employed in the home occupation other than a member of the immediate family residing on the premises.
- 2) No signs, display or advertising on premises, visible from outside the lot, shall be permitted.
- 3) The minor amendment shall be conducted entirely within an enclosed principal building or customary accessory building.
- 4) No mechanical equipment shall be used which creates a noise, dust, odor or electrical disturbance.
- 5) No exterior alterations of the structure shall be made which would detract from the residential character of the structure.
- 6) Days and hours of operation shall be limited to Monday through Saturday, 9:00 a.m. to 6:00 p.m.
- 7) No more than two customers shall be allowed at any one time.
- 8) Accessory uses shall be limited to: facial and make-up analysis, waxing, manicures and ear piercing.
- 9) Customer parking shall be off-street and on the applicant's property.

Based on the above conditions, conditions typical to home occupations placed by the Board of Adjustment, Staff recommends **APPROVAL** of the minor amendment.

Notice of this application has been given to all property owners within a 300 foot radius of the subject tract.

Applicant's Comments:

Ms. Joyce Milhauser stated that condition #7 appeared to be too restrictive as she has some customers who come as a family unit in one automobile. Mr. Jackere stated that Staff's concern was mainly with the number of autos on the premise more than the number of customers. In reply to Mr. Doherty, Ms. Milhauser explained the parking conditions on the subject tract.

On **MOTION** of **KEMPE**, the Planning Commission voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Crawford, "absent") to **APPROVE** the **Minor Amendment to PUD 181-5**, subject to the listed conditions, and amending condition #7 to read "... two customer autos ..."

\* \* \* \* \*

**PUD 177-4:** North & West of 91st Street and 69th East Avenue, being the southwestern portion of Reserve Areas C, D and E, Chimney Hills South Blocks 8 - 17.

Staff Recommendation: **Minor Amendment and LNO #16678**

PUD 177 was approved by the TMAPC on November 19, 1975, and by the City Commission on December 16, 1975. Reserve Areas C, D and E were approved for open space and easements for underground pipelines as noted on the plat and PUD 177 also requires a minimum of 6,194 square feet of livability space per dwelling unit. These reserve areas were retained by the developer and were later sold because of delinquent taxes. The applicant is the present owner of the southwestern portion of Reserve Areas C, D, and E which was split away from the remainder of the reserve areas on May 7, 1986 by virtue of Lot split #16649, and PUD 177-3 Minor Amendment. The new request is to split this tract into four lots and attach them to the abutting lots to the North, being Lots 8, 9, 17 and 18 of Block 10 Chimney Hills South Blocks 8 - 17. The Staff has conferred with Russell Linker of the City of Tulsa Legal Staff, and recommends **APPROVAL** of PUD 177-4 Minor Amendment and LNO #16678 subject to the following conditions:

- 1) That the applicant be made aware that this approval is subject to easements of record as noted on the plat of Chimney Hills South Blocks 8 - 17 with special emphasis to the utility easements in Reserve Area C.
- 2) Approval is subject to the application of tie language, (as approved by the City of Tulsa Legal Department) affixed to the face of the deed.

- 3) Reserve Area E is a known floodplain area and any increase of density, use or development of this tract will require a Watershed Development Permit from the Department of Stormwater Management and an amendment to PUD 177 as processed through the Tulsa Metropolitan Area Planning Commission.
- 4) That no access is permitted from East 91st Street to the subject tract due to Limits of No Access on the plat of Chimney Hills South Blocks 8 - 17.

Comments & Discussion:

In regard to condition #3, Mr. Gardner stated that the word "use" is meant to include new and existing fencing, which will be reviewed by the Department of Stormwater Management (DSM) before a permit can be issued. Discussion followed on the fencing requirement, and Mr. VanFossen suggested changing the wording "will require" to "may require" in condition #3. Mr. Dale Reynolds, the DSM representative, advised that a fence would not fall under their definition of development and would not require a Watershed Permit. However, DSM does have control if the fencing is over a drainage easement. Mr. Gardner stated Staff's intention was to allow DSM a chance to review this, and if they had a problem, then they could address the problem. If they do not have a problem, then the applicant has met the condition. Mr. Reynolds stated that, if there was an overland drainage easement, it would require the fencing to be kept open. Mr. Doherty made a motion for approval, amending the verbiage in condition #3 to include fencing and changing "will" to "may".

On **MOTION** of **DOHERTY**, the Planning Commission voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Crawford, "absent") to **APPROVE** the **Minor Amendment for PUD 177-4 and LNO 16678**, subject to the following conditions:

- 1) That the applicant be made aware that this approval is subject to easements of record as noted on the plat of Chimney Hills South Blocks 8 - 17 with special emphasis to the utility easements in Reserve Area C.
- 2) Approval is subject to the application of tie language, (as approved by the City of Tulsa Legal Department) affixed to the face of the deed.
- 3) Reserve Area E is a known floodplain area and any increase of density, use, development or fencing of this tract may require a Watershed Development Permit from the Department of Stormwater Management and an amendment to PUD 177 as processed through the Tulsa Metropolitan Area Planning Commission.
- 4) That no access is permitted from East 91st Street to the subject tract due to Limits of No Access on the plat of Chimney Hills South Blocks 8 - 17.

\* \* \* \* \*

Z-4948-SP-1-A:

SW/c of 81st Street and South Union Avenue

Staff Recommendation: Approval of Amended Covenants

The subject tract was approved for a minor amendment by the TMAPC on April 2, 1986, releasing it from the confines of the original approval, subject to the applicant filing a new Deed of Dedication and Partial Release of Covenants.

After review of the applicant's submitted "Partial Release of Covenants," Staff recommends **APPROVAL** of the document as submitted. Legal Department has approved the document as to form.

On **MOTION** of **CARNES**, the Planning Commission voted **9-0-0** (Carnes, Doherty, Draughon, Kempe, Parmele, Selph, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, VanFossen, Crawford, "absent") to **APPROVE** the **Amended Deeds of Dedication and Partial Release of Covenants for Z-4948-SP-1-A**, as recommended by Staff.

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PUD 379-1:

South of the SW/c of 66th Street and South Memorial Drive  
Being Lots 2 and 3, Block 2 The Village at Woodland Hills

Staff Recommendation: Minor Amendment and LNO #16673

This is a request to split off the South 50.73 feet of Lot 2, Block 2, and attach it to Lot 3, Block 2 in order to allow sufficient lot area for the proposed development.

Block 2 of The Village at Woodland Hills plat is part of PUD 379 which was approved by the TMAPC on 10/24/84, and by the City Commission on 1/8/85 by virtue of Ordinance #16243. This PUD allocated 28,000 square feet of floor area for restaurants and their customary accessory uses.

The Staff feels that this request is minor in nature and consistent with the original intent of PUD 379 and, therefore, recommends **APPROVAL** of the Minor Amendment and LNO #16673, subject to the development standards as listed on plat #4656, The Village of Woodland Hills, Block 2 and the conditions of approval of PUD 379 as approved by the City Commission on 1/8/85.

Comments & Discussion:

Mr. Doherty commented that, in a previous lot split similar to this, there was some tie language in the Staff conditions, and noted there were none in this presentation. Staff advised that, as long as the applicant can meet the requirements on the lot, this was not necessary for commercial.

Staff advised the applicant would be coming before the Commission in the next few weeks to amend the development standards on this PUD. Ms. Wilson confirmed with Staff the upcoming amendment involved going from "P" to "CS".

On **MOTION** of **WILSON**, the Planning Commission voted **8-0-1** (Carnes, Doherty, Kempe, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; Draughon, "abstaining"; Paddock, Crawford, "absent") to **APPROVE** the **Minor Amendment to Allow a Lot Split for PUD 379-1**, as recommended by Staff.

There being no further business, the Chairman declared the meeting adjourned at 2:03 p.m.

Date Approved 6-18-86  
Rand J. Doherty  
Chairman

ATTEST:

RBPaddock  
Secretary