

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1623
Wednesday, October 8, 1986, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT

Carnes
Doherty, 2nd Vice-
Chairman
Draughon
Parmele, Chairman
VanFossen
Wilson, 1st Vice-
Chairman
Woodard

MEMBERS ABSENT

Crawford
Kempe
Paddock
Selph

STAFF PRESENT

Frank
Jones
Lasker
Setters

OTHERS PRESENT

Linker, Legal
Counsel
Miller, DSM

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, October 7, 1986 at 10:07 a.m., as well as in the Reception Area of the INCOG offices.

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

MINUTES:

Approval of Minutes of September 24, 1986, Meeting #1621:

On MOTION of WOODARD, the Planning Commission voted 6-0-0 (Carnes, Draughon, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Doherty, Kempe, Paddock, Selph, Crawford, "absent") to APPROVE the Minutes of September 24, 1986, Meeting #1621.

REPORTS:

Committee Reports:

It was announced the Rules & Regulations Committee would be meeting at noon on Wednesday, October 15, 1986 to finish discussions of the previous meeting on October 1st.

Director's Report:

Mr. Jerry Lasker of INCOG advised the State Transportation Commission, at their October 6th meeting, approved the placement of the 96th Street alignment of the Creek Expressway on the State construction program as State Highway 117. Mr. Lasker stated they also approved entering a contract with consultants to do the functional plans and the Environmental Impact Statement (EIS). The only item action contrary to INCOG/TMAPC wishes was the request for a nationally recognized out-of-state firm for the EIS (which might occur), but they felt uncomfortable requiring this as it would eliminate Oklahoma firms. Mr. Lasker commented they now have 90 days to select consultants and negotiate fees.

In light of this action, Ms. Wilson suggested that Staff draft a letter to the Metropolitan Tulsa Board of Realtors (MTBR), following up the requested policy by the TMAPC to fully advise the MTBR of the proposed alignment of the Creek Expressway, so as to pass on this information to their membership/clients. Chairman Parmele agreed and directed Staff to prepare a letter addressing this issue. In regard to the issue of a linear park along the Creek Expressway, Ms. Wilson requested INCOG provide a copy of their map showing the proposed layout of the Creek Expressway to the chairman of the Park Board.

In response to Mr. Draughon, Mr. Lasker stated that contact with the appropriate telephone companies was being pursued in regard to TMAPC's previous request to investigate the possibility of publishing the Regional Long Range Transportation Plan Maps in phone books. Mr. Lasker also stated he was not aware of any statements made by Oklahoma Department of Transportation (ODOT) personnel that this agency would not keep INCOG, TMAPC or the City informed of the status of the Creek Expressway.

PUBLIC HEARING

TO CONSIDER AMENDING TITLE 42, TULSA REVISED ORDINANCES (CITY OF TULSA ZONING CODE) AND TULSA COUNTY ZONING CODE TO PERMIT DRIVE-IN BANKING FACILITIES IN THE "OL" OFFICE LOW INTENSITY DISTRICT AS SPECIAL EXCEPTIONS USES ONLY, SUBJECT TO APPROVAL BY THE BOARD OF ADJUSTMENT

Comments & Discussion:

Mr. Alan Jackere, Legal Counsel for the Board of Adjustment (BOA), stated he felt this action would generate more applications to the BOA and thought these concerns could be taken care of through a conditional use, i.e. one window. He suggested a multi-lane facility could be allowed by right, even though next to residential, if it was a set number of feet away from the residential area. Mr. Doherty stated the Rules and Regulations Committee considered these points, but felt the "stacking lanes" in traffic would generate some problems regardless of the distance from a residential area. Mr. Frank concurred with Mr. Doherty's comments and further discussed the justification for the proposed ordinance change.

TMAPC ACTION: 6 members present

On **MOTION** of **WILSON**, the Planning Commission voted **6-0-0** (Doherty, Draughon, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Kempe, Paddock, Selph, Crawford, "absent") to **APPROVE** the Amendment to Title 42, Tulsa Revised Ordinances (City of Tulsa Zoning Code) and Tulsa County Zoning Code (Section 610 of said Codes) to permit drive-in banking facilities in the OL (Office - Low Intensity) District as Special Exception Uses Only, subject to approval by the Board of Adjustment.

CONTINUED ZONING PUBLIC HEARING:

Application No.: PUD 418
Applicant: Jones (Williams, et al)
Location: West of the SW/c 91st & Delaware
Size of Tract: 23.14 acres
Date of Hearing: October 8, 1986
Continuance Requested to: December 10, 1986

Present Zoning: CS & OL
Proposed Zoning: Unchanged

Comments & Discussion:

Chairman Parmele advised a request had been submitted by the applicant for a continuance of this application to December 10, 1986.

TMAPC ACTION: 6 members present

On MOTION of VANFOSSEN, the Planning Commission voted 6-0-0 (Doherty, Draughon, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Kempe, Paddock, Selph, Crawford, "absent") to CONTINUE Consideration of PUD 418 Jones (Williams, et al) until Wednesday, December 10, 1986 at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

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Application No.: Z-6126 & PUD 421
Applicant: Heller
Location: SE/c of the Broken Arrow Expressway Frontage Road & Zunis
Size of Tract: .1+ acre

Present Zoning: RS-3
Proposed Zoning: OL

Date of Hearing: October 8, 1986
Presentation to TMAPC by: Mr. Robert Nichols, 111 West 5th (582-3222)

Comments & Discussion:

Mr. Frank advised of discussions with the attorney representing these applications and stated the Staff recommendation was no longer applicable to the plans of the applicant.

Applicant's Comments:

Mr. Robert Nichols commented he had just recently been retained by the applicant, and stated that in reviewing this with Mr. Heller, he felt OL was too intense and suggested RM-1 as a more appropriate use. Therefore, Mr. Nichols requested a continuance in order to review and discuss this further with Staff and the applicant, and to readvertise for RM-1 zoning.

The Commission discussed this among themselves as to the appropriateness of the use and zoning. Mr. Doherty requested Staff provide a history of zoning and BOA transactions to the west of the subject tract at the continued hearing which would demonstrate the degree of residential stability of that neighborhood.

TMAPC ACTION: 6 members present

On **MOTION** of **WILSON**, the Planning Commission voted **6-0-0** (Doherty, Draughon, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Kempe, Paddock, Selph, Crawford, "absent") to **CONTINUE Consideration of Z-6126 & PUD 421 Heller** until Wednesday, **November 19, 1986** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

OTHER BUSINESS:

PUD 385-3: NW/c of East 71st Street South and South Utica Avenue
Lot 1, Block 1, Laurenwood Addition

Staff Recommendation: Minor Amendment for Signage

PUD 385 is approximately 1.7 acres in size and is located on the northwest corner of South Utica Avenue and East 71st Street South. It is abutted to the north by a developing office park, to the west by Joe Creek Channel, to the south by an apartment complex and to the east by an office park. The applicant is requesting a minor amendment to change the approved sign and types on the south and east elevations. Detail Sign Plan approval was granted by the TMAPC on July 23, 1986 for a 6'6" X 11'10" project monument

type ground sign. The applicant is now requesting a minor amendment to allow the substitution of the approved "Decorative Center" sign which is to be a stucco type to a "Carpet World" sign which will be backlighted on the south elevation and a similar wall mounted sign on the north end of the east elevation.

After review of the applicant's application and drawings, Staff finds the request to be minor in nature but can only support the request in part. Staff can support the substitution to the tenant sign on the south elevation only, due to its frontage on a major street. Staff cannot support the South Utica Avenue elevation due to the nonarterial frontage; Staff could not support similar signage for the other tenants.

When PUD 385 was approved, uniform consideration was given to the tenants by allowing 12" vertical band with sewn or silkscreened letters on awnings for tenant signage (submitted by the applicant). Staff would also note that the area is not in a retail area and the structure and abutting structures are office in nature, which would also make the sign out of character with the area. South Utica Avenue provides limited access to a low intensity office development, again where signage is restricted.

Based on the above findings, Staff recommends **APPROVAL** of the proposed sign and type for the south elevation and **DENIAL** on the east elevation.

Applicant's Comments:

Mr. Tom Creekmore (3800 First National Center) representing the applicant, submitted photos of the subject property and stated that the request for signage was being submitted due to the shape and size of the tract. Mr. Creekmore reviewed the signage in the surrounding office/commercial areas. He stated the applicant would be willing, by restrictive covenants, to bind the property to no more wall signs. Mr. Creekmore asked that, if the Commission was not agreeable to the applicant's request, some alternate relief be granted (additional wall sign on the south and/or southeast elevation, or additional monument sign).

Comments & Discussion:

Chairman Parmele inquired if the signs were already in place and was informed they were not. In reply to Mr. VanFossen, Mr. Frank commented that the compromise made on the zoning (at the previous TMAPC and City Commission hearings) was to grant the commercial uses and keep the buffer OM within the PUD restrictions. Mr. Frank stated the Staff intent was to control the signage to be consistent with office uses abutting on the west. The applicant stated he did not find anything in the previous minutes that reflected this.

Mr. VanFossen stated he would be in favor of a continuance to allow time to review the original PUD. Ms. Wilson agreeing with Mr. VanFossen, commented she would like to see the first minor amendment. Chairman Parmele concurred a continuance might be in order to review these items. The applicant stated interest in also receiving a copy of the history of this PUD, as he was not the attorney on the previous presentations.

Mr. Draughon asked, if allowances are made for this applicant, if other tenants of this complex would be allowed to come in for minor amendments. Chairman Parmele commented that a domino effect appeared to also be a concern of the Staff. Mr. Creekmore stated the owner of the building controls the signage and was willing to restrict themselves from coming back before the Commission, and asked the Commission and City rely on the private restrictive covenants which would prohibit any further signage, and would be separate and apart from the zoning. Chairman Parmele suggested the applicant bring the written restrictive covenants for review at the continued hearing on this application. Mr. VanFossen reminded the applicant that the owner already had done this in PUD form.

TMAPC ACTION: 6 members present

On **MOTION** of **VANFOSSEN**, the Planning Commission voted **6-0-0** (Doherty, Draughon, Parmele, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Kempe, Paddock, Selph, Crawford, "absent") to **CONTINUE** Consideration of **PUD 385-3** until Wednesday, **October 15, 1986** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

There being no further business, the Chairman declared the meeting adjourned at 2:10 p.m.

Date Approved Oct 22, 1986
Kent J. DeWitt
Chairman

ATTEST:

AB Paddock
Secretary

