

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1828
Wednesday, March 13, 1991, 1:30 p.m.
City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Doherty	Carnes	Gardner	Linker, Legal
Horner	Coutant	Russell	Counsel
Midget, Mayor's Designee	Draughon	Stump	
Neely	Harris		
Parmeale, Chairman	Wilson		
Selph, County Designee	Woodard		

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, March 12, 1991 at 11:20 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 1:45 p.m.

Minutes:

Approval of the minutes of February 27, 1991, Meeting No. 1826:

On **MOTION** of **DOHERTY**, the TMAPC voted **5-0-1** (Doherty, Horner, Midget, Neely, Parmele, "aye"; no "nays"; Selph "abstaining"; Carnes, Coutant, Draughon, Harris, Wilson, Woodard, "absent") to **APPROVE** the minutes of the meeting of February 27, 1991 Meeting No. 1826.

REPORTS:

Chairman's Report:

Chairman Parmele advised that a representative was needed to replace Kevin Coutant as the TMAPC representative on the Historic Preservation Committee. He asked that anyone interested in being on the committee to let him know.

Committee Reports:

Mr. Doherty stated that the **Rules & Regulations Committee** would not be meeting on March 20, 1991 due to his absence.

Director's Report:

Mr. Gardner reminded the Planning Commission that the City Council would be meeting at 7:00, March 14, 1991. One of the items to be considered would be the 21st & Jamestown application which was denied by TMAPC and has been appealed to the City Council.

OTHER BUSINESS:

PUD-289: Detail Sign Plan -- Southwest corner of East 71st Street South and South Yale Avenue. Lot 1, Block 1, Executive Center

Staff Recommendation:

The applicant is requesting Detail Sign Plan approval for a ground sign near the northeast entrance to the office building on Lot 1, Block 1 of Executive Center. From information submitted by the applicant and staff field investigation, it was determined that the number and size of the existing signs in both Lots 1 and 2 of the PUD exceed the limits imposed by the zoning code. None of these existing signs has been given Detail Sign Plan approval by the TMAPC. Below is a table showing what is allowed under the zoning code and what signage exists on the site.

	<u>Allowed by Zoning Code</u>	<u>Existing</u>
<u>LOT 1</u>		
71st St. Frontage	1 business sign -- max. 115 SF 1 real estate sign - max. 32 SF	1 business sign -- total of 32 SF 2 real estate signs - total of 96 SF
Yale Ave. Frontage	1 business sign -- max. 675 SF 1 real estate sign - max. 32 SF	1 business sign -- total of 18 SF 1 real estate sign - total of 32 SF
<u>LOT 2</u>		
Yale Ave. Frontage	1 business sign -- max. 52 SF 1 real estate sign - max. 32 SF	2 business signs - total of 232 SF

A City Sign Inspector determined that two of the business signs had never been issued a sign permit and the large real estate sign exceeded the number and size of real estate signs permitted in the PUD. He informed the rental manager of the office center that they must be removed. If these signs are removed, the PUD conditions would allow the erection of the sign proposed in this Detail Sign Plan.

Therefore, Staff would recommend that the Planning Commission give Detail Sign Plan approval to this new sign, contingent upon the removal of the two business signs and the large real estate sign. Staff would propose to withhold transmittal of your approval until this condition is met.

Mr. Stump advised that upon checking the location, it was seen that the two unpermitted business signs have been removed. The large real estate sign remains.

Applicant's Comments:

Mr. Bryan Ward, Amax Sign Company, 9520 East 55th Place, was present representing the applicant. He advised that the applicant was in agreement with all the conditions with the exception of keeping the 64 SF Bethany real estate sign.

Chairman Parmele advised the real estate sign was not an item on the agenda to be approved. The applicant would have to receive a variance from the Board of Adjustment for the sign. He stated that TMAPC could approve the Pacificare sign but withhold transmitting it to the city sign inspector until the situation regarding the Bethany real estate sign was taken care of.

Mr. Gardner advised that staff would amend its recommendation to state that staff recommends approval subject to the applicant applying to the Board of Adjustment for a variance for the real estate sign and reduction of the size of the sign if the Board denies the application.

TMAPC ACTION; 6 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Doherty, Horner, Midget, Neely, Parmele, Selph "aye"; no "nays"; no "abstentions"; Carnes, Coutant, Draughon, Harris, Wilson, Woodard, "absent") to **APPROVE** the Detail Sign Plan for PUD 289 Amax Sign Company subject to the Board of Adjustment approving the variance for the existing real estate sign or the real estate sign being reduced in size to conform to the code.

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PUD 168-5: Minor Amendment to allow a business sign for Furr's Cafeteria -- East of the southeast corner of 81st Street South and South Harvard Avenue

The applicant, Mr. Bill Suggs representing Furr's Cafeteria, is requesting a minor amendment to PUD 168 to allow the construction of a 30' tall, 150 SF business sign on 81st Street north of their cafeteria. The sign would be in Development Area "D 1", which is a 50' wide area along the 81st Street frontage of the PUD. Development Area "D 1" only allows landscaped open space and prohibits any ground signs with the exception of one center identification sign. These restrictions and a requirement that a 120' wide strip of office development be between 81st Street and the shopping center uses to the south were intended to provide an orderly transition to the low intensity residential use planned on the north side of 81st Street.

Staff feels that allowing a business sign on the 81st Street frontage would be contrary to the original intent of the PUD and would bring commercial uses closer to the planned residential areas to the north. Therefore, Staff recommends **DENIAL** of minor amendment PUD 168-5.

Comments & Discussion:

Mr. Doherty inquired whether there was a shopping center identification sign on 81st Street. Mr. Stump stated there was no sign on 81st Street.

Applicant's Comments:

Mr. Bill Suggs, 106 No Name Road, Dexter, New Mexico, was present representing the applicant, Furr's Cafeteria. He stated that the sign they were proposing was along the entrance on 81st Street. He advised that there is a hill to the east of the entrance and it would not be possible to see the sign until you come over the rise in the road. The traffic travelling eastbound should be able to see the sign from somewhere past the intersection on the west. He advised that the economy at the location has not been good and it was felt that the identification sign was extremely needed. Mr. Suggs commented that he had conferred with Mr. Greg Roberson, Property Company of America, 2431 East 61st, who is the property manager for the center, regarding one main identification sign for the center.

Mr. Roberson was present and advised that the shopping center was developed in strict compliance with the PUD. He commented that the two anchor tenants, Med-X and Homeland, have previously asked Property Company of America to put a shopping center identification sign on 81st Street. Property Company of America did not pursue the request. He commented that since Furr's was also wishing to have a center identification sign listing the anchor tenants they were willing to pursue the request. He felt staff was not in favor of two signs along 81st Street and it would be in their best interest to request one center identification sign with the tenants listed.

Comments & Discussion:

Mr. Doherty advised that he did not favor a pole sign at the location, but could possibly be in favor of a monument sign with major tenants and shopping center identification.

The applicant was advised that a continuance could be granted to allow them more time to develop a plan. The applicant stated he was in agreement with the continuance.

TMAPC ACTION; 6 members present:

On MOTION of DOHERTY, the TMAPC voted 6-0-0 (Doherty, Horner, Midget, Neely, Parmele, Selph "aye"; no "nays"; no "abstentions"; Carnes, Coutant, Draughon, Harris, Wilson, Woodard, "absent") to CONTINUE the Minor Amendment to PUD 168-5 until April 10, 1991, 1:30 p.m., Francis F. Campbell City Council Room, Plaza Level, Civic Center.

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PUD 342-2: Minor Amendment to permit a diaper service in Wembley Station Shopping Center. Located south and west of the southwest corner of East 71st Street South and South Mingo Road.

Staff Recommendation:

PUD 342 is a 7.5 acre development located south and west of the southwest corner of East 71st Street South and South Mingo Road. The PUD was approved, as requested by the applicant, to permit only those uses as allowed by right in the CS zoned district as permitted uses. The applicant is now requesting a minor amendment, as directed by the TMAPC at the February 27, 1991 meeting, to permit a Use Unit 15 use, diaper laundry service, in the PUD. It was also requested by the TMAPC that a letter be sent to the Chief Zoning Officer to reconsider the use as a Use Unit 14.

After discussion with the Chief Zoning Officer who site checked some existing diaper services, Staff cannot support the request. Based on the applicant's submitted size of the cleaning equipment, potential odor that was experienced in existing facilities and the potential to become an industrial size cleaning facility, Staff recommends **DENIAL** of the minor amendment as requested. Staff cannot foresee enforceable safeguards which would ensure compatibility with the existing uses.

Comments & Discussion:

Chairman Parmele advised that this item had been heard two weeks ago as a minor amendment. Ms. Paula Hubbard, Zoning Officer, was asked to review her determination of the diaper service as Use Unit 15. Ms. Hubbard's response, which stated she was holding to her decision that a diaper service should be considered Use Unit 15, was presented to the Commission.

Mr. Stump advised that written notification had been given to property owners within 300' and a notice was also run in the newspaper although neither notice would meet the time requirements for a public hearing. He further stated that the conditions that would be imposed in this PUD would not be things that could be easily enforced.

Applicant's Comments:

Mr. Bob Traband, 1716 South Phoenix, advised that his company is the managing company for the property. He provided each of the commissioners with a package of information which he stated would justify the appropriateness of their request. He commented that they were aware of the option of going before the Board of Adjustment and stated that due to time constraints it would not be beneficial for them to pursue the variance.

Mr. Traband advised that diaper services have changed in recent years. The equipment in use is the same as that used in a commercial laundromat. He stated that the packet he distributed

listed all the equipment Ms. Nichols, owner of Bundles Diaper Service, would be using. He further commented that they were willing to limit the equipment to those listed. They were also willing to limit the size of the diaper service to 1200' or less and to limit the production portion of the service. He commented that several of the tenants had been contacted and there were no objections to the diaper service.

In response to Mr. Doherty, Mr. Traband said he had not personally notified every tenant, but had contacted all the tenants in that building and all in similar use. He stated that he felt confident that all of the tenants were aware that the diaper service was wanting to go in.

Ms. Lori Nichols, 9310 East 98th Street, commented that the diapers are kept in plastic bags inside sealed containers and are rotated out immediately. She advised that she operates another diaper service and has never had any complaints regarding odor.

Comments & Discussion:

Chairman Parmele stated if the production area and equipment used could be restricted he would be in favor of the amendment.

Mr. Selph commented that technology has changed over the past few years and, like print shops, the diaper service has improved.

Mr. Doherty advised that he shared staff's concerns that although conditions could be imposed it would be very difficult to enforce. He felt that the most enforceable and reasonable approach would be to limit the square footage dedicated to the laundry operation. Mr. Traband advised that 440' would be dedicated to laundry services.

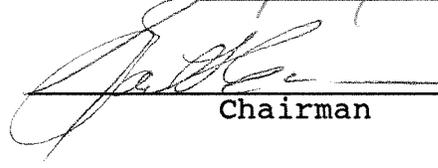
Mr. Russell Linker, legal counsel, advised it is his opinion, that, as he has stated in previous meetings, this is a major land use change in the PUD and should be handled as a major amendment through the City Council, not a minor amendment.

TMAPC ACTION; 6 members present:

On MOTION of DOHERTY, the TMAPC voted 6-0-0 (Doherty, Horner, Midget, Neely, Parmele, Selph "aye"; no "nays"; no "abstentions"; Carnes, Coutant, Draughon, Harris, Wilson, Woodard, "absent") to APPROVE the minor amendment to allow a diaper laundry service in PUD 342-2 subject to the condition that only 440 SF be devoted to laundry operations which would include washing and drying.

There being no further business, the Chairman declared the meeting adjourned at 2:22 p.m.

Date Approved: 3/27/91


Chairman

ATTEST:

Secretary

