

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2072

Wednesday, June 26, 1996, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

### Members Present

Boyle  
Carnes, Chairman  
Dick  
Horner  
Midget, Mayor's Designee  
Pace, Secretary

### Members Absent

Ballard  
Doherty  
Edwards  
Gray  
Ledford

### Staff Present

Almy  
Gardner  
Stump

### Others Present

Linker, Legal  
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Friday, June 21, 1996 at 3:18 p.m., in the office of the County Clerk at 2:15 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Carnes called the meeting to order at 1:35 p.m.

### Minutes:

#### Approval of the minutes of June 12, 1996, Meeting No. 2070:

On **MOTION** of **BOYLE**, the TMAPC voted **6-0-0** (Boyle, Carnes, Dick, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Doherty, Edwards, Gray, Ledford "absent") to **APPROVE** the minutes of the meeting of June 12, 1996 Meeting No. 2070.

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### REPORTS:

#### Director's Report:

Mr. Gardner reported that there is one zoning case on the June 27, 1996 City Council agenda. Fran Pace stated she will attend the meeting.

**SUBDIVISIONS:**

**Lot Split for Ratification of Prior Approval:**

- L-18300 Ronald & Margaret Marsh (3093) 4817 S. Victor (PD-6)(CD-9)
- L-18306 Tulsa Development Authority (3103) North side of Pine, between North Midland Place and Madison Avenue (PD-2)(CD-1)
- L-18310 City of Tulsa (1183) 6904 East 71st Place (PD-18)(CD-8)

**Staff Comments:**

Mr. Stump informed the Commission that these lot-splits for ratification of prior approval are in order and meet Subdivision Regulations. Staff recommends approval.

**TMAPC Action; 6 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **6-0-0** (Boyle, Carnes, Dick, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Doherty, Edwards, Gray, Ledford "absent ") to **APPROVE** the Lot-splits for Ratification of Prior Approval, finding them in accordance with Subdivision Regulations.

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**CONTINUED ZONING PUBLIC HEARING:**

**Application No.: Z-6054-SP-1** (PD-18)(CD-8)  
*(Corridor Site Plan for single family subdivision)*  
**Applicant:** Jack Spradling  
**Location:** South of southwest corner of 81st Street South & Garnett Road  
**Presented to TMAPC:** Jack Spradling

Chairman Carnes informed the Commission that a timely request for a 30-day continuance has been received on Zoning Public Hearing Z-6054-SP-1.

**TMAPC Action; 6 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **6-0-0** (Boyle, Carnes, Dick, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Doherty, Edwards, Gray, Ledford "absent ") to **CONTINUE** Zoning Public Hearing on Z-6054-SP-1 to July 24, 1996.

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**Application No.: Z-6541**

*(Applicant request continuance to 8-14-96)*

**AG to RS-2**

**(PD-26)(CD-8)**

**Applicant:** Greg Breedlove

**Location:** South side of 116th Street South at Granite Avenue

**Presented to TMAPC:** Greg Breedlove

Chairman Carnes informed the Commission that a timely request for continuance to August 14, 1996 has been received on Zoning Public Hearing on Z-6541.

**TMAPC Action; 6 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **6-0-0** (Boyle, Carnes, Dick, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Doherty, Edwards, Gray, Ledford "absent ") to **CONTINUE** Zoning Public Hearing on Z-6541 to August 14, 1996.

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**Application No.: Z-6542**

**Applicant:** Curtis G. Holsted

**Location:** East of southeast corner I-244 and Garnett Road

**Presented to TMAPC:** Curtis G. Holsted

**RM-1 to IL**

**(PD-5)(CD-6)**

Chairman Carnes informed the Commission that a timely request for a one-week continuance has been received on Zoning Public Hearing Z-6542.

**TMAPC Action; 6 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **6-0-0** (Boyle, Carnes, Dick, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Doherty, Edwards, Gray, Ledford "absent ") to **CONTINUE** Zoning Public Hearing on Z-6542 to July 3, 1996.

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**Application No.: PUD-306-11**

(PD-26)(CD-2)

*(Minor Amendment to allow additional ground signs)*

**Applicant:** Roy D. Johnsen

**Location:** West and east of South Delaware, south of East 95th Street South

**Presented to TMAPC:** Roy D. Johnsen

**Staff Recommendation:**

The applicant is requesting Minor Amendment to the conditions of the PUD to allow off site business signs. The purpose of the request is to allow signs advertising the apartments to be located along the major arterial (Delaware) which runs along the exterior of the PUD.

Staff has reviewed the request and finds the following:

The signs are proposed for the intersection of 95th and Delaware and for the west side of Delaware approximately 1/4 mile south of the property, directly across from the end of the turnpike off-ramp. The 95th and Delaware sign would be a monument sign and the sign further south would be a temporary billboard.

The 95th and Delaware intersection is a major entry to the PUD as a whole and is bounded on the north and south by development areas slated for commercial and office uses.

The Crown Chase parcel (part of Dev. Area "D") is located on the interior of the PUD, approximately 650' east of the PUD entry.

Five residential development areas abut 95th Street/College Place, some with more than one phase.

The PUD allows signage for residential projects at their individual entries.

Staff opinion is that signage at major entries to large PUD's should be restricted to the name of the overall development. If individual residential projects are to be represented at the development entry a mullet-project sign that is in keeping with the character of the overall development should be devised. It is possible in this PUD that at least five projects might request signage at the entry.

Staff's opinion is also that off-site temporary billboards be prohibited. Multiple residential projects within large PUD's could conceivably request multiple temporary signs along the exterior boundaries of the PUD, creating significant negative visual impacts.

Staff therefore recommends **DENIAL** of the request to allow off-site monument and/or temporary identification signs for Crown Chase Apartments.

### **Applicant's Comments:**

**Roy Johnsen**, 201 West 5th Street, Suite 440, informed the Commission that he is representing the ownership of Crown Chase Apartments. Mr. Johnsen stated that he normally does not make appearances on signs; however, since he has been so involved in Crown Chase during recent months, he agreed to represent this case. Mr. Johnsen feels this case has some merit that is worthy of presentation to the Commission. Mr. Johnsen stated he finds the ordinance a little confusing when he tried to determine what signage is permitted within a PUD. Mr. Johnsen gave his interpretation of the ordinance.

In a residential use, the accessory signage is regulated by what is normally permitted in residential districts. In other words, it reverts to the residential districts. The section on residential districts state that one is permitted to identify the project, if the sign is located within the project, and is allocate two-tenths per foot of street frontage, not to exceed 150 square feet. Based on Crown Chase having two frontages, College on the east boundary and 95th Street on the south boundary, there would be approximately 1,200+ feet of frontage. This would allow for 248 square feet of display surface area as a project identification sign. Mr. Johnsen pointed out another provision on construction signs that may be more relevant to this situation. This provision basically provides during the period of construction, but not to exceed 18 months, a construction sign that announces a project underway. The provision allows for one-half lineal foot of display surface area per foot of frontage, not to exceed 400 square feet. Mr. Johnsen stated that temporary sales signs are also allowed, not to exceed eight square feet.

Mr. Johnsen believes the current practice is 16 square feet in residential and 25 square feet in commercial, and the sign companies believe if it is below 25 square feet, a sign permit is not required. Mr. Johnsen presented pictures showing the location of the signs. The sign located on the southeast corner of 95th and College is 8' x 8' and is on a pedestal for a total height of 10'. This sign is east of Delaware and is not within the same lot as Crown Chase. Mr. Johnsen is convinced that if the sign were located on the same lot, it would be permitted. However, Mr. Leinbach has an ownership interest in both the tract on which Crown Chase is located and the tract where the sign is located. From a distances standpoint, the sign is located several hundred feet from the boundary of Crown Chase, therefore not located on the lot, which triggers this application.

However, in a PUD, there are specific provisions that allow the reallocation of principal and accessory uses. Mr. Johnsen feels that the Commission would have the authority to permit its relocation within the PUD if the sign were actually located within it. Mr. Johnsen stated that all the frontage on Delaware is within the same PUD. Mr. Johnsen informed the Commission that the construction of Crown Chase is nearly complete and the Certification of Occupancy has been issued. There is some follow-up work, including tree planting and construction of a retaining wall, to be completed within the 18-month period. Mr. Johnsen feels the Commission has the authority to approve the sign on 95th Street as a temporary construction sign or as a project identification sign, permitting its relocation outside the actual lot where the construction or project is located and place a November 15, 1996 time

limit. Mr. Leinbach feels it needs to be there during the development phase for normal advertising. Due to the size of the project and the PUD, Mr. Johnsen feels this is not an excessive request.

Mr. Johnsen presented the same type of argument for the sign located at the off-ramp of the Creek Turnpike. Mr. Johnsen reported that this sign is larger in size, 8' x 16', and is more removed. This is also a temporary sign and the time limit of November 15, 1996 would work for it as well. Mr. Johnsen stated that this request is not intended to make an outrageous request on the Commission, but projects do require some advertising in the early stages of the project.

**There were no interested parties wishing to speak.**

**TMAPC Comments:**

Mr. Boyle clarified Staff's recommendation.

Mr. Carnes appreciates the sign located on 95th Street, but he feels the sign located on the Turnpike is too removed and would be stretching the guidelines to authorize such a sign. Mr. Carnes asked Staff to comment on his statement. Mr. Stump stated they would not object as long as this is not setting a precedent with a permanent sign and is only allowing a temporary sign. Mr. Gardner pointed out Section 1103.A.3 in the Zoning Code. Mr. Linker expressed concern about the definition of outdoor advertising sign. Mr. Gardner stated if the Commission approves the request, it should be made on the basis that the sign at 95th Street is an off-premise, accessory and temporary construction sign.

Ms. Pace questioned how long the temporary signs have been up. Mr. Johnsen apologized for not knowing the exact answer, but he feels confident the signs have been up for less than six months.

Mr. Boyle revealed that he and his wife have done some work for Crown Chase in the past. It is not ongoing and will not affect his vote; therefore, he will participate in this case. Mr. Boyle agrees with Mr. Carnes with the concept of moving a temporary construction identification sign from the premises within the PUD to an appropriate location like at 95th and Delaware. However, Mr. Boyle feels the other sign located at the turnpike is too far away.

**TMAPC Action; 6 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **6-0-0** (Boyle, Carnes, Dick, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Doherty, Edwards, Gray, Ledford "absent ") to **APPROVE** a portion of the Minor Amendment for PUD-306-11 to allow only one temporary construction identification sign to be located near the southeast corner of 95th Street and Delaware which will be removed by November 15, 1996 and **DENY** the remainder of the Minor Amendment.

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**ZONING PUBLIC HEARING:**

**Application No.: PUD-221E**

**(PD-17)(CD-6)**

*(Major Amendment to allow a cellular phone tower)*

**Applicant:** Robert A. Hinton

**Location:** East of 121st East Avenue on 41st Street

**Presented to TMAPC:** Kevin Coutant

Chairman Carnes informed the Commission that a request for a one-week continuance has been received for the Zoning Public Hearing on PUD-221E.

**TMAPC Action; 6 members present:**

On **MOTION** of **BOYLE**, the TMAPC voted **6-0-0** (Boyle, Carnes, Dick, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Doherty, Edwards, Gray, Ledford "absent ") to **CONTINUE** Zoning Public Hearing on PUD-221E to July 3, 1996.

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**Application No.: Z-6546**

**RS-3 to IL**

**Applicant:** Max Heidenreich

**(PD-5)(CD-6)**

**Location:** NW/c East Admiral Place and North 123rd East Avenue

**Presented to TMAPC:** Max Heidenreich

**Staff Recommendation:**

Relationship to the Comprehensive Plan:

The District 5 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject property as Medium Intensity - No Specific Land Use, all within a designated Corridor area.

According to the Zoning Matrix the requested IL is in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 1.6 acres in size and located on the northwest corner of East Admiral Place and North 123rd East Avenue. It is flat, partially wooded, has a single-family dwelling and two large storage garages and is zoned RS-3.

Surrounding Area Analysis: The tract is abutted on the north by apartments, zoned RM-0; to the east by a mobile home sales business, zoned IL; to the south by commercial businesses, zoned IL; and to the west by a single-family dwelling, zoned RS-3.

Zoning and BOA Historical Summary: A variety of land uses exist in this area with commercial uses being the major function of lots fronting East Admiral Place.

Conclusion: Considering the Comprehensive Plan, surrounding zoning and development trends in the area, Staff recommends **APPROVAL** of IL.

**Applicant's Comments:**

The applicant is in agreement with Staff's recommendation.

**Interested Parties Comments:**

**Ron Williams**, Housing Authority of the City of Tulsa, stated there is no objection to the zoning change. However, there is a concern with the north part of the property that abuts the learning center, resource center and Headstart program at East Central Public Housing Complex. Mr. Williams questioned whether there would be any type of fencing or screening possible, due to the number of children in the area. Mr. Gardner stated that the ordinance requires screening on the northern quarter of the tract as well as the northern and western boundary. It would not require screening where the property is opposite IL zoning. Mr. Gardner stated that there is also a provision under Use Unit 25 that states that uses in Use Unit 25 which are located within 300 feet of a residential district shall be conducted within enclosed buildings. Therefore, if the applicant is wanting to use it for the sale of mobile homes, Mr. Gardner feels the applicant has a problem based on that Use Unit.

**TMAPC Action; 6 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Boyle, Carnes, Dick, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Doherty, Edwards, Gray, Ledford "absent ") to recommend **APPROVAL** of IL zoning for Z-6546 as recommended by Staff.

**Legal Description for Z-6546:**

Beginning 40' North and 446.8' East of the Southwest corner of Government Lot 2, thence N 466.8', W 151', S 446.8', E 151', to Point of Beginning, Section 5, T-19-N, R-14-E, an unplatted addition to the City of Tulsa, Tulsa County, State of Oklahoma, containing 1.6 acres more or less, and located on the northwest corner of East Admiral Place and North 123rd East Avenue, Tulsa, Oklahoma.

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**OTHER BUSINESS:**

**Possible closing of Cameron Street between Denver Avenue and Cheyenne Avenue.**

**Staff Comments:**

Mr. Gardner presented the request for the closing of Cameron which was included in the agenda packets.

**TMAPC Action; 6 members present:**

On **MOTION** of **HORNER**, the TMAPC voted **6-0-0** (Boyle, Carnes, Dick, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Doherty, Edwards, Gray, Ledford "absent ") to recommend **CLOSING** of Cameron Street between Denver Avenue and Cheyenne Avenue as recommended by Staff.

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**PUD 521-A Roy Johnsen**

Southwest corner of 71st Street South and the Mingo Valley Expressway  
*(Detail Site Plan for a cellular telephone tower)*

**Staff Recommendation:**

The applicant is requesting site plan approval for a cellular telephone tower.

Staff has reviewed the request and finds that it is an allowed use on this lot of the PUD (Major Amendment A); that there are no parking requirements; there are no landscape requirements in light of the existing structures on the lot. Staff also finds the surrounding area land uses to be existing or future commercial uses and that the project site is within 100' of the expressway.

Staff recommends **APPROVAL**.


**TMAPC Action; 6 members present:**

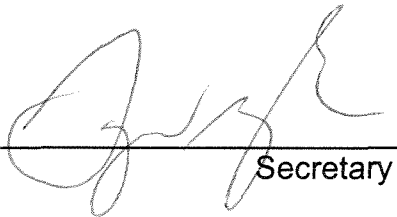
On **MOTION** of **BOYLE**, the TMAPC voted **6-0-0** (Boyle, Carnes, Dick, Horner, Midget, Pace "aye"; no "nays"; none "abstaining"; Ballard, Doherty, Edwards, Gray, Ledford "absent ") to **APPROVE** the Detail Site Plan of PUD-521-A as recommended by Staff.

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There being no further business, the Chairman declared the meeting adjourned at 2:05 p.m.

Date Approved: \_\_\_\_\_

\*  \_\_\_\_\_  
Chairman

ATTEST:  \_\_\_\_\_  
Secretary