

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2091

Wednesday, November 20, 1996, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Ballard
Boyle
Carnes, Chairman
Doherty, 1st Vice Chairman
Gray
Ledford
Midget, Mayor's Designee
Pace, Secretary
Westervelt

Members Absent

Dick
Horner

Staff Present

Almy
Gardner
Jones
Stump

Others Present

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Friday, November 15, 1996 at 10:40 a.m., in the office of the County Clerk at 10:33 a.m., as well as in the Reception Area of the INCOG offices at 10:48 a.m.

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

Minutes:

Approval of the minutes of November 6, 1996, Meeting No. 2089:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Horner "absent") to **APPROVE** the minutes of the meeting of November 6, 1996 Meeting No. 2089 as corrected.

REPORTS:

Committee Reports:

Rules and Regulations Committee

Mr. Doherty reported that a Joint Committee meeting was held today. Dwain Midget was honored by the American Planning Association - Oklahoma Chapter for outstanding planning achievement for his work in the North Peoria Corridor.

Director's Report:

Mr. Gardner reminded the Commission of the four items on the City Council agenda scheduled for November 21, 1996. One of the items is the proposed post office located on 21st Street. Mr. Carnes stated he will be in attendance.

Mr. Gardner advised the Commission that staff has received a letter from City Council informing us the Citizens Public Works Committee will be meeting at 8:00 a.m. on December 10, 1996 to discuss private streets. This is a result of some neighborhoods requesting the City to take some of the private streets and make them public streets.

Mr. Gardner reminded the Commission of the last audio conference session to be held on December 4, 1996 at 3:00 p.m. at INCOG.

SUBDIVISIONS:

Sketch Plat:

Oak Tree Village (1884)

(PD-18) (CD-8)

South of the southwest corner of East 81st Street and South Garnett Road
(Item 11. is a related item.)

Staff Comments:

Mr. Jones stated a meeting was held on November 19 with the engineer, Traffic Engineering, staff and abutting property owner in regard to this sketch plat and related item no. 11. It was determined that some redesign work is needed. The applicant has submitted a letter requesting a continuance to January 8, 1997 to allow time to complete the redesign, submit to TAC for comments, and present the corridor site plan and plat to the TMAPC.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Horner "absent ") to **CONTINUE** the sketch plat for Oak Tree Village to January 8, 1997.

Preliminary Plat:

Honey Creek Blocks Six through Nine (PUD-523A)

(PD-18) (CD-8)

South and east of the southeast corner of East 81st Street and South Memorial Drive

(Item 14. is a related item.)

TAC Comments:

Jones presented the plat with Jerry Ledford, Jr. present.

Shelton noted that the existing sewer in Bristol Park did not have the capacity to serve this tract. A separate sewer line must be extended to tie into the 15" line to the south.

Zachary pointed out that stormwater from Blocks 7, 8 and 9, which flows to the southwest, must be piped to Memorial. The balance of the runoff from the property must be carried to the creek along Bristol Park.

Pierce recommended that provisions for overhead pole lines along the south boundary be added to the deed of dedication.

Honey Creek Blocks Six Through Nine is a continuation of the previous plat Honey Creek Blocks One Through Five, which was approved in August of 1996. The plat proposes 42 residential attached single-family lots on 6.65 acres. The property is part of the Planned Unit Development 523-A.

Staff would offer the following comments and/or recommendations:

1. A PUD detail site plan for the property must be approved by the TMAPC prior to preliminary plat approval.
2. Stub streets to the south should be of a hammerhead turn-around design similar to phase I.
3. Show addresses and disclaimer on final plat.
4. All conditions of PUD-523-A shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Sections 1100-1107 of the Zoning Code in the covenants.
5. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
6. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)

7. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
8. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water & Sewer) prior to release of final plat.
9. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
10. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
11. Street names shall be approved by the Department of Public Works and shown on plat.
12. All curve data, including corner radii, shall be shown on final plat as applicable.
13. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
14. Bearings, or true N/S etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
15. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
16. It is recommended that the Developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
17. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.
18. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
19. The key or location map shall be complete.
20. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
21. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and Corridor Site Plan information as applicable.)
22. This plat has been referred to Bixby and Broken Arrow because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.

23. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
24. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
25. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Miller, the Technical Advisory Committee voted unanimously to recommend Approval of the preliminary plat of Honey Creek Blocks Six Through Nine, subject to all conditions and recommendations listed above.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-1** (Ballard, Boyle, Carnes, Doherty, Gray, Midget, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; Dick, Horner "absent ") to **APPROVE** the Preliminary Plat of Honey Creek Blocks Six through Nine subject to the conditions as recommended by TAC.

Kingsbury II (PUD-166) (2383)
East 92nd Street South at South 71st East Avenue

(PD-18) (CD-8)

TAC Comments:

Jones presented the plat with Bill Lewis and Bob Lemons present.

Lee asked about the location of a fire hydrant and Lewis stated it would be on a property line.

Kingsbury II is a 6.20-acre residential single-family subdivision plat that contains 21 lots. Preliminary plat approval was granted for the property with a slightly different lot configuration by the TMAPC on April 24, 1996. The applicant has now resubmitted the preliminary plat with the revised configuration.

Staff would offer the following comments and/or recommendations:

1. Show building line dimension on south side of East 92nd Street.
2. Minor amendment must be approved to permit 50' lot width.
3. Show addresses and disclaimer on face of plat.

4. All conditions of PUD-166 shall be met prior to release of final plat, including any applicable provisions in the covenants or on the face of the plat. Include PUD approval date and references to Section 1100-1107 of the Zoning Code in the covenants.
5. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned. Show additional easements as required. Existing easements shall be tied to or related to property line and/or lot lines.
6. Water and sanitary sewer plans shall be approved by the Department of Public Works (Water & Sewer) prior to release of final plat. (Include language for W/S facilities in covenants.)
7. Pavement or landscape repair within restricted water line, sewer line, or utility easements as a result of water or sewer line or other utility repairs due to breaks and failures, shall be borne by the owner(s) of the lot(s).
8. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water & Sewer) prior to release of final plat.
9. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater and/or Engineering) including storm drainage, detention design, and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
10. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering).
11. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
12. Street names shall be approved by the Department of Public Works and shown on plat.
13. All curve data, including corner radii, shall be shown on final plat as applicable.
14. City of Tulsa Floodplain determinations shall be valid for a period of one year from the date of issuance and shall not be transferred.
15. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the Department of Public Works.
16. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
17. It is recommended that the Developer coordinate with the Department of Public Works (Traffic) during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
18. It is recommended that the applicant and/or his engineer or developer coordinate with the Tulsa City/County Health Department for solid waste disposal, particularly during the construction phase and/or clearing of the project. Burning of solid waste is prohibited.

19. All lots, streets, building lines, easements, etc. shall be completely dimensioned.
20. The key or location map shall be complete.
21. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided concerning any oil and/or gas wells before plat is released. (A building line shall be shown on plat on any wells not officially plugged. If plugged, provide plugging records.)
22. The restrictive covenants and/or deed of dedication shall be submitted for review with the preliminary plat. (Include subsurface provisions, dedications for storm water facilities, and PUD information as applicable.)
23. This plat has been referred to Bixby and Broken Arrow because of its location near or inside a "fence line" of those municipalities. Additional requirements may be made by the applicable municipality. Otherwise only the conditions listed apply.
24. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
25. Applicant is advised to contact the U.S. Army Corps of Engineers in regards to Section 404 of the Clean Waters Act.
26. All other Subdivision Regulations shall be met prior to release of final plat.

On motion of Lee, the Technical Advisory Committee voted unanimously to recommend Approval of the preliminary plat of Kingsbury II, subject to all conditions and recommendations listed above.

Staff Comments:

Mr. Jones informed the Commission that an interested party contacted him in regard to the street connection. Mr. Jones advised him that new subdivision must connect to abutting stub streets. The interested party had previously stated to Mr. Jones that he had plans from the developer that indicated the street would never go through.

Mr. Jones stated this interested party is not an abutting property owner and did not received the customary notice. He contacted the interested party when the plat was submitted and advised him of the meeting. He tried to contact the interested party prior to today's meeting.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Horner "absent ") to **APPROVE** the Preliminary Plat of Kingsbury II, subject to the conditions as recommended by TAC.

Final Approval:

Metro Park South I (3294) (PD-18) (CD-5)
Northeast corner of East 61st Street South and South 118th East Avenue.

TMAPC Comments:

Chairman Carnes informed the Commission that this item was not ready for Final Approval and should be stricken from the agenda.

Metro Park South II (3294) (PD-18) (CD-5)
North and east of the northeast corner of East 61st Street and South 118th East Avenue

TMAPC Comments:

Chairman Carnes informed the Commission that this item was not ready for Final Approval and should be stricken from the agenda.

CONTINUED ZONING PUBLIC HEARING:

Application No.: Z-6054-SP-2 (PD-18) (CD-8)
Applicant: Dwight Claxton
Location: 85th Street and South Garnett

TMAPC Comments:

Staff Comments:

Mr. Jones stated a meeting was held on November 19 with the engineer, Traffic Engineering, staff and abutting property owners in regard to this sketch plat and related item no. 11. It was determined that some redesign work is needed. The applicant has submitted a letter requesting a continuance to January 8, 1997 to allow time to complete the redesign, submit to TAC for comments, and present the corridor site plan and plat to the TMAPC.

TMAPC Action; 9 members present:

On **MOTION** of **BOYLE**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Horner "absent ") to **CONTINUE** the Zoning Public Hearing for Z-6054-SP-2 to January 8, 1997.

ZONING PUBLIC HEARING:

Application No.: Z-5659-SP-1-d

(PD-18) (CD-8)

Applicant: Scott Case

Location: 6508 South 106th East Place

Presented to TMAPC:

(Amended Corridor Site Plan to revise clubhouse and office.)

Staff Recommendation:

The subject tract is part of Lot 1, Block 1, The Greens of Bedford Apartments, containing any existing apartment complex and has an underlying zoning of CO (Corridor). The applicant is requesting a minor amendment to the original Site Plan to permit modifications to the exterior of the existing leasing office and clubhouse. Proposed modifications include additions of entry portico, dormer windows, main entry roof and steeple, false fireplace chimney and window enlargement. The applicant's proposal seeks to substantially change or "enhance" the exterior of the 3.072 SF building located on the northern edge of the complex.

Staff review indicated that the proposed building modifications are consistent with and harmonize with the existing development and approved site plan. Further, the proposal maintains and is in substantial compliance with the approved site plan and with the purposes of the provisions of the Corridor District.

Therefore, based on the information submitted, staff recommends **APPROVAL** of the minor amendment to the corridor site plan.

There were no interested parties wishing to speak.

TMAPC Action; 9 members present:

On **MOTION** of **Ballard**, the TMAPC voted **9-0-0** (Ballard, Boyle, Carnes, Doherty, Gray, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Dick, Horner "absent ") to **APPROVE** minor amendment to the Corridor Site Plan of Z-5659-SP-1-d as recommended by staff.

CONTINUED PUBLIC HEARING TO CONSIDER AMENDMENTS TO CITY OF TULSA ZONING CODE:

Public Hearing to consider amendments to City of Tulsa Zoning Code to permit new outdoor advertising signs to be located outside of the Freeway (Expressway) Sign Corridor, along arterial streets which have been zoned for commercial and/or industrial development; provided, however, that an equal or greater amount of display surface area of non-conforming signs are removed elsewhere in the City prior to installation of the new sign. Such sign would be limited in height and size (approximately 300 square foot of display surface area for one side). Such signs would be treated as bonus signs and the owner of non-conforming outdoor advertising signs could transfer development rights to another sign company or individual.

Staff Comments:

Mr. Gardner presented the proposals to be considered in amending the zoning code as it relates to outdoor advertising signs. Included in the agenda packet are the comparison of the current regulations, sign industries' proposal, Ad Hoc Committee's proposal and staff's proposal if there are to be any changes to the current regulations,

Mr. Gardner stated that all three proposals permit additional signs outside the freeway sign corridor in return for removal of a certain number of nonconforming signs. Each proposal differs in terms of percentages. However, these alternates would limit the number of signs that could be located on any arterial street outside a freeway corridor. The proposals also limit the sign to a maximum of 300 SF in lieu of the large 672 SF outdoor advertising sign.

Mr. Gardner reminded the Commission of the significant change in November 1994, prior to the January 1, 1995 deadline, where the Legislature approved legislation that no longer made it a viable provision in our code that signs could be removed by amortization. Technically, all signs existing are now nonconforming and no requirement exists for the removal of these signs.

Mr. Gardner feels the questions in regards to outdoor advertising signs is whether there is a way to remove nonconforming signs in return for new locations outside the freeway sign corridor. The proposals do not allow for an increase in number of signs in the freeway sign corridor, but allow for increase in signs along the arterial streets could be permitted.

Mr. Gardner stated that the Sign Industries and Ad Hoc Committee proposals allow for credit to be issued for the removal of a sign. This credit could be sold or transferred to someone else.

Interested Parties Comments:

John Banasik, Donrey Outdoor Advertising, 7777 East 38th, requested that this item be referred to Committee. He requested the committee meeting be scheduled after the first of the year due to the holiday season.

John Judd, President of Brookside Neighborhood Association, 4359 South Trenton, stated the neighborhood association met and opposes any increase in the number of signs allowed on commercial property abutting residential property.

Dixon Gunn, 4119 East 30th Street, stated he previously served on the Sign Advisory Committee. He presented a history on why and how the ordinance was produced by the Sign Advisory Committee. Mr. Gunn feels the ordinance is good; however, he feels it needs to be better enforced.

Mr. Gunn stated the ordinance that was passed in 1993 dealt with an expressed limit on where signs were appropriate. He feels any new signs should follow the sign ordinance unless there is a justified special exception.

Mr. Gunn stated he participated in the Ad Hoc Committee, where the emphasis was on the removal of all nonconforming outside freeway corridor areas in accordance with the law. He does not feel there is a reason to compromise and give incentive to the industry to remove these nonconforming signs.

Mr. Gunn feels the proposals favor the sign industry and feels this is appropriate. He offered to participate in any committee meeting in this regard.

TMAPC Comments:

Chairman Carnes stated there appears to be a consensus by the sign industry and the Commission that there are too many differences in the proposals to be worked out today. He recommended to send this item back to the Rules and Regulations Committee to work out a final proposal to bring before the Commission.

Mr. Doherty noted there were interested parties present. Chairman Carnes stated it is a public hearing and those interested parties will be heard; however, he feels no action should be taken today.

Mr. Boyle stated he is in favor of referring this item to the Rules and Regulations Committee. However, he feels it may be more productive if the individual will bring to the Committee the specific areas that may need addressed.

Mr. Doherty informed Mr. Judd that the proposals are to reduce the overall number of billboards in the City. The problem is how to achieve this goal, and these proposals are the way being considered.

Mr. Boyle invited Mr. Judd to participate in further discussion of the proposals.

Mr. Doherty suggested a Rules and Regulations Committee be scheduled for the January 22, 1997 work session to continue discussion on outdoor advertising signs.

Chairman Carnes referred the matter of outdoor advertising signs to the Rules and Regulations Committee scheduled for January 22, 1997.

OTHER BUSINESS:

PUD-523a Wayne Alberty

(PD-18) (CD-8)

South and east of southeast corner East 81st Street South and Memorial Drive
(Site Plan for Phases II and III of Honey Creek Addition.)

Staff Recommendation:

The applicant is requesting site plan approval for Phases II and III of patio homes, duplex and townhome development on this site. The current application proposes 26 two-bedroom/den units, 21 three-bedroom units and 33 two-bedroom units accessed by a private street system with garages and driveways behind.

Staff has reviewed the request and finds that the lot size, livability area, landscaped area, circulation and access conform to the development standards of the PUD.

Based on compliance with PUD standards, staff recommends **APPROVAL** of the site plan.

TMAPC Action; 9 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-1** (Ballard, Boyle, Carnes, Doherty, Gray, Midget, Pace, Westervelt "aye"; no "nays"; Ledford "abstaining"; Dick, Horner "absent ") to **APPROVE** the Detail Site Plan Phase II and III of PUD-523-A as recommended by staff.

There being no further business, the Chairman declared the meeting adjourned at 2:00 p.m.

Date Approved: December 4, 1996


Chairman

ATTEST: 
Secretary