

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2182

Wednesday, November 12, 1998, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Boyle	Carnes	Beach	Romig, Legal
Harmon	Horner	Dunlap	Counsel
Hill	Selph	Huntsinger	
Jackson		Matthews	
Ledford		Stump	
Midget			
Pace			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, November 9, 1998 at 3:52 p.m., posted in the Office of the City Clerk at 3:44 p.m., as well as in the office of the County Clerk at 3:34 p.m.

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

Minutes:

Approval of the minutes of November 4, 1998, Meeting No. 2181:

On **MOTION** of **MIDGET** the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Horner, Selph, "absent") to **APPROVE** the minutes of the meeting of November 4, 1998 Meeting No. 2181.

REPORTS:

Chairman's Report:

Mr. Boyle informed the Planning Commission that he has distributed a compilation of all of the various appointments and if there need to be any changes he asked the members to inform him.

Mr. Boyle announced that Mr. Stump was celebrating his 54th Birthday.

Committee Reports:

Rules and Regulations

Mr. Westervelt reported that the recommendation for political signs in the right-of-way will be presented to the Planning Commission today.

Policies and Procedures

Mr. Boyle stated that he has a task for the committee. He requested staff and the committee to conduct a general review of the ethics policies and update the policies.

TMAPC COMMENTS:

Mr. Westervelt announced that he has given Barbara Huntsinger copies of Mr. Doherty's address and phone number. He explained that Jim Doherty has been diagnosed with cancer recently and had surgery. He stated that Mr. Doherty has a very aggressive and rare cancer, and had a tibia removed from his leg. Mr. Doherty will be at M.D. Anderson Medical Center in Texas.

Mr. Westervelt stated that he talked with Mr. Doherty and he indicated that he would like to hear from people.

Director's Report:

Mr. Stump reported that the Infill Task Force has cancelled its previously scheduled meeting for November 16. Two of the committees are currently working on their recommendations and there was no need for the November meeting. The next meeting will be on the regularly scheduled meeting, December 14th. Mr. Stump stated that the delay will cause the final report to be pushed back a month or more.

Mr. Midget asked Mr. Stump which two groups are not ready to present their reports. In response, Mr. Stump stated that the groups are Construction Codes, Permitting and Enforcement group, chaired by Bruce Bolzle, and Utilities and Infrastructure group, chaired by Ted Sack.

Mr. Stump reported that there is one zoning item on the City Council agenda. He stated that the draft ordinance for the Special Residential Facilities Task Force has been prepared by Mr. Romig and is on the City Council agenda for the Council to refer to the TMAPC for formal public hearings. Staff will be scheduling the public hearings for the first or second meeting in December.

Mr. Harmon volunteered to represent the Planning Commission at the City Council.

ZONING PUBLIC HEARING

TMAPC COMMENTS:

Mr. Boyle stated that Mr. Sack has requested a 30-day continuance for two items on the agenda.

Z-6663 - Ted Sack

South and west of southwest corner East 116th Street and South Hudson Avenue.

AG to RS-2
(PD-18) (CD-5)

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Horner, Selph "absent") to **CONTINUE** Z-6663 to December 9, 1998 at 1:30 p.m.

PUD-596 - Ted Sack

South and west of southwest corner East 116th Street and South Hudson Avenue.

AG to RS-2/PUD
(PD-26) (CD-8)

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Horner, Selph "absent") to **CONTINUE** PUD-596 to December 9, 1998 at 1:30 p.m.

SUBDIVISIONS

FINAL PLAT:

Flying J (3304)

Northeast corner 129th East Avenue and East Admiral Place.

(PD-5) (CD-6)

Staff Recommendation:

Mr. Beach stated that everything in is order for this plat and staff recommends approval subject to final Legal review.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **HARMON**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Horner, Selph "absent") to **APPROVE** the Final Plat for Flying J subject to final legal review as recommended by staff.

Stonehaven at Riverside (PUD-306-F) (2083)

(PD-18b) (CD-2)

Northeast corner South Delaware Avenue and Creek Turnpike.

Staff Recommendation:

Mr. Beach stated that everything is order for this plat and staff recommends approval subject to final legal review.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Horner, Selph "absent") to **APPROVE** the Final Plat for Stonehaven at Riverside subject to final legal review as recommended by staff.

8100 Bank South (PUD-272) (1583)

(PD-18b) (CD-8)

West of the southwest corner of East 81st Street and South Sheridan Road.

Staff Recommendation:

Mr. Beach stated that everything is in order for this plat and staff recommends approval subject to final legal review.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Horner, Selph "absent") to **APPROVE** the Final Plat for 8100 Bank South subject to final legal review as recommended by staff.

Radison Acres (594)

(PD-5) (CD-6)

East of southeast corner South Garnett Road and East Archer Street.

Staff Recommendation:

Mr. Beach stated that everything is in order for this plat and staff recommends approval subject to final legal review.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Horner, Selph "absent") to **APPROVE** the Final Plat for Radison Acres subject to final legal review as recommended by staff.

ZONING PUBLIC HEARING

Z-6662 - Alan Roark

North of northeast corner East 61st Street South and South 107th East Avenue.

RS-3 to IL
(PD-18) (CD-5)

Staff Recommendation:

Relationship to the Comprehensive Plan:

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The District 18 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Special District 1 – Industrial.

According to the Zoning Matrix the requested IL zoning **may be found** in accordance with the Plan Map.

Staff Comments:

Site Analysis: The subject property is approximately 1.16 acres in size and is located north of the northeast corner of East 61st Street South and South 107th East Avenue. The property is flat, non-wooded, vacant, and is zoned RS-3.

Surrounding Area Analysis: The subject tract is abutted on the north by an industrial/commercial building, zoned IL; to the northeast and east by a drainage canal zoned, RS-3; to the south by vacant property, zoned RS-3; and to the west by a single-family dwelling, zoned IL.

Zoning and BOA Historical Summary: This area is in transition to industrial zoning. Many tracts in this area have been rezoned from residential zoning to light industrial.

Conclusion: The Comprehensive Plan supports industrial development in this area. Based on the Comprehensive Plan, the zoning, and development in this area, staff recommends **APPROVAL** of IL zoning for Z-6662.

TMAPC COMMENTS:

Mr. Boyle asked staff what was located to the north of the subject property. In response, Mr. Dunlap stated that there is IL zoning to the north of the subject property. Mr. Dunlap explained that the IL zoning to the north is an industrial and commercial use. Mr. Dunlap indicated that there is no residential use directly to the north.

Mr. Dunlap stated that there is vacant land directly to the north, a house across to the west, which is zoned IL, and vacant land to the south that is zoned RS-3.

Mr. Boyle asked staff if the use on the ground is predominant IL. In response, Mr. Dunlap answered affirmatively.

Mr. Harmon asked staff if South 107th East Avenue is a developed street. In response, Mr. Dunlap stated that 107th is already in existence and is paved.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Horner, Selph "absent") to recommend **APPROVAL** of IL zoning for Z-6662 as recommended by staff.

Legal Description for Z-6662:

Lot 10, Block 1, Golden Valley, a subdivision of the W/2, SE/4 of Section 31, T-19-N, R-14- E, IBM, Tulsa County, State of Oklahoma, less and except: Beginning at the Northeast corner of said Lot 10; thence S 01°21'01" E distance of 160.24' along the East line of Lot 10 to the Southeast corner of said Lot 10; thence S 88°40'50" W a distance of 317.22' along the South line of Lot 10; thence N 01°21'08" W a distance of 160.23' to a point on the North line of Lot 10; thence N 88°40'36" E a distance of 317.23' to the Point of Beginning containing 1.16 acres, more or less.

Z-6664 - Joseph McCormick

North of northwest corner East Apache and North Sheridan Road

RS to IL

(PD-16) (CD-3)

Staff Recommendation:

Relationship to the Comprehensive Plan:

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The District 16 Plan, a part of the Comprehensive Plan for the Tulsa Metropolitan Area, designates the subject tract as Medium Intensity – Industrial.

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

Staff Comments:

Site Analysis: The subject property is approximately 4.09 acres in size and is located north of the northwest corner of East Apache Street and North Sheridan Road. The property is flat, non-wooded, vacant and is zoned RS-3.

Surrounding Area Analysis: The subject tract is abutted on the north and south by industrial uses, zoned IL; to the east by the Tulsa International Airport, hangars and aircraft parking, zoned IL; and to the west by residential single-family dwellings, zoned RS-3.

Zoning and BOA Historical Summary: The adjoining property on the north has been zoned IL since 1973 and the property abutting the subject tract on the south was rezoned from RS-3 to IL in 1991.

Conclusion: Based on the Comprehensive Plan, the existing zoning and development in this area, staff recommends **APPROVAL** of IL zoning for Z-6664.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Horner, Selph "absent") to recommend **APPROVAL** of the IL zoning for Z-6664 as recommended by staff.

Legal Description for Z-6664:

The North 165.1' of the SE/4, SE/4, SE/4, Section 22, T-20-N, R-13-E and the N/2 of Lot 10, Block 4, Mohawk Acres, a subdivision of the SE/4, SE/4, SE/4, NE/4, SE/4 of Section 22, T-20-N, R-13-E according to the recorded Plat thereof

OTHER BUSINESS:

Review of Three City of Tulsa CIP Requests to determine if they are in accord with the Comprehensive Plan for the Tulsa Metropolitan Area.

Staff Recommendation:

Ms. Matthews stated that the CIP requests have been reviewed with the Comprehensive Plan Committee in conjunction with a briefing conducted by Jim Norton,

Downtown Tulsa Unlimited. She explained that Mr. Norton discussed proposed improvements to the Main Mall area and to the street system. She stated that the CIP requests all relate to the street system and some improvements to the Main Mall area, with the possibility of removing part of the Main Mall.

Ms. Matthews stated that staff does find the CIP requests in accord with the District 1 Plan and recommends TMAPC find the CIP requests in accord as well.

There were no interested parties wishing to speak.

TMAPC Action; 8 members present:

On **MOTION** of **WESTERVELT**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Horner, Selph "absent") finding the City of Tulsa CIP requests in conformance with the Comprehensive Plan as recommended by staff.

Recommendation regarding Campaign Signs in the Street Rights-of-Way:

Rules and Regulations Committee Recommendation:

The Rules and Regulations Committee recommends that the ordinance should remain in force and not allow political signs in the street rights-of-way. The Committee further finds that the City should step up enforcement and collect fees from those who wish to recover their signs to cover the expenses incurred for collecting and storing the signs in violation of the ordinance.

The Rules and Regulations Committee recommends that the Tulsa Metropolitan Area Planning Commission **ADOPT** this recommendation.

Presentation:

Mr. Westervelt stated that the Rules and Regulations Committee convened three different times to discuss the issue. He indicated that members of the Sign Advisory Board, Councilor Roop, Mayor Susan Savage, and staff attended the meetings.

Mr. Westervelt stated that the input the committee received from most of the constituents is that there is great concern regarding safety issues with signs being placed in the right-of-way. He commented that Mr. Harmon spoke with constituents who were concerned with the litter and the unsightliness of the signs.

Mr. Westervelt indicated that after lengthy discussion, it was determined that the ordinance was not in need of being changed, but rather that better enforcement could take place. He explained that the enforcement had been lacking, primarily because of allegations of the removal process being selective.

Mr. Westervelt commented that he noticed that at the end of the most recent election, it was one of the quickest cleanups by the City. He indicated that he heard several comments from individuals who were quite pleased to the signs removed so quickly.

Mr. Westervelt stated that as a result of the Legal opinion, it was determined that the City would not attempt to fine individuals for placing signs in improper locations. He explained that signs that are illegally placed will be collected and if they are reclaimed, then the City would assess a fee that is commensurate with the cost of the cleanup and storage of such signs.

TMAPC COMMENTS:

Mr. Boyle stated that the request to study the political signs being allowed in the street rights-of-way came from the City Council. He explained that the request was for the study of the possibility of changing the signage ordinance to permit political signs in the city right-of-way under certain conditions and under what conditions that might be.

Mr. Boyle stated that the result of the committee process was to decline the request to allow political signs in the street rights-of-way. He commented that the committee did not feel that allowing the signs would be provident. The committee decided to recommend the stepped-up enforcement with collection of fees to cover costs of the enforcement.

Mr. Boyle commented that he felt that Mr. Westervelt reported the meetings accurately. It is of critical importance that the public understand that the Rules and Regulations Committee studied the request and tried to get input from as many sources as possible. Several members did informal surveys of other people, as well as their own perceptions. He stated that the committee also allowed the issue to continue through the last election cycle so that the committee could observe what was going on out on the streets during that time. He indicated that the recent election cycle input was critical in the decision the committee eventually reached.

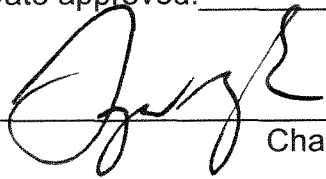
TMAPC Action; 8 members present:

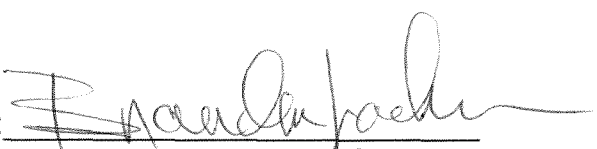
On **MOTION** of **MIDGET**, the TMAPC voted **8-0-0** (Boyle, Harmon, Hill, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Carnes, Horner, Selph "absent") to **APPROVE** the recommendation from the Rules and Regulations Committee and forward to the City Council.

Chairman Boyle instructed the Planning Commission staff to respond to Councilor Doverspike's letter regarding political signs being allowed in the street rights-of-way.

There being no further business, the Chairman declared the meeting adjourned at 1:50 p.m.

Date approved: 12-2-98


Chairman

ATTEST: 
Secretary