

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2191

Wednesday, February 3, 1999, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Harmon	Boyle	Beach	Jackere, Legal
Jackson	Carnes	Dunlap	Counsel
Ledford	Dick	Huntsinger	
Midget	Hill	Matthews	
Pace	Horner	Stump	
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, February 1, 1999 at 10:20 a.m., posted in the Office of the City Clerk at 10:08 a.m., as well as in the office of the County Clerk at 10:05 a.m.

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

### **Minutes:**

#### **Approval of the minutes of January 13, 1999, Meeting No. 2188:**

On **MOTION** of **HARMON** the TMAPC voted **6-0-0** (Harmon, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; Dick "abstaining"; Boyle, Carnes, Dick, Hill, Horner "absent") to **APPROVE** the minutes of the meeting of January 13, 1999 Meeting No. 2188.

### **REPORTS:**

#### **Committee Reports:**

##### **Budget and Work Program Committee**

Mr. Westervelt stated that the committee met prior to today's meeting and will have an additional meeting; however, the date is unknown at this time.

##### **Polices and Procedures Committee**

Mr. Westervelt stated that the committee met prior to today's meeting and will have an additional meeting; however, the date is unknown at this time.

**Director's Report:**

Mr. Stump reported that there are several items on the City Council Agenda for February 4, 1999. He stated that the draft final ordinance residential facilities amendments and the licensing of such will appear on the Council agenda. He indicated that the City Council will be referring the final draft to committee.

Mr. Westervelt stated that Mr. Jackson will be attending the City Council meeting.

**SUBDIVISIONS**

**LOT-SPLITS FOR RATIFICATION OF PRIOR APPROVAL:**

**L-18786 - John C. Young (1323)** (PD-14) (County)  
8315 East 156<sup>th</sup> Street North

**L-18788 Itco Sales (3192)** (PD-7) (County)  
6700 Southwest Boulevard

**Staff Recommendation:**

Mr. Beach stated that these lot-splits are all in order and staff recommends approval.

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

**TMAPC Action; 6 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **6-0-0** (Harmon, Jackson, Ledford, Midget, Pace Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick, Hill, Horner "absent") to **RATIFY** these lot-splits given Prior Approval, finding them in accordance with Subdivision Regulations.

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**RESCIND PREVIOUSLY APPROVED LOT-SPLIT:**

**L-18519 - Charles Schusterman (1993)** (PD-6) (CD-9)  
4025 South Yorktown Place

**Staff Recommendation:**

Mr. Beach stated that the property owners of Tract A and Tract B filed a lot-split application to exchange land on the common property line due to an encroaching wall. On August 20, 1997, TMAPC approved a waiver of the subdivision regulations for Lot-Split #18519, which would result in both tracts having more than three side lot lines.

The lot-split approved Tract A splitting off Tract C and attaching it to Tract B. It also approved Tract B splitting off Tract D and tying it to Tract A. The Warranty Deed for Tract A with Tract C has been filed with the Tulsa County Courthouse. The Deed for Tract B has not been filed.

The owners of both Tract A and Tract B are now requesting the TMAPC to **APPROVE** the rescinding of Lot-Split #18519 and returning the property to its original platted configuration.

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

**TMAPC Action; 6 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **6-0-0** (Harmon, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Carnes, Hill, Horner "absent") to **APPROVE** rescinding Lot-Split L-18519 and returning the property to its original platted configuration as recommended by staff.

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**Continued Zoning Public Hearings:**

**Z-6674 - Roy D. Johnsen**

East side of Delaware Avenue and Riverside Parkway at the Jenks Bridge

**AG to CS**  
(PD-18) (CD-2)

**AND**

**PUD-306-G - Roy D. Johnsen**

Northeast and southeast corner East 95<sup>th</sup> Street and South Delaware

**RS-3/RM-1/OM/AG/CS to  
RS-3/RM-1/CS/PUD**  
(PD-18) (CD-2)

**TMAPC COMMENTS:**

Mr. Westervelt announced that the applicant has requested a continuance in order to meet with the neighborhood association.

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

**TMAPC Action; 6 members present:**

On **MOTION** of **MIDGET**, the TMAPC voted **6-0-0** (Harmon, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Dick, Carnes, Hill, Horner "absent") to **CONTINUE** Z-6674/PUD-306-G to February 24, 1999 at 1:30 p.m.

**ZONING PUBLIC HEARING**

**PUD-559-1 - John Moody**

Northwest corner East 91<sup>st</sup> Street and South Mingo Valley Expressway  
(Minor Amendment)

(PD-18) (CD-8)

**Staff Recommendation:**

Mr. Dunlap stated that the applicant is requesting Minor Amendment approval to permit a 32-foot high monopole ground sign with changeable marquee in the southern portion of Development Area A. The proposed sign will be located along East 91<sup>st</sup> Street abutting the Mingo Valley ROW within an unplatted tract. The proposed sign contains 380 square feet of display surface area.

Staff has examined the request and finds the approved development standards allow ground signs along East 91<sup>st</sup> within Development Area A with a maximum height of 25 feet and an aggregate display surface area of 1 SF for each lineal foot of arterial street frontage. A total of ten ground signs are allowed within Development Area A. The recently-constructed South Crest Hospital is located in the northern (and platted) portion of the development area.

Staff notes the recent approval of the PUD 559 Development Standards (May 1997) establishing a 25-foot maximum height for ground signs along East 91<sup>st</sup>. Staff believes the intent of the original approval was in keeping with similar uses in other Corridor Districts abutting the Mingo Valley Expressway. Further, other uses allowed in Development Area A include Use Units 8, 11, 12, 14, 19 and 22. With the eventual buildout within the unplatted southern portion of the development area, it is likely that some combination of multifamily dwellings, offices, eating establishments, convenience shops or hotels will occur.

Staff cannot support the proposed modification of the development standards to increase sign height along East 91<sup>st</sup> or the size of the proposed sign. Staff is of the opinion that the height of the sign violates the intent and purpose of the original approval limiting sign height to 25 feet. Staff is unable to support the size of the proposed sign because there is no basis for determining how much arterial street frontage will be allocated for any land area within the unplatted portion of Development Area A.

Staff, therefore, recommends **DENIAL** of PUD-559-1 as submitted, noting that until a plat or plat waiver (with binding sign size and location agreements) is approved, no rationale or legal basis exists to determine sign size under the Zoning Code.

**Applicant's Comments:**

**John Moody**, 7146 South Canton Avenue, Tulsa, Oklahoma 74136-6303, stated that after reviewing the staff's recommendation he has been able to meet with his client and staff in order to resolve the staff's objections to the proposed sign. He indicated that the subject property is the location of the South Crest Hospital and will be having their grand opening in the ensuing months.

Mr. Moody stated that his client has had success with marquee signs, which are used to announce upcoming events to the community. The application is for a ground sign on 91<sup>st</sup> Street for a marquee sign. Under the original PUD-559 there were ten ground signs permitted and display surface for the 91<sup>st</sup> Street frontage was 1 SF per lineal foot of

frontage. He indicated that his client has agreed to reduce the proposed sign to 25' in height.

Mr. Moody stated that the concern of staff was that the interior portion of the subject property was platted for the hospital, but there is an acreage to the east that abuts the expressway and part of the frontage on 91<sup>st</sup> Street. He explained that the acreage is unplatted and was approved under the PUD for related-type uses. The staff is concerned about the determination of the frontage and the total display surface area, plus the number of ground signs that may occur along the frontage of 91<sup>st</sup> Street. He stated that he agreed with staff that there would only be two ground signs on Development Area A on the 91<sup>st</sup> Street frontage. The display surface area for the proposed sign has been reduced to 10 x 30 feet, which reduces the sign to a total of 300 SF display surface area. He indicated that he agreed with staff that there will be a maximum of 500 SF display surface area for the ground signs allocated on the 91<sup>st</sup> Street frontage in Development Area A. He stated that 200 SF of display surface area will be left to apply for a ground sign in the future on the unplatted parcel. These restrictions will be included in a restrictive covenant if approved and will be a condition of and filed as part of the plat waiver request.

Mr. Moody stated that the proposed sign is important to South Crest for their marketing plan, as well as for the type of announcements that they will be having for their grand opening. He commented that time is a factor to his client regarding the sign, and his client would like to have the sign in place before the grand opening.

Mr. Moody concluded that he has agreed to there being only two ground signs on the 91<sup>st</sup> Street frontage of Development Area A and a maximum total display surface area of 500 SF, which is to be allocated between the two signs. He stated that the proposal meets the standards that were approved for PUD-559.

**TMAPC COMMENTS:**

Mr. Westervelt asked staff if they were comfortable with the proposal. In response, Mr. Stump stated that staff reviewed what has been approved in the past for the hospital and additional ground signs have already been approved along the 91<sup>st</sup> Street frontage. The Code does not allow more than 1 SF per lineal foot of frontage. He explained that a condemnation action has been filed on the frontage for additional right-of-way for the Broken Arrow spur and this will reduce the frontage. He stated that the applicant will not have enough frontage for the monument signs and 500 SF additional signage. Mr. Stump listed several proposals for additional signs in the subject area. He reminded the Planning Commission that only ten signs were allowed and five were approved for the hospital. He stated that there are now nine signs out of the ten and that will leave one ground sign for a 1/4 mile of frontage along Mingo. Mr. Stump commented that the staff needs to look at the sign proposals more closely because it sounds like the client will be requesting more ground signs for Development Areas B and C.

Mr. Westervelt asked the applicant if the proposal is being driven by the hospital's grand opening or the condemnation action, which may diminish the frontage across 91<sup>st</sup> Street. Mr. Moody stated that exclusively the grand opening is driving the application. Mr. Moody indicated that he discussed the condemnation action with Mr. Ted Sack and he believes that there will be 445 feet of frontage left. Mr. Moody suggested that the Planning Commission approve the proposed sign and the other sign will have to be restricted to one SF per lineal foot of frontage on 91<sup>st</sup> Street. Mr. Moody stated that he is not asking the Planning Commission to approve the other proposed ground sign today. Mr. Westervelt stated that the applicant owns the adjacent property and is taking actions that will limit his own future uses. In response, Mr. Moody agreed that he has discussed this limitation with his client. Mr. Moody stated that he has filed a major amendment to address the other sign and there will be an opportunity for the Planning Commission to address this issue.

Mr. Westervelt summarized that if the Planning Commission approves the proposed sign, then the Planning Commission can anticipate seeing a major amendment to increase the signage so that there is less impact. In response, Mr. Moody stated that he has filed a major amendment for two signs that will be on the expressway. Mr. Moody explained that the number of signs his client anticipated not exceeding the number of ground signs that were allocated to the subject area. Mr. Moody stated that if there is another ground sign proposed then his client could anticipate that he would have to file a major amendment once it is determined what will developed.

Mr. Westervelt asked Mr. Moody if he is comfortable that his client understands that if he files a major amendment it might not be approved by the Planning Commission, that his client recognizes that the possible denial might be due to the decision made today. Mr. Moody commented that his client's alternative would be to remove a sign, depending on which sign his client feels is most important to the hospital. Mr. Moody stated that the real issue is how many signs would be appropriate on 91<sup>st</sup> Street.

**Interested Parties:**

**Trudy McClasky**, Administrative Director of Marketing and Public Relations for South Crest Hospital, no address given, stated that her main interest is to achieve an approval for a marquee sign in order to advertise and communicate with the community. She explained that the hospital chooses to have the proposed sign in place with the Planning Commission's approval. She stated that it is too early to anticipate how many signs will be needed in the future or which sign may need to be removed.

**TMAPC COMMENTS:**

Mr. Westervelt stated that the client's realizing that it may be necessary to remove the marquee sign at sometime in the future adds some comfort.

**TMAPC Action; 6 members present:**

On **MOTION** of **HARMON**, the TMAPC voted **6-0-0** (Harmon, Jackson, Ledford, Midget, Pace, Westervelt "aye"; no "nays"; none "abstaining"; Boyle, Carnes, Dick, Hill, Horner "absent") to recommend **APPROVAL** of the Minor Amendment for PUD-559-1, subject

to limiting the marquee sign to 25' in height and 300 SF display surface area along 91<sup>st</sup> Street as presented by applicant.

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**Commissioners' Comments:**

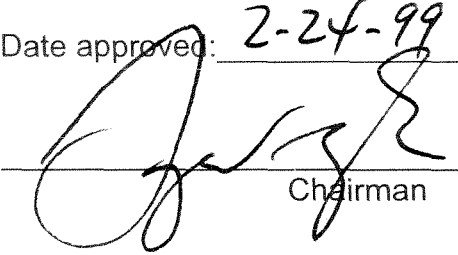
Mr. Westervelt stated that he has received a letter written to Commissioner Selph from Sam Roop regarding the political sign ordinance. Mr. Westervelt asked staff if the letter has been answered. In response, Mr. Stump stated that staff did send Councilor Roop a copy of the letter that was submitted to the Chairman of the City Council.


Mr. Stump stated that the letter was sent to the Chairman of the City Council a few days after the public hearing before the Planning Commission.

Mr. Stump announced that INCOG will register anyone who would like to attend the Smart Growth Design conference.

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

Date approved: 2-24-99  
  
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Chairman

ATTEST:   
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Secretary

