

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 2280

Wednesday, July 18, 2001, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

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

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, July 16, 2001 at 9:35 a.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

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

Minutes:

Approval of the minutes of June 27, 2001, Meeting No. 2278

On **MOTION** of **HARMON**, the TMAPC voted 6-0-0 (Boyle, Harmon, Hill, Horner, Jackson, Ledford "aye"; no "nays"; none "abstaining"; Carnes, Midget, Pace, Selph, Westervelt "absent") to **APPROVE** the minutes of the meeting of June 27, 2001, Meeting No. 2278.

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REPORTS:

Chairman's Reports:

Mr. Boyle announced that several weeks ago his duties at his employment has changed somewhat and have left him in the position where he no longer has the time to devote to the TMAPC. He stated that he would have to announce, with some regrets, that this would be his last meeting as a Planning Commissioner. He commented that he has enjoyed the relationships he has built up with each of

his colleagues, the staff and with many of the people who appear before the Planning Commission from week to week. He stated that he would remember his experiences and would always be around. He concluded that he enjoyed his time and he appreciates all of the support that he has had over the years.

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Committee Reports:

Rules and Regulations Committee

Mr. Boyle reported that the Planning Commission has a proposed response to the City Council Consensus 01-2. The Committee met and recommended this type of response.

TMAPC Action; 6 members present:

On **MOTION** of **HARMON**, TMAPC voted **6-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford "aye"; no "nays"; none "abstaining"; Carnes, Midget, Pace, Selph, Westervelt "absent") to **TRANSMIT** the Planning Commission's response to the City Council for Consensus 01-2.

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Director's Report:

Mr. Stump reported that there is one zoning item on the City Council agenda for July 19, 2001. He indicated that Ms. Matthews would be attending the meeting.

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SUBDIVISIONS

LOT-SPLITS FOR WAIVER OF SUBDIVISION REGULATION:

L-19180 - Patricia Sullivan (PD-23) (County)

Locations: 4136 South 78th West Avenue

Staff Recommendation:

The applicant is selling a 330' X 640' tract (Tract 1); however, it was determined that a lot-split from Tract 2 was never obtained. In order to obtain a clear title to sell the property, the owner has applied to split her tract from Tract 2. On June 19, 2001, the Tulsa County Board of Adjustment approved a variance of 30' street frontage on a dedicated road, and all other AG bulk and area requirements have been met.

Because the property did not perc, the owner will be installing an alternative sewage system; therefore, the applicant is seeking a waiver of the Subdivision Regulation 6.5.4.(e) requiring a passing soil percolation test.

Staff believes this lot-split would not have an adverse effect on the surrounding properties and would give clear title on property currently owned by two separate individuals. Staff would therefore recommend **APPROVAL** of the waiver of Subdivision Regulations and of the lot-split.

There were no interested parties wishing to speak.

TMAPC Action; 6 members present:

On **MOTION** of **HORNER**, TMAPC voted **6-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford "aye"; no "nays"; none "abstaining"; Carnes, Midget, Pace, Selph, Westervelt "absent") to **APPROVE** the waiver of Subdivision Regulations and the lot-split for L-19810 as recommended by staff.

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Mr. Midget in at 1:40 p.m.

FINAL PLAT:

The Orchard (PUD 431) (2783)

(PD-26) (CD-8)

Location: 6226 East 101st Street (West of southwest corner of 101st Street and South Sheridan)

Staff Recommendation:

The plat includes is 1.2 acres in size and includes one lot in one block. Office use is proposed.

The preliminary plat for this addition was approved in September of 1999; the first "draft final" plat was submitted in September of that year. Several revisions have been submitted since that time, the last of which is dated June 13, 2001. This final revision has received approval by Public Works, addressing drainage issues related to the detention area and easement south of the platted area.

Although the preliminary plat approval is over one year old, it has been the Commission's policy to approve final plats if good progress has been shown during the intervening period with no significant changes to the approved preliminary. Changes to the preliminary have not been significant; those changes that have been included are to the City's benefit. Good progress has been shown.

Staff recommends **APPROVAL** of the final plat subject to minor revisions per the Legal Department.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, TMAPC voted **7-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Carnes, Pace, Selph, Westervelt "absent") to **APPROVE** the final plat for The Orchard, subject to minor revisions per the Legal Department as recommended by staff.

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Hillcrest Amended (693)

(PD-4) (CD-4)

Location: South of southwest corner of 3rd Street South and South Lewis Avenue

Staff Recommendation:

The plat includes portions of Blocks 1, 2 and 3 of the Hillcrest Addition and of Blocks 1 and 2 of the Hillcrest Ridge Addition. Eight lots are being created in an area that previously included eight lots.

The preliminary plat for this addition was approved in April of 2000, the first "draft final" plat was submitted in May of 2000. Although the preliminary plat approval is over one year old it has been the Commission's policy to approve final plats if good progress has been shown during the intervening period with no significant changes to the approved preliminary. No significant changes have occurred since the submittal of the first draft final and good progress has been shown.

Staff recommends **APPROVAL** of the final plat.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, TMAPC voted **7-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Carnes, Pace, Selph, Westervelt "absent") to **APPROVE** the final plat for Hillcrest Amended as recommended by staff.

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Union High School Addition - (0183)

(PD-18) (CD-7)

Location: 6636 South Mingo Road

Staff Recommendation:

This plat consists of one lot in one block and one reserve on 50.15 acres. It is the site of the existing Union High School and accessory uses.

The Board of Adjustment approved a special exception to permit expansion of the existing high school buildings and parking late last year. This approval triggered the platting requirement. The high school was established prior to the zoning code on this property and has never been subject to plat before now.

All releases are in and the plat is in order. Staff recommends **APPROVAL** of the final plat.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, TMAPC voted **7-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Carnes, Pace, Selph, Westervelt "absent") to **APPROVE** the final plat for Union High School Addition as recommended by staff.

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PRELIMINARY PLAT:

Booker T. Washington - (2030) (PD 2) (CD 3)
Trenton Avenue and Woodrow Place

This plat consists of one lot in one block and one reserve on 42.35 acres. The property is the site of the new Booker T. Washington High School campus.

The following were discussed **July 5, 2001** at the Technical Advisory Committee (TAC) meeting:

1. Zoning:

Staff: The applicant has resubmitted the preliminary plat because of a redesign of the site plan with corresponding utilities and modification of property boundaries. The first TAC review was July 20, 2000. The July 5 TAC was given a copy of the staff report and recommendation that was presented to the TMAPC August 2, 2000, which contained a summary of their previous comments.

2. Streets/access:

Staff: No additional information.

Public Works Traffic & Transportation: Require 25-foot radius at northeast corner Lot 1, Block 2; change dedication to "right-of-way" instead of "streets".

Applicant: Consent.

3. Sewer:

Staff: No additional information.

Public Works Waste Water: Sewer will be 8" private; they have no concerns.

Applicant: Confirmed.

4. Water:

Staff: No additional information.

Public Works Water: No comment.

Applicant: No comment.

5. Storm Drainage:

Staff: No additional information.

Public Works Stormwater: No comment.

Applicant: No comment.

6. Utilities:

Staff: No additional information.

No comments from any franchise utilities.

Staff recommends **APPROVAL** of the waiver of the subdivision regulations and of the preliminary plat subject to the special and standard conditions below.

Waivers of Subdivision Regulations:

1. None requested.

Special Conditions:

1. Add right-of-way dedication to make 25' corner radius at northeast corner Lot 1, Block 2.

Standard Conditions:

1. 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.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. 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).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topo map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)

13. 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.
14. The method of sewage disposal and plans therefore shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size and general location. (This information to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefore shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. 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.)
20. 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.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Comments:

Mr. Midget stated that he would like to make the motion because he is a graduate of Booker T. Washington.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Carnes, Pace, Selph, Westervelt "absent") to recommend **APPROVAL** of the preliminary plat for Booker T. Washington, subject to special conditions and standard conditions as recommended by staff.

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Mr. Ledford announced that he would be abstaining from the following item.

ACCELERATED RELEASE OF A BUILDING PERMIT:

BOA-18980 (3402) (PD-11) (CD-1)

Location: 926 North Osage Drive

Staff Recommendation:

The property was approved for a special exception to allow multifamily residential uses. This triggered the platting requirement.

A preliminary plat was approved June 27, 2001 and the applicant wishes for a temporary waiver to allow construction to begin prior to filing the final plat. The underlying plat, streets and easements will be vacated.

The applicant was not present.

The following information was provided at the TAC meeting of July 5, 2001.

STREETS:

Public Works, Transportation: No comments.

Public Works, Traffic: No comments.

SEWER:

Public Works, Waste Water: Would be ok with separate instrument easements and vacation of underlying easements.

WATER:

Public Works, Water: No comments.

STORM DRAIN:

Public Works, Storm Water: No comments.

FIRE:

Public Works, Fire: No comments.

UTILITIES:

Franchise Utilities: No comments.

Based on discussion with the individuals who will review and approve the changes and the following checklist, which reflects the policies of TMAPC, staff recommends **APPROVAL** of the request for temporary plat waiver with the following conditions:

- 1. Final plat must be filed of record prior to occupancy of the project.

Staff would remind the Planning Commission that the items identified in the checklist below are issues that are being addressed in the subdivision plat and ultimately have little bearing on the decision to approve or deny this temporary waiver.

A YES answer to the following 3 questions would generally be FAVORABLE to a plat waiver:

	Yes	NO
1. Has Property previously been platted?	X	
2. Are there restrictive covenants contained in a previously filed plat?	X	
3. Is property adequately described by surrounding platted properties or street R/W?	X	

A YES answer to the remaining questions would generally NOT be favorable to a plat waiver:

4. Is right-of-way dedication required to comply with major street and highway Plan?	X	
5. Will restrictive covenants be filed by separate instrument?		X
6. Infrastructure requirements:		
a) Water		
i. Is a main line water extension required?	X	
ii. Is an internal system or fire line required?	X	
iii. Are additional easements required?	X	
b) Sanitary Sewer		
i. Is a main line extension required?	X	
ii. Is an internal system required?	X	
iii. Are additional easements required?	X	
c) Storm Sewer		
i. Is a P.F.P.I. required?	X	
ii. Is an Overland Drainage Easement required?	X	

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| iii. Is on site detention required? | X |
| iv. Are additional easements required? | X |
| 7. Floodplain | |
| a) Does the property contain a City of Tulsa (Regulatory) Floodplain? | X |
| b) Does the property contain a F.E.M.A. (Federal) Floodplain? | X |
| 8. Change of Access | |
| a) Are revisions to existing access locations necessary? | X |
| 9. Is the property in a P.U.D.? | X |
| a) If yes, was plat recorded for the original P.U.D. | NA |
| 10. Is this a Major Amendment to a P.U.D.? | X |
| a) If yes, does the amendment make changes to the proposed physical development of the P.U.D.? | NA |

If, after consideration of the above criteria, a plat waiver is granted on *unplatted* properties, a current ALTA/ACSM/NSPS Land Title Survey (and as subsequently revised) shall be required. Said survey shall be prepared in a recordable format and filed at the County Clerk's office.

Mr. Beach stated that the applicant requested the temporary extension of time to file the final plat in order to begin construction.

TMAPC Comments:

Mr. Boyle asked if the Planning Commission could approve the accelerated release of a building permit since it has not been adopted as a procedure yet. In response, Mr. Boulden stated that the rules have not been adopted at this time, and therefore it cannot be acted on. Mr. Boulden further stated that the Planning Commission is subject to the current ordinances and regulations.

Mr. Boyle asked staff what the Planning Commission could do since they cannot approve the request. In response, Mr. Boulden stated that the Planning Commission is subject to whether or not it is consistent with Title 42, Section 213. Mr. Beach stated that the Planning Commission would have it in their authority to grant a plat waiver and then applicant has the option of filing a plat too. Mr. Boyle stated that with half of the check marks being in the wrong place it would be imprudent. Mr. Beach reminded the Planning Commission that they have approved similar requests over the past several years.

Applicant's Comments:

Jerry Ledford, Jr., Tulsa Engineering and Planning, 8209 East 63rd Place, Tulsa, Oklahoma 74133, stated that request is not for all of the buildings. He explained that the Board of Adjustment action, which triggered the platting, was for the community building (farthest north building). He stated that the subject building is an existing building that would be expanded in the future. The only permit that is being requested is for the subject building and all of the other buildings are not subject to platting.

TMAPC Comments:

Mr. Boyle asked Mr. Ledford why he didn't start construction on the buildings that do not need the waiver and come back when the plat is completed. In response, Mr. Ledford stated that he is platting the entire project, even though it is not required, in order to clean up the four underlying plats that exist underneath. Mr. Ledford explained that all these items would be going to District Court and for the Hope VI funding to be in place, all buildings have to be permitted. He further explained that it is an issue of finance, basically. In order to release half of the funding for the project, all buildings have to be permitted.

Mr. Stump stated that if the Planning Commission waives the plat, then the applicant would not have to record a plat. However, this is the Tulsa Housing Authority, which is a public agency and their word should be good. They have assured the staff that they are going to continue the platting process and record it. Perhaps a flat-out waiver for the subject building could be done with the assurance that ultimately the platting would be done and filed of record. Staff would prefer a plat with a much larger area than just a little plat around a community building, which is subject to plat.

Mr. Stump stated that he believes that the problems and delays in recording the plat have to do with other areas of the plat and not the subject area. The applicant is taking the right tact in doing a larger plat in order to have a good record, a good description of the property and better descriptions of the roadways. As a side effect, the applicant is being held up in getting a permit for the community center because they didn't plat a small plat of the community center. He reminded the Planning Commission that they have done this for other public agencies and the University of Tulsa. Mr. Stump concluded that he would recommend that the Planning Commission waive the platting requirement for the community center.

Mr. Boyle asked Mr. Stump if he thought this was a sound planning decision to waive a plat because it is a public agency, as opposed to it being the right thing to do. In response, Mr. Stump stated that the public agency has committed to plat the entire property. Mr. Ledford stated that the platting process has already begun for this project. Mr. Stump stated that part of the reason for platting property is to get the dedication of right-of-way for adequate streets to serve new schools, hospitals, etc. Mr. Stump commented that since it is in public hands and

they are going to dedicate those things and the easements serve those areas, etc., there is a lot more certainty that the Planning Commission accomplishes the need for a plat even if this subject property is waived.

Mr. Ledford stated that the building already exists and this would be a remodeling and expansion to the existing structure.

Mr. Boulden stated that the City ordinance does cite that if the Planning Commission is confident that all of the goals of platting can be accomplished and the plat is not necessary to accomplish those goals, then the requirement could be waived.

There were no interested parties wishing to speak.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, the TMAPC voted **6-0-1** (Boyle, Harmon, Hill, Horner, Jackson, Midget "aye"; no "nays"; Ledford "abstaining"; Carnes, Pace, Selph, Westervelt "absent") to recommend **APPROVAL** the plat waiver for BOA-18980.

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ZONING PUBLIC HEARING

APPLICATION NO.: CZ-286

AG TO RS

Applicant: Brian Kellogg

(PD-15) (County)

Location: Northeast corner and east of southeast corner of East 106th Street North and North Memorial

Staff Recommendation:

Ms. Matthews stated that the applicant submitted a letter for a request for a 30-day continuance, which was a timely request (Exhibit A-2).

TMAPC Comments:

Mr. Boyle stated that the applicant is requesting a continuance to August 15, 2001. He asked if there were any interested parties objecting to the request for a continuance. Mr. Boyle explained that this was a timely request and normally the Planning Commission grants the request as a matter of course unless there is some compelling reason to otherwise.

Interested Parties Comments:

No name or address, stated that there is a lot of concern and schedules are hectic and people have to take time off from work. He expressed concerns that the application may be continued more than once and it would be difficult to get residents to come to the meetings.

Mr. Boyle stated that if one person continues to come to the meetings who can articulate the position of all of the interested parties, then the residents are well represented and protected as if everyone attends the meeting. Mr. Boyle explained that the residents have the option of sending written objections, signing petitions, etc.

Jan Thomas, 7623 East 106th Street North, Collinsville, Oklahoma 74021, stated that she does have several names on a petition (Exhibit A-1). She indicated that she called and told the neighbors to not come today because of the request for a continuance.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, the TMAPC voted **7-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Carnes, Pace, Selph, Westervelt "absent") to **CONTINUE** CZ-286 to August 15, 2001 at 1:30 p.m.

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APPLICATION NO.: PUD-422-3
Applicant: Steve Williams
Location: 3220 South Peoria

MINOR AMENDMENT
(PD-6) (CD-9)

Staff Recommendation:

The applicant is requesting an amendment to increase the amount of signage allowable from 32 square feet to 44 square feet for an office building.

Staff has viewed the site and surrounding area which transitions from residential uses along Peoria Avenue to office and then commercial types of uses. Traveling south along Peoria toward the site, a short bridge and a pedestrian cross-walking warning sign are located just before reaching the subject site on the west. The office building on the site is set back, with parking located along Peoria and an existing sign located at the south end of the property. Other signs in the area are mostly wall mounted identification signs.

The original PUD concept allowed for two 32 square foot signs, with one to be located along the private internal street and one located along Peoria Avenue. Wall signs were to be used on the buildings for individual tenants and businesses according to the submitted concept development plan.

Staff recommends **DENIAL** of the minor amendment requested. A 32 square foot identification sign would be appropriate to the area and the PUD, give ample sign display area and not cause a safety hazard with other distractions near the site.

Applicant's Comments:

George Wilson, 3220 South Peoria, Tulsa Oklahoma 74105, stated that he is the owner of the subject property and requested that the application be approved. Mr. Wilson submitted photographs and maps (Exhibit B-1) and stated that Hillcrest was the former tenant. He explained that he converted the facility into a multi-tenant facility with ten expected to lease.

Mr. Wilson explained that there would be ten slots with the tenant's names. He indicated that the subject property is allowed two signs. He requested a sign on Peoria and indicated that there is an existing sign on 33rd Street. He explained that the existing sign is on his property and he has allowed the facility to use it for the last 15 years. He stated that the new sign would be 44 SF if approved.

Mr. Wilson commented that the proposed sign would be back far enough (approximately 80 feet back) that it would not create a safety issue. He stated that the letters on the "For Lease" sign is larger than the proposed sign. The lease sign is hard to read and the proposed sign would be much less when ten or less tenants names on put on the sign.

TMAPC Comments:

Mr. Boyle asked Mr. Wilson how large the lease sign in square feet. In response, Mr. Wilson stated it is 24 SF.

Mr. Wilson requested that the allowable signage be increased from 32 SF to 44 SF. He commented that the proposed sign would be set back approximately 80 feet and to the west and it would not cause any traffic safety problems.

Steve Williams, Ace Sign Company, 4215 South 33rd West Avenue, Tulsa, Oklahoma 74107, stated that Mr. Wilson explained the need for the tenant's visibility. The larger sign would make the tenants more visible than the allowed signage. Mr. Williams demonstrated the difference in letter size and visibility from the street.

TMAPC Comments:

Mr. Stump stated that the reason staff feels this is a safety issue is the very nature of these registry type signs. The applicant is now stating that he needs ten names, with the possibility to ten seconds of exposure on a busy street. A person would be trying to read a list of ten names to see if the particular person is there before turning into the facility. Coming from the north it would be less than a second when one could see the sign and then have to turn into the facility. Such style signs are totally useless because one can't read it and still keep his/her eyes on the road. He suggested the sign advertise Crow Creek Office Park in large letters, which they have enough square footage to do so. The only advantage of having the list of names is for the vanity of the tenants and it is a worthless directional sign in the subject location due to congestion and vegetation.

Mr. Boyle asked if the proposed sign would be better than the one he is allowed. In response, Mr. Stump stated that it would actually make it worse because drivers will think that they can read the ten names before passing the turn off. Mr. Stump explained that when the sign is small the drivers know that they can't read and would not try to do so.

Mr. Boyle asked Mr. Stump if he would be opposed to the proposal if the applicant only had one single message. Mr. Boyle asked if the Planning Commission should be considering the size of the sign or the number of messages on the sign. In response, Mr. Stump stated that the number of messages seems to be the applicant's rationale for having the larger sign, in order to convey eleven different messages. Mr. Stump indicated that the applicant has plenty of signage to convey one message. Mr. Boyle asked if the size of the sign should be the concern. In response, Mr. Stump stated that the applicant is allocated sufficient size to convey the type of message that an office park is supposed to. The registry should be on the buildings or somewhere in the internal circulation, not out on the arterial streets.

Mr. Midget asked if the applicant had just a large sign stating Crow Creek Office Park, would he be allowed to have the directional signs inside the facility. In response, Mr. Stump stated that the applicant could request more signage for directional signs; however, most of the directional signs would not be visible from the public street and would not be considered signage. Mr. Stump explained that in this particular case, the east face is clearly visible, but one is allowed to have building numbers, etc. Mr. Stump further explained that there is limited signage in office parks and the idea is to get someone to the right building, and the buildings could be numbered or identified in some fashion on the building wall and it is not considered a sign.

Mr. Boyle stated that he understands staff's position; however, this is such a small request for an increase that it should be allowed.

Mr. Harmon stated that he does not feel that a larger sign is appropriate in the subject area. He would prefer that it remain at the allowable size and that would be in keeping with the way the subject property is developed.

Mr. Midget stated that he hopes the owner would not put a lot of small names on the proposed sign. He would hope that the applicant would utilize directional signs once inside the complex. He commented that a vehicle would have to come to a stop in order to read the ten names and that would be a traffic hazard.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, the TMAPC voted **5-2-0** (Harmon, Hill, Horner, Ledford, Midget "aye"; Boyle Jackson "nays"; none "abstaining"; Carnes, Pace, Selph, Westervelt "absent") to **DENY** the minor amendment for PUD-422-3 as recommended by staff.

APPLICATION NO.: PUD-587-4

MINOR AMENDMENT

Applicant: Charles Norman

(PD-18) (CD-8)

Location: South and west of southwest corner of East 81st Street and South Yale

RELATED ITEM:

APPLICATION NO.: PUD-587

DETAIL SITE PLAN

Applicant: Charles Norman

(PD-18) (CD-8)

Location: South and west of southwest corner of East 81st Street and South Yale

Staff Recommendation:

Mr. Dunlap stated that these two items should be continued in order to allow for notice of additional amendments.

TMAPC Action; 7 members present:

On **MOTION** of **HARMON**, the TMAPC voted **7-0-0** (Boyle, Carnes, Harmon, Hill, Horner, Pace "aye"; no "nays"; none "abstaining"; Jackson, Ledford, Midget, Selph, Westervelt "absent") to **CONTINUE** the minor amendment for PUD-587-4 and the detail site plan for PUD-587 to August 1, 2001 at 1:30 p.m.

APPLICATION NO.: PUD-540-5

MINOR AMENDMENT

Applicant: Roy D. Johnsen

(PD-18) (CD-8)

Location: Southeast corner of South Vandalia and South Winston

Staff Recommendation:

The applicant is requesting a minor amendment from the adjoining street from the required 30-foot setback to a 25-foot setback for new single-family construction.

The subject site is bordered by roadway on three sides on a corner lot. An "eyebrow" street feature exists to the northeast of the lot and a 15-foot utility easement exists on the site near South Vandalia Place and Winston Avenue. A five-foot utility easement on the site abuts East 97th Place South.

Staff has reviewed the Planned Unit Development standards, and can agree that the minor amendment as depicted on the submitted site plan would be in keeping with the overall intent of the PUD. The visibility for traffic should not be affected by the new setback alignment.

Staff can recommend **APPROVAL** of the minor amendment for PUD-540-5 per the submitted site plan.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, TMAPC voted **7-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Carnes, Pace, Selph, Westervelt "absent") to **APPROVE** the minor amendment for PUD-540-5 per the submitted site plan as recommended by staff.

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OTHER BUSINESS:

APPLICATION NO.: PUD-193-A

DETAIL SITE PLAN

Applicant: Kevin Coutant

(PD-10) (CD-4)

Location: South and southwest corner of West Edison and I-244

Staff Recommendation:

The applicant is requesting detail site plan approval of a new monopole cellular tower. A Major Planned Unit Development Amendment was approved by the City Council on May 17, 2001 to facilitate this use in PUD-193.

Staff has reviewed the cell tower and finds it to be in conformance with the PUD standards. The Major Amendment allowed a maximum height for the monopole tower of 80 feet.

Staff can recommend **APPROVAL** of the site plan for the new monopole tower with the 80-foot maximum height maintained per the conditions of the approved Major Amendment to the Planned Unit Development.

Note: Detail site plan approval does not constitute sign or landscape approval.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, TMAPC voted **7-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Carnes, Pace, Selph, Westervelt "absent") to **APPROVE** the detail site plan for PUD-193-A as recommended by staff.

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APPLICATION NO.: PUD-306-G

DETAIL SITE PLAN

Applicant: Hank Sossin

(PD-18/26) (CD-2)

Location: Northeast corner of East 95th Street and South Delaware

Staff Recommendation:

The applicant is requesting approval of a detail site plan for a service station. The use was permitted by a minor amendment with conditions on June 6, 2001.

The site plan as submitted meets the conditions of the minor amendment including the color scheme, lighting, setbacks, and construction requirements. All development standards of the Planned Unit Development will be met.

Staff recommends **APPROVAL** of the detail site plan as submitted.

Note: Detail site plan approval does not constitute sign or landscape plan approval.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, TMAPC voted **7-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Carnes, Pace, Selph, Westervelt "absent") to **APPROVE** the detail site plan for PUD-306-G as recommended by staff.

APPLICATION NO.: PUD-431-A

DETAIL SITE PLAN

Applicant: Joel Slaughter

(PD-26) (CD-8)

Location: Southwest corner of East 101st Street and South Sheridan

Staff Recommendation:

The applicant is requesting detail site plan approval for a 5,500 square foot retail building. The Planned Unit Development allows Use Units 10, 11, 12,13 and 14.

The applicant has not described the actual tenants or uses for the proposed structure other than to allow general retail types of uses. The site plan for Lot 2, Block 1 meets the development standards approved for the PUD. The parking requirements for the retail structure cannot be determined because the actual uses have not been defined. Certain uses would trigger a one space per 100 square foot parking requirement and necessitate an additional six or more parking spaces to be required.

Staff can recommend **APPROVAL** of the detail site plan with the conditions that the parking spaces provided be appropriate for the actual uses that will occupy the space and that lighting provided will be shielded and directed downward. The applicant has agreed to accept a condition that there be no more than 1,000 square feet of restaurant space allowed which would require one space per 100 square feet of floor area, with the remainder of the space to house general retail uses that require one space per 225 square feet of floor area. Staff recommends this condition also be part of any approval for this detail site plan.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, TMAPC voted **7-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Carnes, Pace, Selph, Westervelt "absent") to **APPROVE** the detail site plan for PUD-431-A with the conditions that the parking spaces provided be appropriate for the actual uses that will occupy the space and that lighting provided will be shielded and directed downward. The applicant has agreed to accept a condition that there be no more than 1,000 square feet of restaurant space allowed, which would require one space per 100 square feet of floor area, with the remainder of the space to house general retail uses that require one space per 225 square feet of floor area. Staff recommends this condition also be part of any approval for this detail site plan.

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APPLICATION NO.: PUD-567

DETAIL SITE PLAN

Applicant: Darin Akerman

(PD-18) (CD-8)

Location: Southeast corner of East 71st Street and South U.S. 169

Staff Recommendation:

The applicant is requesting detail site plan approval for a new 4,441 square foot restaurant on Lot 1, Block 1, Woodland Park Center, adjacent to the existing Cheddars' restaurant to the east.

The restaurant use and proposed size are in conformance with the development standards for the Planned Unit Development in which they are located. The building will be 22 feet in height, and provided parking is adequate for the restaurant use as proposed to include 4,441 square feet of indoor dining and 555 square feet of outdoor dining.

Staff can recommend **APPROVAL** of the site plan as proposed.

Note: Detail site plan approval does not constitute sign or landscape approval.

There were no interested parties wishing to speak.

The applicant indicated his agreement with staff's recommendation.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, TMAPC voted **7-0-0** (Boyle, Harmon, Hill, Horner, Jackson, Ledford, Midget "aye"; no "nays"; none "abstaining"; Carnes, Pace, Selph, Westervelt "absent") to **APPROVE** the detail site plan for PUD-567 as recommended by staff.

Commissioners' Comments:

Mr. Harmon stated that as one of the new members of this body, he would miss Gary Boyle, his leadership, insight, and experience that he has brought to the TMAPC. He commented that the Planning Commission would miss the leadership role.

Mr. Boyle thanked Mr. Harmon for his comments.

There being no further business, the Chairman declared the meeting adjourned at 2:15 p.m.

Date Approved: 8-1-01



10/28 - Chairman

ATTEST: 
Secretary

