

# TULSA METROPOLITAN AREA PLANNING COMMISSION

## Minutes of Meeting No. 2339

Wednesday, March 26, 2003, 1:30 p.m.

Francis Campbell City Council Room

Plaza Level, Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Collins	Bayles	Dunlap	Romig, Legal
Coutant	Carnes	Fernandez	
Harmon	Hill	Huntsinger	
Horner	Jackson	Matthews	
Ledford		Stump	
Midget			
Westervelt			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Monday, March 24, 2003 at 8:40 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, 1<sup>st</sup> Vice Chair Harmon called the meeting to order at 1:55 p.m.

### **Minutes:**

#### **Approval of the minutes of March 19, 2003, Meeting No. 2338**

On **MOTION** of **MIDGET** the TMAPC voted 5-0-1 (Coutant, Harmon, Horner, Midget, Westervelt "aye"; no "nays"; Ledford "abstaining"; Carnes, Collins, Jackson "absent") to **APPROVE** the minutes of the meeting of March 19, 2003, Meeting No. 2338.

### **REPORTS:**

#### **Director's Report:**

Mr. Stump reported that there are several items on the City Council agenda and Mr. Dunlap would be attending the meeting.

\* \* \* \* \*

**ITEMS TO BE CONTINUED:**

**PRELIMINARY PLAT:**

**Glendale Acres – AG-R (2672) (PD 21) (County)**

**Location:** North of West 171<sup>st</sup> Street South, West of South Elwood Avenue

Mrs. Fernandez explained that the subject preliminary plat is not ready at this time and requests a continuance to the April 2, 2003 TMAPC meeting.

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

**TMAPC Action; 6 members present:**

On **MOTION** of **HORNER**, TMAPC voted 6-0-0 (Coutant, Harmon, Horner, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Collins, Hill, Jackson "absent") to **CONTINUE** the preliminary plat for Glendale Acres to April 2, 2003 at 1:30 p.m.

\* \* \* \* \*

***Commissioner Collins in at 1:58 p.m.***

**SUBDIVISIONS:**

**FINAL PLAT:**

**Youth Services – CH, IM (192) (PD 4) (CD 4)**

**Location:** East 3<sup>rd</sup> Street South and South Norfolk Avenue

**STAFF RECOMMENDATION:**

This plat consists of one lot in one block on 2.47 acres.

All release letters have been received for this final plat. Staff recommends **APPROVAL** of the final plat.

**The applicant indicated his agreement with staff's recommendation.**

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

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, TMAPC voted 6-0-1 (Coutant, Harmon, Horner, Ledford, Midget, Westervelt "aye"; no "nays"; Collins "abstaining"; Bayles, Carnes, Hill, Jackson "absent") to **APPROVE** the final plat for Youth Services as recommended by staff.

## ZONING PUBLIC HEARING

**Application No.:** PUD-665-1

**MINOR AMENDMENT**

**Applicant:** R. L. Reynolds

(PD-5) (CD-5)

**Location:** 1446 South Fulton

### **STAFF RECOMMENDATION:**

The applicant is requesting a minor amendment to reduce the required minimum lot frontage on East 15<sup>th</sup> Street from 150 feet to 140 feet.

The City Council approved PUD-665 in July, 2002. The PUD consists of .6396 (gross) acres located on the north side of East 15<sup>th</sup> Street South between South Erie Avenue and South Fulton Avenue. The underlying zoning on the tract is CS. The following uses were permitted:

Use Unit 11 – Offices, Studios, and Support Services; building services and carpentry only as included within Use Unit 15 – Other Trades and Services.

Because of the small area of the PUD and the potential adverse effect of this development on surrounding properties, staff could only support the request if additional standards are imposed.

With the following additional standards, staff finds that the request to reduce the required minimum lot frontage on East 15<sup>th</sup> Street from 150 feet to 140 feet does not substantially alter the approved PUD standards or the character of the development. Therefore, staff recommends **APPROVAL** of the request subject to the following conditions:

<b>Maximum Building Floor Area per Lot:</b>	2,000 SF
<b>Maximum Number of Lots:</b>	Two
<b>Minimum Lot Frontage on East 15<sup>th</sup> Street South:</b>	140 FT
<b>Landscaping and Screening:</b>	
	Landscaping and screening for the entire PUD must be installed before an occupancy permit is issued for any lot within the PUD.

<b>Access:</b>	
	Each lot in the PUD shall have an access point from East 15 <sup>th</sup> Street for a maximum of two access points from East 15 <sup>th</sup> Street. There shall be no access to South Erie Avenue or South Fulton Avenue. Each lot in the PUD shall have vehicular access to all other lots in the PUD through the use of mutual access easements that are directed toward the two access points from East 15 <sup>th</sup> Street. Both access points and the mutual access must be constructed prior to the issuance of an occupancy permit in the PUD. All access shall be approved by Traffic Engineering.
<b>Signs:</b>	
	One ground sign may be located along the East 15 <sup>th</sup> Street frontage a minimum of 140 feet from the west boundary of the PUD and a minimum of 100 feet from the east boundary of the PUD. The sign shall not exceed eight feet in height and a display surface area of 24 SF.
	Wall signs shall be permitted, not exceeding 1.5 SF of display surface area per lineal foot of building wall to which affixed. The length of a tenant wall sign shall not exceed 75% of the frontage of the tenant space. No wall sign shall be permitted on the east-, north- or west-facing walls.
	Flashing signs, changeable copy signs, running light or twinkle signs, animated signs, revolving or rotating signs or signs with movement shall be prohibited.

Except as above modified, the development standards established pursuant to the initial approval of PUD-664 shall remain applicable.

**The applicant indicated his agreement with staff's recommendation.**

**TMAPC COMMENTS:**

Mr. Westervelt asked Mr. Reynolds what dictated this application. In response, Mr. Reynolds stated that there was an issue with the location of an existing sewer line.

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, TMAPC voted 7-0-0 (Collins, Coutant, Harmon, Horner, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Hill, Jackson "absent") to **APPROVE** the minor amendment for PUD-665-1, subject to the conditions as recommended by staff.

**Application No.: PUD-450-K/Z-5722-SP-15 MINOR AMENDMENT**

**Applicant:** Roy D. Johnsen (PD-18) (CD-8)

**Location:** South and west of southwest corner of East 92<sup>nd</sup> Street and South 78<sup>th</sup> East Avenue

**STAFF RECOMMENDATION:**

The applicant has modified his application and staff finds these modifications to be minor in nature and therefore recommends **APPROVAL** of the minor amendment as follows:

Limit the requested modifications of the minimum exterior side yards (corner lots) as follows:

**Exterior Side Yard ten feet\*:**

Lots 1 and 7, Block 2

**Exterior Side Yard 15 feet\*:**

Lots 1 and 22, Block 3 and Lots 11 and 12, Block 3

Lots 1 and 22, Block 4 and Lots 11 and 12, Block 4

Lots 31, Block 5

Lots 10 and 11, Block 6

**Exterior Side Yard 20 Feet\*:**

All other lots not above described, provided however, for Lot 1, Block 5 and Lots 1 and 19, Block 6, the required exterior side yard of 20 feet may be modified to 15 feet upon approval of a detail site plan depicting sufficient sight lines.

**Minimum Depth of Required Side Yards from Internal Side Lot Lines:**

5 feet

***\*Garage openings shall be set back not less than 25 feet from an adjoining public street.***

**The applicant indicated his agreement with staff's recommendation.**

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

**TMAPC Action; 7 members present:**

On **MOTION** of **HORNER**, TMAPC voted 7-0-0 (Collins, Coutant, Harmon, Horner, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Hill, Jackson "absent") to **APPROVE** the minor amendment for PUD-405-K-1/Z-5722-SP-15, as modified by applicant.

\* \* \* \* \*

**Application No.: PUD-450-A-3**

**MINOR AMENDMENT**

**Applicant:** John Wyrriick

(PD-26) (CD-8)

**Location:** 6331 East 111<sup>th</sup> Place South

**STAFF RECOMMENDATION:**

The applicant is requesting a minor amendment to decrease the minimum required yards for garages abutting private street right-of-way from 20 feet to 15 feet.

PUD-450-A was approved by the City Council in March, 2000. The PUD consists of 4.5 acres (gross) located at the southwest corner of East 111<sup>th</sup> Street and South Sheridan Road. The PUD is approved for a maximum of 23 single-family dwellings. The applicant had requested that the minimum required yard from private street right-of-way be 15 feet. The Planning Commission recommended and the City Council approved minimum required yards from private street right-of-way for residences at 20 feet and garages at 25 feet. In June, 2000, a minor amendment was filed (PUD-405-A-1) that in part requested that the minimum required yards from private street right-of-way be established at 15 feet for residences and 20 feet for garages. The Planning Commission approved the 15 feet for residences and 23 feet for garages, with the setbacks for the four corner lots to be determined during the platting process. In March, 2001 a minor amendment (PUD-405-A-2) was filed that included reducing the garage setbacks from private street right-of-way from 23 feet to 20 feet. TMAPC approved the request.

Staff cannot support the reduced setback for the garage on Lot 5, Block 1, Woodfield Village from 20 feet to 15 feet because that would produce a driveway only 17 feet long measured from the face of the curb. The proposed 15 feet would not allow adequate off-street parking. Therefore, staff recommends **DENIAL** of the request.

**Applicant's Comments:**

John Wyrrick, 6331 East 111<sup>th</sup> Place South, Tulsa, Oklahoma 74136, stated that he is requesting the 15-foot setback or the subject lot would be useless. He explained that in order to have a 20-foot garage it is necessary to have the reduced setback and a 17-foot driveway.

**TMAPC COMMENTS:**

Mr. Westervelt asked Mr. Wyrrick why he didn't reconfigure his lots in order to resolve this issue. In response, Mr. Wyrrick stated that he didn't anticipate the right-hand turn lane on East 111<sup>th</sup> South and that is why the lot is smaller.

Mr. Midget stated that the short driveway is not practical, but he doesn't see that it would injure the subject development. He commented that he doesn't know how marketable the subject lot would be after it is developed in this nature. He indicated that he would support this application because he doesn't believe that it impacts anything except the subject lot. Mr. Midget concluded that he understands staff's concerns and that they are in the position to recommend approval. Therefore, the decision lies with the Planning Commission.

Mr. Westervelt asked staff if their concern is that there would not be enough room between the end of the hammerhead and the driveway for a car to park in the driveway. In response, Mr. Stump answered affirmatively.

In response to Mr. Westervelt, Mr. Stump stated that the applicant made the subject lot too narrow and the lot to the south is wider. When the applicant realized that he had to dedicate additional right-of-way on 111<sup>th</sup> for a right-hand turn lane, he reduced the width of the subject lot instead of reconfiguring all of the lots. Staff feels the need to reduce the setback is self-imposed and staff cannot support this request.

Mr. Westervelt stated that if the Planning Commission was not inclined to approve this request, then the applicant would need to find additional three feet by reconfiguring lots.

Mr. Ledford stated that the problem with reconfiguring is that the lots to the south each have building lines. Lot 7 has a utility easement on it and reconfiguring would be limited. Between the 15-foot building line and the 17.5-foot easements, there is only 22.5 feet, and regardless of moving the lot line to the south, it would not change. Mr. Ledford agreed that this is a self-imposed hardship. He commented that he is not sure of the length of most cars, but there would be 17 feet for parking.

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

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, TMAPC voted 6-1-0 (Collins, Coutant, Harmon, Horner, Ledford, Midget "aye"; Westervelt "nays"; none "abstaining"; Bayles, Carnes, Hill, Jackson "absent") to **APPROVE** the minor amendment for PUD-450-A-3 of the applicant's request for a reduced setback for the garage on Lot 5, Block 1, Woodfield Village from 20 feet to 15 feet.

\* \* \* \* \*

**Application No.: PUD-345-2**

**MINOR AMENDMENT**

**Applicant:** James Adair

(PD-9) (CD-6)

**Location:** 3708 East 31<sup>st</sup> Street

**STAFF RECOMMENDATION:**

The applicant is requesting a minor amendment to delete the requirement that ground signs be made of brick.

PUD-345 was approved by the City in 1984. The PUD consists of approximately 3.10 acres located at the southwest corner of East 31<sup>st</sup> Street and South New Haven Avenue. The permitted uses are those permitted by right in an OL district. The Tulsa Teachers Credit Union is located on the subject tract. The existing sign standards are as follows:

That all signs shall be consistent with the conditions and requirements of Section 1130.2(b) and that ground signs shall be constructed of brick to match building materials.

The applicant is requesting that the requirement that ground signs shall be constructed of brick to match building materials be deleted. This is a condition that was proposed by the applicant in the original submittal. Staff finds that the request to delete the requirement that ground signs shall be constructed of brick to match building materials does not substantially alter the size, location, number and character of the approved signage.

Therefore, staff recommends **APPROVAL** of the request.

**The applicant indicated his agreement with staff's recommendation.**

**TMAPC COMMENTS:**

Mr. Harmon stated that it seems that the Planning Commission imposes conditions and then casually removes them. If the conditions were important to start with, then they should stay in place. In response, Mr. Dunlap stated that he



researched the case and there was no discussion from the Planning Commission or the neighborhood, but it was something presented the original request. Mr. Dunlap pointed out that the existing sign is not brick and the applicant is requesting to replace the sign that is not brick.

Mr. Harmon stated that if the brick sign was proposed in the first hearing, then nobody would have questioned it, but someone may question this proposal. Mr. Dunlap stated that the public has been notified about the minor amendment and there has been no interest in the case.

Mr. Westervelt asked Mr. Adair what the cost savings would be to install the proposed sign versus a brick sign. In response, Mr. Adair stated that the existing sign is a stucco-base sign and he is not sure why it was not made of brick. Mr. Adair explained that when he applied for a sign permit and sign plan review, INCOG pointed out multiple issues that had be addressed. Mr. Adair stated that the Board of Adjustment has addressed the other two issues and the final issue is to come before the Planning Commission to request an illuminated aluminum sign.

Mr. Westervelt asked Mr. Adair what type of savings would there be between aluminum and brick. In response, Mr. Adair stated that the brick would not be illuminated and the type of sign he is manufacturing would be internally illuminated.

Mr. Westervelt stated that the applicant has not answered his question. Mr. Westervelt explained that he is trying to figure out the difference in the cost between brick versus aluminum. In response, Mr. Adair stated that he doesn't know a lot about brick and masonry, but it could possibly be a four thousand to five thousand dollar venture. Mr. Adair indicated that the subject sign is approximately a seven thousand eight hundred dollar sign.

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

**TMAPC Action; 7 members present:**

On **MOTION** of **MIDGET**, TMAPC voted 7-0-0 (Collins, Coutant, Harmon, Horner, Ledford, Midget, Westervelt "aye"; no "nays"; none "abstaining"; Bayles, Carnes, Hill, Jackson "absent") to **APPROVE** the minor amendment for PUD-345-2 per staff recommendation.

\* \* \* \* \*

There being no further business, the Chair declared the meeting adjourned at 2:20 p.m.

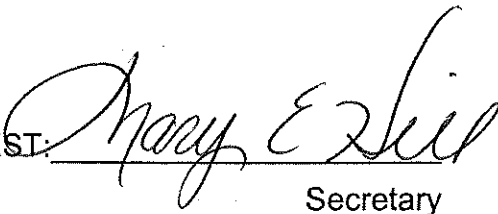
Date Approved:

4.2.03



Chairman

ATTEST:



Secretary