

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1778  
Wednesday, **February 7, 1990**, 1:30 p.m.  
City Commission Room, Plaza Level, Tulsa Civic Center

<b>Members Present</b>	<b>Members Absent</b>	<b>Staff Present</b>	<b>Others Present</b>
Carnes, 2nd Vice Chairman	Kempe Randle	Frank Gardner Setters Stump Wilmoth	Linker, Legal Counsel
Coutant Doherty, Chairman Draughon, Secretary Paddock Parmele Selph, County Designee Wilson, 1st Vice Chairman Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, February 6, 1990 at 10:05 a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Doherty called the meeting to order at 1:38 p.m.

**MINUTES:**

**Approval of the Minutes of January 17, 1990, Meeting #1776:**

On **MOTION** of **WOODARD**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Randle, Selph, "absent") to **APPROVE** the **Minutes of January 17, 1990, Meeting #1776**.

**Approval of the Minutes of January 24, 1990, Meeting #1777:**

On **MOTION** of **WOODARD**, the TMAPC voted **7-0-1** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Woodard, "aye"; no "nays"; Wilson, "abstaining"; Kempe, Randle, Selph, "absent") to **APPROVE** the **Minutes of January 24, 1990, Meeting #1777**.

**REPORTS:** None

## SUBDIVISIONS:

### PRELIMINARY PLAT APPROVAL:

Phillips 66 Centre #27636 (183) NW/c of East 71st St. & South Mingo Rd. (CS)

A site plan was not submitted with this plat for distribution at the time of mailing of the TAC material. However, the developer's engineer delivered same prior to the TAC meeting.

The Staff presented the plat with the applicant represented by Jerry Ledford and H.L. Smits.

PSO advised that flagpole needs to be moved to avoid any overhead lines. Also, PSO noted that applicant needs to be aware of height limitations on signs near their wires. This was not a condition of approval for plat, but to serve notice to applicant to work with PSO for final locations and heights of signs.

The TAC voted unanimously to recommend **approval** of the PRELIMINARY plat of Phillips 66 Centre #27636, subject to the following conditions:

1. If the 24.75' statutory right-of-way is to be dedicated by separate instrument and not included as part of this plat, show Book/Page references for filing.
2. Show number of acres and lot on face of plat. Legal description in written part of plat may need to be more specific. (Metes & bounds) Dimension all easements so they can be accurately plotted.
3. In covenants paragraph B(d) and C(f) are covered by D(a) and could be eliminated as duplication.
4. 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 should be tied to or related to property lines and/or lot lines. (Provide 17.5' easements on north and west by separate instrument or as recommended by utilities after further review of plot plan.)
5. Water plans shall be approved by the Water and Sewer Department prior to release of final plat. Include language for Water and Sewer facilities in covenants (if required.)
6. 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).
7. A request for creation of a Sewer Improvement District shall be submitted to the Water and Sewer Department prior to release of final plat (if required).

Phillips 66 Centre #27636 - Cont

8. Paving and/or drainage plans shall be approved by Stormwater Management and/or City Engineer, including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by City Commission. (On-site detention or fee-in-lieu.)
9. Due to small size of tract, TAC had no objection to waiver of 1" = 50' scale and acceptance of the 1" = 20' as shown.
10. Limits of Access or (LNA) as applicable shall be approved by City/Traffic Engineer. (OK as shown)
11. 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.
12. The key or location map shall be complete.
13. A Corporation Commission letter (or Certificate of Nondevelopment) shall be submitted 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.
14. A "Letter of Assurance" regarding installation of improvements shall be submitted prior to release of final plat, including documents required under Section 3.6-5 of Subdivision Regulations.
15. All Subdivision Regulations shall be met prior to release of final plat.

**TMAPC ACTION: 8 members present**

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Randle, Selph, "absent") to **APPROVE** the **Preliminary Plat for Phillips 66 Centre #27636**, subject to the conditions as recommended by the TAC and Staff.

**REQUEST FOR WAIVER: (Section 260)**

**Z-4340 & Z-5369 (Unpltd)(2103) S & W of AT & SF Railroad & N Toledo Ave (IL)**

This is a request for a partial waiver of plat on the above zoning applications. A small tract, 160' x 260' is to be split from a larger parcel and added to Lot 1, Block 1, North Toledo Industrial Park. No plans for development of the larger unplatted tract around this industrial park have been made, and the current request is only for one building on one small tract that will be used in conjunction with the industrial use already in place on Lot 1, Block 1, North Toledo Industrial

**Z-4340 & Z-5369 Unplatted - Cont**

Park. Since it will be attached to and become a part of the platted subdivision, all parking and setback requirements will be met. Also, all utilities that may be needed will be provided through the existing platted subdivision and the ownership will be the same for both tracts. Staff has no objection to this request, subject to the following conditions:

- a) The property being conveyed by lot split shall be attached to Lot 1, Block 1 of North Toledo Industrial Park.
- b) This waiver only applies to the described 160' x 260' tract. The remainder of Z-5369 and Z-4340 shall remain "subject to platting."
- c) Grading and drainage plan approval through the permit process by Department of Stormwater Management.
- d) Water main extension may be required for fire protection.
- e) Sewer main extension may be required.

The applicant was not represented.

The TAC noted that any further development would require platting as indicated in condition (b).

The TAC voted unanimously to recommend **approval** of the PARTIAL WAIVER OF PLAT on Z-4340 and Z-5369, subject to the conditions outlined by Staff.

**TMAPC ACTION: 8 members present**

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Randle, Selph, "absent") to **APPROVE** the **Partial Waiver Request for Z-4340 & Z-5369 Unplatted**, as recommended by Staff.

\* \* \* \* \*

**Z-4608 City of Tulsa (Unplatted)(1082)**

7212 South Union Avenue

(CS)

This is a request to waive plat on a 1.55 acre tract that will be used as a City of Tulsa Fire Station. A lot split was approved on 2/19/86 (#16617) when the City acquired title to the tract. It is part of a larger commercial tract at the southwest corner of 71st Street and South Union Avenue, which is still "subject to plat" under the above referenced zoning case. Required right-of-way on Union exists and other conditions that would normally be a part of the lot split will be met. Since this is a City of Tulsa tract, it is recommended the waiver be APPROVED, noting that Section 260 has been met through the lot split process. Further, noting that the remaining 9.3 acres north of the fire station site is still subject to platting requirements.

**TMAPC ACTION: 8 members present**

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Randle, Selph, "absent") to **APPROVE** the **Waiver Request for Z-4608 (Unplatted)**, subject to the conditions as recommended by the TAC and Staff.

**LOT SPLITS FOR WAIVER:**

**L-17266 Brumble (2483)**                      4984 East 114th Place South                      (AG)

Staff requested a continuance of this case to allow review by the Board of Adjustment prior to the TMAPC hearing, which is in keeping with a recently established policy by the TMAPC. Mr. Wilmoth suggested a continuance date of March 7th.

**TMAPC ACTION: 8 members present**

On **MOTION** of **WILSON**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Randle, Selph, "absent") to **CONTINUE Consideration of L-17266 (Brumble)** until Wednesday, **March 7, 1990** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

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

L-17267 (2103) Mohawk Steel	L-17273 (1692) Cody/Bowman
L-17271 ( 283) Tulsa-Adams Ltd	L-17274 (1694) Tamarac Homeowners
L-17272 ( 182) Young/Dunlap	

**TMAPC ACTION: 8 members present**

On **MOTION** of **PARMELE**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Randle, Selph, "absent") to **APPROVE** the Above Listed Lot Splits for Ratification of Prior Approval, as recommended by Staff.

OTHER BUSINESS:

**PUD 244-1: Minor Amendment to Reduce Parking & Landscaped Open Space**  
SW/c of East 51st Street & South Yale Avenue

Staff Recommendation:

The applicant is requesting a minor amendment to PUD 244 to reduce the number of required off-street parking spaces from 240 to 232 and the amount of required landscaped open space from 18% to 12%. The request was brought about by the City of Tulsa's desire to acquire 5' of additional right-of-way on approximately the east half of the north side of the property bordering East 51st Street South. Staff has analyzed the impact the right-of-way acquisition will have on the PUD and finds that 6 to 8 parking spaces will be lost, but only about one half of one percent of the landscaped open space will be taken.

Therefore, Staff recommends **APPROVAL** of minor amendment PUD 244-1 as it relates to a reduction in required off-street parking from 240 to 232, but only a reduction of required landscaped open space to 17% of net land area.

Comments & Discussion:

Mr. Gordon McCune (5110 South Yale), representing the applicant, stated agreement with the Staff recommendation.

TMAPC ACTION: 9 members present

On **MOTION** of **CARNES**, the TMAPC voted **8-0-1** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; Selph, "abstaining"; Kempe, Randle, "absent") to **APPROVE** the **Minor Amendment to PUD 244-1 Goulston & Storrs**, as recommended by Staff.

\* \* \* \* \*

**PUD 179-P: Revised Detail Site Plan for Lot 1, Block 2 of Randall Plaza**  
SE/c of East 74th Place & South Memorial Drive

Staff Recommendation:

The applicant wishes to revise a previously approved Detail Site Plan for Lot 1, Block 2 of Randall Plaza to add a 22' canopy over the main entrance to the proposed Ryan's Family Steakhouse. Staff finds the revised Site Plan to be in conformance with the development standards for the PUD and, therefore, recommends **APPROVAL** of the revised Detail Site Plan.

TMAPC ACTION: 9 members present

On **MOTION** of **WOODARD**, the TMAPC voted **8-0-1** (Carnes, Coutant, Doherty, Draughon, Paddock, Selph, Wilson, Woodard, "aye"; no "nays"; Parmele, "abstaining"; Kempe, Randle, "absent") to **APPROVE** the **Revised Detail Site Plan for PUD 179-P Cox**, as recommended by Staff.

PUBLIC HEARING:

**TO CONSIDER PROPOSED AMENDMENTS TO  
THE TULSA CITY & COUNTY ZONING CODES  
AS RELATES TO SIGNS**

Comments & Discussion:

Chairman Doherty, in his opening statements, reviewed the history of work by the TMAPC members and Staff on this issue, which included input from those in the sign industry. Mr. Doherty advised it would be extremely unlikely any decision would be made by the TMAPC at today's hearing. He suggested input and comments be received and referred to the TMAPC's Rules and Regulations Committee for their consideration, with a continuance of the public hearing to a specified date.

Mr. Paddock, Chairman of the Rules & Regulations Committee, stated today's draft proposal represented, over a two-year period, the culmination of hundreds of hours of staff work, meetings with the Sign Advisory Board, and numerous meeting of the Rules & Regulations Committee. Mr. Paddock stated the Committee asked for and received recommendations of the Sign Advisory Board and many were incorporated, in whole or in part, in the draft proposal being presented. The Rules & Regulations Committee also considered amendments from the INCOG Staff, Legal Counsel, Protective Inspections and Traffic Engineering. He remarked the Committee asked for and received input from the Small Business Council of the Chamber of Commerce and from the Citizens District Planning Teams. Mr. Paddock commented, recognizing that better enforcement of the present sign regulations was a key factor in reducing traffic safety hazards and visual clutter in this city, the Committee urged the City of Tulsa to increase the number of sign inspectors, and an additional inspector has been hired. He ended by saying today's draft proposal clarifies present regulations, facilitates enforcement and addresses changing sign technologies. Further, the proposal represented a consensus of the Rules & Regulations Committee.

A presentation was made by Mr. Frank, INCOG Staff, of the highlights of the proposed changes to the Zoning Codes, which had been distributed to the pertinent parties in an Executive Summary format. (Copies of this summary were also available for the interested parties in attendance.) Items listed in this summary included references to signs in PUDs, nonconforming signs, sign height, changeable copy signs/flashing signs, promotional and portable signs, signs on vehicles, maximum business sign size, display surface area, etc. Mr. Frank reiterated the involvement of the Sign Advisory Board in this process. He then answered questions from the Commission to clarify various items under review.

Mr. Larry Wald, representing the City of Tulsa Sign Advisory Board (SAB), submitted a written statement thanking the TMAPC and Rules & Regulations Committee for providing information and allowing the SAB to be part of the study procedure. Mr. Wald advised that, after review of the Committee's recommendations, the SAB agreed, in part, that many of the recommendations are needed. However, the SAB "has voted to go on record in opposition to a number of changes proposed", as follows in the sections pertaining to:

**PUBLIC HEARING: Signs - Cont**

- Any and all flashing lights and time sequence.
- Changing the overall maximum permissible height of signs.
- Maximum permissible square footage of allowable signage.
- Nonconformity of existing signs.
- Recommendations which would cause any commercial zoning to comply to PUD restrictions.

In regard to an article which appeared in a publication called **Doing Business in Tulsa** titled "New City Sign Codes Declare War on Small Business", Mr. Doherty advised receipt of a letter from James Lawrence. Mr. Lawrence advised the "article" was paid for by a local sign company, and he felt this was a "misrepresentation by the publishers". Mr. Lawrence clarified that he "personally knew no one at City Hall" and was "not in any way related to the TMAPC nor sign industry." But he felt "the line of decent and responsible behavior has been crossed and facts misrepresented by method of publication."

**Interested Parties:**

Chairman Doherty advised 57 people had signed the list to speak. However, only the 32 parties listed below chose to speak on record. Additionally, Chairman Doherty stated numerous letters had been received by Staff and the TMAPC over the past months in regard to this issue.

<u>NAME</u>	<u>ADDRESS</u>	<u>REPRESENTING:</u>
Jim Weems	6125 South Memorial	Kinkos Copies
Richard M. Davis	915 North Denver	Brady Heights Neighborhood Assoc.
Kenneth G. Miles	2626 East 34th Street	Greater Tulsa Sign Association (GTSA)
Frank Fellers, Jr.	9810 East 58th	American Banner
Bill Stokely	10111 East 45th Place	Stokely Sign Company
Tim Fox	6252 East 60th	Fox Cleaners
Cecil Jones	7436 South Yale, Suite 520	Tulsa Apartment Assoc.
Ray D. Cosby	8705 East 21st Street	District 5 Co-Chairman
Steve Pharris	1136 South Peoria	Arrow Signs
Kathy Hinkle	1730 West Virgin Street	District 11 Chairman
Harold Chandler	3726 South Peoria	Oil Capitol Chamber
Bob Phillips	10711 East 11th Street	Purity Oil Company
Rex Hall	8935 South 67th East Avenue	Mazzio's Corporation
E.L. Daniel	7940 East 41st Street	Signs Today
Allen M. Tweet	904 W. Southpark Blvd.	N D S
Wyatt Phillips	901 North Mingo	QuikTrip Corporation
Aida Blankenship	4735-A South Memorial	Fastsigns
Norma Towry	8234 East 71st	(shopping center owner)
Sharry White	1518 South Gillette	Inner City Council of Neighbors



PUBLIC HEARING: Signs - Cont

INTERESTED PARTIES (continued)

<u>NAME</u>	<u>ADDRESS</u>	<u>REPRESENTING:</u>
J.D. Lister	7777 East 38th Street	Donrey Outdoor & GTSA
Terry Wilson	7728 East 30th Street	District 5 Chairman
Jon Ferris	Box 3245 (74101)	District 8 Chairman
Hank Bailey	1232 North Cypress, BA	Bailey Boat Company
Leroy Borden	4611 East Admiral Blvd.	Borden's Cafeteria
Fran Pace	1326 South Florence	District 4 Chairman
Norma Turnbo	1822 South Cheyenne	District 7 Chairman
Randy Frederick	212 South Frankfort	F S & W Sign, Inc.
Jill Seal	9909 South 31st West Avenue	SkyView Balloons
Jack Murdock	2612 South 77th East Avenue	Doing Business in Tulsa
Jimmy R. Williams	1327 South 122nd East Avenue	A-Sign Rental
Laura Hill	427 N. Moccasin Pl., Sapulpa	Store Top Balloons
Pete Duggan	8177 South Harvard	Mail Suites, Inc.

STAFF NOTE: Listed below is a summary of the general concerns and areas addressed by the interested parties providing input at this public hearing for future consideration:

- \* Terminology - "business premises" versus "lot".
- \* The various "types" of promotional business signs permitted on a lot at one time; i.e. balloons, portable signs, banners, etc.
- \* Should inflatable roof signs be subject to the same height limitations for ground signs?
- \* The 25', 40' and 50' sign height changes for conventionally zoned districts.
- \* Maximum size of sign; i.e. 300 square feet.
- \* Interval rate for flashing signs; i.e. 3, 4 or 6 seconds.
- \* Running light/twinkle signs versus changeable copy signs versus flashing illumination - what is the difference as it would apply to rate, restrictions and movement?
- \* Regulations for time and temperature signs.
- \* Amortization period for nonconforming signs.
- \* Maintenance of signs.
- \* Signs on vehicles.
- \* Abandoned signs.
- \* Grand opening signs/banners.

**PUBLIC HEARING: Signs - Cont**

- \* Signs in PUDs - should sign setbacks be addressed as in the existing code?
- \* Window signs.
- \* Setback of signs - not less than 40' from an "R" District.
- \* Should sign heights be capped on shallow lots developed nonresidentially which abut a residential development?
- \* For smaller lots, should maximum sign size be a function of lot frontage and the size of the lot?
- \* Banners, flags and pennants in apartment developments.
- \* Add a reference to "encouraging commerce" in the purpose statement.

Other general items discussed, but not directly related to the proposed zoning regulations for signs, included:

- \* Code enforcement - recourses available to discourage violation of the sign regulations and problems with unlicensed contractors doing installations and repairs on signs in Tulsa. (Several statements were made suggesting any further code revisions be postponed until proper inspection/enforcement was in place.)
- \* Code provisions for anchoring of portable signs, and whether to treat these as ground signs.
- \* The amount of time involved in obtaining a permit for promotional signs, which is sometimes longer than the ten day period allowed for the promotional display.

Several of the interested parties stated support of the proposed amendments as a means to better control signage to protect the "streetscapes" in and around Tulsa's residential neighborhoods. Others commented that, based on the written and verbal communications "out in the business industry", their fears were now subsiding upon having clarification of the amendments proposed.

Chairman Doherty thanked those in attendance for submitting their comments. The TMAPC members and Staff discussed an appropriate date for continuance of the public hearing to allow time for review of the input received today, with a motion submitted to continue to March 21, 1990.

**TMAPC ACTION: 6 members present**

On **MOTION** of **PADDOCK**, the TMAPC voted **6-0-0** (Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, "aye"; no "nays"; no "abstentions"; Carnes, Kempe, Randle, Selph, Woodard, "absent") to **CONTINUE the Public Hearing on Zoning Code Amendments Relating to Signs** to Wednesday, **March 21, 1990** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

There being no further business, the Chairman declared the meeting adjourned at 5:46 p.m.

Date Approved 2/21/90  
*James R. DeLoe*  
Chairman

ATTEST:

*Art Braughon*  
Secretary

