

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1833  
Wednesday, April 17, 1991, 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>
Carnes, 1st Vice Chairman	Coutant Harris	Gardner Russell	Linker, Legal Counsel
Doherty, Secretary	Horner	Stump	Jackere, Legal
Draughon, 2nd Vice Chairman	Wilson	Wilmoth Matthews	Counsel
Midget, Mayor's Designee			
Neely			
Parmeale, Chairman			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Clerk on Tuesday, April 16, 1991 at a.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmele called the meeting to order at 1:33 p.m.

**Minutes:**

**Approval of the minutes of April 3, 1991, Meeting No. 1831:**

On MOTION of CARNES, the TMAPC voted 6-0-0 (Carnes, Doherty, Draughon, Neely, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Harris, Horner, Midget, Wilson, "absent") to APPROVE the minutes of the meeting of April 3, 1991 Meeting No. 1831.

**REPORTS:**

**Report of Receipts and Deposits:**

Mr. Gardner presented that Report of Receipts and Deposits for the month ended March 31, 1991 and advised the Commission that all items were in order.

**TMAPC ACTION; 6 members present:**

On MOTION of CARNES, the TMAPC voted 6-0-0 (Carnes, Doherty, Draughon, Neely, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Harris, Horner, Midget, Wilson, "absent") to APPROVE the Report of Receipts and Deposits for the month ended March 31, 1991.

**Chairman's Report:**

Chairman Parmele reminded the Planning Commission of the annual training workshop to be held on April 20, 1991 from 8:15-Noon at the Helmerich Conference Center.

**Committee Reports:**

Mr. Doherty advised the Commission that Councilor Polishuk's committee is reviewing the sign ordinance recommendations made by the TMAPC.

The Budget and Work Program Committee will meet at 11:30 a.m. on April 24, 1991 at INCOG. Mr. Gardner advised that the budget was presented to the Mayor's office at noon and had been reduced from a 5% increase to 3 1/2%.

**Director's Report:**

**RESOLUTIONS TO AMEND THE COMPREHENSIVE PLAN FOR THE TULSA METROPOLITAN AREA BY ADOPTING THE KENDALL-WHITTIER NEIGHBORHOOD MASTER PLAN, PARTICULARLY AS IT REGARDS PLANNING DISTRICTS 3 AND 4.**

Resolution 1832:718 Resolution to Adopt the Kendall-Whittier Neighborhood Master Plan

Resolution 1832:719 Resolution to amend the Comprehensive Plan for District 3

Resolution 1832:720 Resolution to amend the Comprehensive Plan for District 4

Ms. Dane Matthews, INCOG, advised that the adoption of the Kendall-Whittier Neighborhood Master Plan and related amendments to the Comprehensive Plans for District 3 and 4 had been approved at the April 10, 1991 meeting of the TMAPC. The resolutions were prepared and were in order.

**TMAPC ACTION; 6 members present:**

On MOTION of DOHERTY, the TMAPC voted 6-0-0 (Carnes, Doherty, Draughon, Neely, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Harris, Horner, Midget, Wilson, "absent") to APPROVE Resolution No. 1832:718; Resolution No. 1832:719 and Resolution No. 1832:720 as relates to the adoption of the Kendall-Whittier Neighborhood Master Plan and related amendments to the District 3 and 4 Comprehensive Plans.

Mr. Gardner advised that the 11th Street Revitalization Plan would be presented to the City Council on April 18, 1991. He further advised that the current issue of the APA Magazine contained several good articles and he encouraged each Commissioner to look at the magazine, especially the article regarding Houston's recent zoning.

Lastly, he advised that a copy of a resolution between the Pawhuska-Osage County Metropolitan Area Planning Commission and the TMAPC would be included in next week's agenda packet. The resolution, which has already been approved by the Pawhuska-Osage County Metropolitan Area Planning Commission regards TMAPC

providing platting review for areas of Osage County within Tulsa's fenceline. Plats within this area would be filed with INCOG and reviewed by the TAC. TMAPC would then make recommendations to the Pawhuska-Osage County Metropolitan Area Planning Commission.

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**PUBLIC HEARING**

**TO CONSIDER AMENDING THE CITY OF TULSA AND TULSA COUNTY ZONING CODES IN REGARD TO THE SCREENING OF JUNK AND/OR SALVAGE YARDS**

Mr. Gardner, INCOG, advised that this item is a result of direction from the City Council to look at a proposed amendment to the zoning code which would screen salvage and junk yard operations from lower intensity uses (i.e., residential and commercial). Presently there is a federal requirement that requires screening of salvage yards along designated highways. Currently, junk yards and salvage yards are placed in the least restrictive zoning classification. There are no requirements for screening in this classification.

The creation of another Use Unit (Use Unit 28) is being proposed. These types of operations would be listed within this Use Unit. Requirements for screening would be established in the new Use Unit.

Mr. Gardner presented the following proposed amendments to the zoning code.

**Amend Section 212.A.1 and 212.A.2.**

1. Shall be constructed with customarily used fencing materials and shall be designed and arranged to provide a visual separation of uses irrespective of vegetation. The fencing must be uniform in height and, if painted, must be painted in earth-tone colors. The use of a cyclone fence which utilizes inserts of metal or other materials does not meet this screening requirement.
2. Shall not be less than six (6) feet in height; provided however, that uses included in Use Unit 28 shall require a wall or fence of not less than twelve (12) feet in height unless a fence of less height can provide a visual separation of such use from any point five (5) feet above ground level on any portion of the abutting lot, or the abutting street, highway or thoroughfare.

**Amend Section 1227.B.**

B. Included Uses: Manufacturing or Industrial Uses not elsewhere classified except the following:

Automobile Graveyard  
Automobile Salvage  
Automobile Wrecking Yard  
Junk Yard  
Salvage Yard, NEC  
Storage of dismantled automobiles or any form of junk

**Amend Section 1407**

Add:

D. If such use is included in Use Unit 28, the use shall be screened and operated in accordance with the provisions of Section 212.A.1, 212.A.2. and 1228.C. Such screening shall be erected by \_\_\_\_\_, 19\_\_.

**Amended Section 1800**

Add:

**Automobile Graveyard:** Any lot or portion of a lot upon which more than five (5) trailers and/or motor vehicles of any kind is placed, located or found for a period of 90 days or more and said vehicles are exposed to the elements and are incapable of being operated.

**Automobile Wrecking Yard:** The dismantling or wrecking of used motor vehicles or trailers, or the storage, sale, or dumping of dismantled or wrecked vehicles or their parts. An automobile crushing operation is also considered an automobile wrecking yard.

**Junk/Salvage Yard:** An open area where wastes or used or secondhand materials are bought, sold, exchanged, stored, processed or handled. Materials shall include but are not limited to scrap iron and other metals, paper, rags, rubber tires, and bottles.

**Add New Section 1228**

**SECTION 1228. USE UNIT 28. Salvage Yards and Junk Yards**

**A. Description**

Salvage yards, junk yards or the storage of any dismantled vehicles or motor vehicles or any form of salvage or junk.

**B. Included Uses:**

Automobile Graveyard  
Automobile Salvage  
Automobile Wrecking Yard  
Junk Yard  
Salvage Yard, NEC  
Storage of dismantled automobiles or any form of junk

**C. Use Conditions:**

1. The uses included in Use Unit 28 shall be screened from all abutting lots zoned AG, R, PK, O, C, CO, SR, or IL and in addition shall be screened from all abutting streets, highways and thoroughfares, by the erection of a screening wall or fence.
2. The stacking of junk or salvage shall not exceed the height of the screening fence.

**D. Off-Street Parking and Loading Requirements**

<u>Uses</u>	<u>Parking Spaces</u>	<u>Loading Berths</u>
All uses	1 per 100 SF of floor area	1 per 2,000 to 40,000 SF of floor area plus 1 per 40,000 to 100,000 SF, plus 1 per load additional 100,000 SF of floor area.

Mr. Gardner advised that all of those salvage/junk operations which were listed in the yellow pages of the telephone directory were notified of the public hearing.

**Comments and Discussion:**

Mr. Doherty advised that the Rules and Regulations Committee voted unanimously to recommend to the TMAPC that screening of salvage yards and similar operations as outlined by staff be required. The Committee had much discussion regarding the best way to accomplish this. It was determined that the establishment of a separate Use Unit would best handle the situation. The height of the required screening as well as a time frame allowed to accomplish this had been discussed in much length. It was the general feeling of the

Committee that six months would be adequate, however provisions should be made to omit this from posing undue hardship on a business and that Board of Adjustment relief be allowed.

Chairman Parmele commented that he thought the Committee decided on a minimum 8' screening fence and he inquired why the minimum was changed to 6'. Mr. Gardner replied that height is in conformance with other screening height restrictions.

Interested Parties:

**Dorothy DeWitty, City Councilor, District 3** **200 Civic Center**  
According to Councilor DeWitty, the intent of her involvement is not to create an economic hardship, but to stimulate economic growth in a depressed environment. She commented that she strongly supports the addition of Use Unit 28.

**Norman Latham** **1540 East Pine**  
Mr. Latham was present representing the Greater Tulsa Auto and Truck Dismantlers Association. He distributed a news article (printed sometime in 1976) to the Planning Commission regarding previous junk yard screening requirements which failed. He asked that the Planning Commission seriously consider what they are asking the members of the association to do. He agreed that the sight of dismantled vehicles is not a pleasant one, but that their business was necessary. They benefit the community by keeping abandoned and disabled vehicles off city and county roadways and parking lots. The unexpected, extremely high cost of screening could put many of the members out of business. In 1965 a law was passed requiring that those salvage yards, already in existence, within 1000' of any federally funded highway must be screened at no expense to the salvage owner. If the yards could not be sufficiently screened they were to be removed. The state received several million dollars to accomplish this. Most of the members of their association were in existence long before 1965, but no one ever received any money or assistance in screening. The state now claims the money is gone.

Mr. Latham was concerned with the requirement that the stacking of junk or salvage shall not exceed the height of the screening fence. Many own storage racks on which they store dismantled parts. These racks are often 25-30' in height. No fence could be feasibly built to hide these racks.

He also stated concerns about fencing that would withstand Oklahoma weather. He asked staff who the screening would be for, adjoining properties or those driving by? Mr. Gardner advised it would be for both.

He emphasized again the cost of constructing the screening. He asked whether federal or state assistance was available. Mr. Doherty commented that screening is not just required of junk yards. Several other uses required screening and the government

does not pay for the screening fences. He asked Mr. Latham why the government should pay for their screening. Mr. Latham answered that he was not asking that the government pay for their screening. He was only making the fact known that at one time government funds were available, apparently none of it was ever expended and now the state does not know what happened to those funds.

Mr. Doherty asked how a date could be determined which would be fair to the owners for their screening to be completed. Mr. Jackere stated that one way would be to survey existing junk/salvage yards in the City of Tulsa for size to determine what type of screening the average business is going to require. Then some type of formula could be formatted. Mr. Doherty inquired whether an aerial survey would suffice. Mr. Jackere commented that by survey he meant a study should be completed.

Mr. Jackere suggested that many junk/salvage yards are very spread out. It might be possible for the owner to compact their merchandise into a smaller area and screen the smaller area. Additional area could be added as they accumulate funds to expand their business with a larger screening fence.

The following persons also spoke at the public hearing:

Vernon Long	1615 East Pine
Walton Ward	Route 1, Box 707, Sperry
Wayne Campbell	Route 1, Box 347, Sperry
John May	1 West Third, Suite 700
Fred Griffith	3124 N. Peoria
Dale Pittman	9101 East 46th Street North
Bertha Wise	P. O. Box 9222

Their concerns were the same as those given by Mr. Latham. In short, many stated that the cost of fencing their junk/salvage yards (some are several acres) could put them out of business. They asked that the Planning Commission seriously consider the cost. Everyone speaking at the hearing showed no objection to the idea of screening their junk/salvage yards, they only objected to the cost and time constraints.

The following list of persons signed in to speak at the hearing but did not speak stating that their concerns were the same as those given by previous speakers.

J. Campbell	HC 67, Box 300, Skiatook
Herbert Brown	3821 N. Lewis
Sandy Beard	2039 N. Yale
Earl Reynolds	Route 8, Box 590
Sharon Beverly	9400 N. Peoria, Sperry
Shirley Fautt	5656 S. Mingo
Paul Mauldin	13892 East Apache
Sam Slavens	Box 1570, Oakhurst
Don Tunnell	P. O. Box 484, Oakhurst

Hilton Salvage	Route 3, Box 218, Sapulpa
Joe Caldwell	3124 North Peoria
Bill Bennett	Route 3, Box 222, Sapulpa
Danny Tunnell	6415 S. 63 W. Ave.
Fred Oates	7248 North Peoria, Turley

Mr. Doherty commented that it was not the intention of the Committee to require screening next to industrial-medium intensity. It may be that many of the yards would not have to screen all of the boundaries.

Mr. Latham agreed with Mr. Doherty that there is a problem with junk/salvage yards that are spread out over several acres with weeds growing up between them, etc. He stated that, at least the members of his association are trying to rectify that problem.

Some discussion was held regarding the cost of fencing and type of fencing that would withstand Oklahoma weather, etc.

It was determined that more time was needed to review the proposed amendments and the information and concerns brought forth during the public hearing. Mr. Doherty moved for a continuation of the public hearing.

**TMAPC ACTION; 7 members present:**

On MOTION of DOHERTY, the TMAPC voted 6-0-1 (Carnes, Doherty, Midget, Neely, Parmele, Woodard, "aye"; no "nays"; Draughton "abstaining"; Coutant, Harris, Horner, Wilson, "absent") to CONTINUE the public hearing to consider amending the City and County of Tulsa Zoning Codes in regard to the screening of junk and salvage yards until June 19, 1991 at 1:30 p.m. Francis F. Campbell City Council Room, Plaza Level, City Hall.

Chairman Parmele directed staff to study the cost of fencing, the amount of screening for an average junk/salvage yard and to look into state laws concerning screening.

**SUBDIVISIONS:**

**PRELIMINARY APPROVAL:**

Higher Dimensions (1383) (PD 18) (CD 8)  
8621 S. Memorial Drive

(AG)

This plat is a result of a Board of Adjustment action approving a conceptual master plan for the existing church on this property. Additional land is being included that was not included in the original exception for church use. Most of the plat is parking and drainageway.



The Staff presented the plat with the applicant represented by Steve Wolfe and Kerry Miller.

D.P.W. (Stormwater) advised that applicant has the option of fee-in-lieu or on-site detention. A brief discussion indicated that dividing the tract into several lots might be better for meeting the storm water requirements, but this would be a problem from a zoning standpoint. Applicant was advised to work with D.P.W.. for the various ways to meet their requirements. This will be covered in condition #6 below.

On MOTION of HILL, the Technical Advisory Committee voted unanimously to recommend **approval** of the PRELIMINARY plat of *Higher Dimensions* subject to the following conditions:

1. Show a solid line around the "Reserve" area since that is similar to a lot line.
2. 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 easement for existing PSO line and sanitary sewer line)
3. Water plans shall be approved by the Department of Public Works (Water and Sewer) prior to release of final plat. Include language for Water and Sewer facilities in covenants. (Fire line will be required.)
4. 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 owners(s) of the lot(s).
5. A request for creation of a Sewer Improvement District shall be submitted to the Department of Public Works (Water and Sewer) prior to release of final plat. (If required)
6. Paving and/or drainage plans shall be approved by the Department of Public Works (Stormwater Management and/or Engineering), including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by the City of Tulsa.
7. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Department of Public Works (Engineering Division). (If required.)
8. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by the D.P.W. (Traffic). (Center access will be "right-turn-only")

9. 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.
10. The key or location map shall be complete. Show Country Club as "unplatted". Show new subdivisions.
11. 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. If plugged, provide plugging records.
12. 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.
13. All Subdivision Regulations shall be met prior to release of final plat.

The Board of Adjustment approved the special exception to permit the church use, as per plan submitted, including a number of specific conditions. Those conditions are to be incorporated into the conditions of approval for this plat. They are as follows:

1. Use of educational building shown be clarified as to whether the facility is a private school. If existing portable classrooms/meeting rooms are to remain, then detail on site plan.
2. The existing maintenance/repair shop building is not shown on site plan. If this facility is to remain, it should be shown on the site plan.
3. Due to the proximity of dwellings to the east of the subject property, Staff would recommend all outdoor activities associated with the softball field and other recreational uses be limited to the daylight hours only.
4. No large outdoor lighting facilities be allowed from the east boundary of the paved parking areas to the east property line. Only security lighting to be allowed in this area along nature trails, park shelter and restroom areas.
5. Compliance with the City of Tulsa Subdivision ordinance be required.

6. Compliance with the Department of Public Works Flood Hazard Regulations as portions of the subject tract are located within the floodway, floodplain and flood fringe areas of Haikey Creek.
7. All landscaping, as detailed on the submitted site plan, along the develop area boundary and all interior landscaping be a condition of approval as the request is in substantial compliance with the proposed landscape standards being prepared by the INCOG staff at this time for TMAPC adoption.
8. Signs must comply with the Zoning Code including existing signs.

**TMAPC ACTION; 7 members present:**

On MOTION of WOODARD, the TMAPC voted 7-0-0 (Carnes, Doherty, Draughon, Midget, Neely, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Harris, Horner, Wilson, "absent") to APPROVE the Preliminary Plat for Higher Dimensions (1383) subject to the conditions as recommended by the TAC and subject to the conditions of the Board of Adjustment.

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**EXTENSION OF APPROVAL:**

Cedarcrest Park Homes East 90th Street and South College Avenue

**Staff Recommendation:**

Mr. Wilmoth advised this was the first request for extension and staff recommended approval.

**TMAPC ACTION; 7 members present:**

On MOTION of CARNES, the TMAPC voted 7-0-0 (Carnes, Doherty, Draughon, Midget, Neely, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Harris, Horner, Wilson, "absent") to APPROVE a one year EXTENSION OF APPROVAL for Cedarcrest Park Homes as recommended by staff.

**WAIVER REQUEST: Section 213**

**Z-5670 Anderson Addition 5656 South Mingo Road IL**

**Staff Recommendation:**

This is a request to waive plat on Lot 6 and the east 115' of Lot 7, Block 1 of the above addition. The property contains a dwelling and a car lot. No changes in use are proposed and the owner is not planning any new structures. It was noted that those lots to the south across 58th Street were included in Z-5783 as a group

consisting of all of Block 2. A requirement to replat all that block was made, but the zoning ordinance was never published and the block remains RS-3. The present application was not included in that request and this is noted only for information. Lot split #13353 was approved 9/4/74 on Lot 7. (W. 85') Since the tract is already platted and is not within that area where replatting was recommended staff recommended approval, subject to the following:

- a. Grading and/or drainage plan approval by Department of Public Works (Stormwater) through the permit process. Fee in-lieu-of detention can be paid for any increase in development.
- b. Access control agreement on South Mingo as recommended by DPW (Traffic Engineering). (No restrictions on 58th Street. File documentation for access point on Mingo Road.)

The applicant was represented at the TAC meeting by Ron and Shirley Fautt.

On Motion of Hemphill, the TAC voted unanimously to recommend approval of the waiver of plat on Z-5670, subject to the conditions outlined by TAC and staff.

Mr. Wilmoth advised that staff recommended approval subject to the above conditions recommended by the TAC.

**TMAPC ACTION; 7 members present:**

On MOTION of CARNES, the TMAPC voted 6-0-1 (Carnes, Doherty, Midget, Neely, Parmele, Woodard, "aye"; no "nays"; Draughon "abstaining"; Coutant, Harris, Horner, Wilson, "absent") to APPROVE the WAIVER REQUEST for Z-5670 as subject to the conditions as recommended by staff.

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

L-17339 (1793)	Anderson/Carter	2536 E. 22nd St.
L-17394 (1713)	McCreary	9839 N. Lewis E. Ave.
L-17396 ( 783)	American Bank & Trust	1426 E. 71st St.
L-17399 (2292)	Underwood	3648 S. 31st W. Ave.
L-17401 (3194)	Parise	10710 E. 55th Pl. S.
L-17402 (2492)	Wendy's	3524 S. Peoria Ave.
L-17404 (3193)	Ellis	5705 S. Rockford Pl.

Staff Recommendation:

Mr. Wilmoth advised that all items were in order.

TMAPC ACTION; 7 members present:

On MOTION of CARNES, the TMAPC voted 6-0-1 (Carnes, Doherty, Midget, Neely, Parmele, Woodard, "aye"; no "nays"; Draughon "abstaining"; Coutant, Harris, Horner, Wilson, "absent") to RATIFY the above listed lot splits as having received prior approval and as having met all conditions of approval.

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**PUD 257-4:** Minor Amendment to the Sign Requirements and Building Setbacks  
Detail Sign Plan

Staff Recommendation:

The applicant is requesting a minor amendment to the sign conditions of PUD 257. The current standards allow 2 ground signs on 51st Street each with a maximum of 32 SF of display surface area and a maximum height of 15'. No wall signs were permitted. The amendment proposes to eliminate one of the ground signs and allow one wall sign on the north face of the fourth floor of the existing building with a maximum display surface area of 56 SF.

Also, it was discovered that the floor of the existing office building infringes on the required setbacks for the PUD. This is because the fourth floor protrudes approximately 6 feet beyond the building wall of the other three floors. Because of this the applicant is requesting a reduction in the required building setbacks for the fourth floor.

Staff finds the amendments to be minor in nature and recommends **APPROVAL** of the following amendments and conditions to PUD 257.

**Signs Allowed:**

One ground sign on East 51st Street South with a maximum display surface area of 32 SF and a maximum height of 15'.

One wall sign which must be on the north side of the building with a maximum display surface area of 56 SF. No permit to erect this wall sign shall be issued until the number of ground signs in the PUD has been reduced to one.

NO SIGN PERMITS SHALL BE ISSUED FOR ERECTION OF A GROUND OR WALL SIGN WITHIN THE PUD UNTIL A DETAIL SIGN PLAN HAS BEEN SUBMITTED TO THE TMAPC AND APPROVED AS BEING IN COMPLIANCE WITH THE APPROVED PUD DEVELOPMENT STANDARDS.

Supplemental Building Setback Requirements:

All buildings above the third floor shall have a minimum setback as follows:

From south boundary of PUD           40'  
From west boundary of PUD           120'  
From centerline of 51st Street       93'

**PUD 257:**           Detail Sign Plan -- Southeast corner of East 51st Street South and South Columbia Place

Staff Recommendation:

The new Detail Sign Plan for PUD 257 proposes to remove the western most ground sign and install a wall sign on the fourth floor of the north side of the existing office building. The new (4' x 14') wall sign would contain 56 square feet of display surface area. If minor amendment PUD 257-4 is approved by the TMAPC, staff would recommend **APPROVAL** of the Detail Sign Plan subject to the following condition:

1. A sign permit for the erection of the new wall sign NOT be issued until the western ground sign is removed.

TMAPC ACTION; 7 members present:

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Carnes, Doherty, Draughon, Midget, Neely, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Harris, Horner, Wilson, "absent") to **APPROVE** the Minor Amendment to the sign requirements and the building setbacks and the Detail Sign Plan subject to the conditions as recommended by staff.

\* \* \* \* \*

**PUD 253-A-3:**   Minor Amendment to modify the landscaping and buffering requirements -- Southwest corner of East 51st Street South and South Marion Avenue.

Staff Recommendation:

The applicant never received landscape plan approval for a development which has existed for a number of years. He is now proposing that the landscaping and berming requirements of the PUD be modified to conform to the landscaping presently on the site. The specific requirements the applicant would delete are as follows:

1. A berm approximately 3' in height covered with shrubs, groundcover and specimen trees is to buffer Marion Avenue from the office building. This must also screen the eastern most structure in the PUD from the residential views.

2. Specimen trees will be planted along the fence at the south property line to soften the image. (The concept landscape plan shows 6 trees. There are presently only 2 shrubs and no specimen trees.)

Staff can support deletion of the 3' berm, but in its place at least 2 additional evergreen trees, such as Austrian Pines, should be provided on the east side of the building nearest to Marion Avenue.

Staff has no objections to deleting requirement number 2 above because the existing masonry screening wall and trees on residential property to the south provide a sufficient buffer.

With the above modifications, Staff recommends **APPROVAL** of minor amendment PUD 253-A-3.

If the minor amendment PUD 253-A-3 is approved by the TMAPC per the Staff conditions, then staff recommends **APPROVAL** of the Detail Landscape Plan with the additional trees required above.

**TMAPC ACTION; 7 members present:**

On **MOTION** of **CARNES**, the TMAPC voted **7-0-0** (Carnes, Doherty, Draughon, Midget, Neely, Parmele, Woodard, "aye"; no "nays"; no "abstentions"; Coutant, Harris, Horner, Wilson, "absent") to **APPROVE** the minor amendment to Landscape Plan and the Detail Landscape Plan subject to the conditions as recommended by staff.

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**PUD 168-6:** Minor Amendment in Development Area A to increase the permitted size of wall signs -- East of the southeast corner of East 81st Street South and South Harvard Avenue. (Furr's Cafeteria)

The applicant is proposing that the maximum size of wall signs on Tract 1 (Furr's Cafeteria) be increased from 1-1/2 SF per linear foot of wall to 2 SF. This is the maximum allowed by the PUD Chapter provisions. Since the 1-1/2 SF limitation was originally imposed in the developer's outline development plan and not imposed by TMAPC, and since other stores in the area have this or larger size wall sign ratios, staff can support the amendment with the following condition.

*No wall signs are allowed on the east or south sides of the building.*

Therefore, Staff recommends that minor amendment PUD 168-6 be **APPROVED** with the above condition.

**TMAPC ACTION; 7 members present:**

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-1** (Carnes, Doherty, Draughon, Midget, Parmele, Woodard, "aye"; no "nays"; Neely "abstaining"; Coutant, Harris, Horner, Wilson, "absent") to **APPROVE** the Minor Amendment to increase the permitted size of wall signs in Tract 1 of Development Area A from 1 1/2 SF per linear foot of wall to 2 SF per linear foot of wall subject to the condition that no wall signs are allowed on the east or south sides of the building.

There being no further business, the Chairman declared the meeting adjourned at 3:04 p.m.

Date Approved: 5-1-91

  
Chairman

ATTEST:

  
Secretary