

TULSA METROPOLITAN AREA PLANNING COMMISSION

Minutes of Meeting No. 1994

Wednesday, October 12, 1994, 1:30 p.m.

City Council Room, Plaza Level, Tulsa Civic Center

Members Present

Gray
Harris
Horner
Midget
Pace
Parmele
Wilson

Members Absent

Ballard
Carnes
Doherty
Neely

Staff Present

Gardner
Hester
Jones
Stump

Others Present

Linker, Legal
Counsel

The notice and agenda of said meeting were posted in the Office of the City Clerk on Monday, October 10, 1994 at 10:40 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 1:40 p.m.

Minutes:

Approval of the minutes of September 28, 1994, Meeting No. 1992:

On **MOTION** of, **HORNER** the TMAPC voted **6-0-0** (Gray, Harris, Horner, Pace, Parmele, Wilson "aye"; no "nays"; no "abstentions"; Ballard, Carnes Doherty, Midget, Neely "absent") to **APPROVE** the minutes of the meeting of September 28, 1994 Meeting No. 1992.

REPORTS:

Chairman's Report:

Chairman Parmele informed Mr. Gardner that the Planning Commission needs to coordinate with City Council Staff on reviewing street closings so that the requests are sent to TMAPC prior to being placed on the City Council agenda. He advised of the need to coordinate with the City Council Staff Zoning Code Amendments that are sent to Committee, and that he would like a Committee hearing prior to the amendments being placed on City Council agenda for hearing.

Mr. Gardner informed that he has asked that amendments be placed in Committee prior to placement on the agenda; however, it is the prerogative of the Councilor who is the head of the Committee to which the amendment is assigned to decide whether or not it goes to Committee first.

Chairman Parmele informed of talking with Councilor Benjamin, who agreed with the concept, if it can be worked out to save time to keep from delaying the hearing items at the Council.

Chairman Parmele instructed Staff to follow-up on this and for review of street closings prior to the City Council hearings.

Director's Report

Receipts for TMAPC and Boards of Adjustment for September 1994.

Mr. Gardner announced that backup was omitted from the agenda packets and this item will be presented at a later date.

PUBLIC HEARING ON AMENDMENTS TO SUBDIVISION REGULATIONS:

To amend Subsections 1.10 Modifications, 4.5 Lots, and Section 6 Lot-split Procedures of Standards of the Tulsa Metropolitan Area Subdivision Regulations by providing that all residential lots shall contain no more than three side lot lines require a waiver of the Subdivision Regulations adding a definition for cul-de-sac streets and other related matters.

Chairman Parmele suggested that this item be continued to October 19 in order to review the language for the definition of cul-de-sac.

There were no interested parties in attendance.

TMAPC Action; 7 members present:

On **MOTION** of **WILSON**, the TMAPC voted **7-0-0** (Gray, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; "abstaining"; Ballard, Carnes, Doherty, Neely "absent") to **CONTINUE** the Public Hearing on Amendments to the Subdivision Regulations to October 19, 1994.

Chairman Parmele instructed Staff to schedule a Rules and Regulations Committee for Wednesday, October 19, 11:30 a.m. to review definitions for cul-de-sac.

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SUBDIVISIONS:

Consider "Partial Amendment to Certificate of Dedication" for Oaktree Pointe Estates.

Staff Comments

Mr. Jones informed that Oaktree Pointe Estates is part of the Gilcrease Development, PUD 189. He informed that amendments to the Restrictive Covenants require approval from TMAPC and sometimes the approval of City Council as well. Mr. Jones informed that he and Mr. Linker reviewed the amendments and made suggested changes in wording to protect the City.

Applicant's Comments

Mike Hackett

406 South Boulder, Suite 820 74103

Mr. Hackett, attorney for the Gilcrease Hill Homeowners Association (HOA), gave a history of the neighborhood and explained the need for the proposed changes to the Restrictive Covenants.

Chairman Parmele referenced suggested changes made by the Legal Department, and Mr. Hackett expressed agreement with conditions imposed in an effort to expedite the amendment.

Mr. Linker informed that the Planning Commission must sign a Certificate of Dedication; however, there was an amendment filed without TMAPC approval and now Mr. Hackett is attempting to correct that situation through a document approved by the Planning Commission.

Chairman Parmele informed that the TMAPC might make changes and approve this document, but a correct document for signature and sign-off by the City Attorney's office prior to it being filed is required.

There was lengthy discussion over giving approval to a filed document that the TMAPC did not agree to initially, making amendments without signatures and the proper method of procedure.

Mr. Hackett suggested continuing this item for two weeks to allow him to meet with the Legal Department to work out a resolution to this issue.

Chairman Parmele indicated that the Planning Commission would probably be agreeable to the suggested changes with the modifications as presented.

TMAPC Action; 7 members present:

On **MOTION** of **HARRIS**, the TMAPC voted **7-0-0** (Gray, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; "abstaining"; Ballard, Carnes, Doherty, Neely "absent") to **CONTINUE** consideration of **PARTIAL AMENDMENT** to **CERTIFICATE** of **DEDICATION** for Oaktree Pointe Estates to October 26, 1994.

FINAL APPROVAL AND RELEASE:

Union Elementary #11 Addition (PUD-364)(1984) (PD-18)(CD-8)
South of the southeast corner of East 97th Street South & South Mingo Road.

Staff Comments

Mr. Jones informed that the plat meets Subdivision Regulations, all release letters have been received and Staff recommends **APPROVAL**.

Ms. Wilson asked if the fence and walkway access has been resolved.

Mr. Jones advised that a representative from Union Public Schools informed that the issue has been resolved. He added that all parties have been made aware of the Planning Commission's concerns regarding fencing.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Gray, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; "abstaining"; Ballard, Carnes, Doherty, Neely "absent") to **APPROVE** the **FINAL PLAT** of Union Elementary #10 and **RELEASE** same as having met all conditions of approval as recommended by Staff..

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RECONSIDERATION OF FINAL APPROVAL AND RELEASE:

Albertson's #2237 (PUD-512)(784) (PD-18)(CD-8)
Southwest corner of East 71st Street South & South Garnett Road.
Amendment to final plat

TMAPC Action; 7 members present:

On **MOTION** of **HARRIS**, the TMAPC voted **7-0-0** (Gray, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; "abstaining"; Ballard, Carnes, Doherty, Neely "absent") to **RECONSIDER** Albertson's #2237.

Staff Comments

Mr. Jones explained that the original plat had a mutual access easement through the center of the tract, with the first revision deleting it and placing a new mutual access along the north and south of the tract. All parties now agree that there will be no mutual access shown on the plat; instead, there will be wording in the Deed of Dedication Restrictive Covenants denoting access permitted to and from Lot 2 to future developments to the west and south if such access is deemed appropriate by the Planning Commission and approved. Mr. Jones informed that all parties are in agreement.

Applicant's Comments

Charles Norman, attorney for Albertson's, expressed agreement with the procedure.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Gray, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; "abstaining"; Ballard, Carnes, Doherty, Neely "absent") to **APPROVE** the FINAL PLAT of Albertson's #2237 and **RELEASE** same as having met all conditions of approval as amended and as recommended by Staff.

CONTINUED ZONING PUBLIC HEARING

Application No.: **Z-5903-SP-1**

Applicant: John W. Moody

Location: Northeast corner of East 66th Street South & South Mingo Road.

Date of Hearing: October 17, 1994

Chairman Parmele announced that the applicant has requested a continuance to November 9, 1994 in order to readvertise an amended legal description for the subject property.

There were no interested parties in attendance.

TMAPC Action; 7 members present:

On **MOTION** of **WILSON**, the TMAPC voted **7-0-0** (Gray, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; "abstaining"; Ballard, Carnes, Doherty, Neely "absent") to **CONTINUE** Z-5903-SP-1 to November 9, 1994.

ZONING PUBLIC HEARING:

Application No.: **Z-5636-SP-2**

Applicant: Reynolds Outdoor of Tulsa/C. Mark Byrom

Location: South side of East 45th Street South and west of South Garnett Road.

Date of Hearing: October 12, 1994

**Corridor Site Plan
East of the northeast corner of the Broken Arrow Expressway
and the Mingo Valley Expressway**

The applicant is proposing a 672 SF outdoor advertising sign which is 40' high and 10' from the south and east property lines of Lot 1, Block 2, Towne Centre II. There are no other outdoor advertising signs within 1,200' of this proposed sign on this side of the expressways. On the south side of the Broken Arrow Expressway between Garnett Road and the Mingo Valley Expressway there are six existing outdoor advertising signs. To the east and west of the proposed sign are office developments. Staff finds the proposed sign compatible with existing development at this location and therefore recommends **APPROVAL** of the Corridor Site Plan for Z-5636-SP-2.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Gray, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; "abstaining"; Ballard, Carnes, Doherty, Neely "absent") to recommend **APPROVAL** of the Corridor Site Plan for Z-5636-SP-2 as recommended by Staff.

LEGAL DESCRIPTION Z-5636-SP-2

Lot 1, Block 2, Town Centre II, and located on the southwest corner of 45th Street and South Garnett Road, Tulsa, Oklahoma.

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Application No. : **PUD-507-2**

Applicant: Dan Alaback

Location: East of the southeast corner of East 71st Street South & South Memorial Drive.

Date of Hearing: October 12, 1994

Minor Amendment
Lot 2, Block 1, Woodland Hills Plaza
West of ½ section, south of East 71st Street South
between South Memorial Drive and South Mingo Road

The applicant requests approval of a Minor Amendment to allow occupancy of a portion of two buildings prior to approval of a finalized landscape plan and prior to completion of installation of plant material.

Staff recommends **APPROVAL** subject to the following:

1. Occupancy of the westerly portion of the Blockbuster building (east building) and the southerly portion of the Barnes-Noble building (west building) will not be permitted until such time as a landscape plan is approved and landscape installation is complete.
2. Landscape installation will be complete prior to March 15, 1995.
3. No occupancy of buildings in Phase II of Lot 2, Block 1 is permitted prior to installation of landscaping.

TMAPC Comments

Ms. Wilson commented that fall is an excellent season for planting and asked why the applicant did not install some of the landscaping now.

Mr. Stump explained that the trees available for planting are left over from spring and the newer healthy trees will not be available until after the root system goes dormant, sometime towards the end of fall, according to the applicant.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Gray, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; "abstaining"; Ballard, Carnes, Doherty, Neely "absent") to **APPROVE** PUD 507-2 MINOR AMENDMENT as recommended by Staff.

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OTHER BUSINESS

PUD-105-A: Detail Sign Plan - southwest corner of East 81st Street South and South Yorktown Avenue - 8110 South Yorktown Avenue

The applicant requests approval for one (1) ground sign for a QuikTrip convenience store which will replace the existing sign.

Staff has reviewed the request and has determined that the sign as proposed conforms to PUD standards.

Therefore, Staff recommends **APPROVAL** subject to the following:

1. The existing sign shall be removed prior to installation of the proposed sign.
2. The proposed sign shall be located at the existing location.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Gray, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; "abstaining"; Ballard, Carnes, Doherty, Neely "absent") to **APPROVE** PUD 105-A DETAIL SIGN PLAN as recommended by Staff.

PUD-179-C: Detail Sign Plan - Lot 3, Block 1, El Paseo Addition, Centre 71 Shopping Center - 8268 East 71st Street South

The applicant requests approval of a wall sign for the South elevation of Angel's Bridal. Staff finds the proposed sign to conform to PUD standards and therefore recommends **APPROVAL**.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Gray, Harris, Horner, Midget, Pace, Parmele, Wilson "aye" ; no "nays"; "abstaining"; Ballard, Carnes, Doherty, Neely "absent") to **APPROVE** PUD-179-C **DETAIL SIGN PLAN** as recommended by Staff.

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PUD-235-A: Revised Site Plan Review - Lot 3, Block 1, Flynn Plaza - East 71st Street South and South 92nd East Avenue

The applicant requests approval of revisions to a previously approved site plan. These revisions include the deletion of a joint access easement into Lot 4 and a new building to be built in the existing Lot 3.

Staff has reviewed the request and has determined that the deletion of the access easement conforms to the originally approved PUD concept. The easements to the east and west will remain. Staff has also determined that the placement of a primary structure which straddles a lot line constitutes a lot tie and consequently combines allocated floor area, parking requirements and other standards of the PUD. Staff therefore recommends **APPROVAL**.

TMAPC Action; 7 members present:

On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Gray, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; "abstaining"; Ballard, Carnes, Doherty, Neely "absent") to **APPROVE** PUD 235-A **REVISED SITE PLAN** as recommended by Staff.

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PUD-411: Detail Sign Plan - Lot 1, Block 1, Jim Norton Center - 9809 South Memorial Drive

The applicant requests sign approval for Jim Norton Toyota. The request includes two (2) directional signs, three (3) wall signs, and two (2) ground signs.

Staff has reviewed the request and finds that the directional and wall signs comply with PUD standards. Therefore, Staff recommends **APPROVAL**.

Staff has also reviewed the request for ground signs and finds that the PUD standards limit ground signs to one (1) per "dealership".

The applicant's request is for a ground sign at the entry to the new car sales facility and at the entry to the used car sales facility. The signs as proposed conform to PUD height and area standards.

Staff recommends **APPROVAL** of the ground signs subject to the following:

1. Planning Commission's determination that a Used Car operation housed in a separate facility on the same lot constitutes a separate and distinct "dealership".

TMAPC Comments

It was noted that the dealership to the north, Fred Jones Ford, has a separate sign; however, that dealership had two separate lots. It was the consensus of the Planning Commission that the new and used car dealerships should be considered as two separate dealerships.

TMAPC Action; 7 members present:

On **MOTION** of **MIDGET**, the TMAPC voted **7-0-0** (Gray, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; "abstaining"; Ballard, Carnes, Doherty, Neely "absent") to **APPROVE** PUD-411 **DETAIL SIGN PLAN** as recommended by Staff.

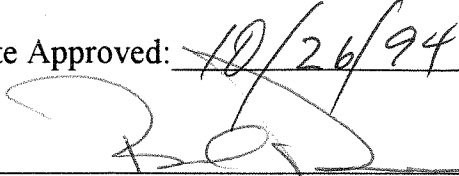
PUD-489 Detail Site Plan - Golden Corral - Lot 4, Block 1, 71 Mingo Center - north of the northwest corner of East 71st Street South and South Mingo Road.

Golden Corral is requesting approval of a new sign on the east side of the building. The sign as proposed complies with PUD standards; therefore, Staff recommends **APPROVAL**.

TMAPC Action; 7 members present:

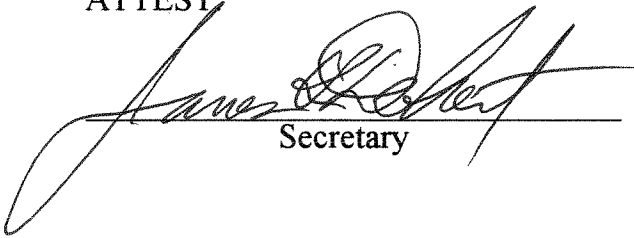
On **MOTION** of **HORNER**, the TMAPC voted **7-0-0** (Gray, Harris, Horner, Midget, Pace, Parmele, Wilson "aye"; no "nays"; "abstaining"; Ballard, Carnes, Doherty, Neely "absent") to **APPROVE** PUD 489 **DETAIL SITE PLAN** as recommended by Staff.

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

Date Approved: 10/26/94


Chairman

ATTEST:



Secretary

