

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1788
Wednesday, April 18, 1990, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

Members Present	Members Absent	Staff Present	Others Present
Carnes, 2nd Vice Chairman	Kempe	Frank	Linker, Legal
Coutant	Randle	Gardner	Counsel
Doherty, Chairman	Rice	Setters	Jackere, Legal
Draughon, Secretary		Stump	Counsel
Paddock		Wilmoth	
Parmele			
Wilson, 1st Vice Chairman			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, April 17, 1990 at 11:10 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 1:42 p.m.

MINUTES:

Approval of the Minutes of April 4, 1990, Meeting #1786:

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, Rice, "absent") to **APPROVE** the **Minutes of April 4, 1990, Meeting #1786**.

REPORTS:

Report of Receipts & Deposits for the Month Ended March 31, 1990:

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, Rice, "absent") to **APPROVE** the Report of Receipts & Deposits for the month ended March 31, 1990, as confirmed by Staff to be in order.

Director's Report:

Mr. Gardner advised of a meeting with the County regarding next year's budget, and he announced the Senate had approved HB 1888 regarding PUD enabling legislation. Mr. Gardner also briefed the Commission members on recent City Commission action(s) relating to zoning.

SUBDIVISIONS:

FINAL PLAT APPROVAL & RELEASE:

Meadowbrook Estates Union School (1283) 8800 Block of East 75th Street (AG)

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, Rice, "absent") to **APPROVE** the Final Plat of **Meadowbrook Estates Union School** and release same as having met all conditions of approval.

* * * * *

Korean United Methodist Church (1383) (AG)
West side of South Mingo Road, north of East 91st Street

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, Rice, "absent") to **APPROVE** the Final Plat of **Korean United Methodist Church** and release same as having met all conditions of approval.

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-17293 (2892) Howard	L-17296 (2904) Sanditen/Sack
L-17294 (2993) Jones	L-17270 (2622) Priest (CBOA 948) *
L-17295 (3413) Schwinn/Sorem	L-17287 (3092) Stewart (CBOA 953) *

TMAPC ACTION: 8 members present

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, Rice, "absent") to **RATIFY** the Above Listed Lot Splits which have received Prior Approval, as recommended by Staff.

* These items have received Board of Adjustment approval.

PUBLIC HEARING:

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

Comments & Discussion:

Mr. Irving Frank, INCOG, presented the Staff's review of the proposed amendments, following the outline below:

- Letters of comment received since April 6th
- Overview of Staff's memo of April 6th
- April 4th text revisions (pp. 11-5, 12-12, 12-14, 18-4) and the addition of a definition for "Sign, Revolving".
- Discussion Items:
 - Signs on vehicles (April 18th handout)
 - Chapter 14, Nonconforming Provisions (April 18th handout)
 - Animation on signs (split vote by Committee)
 - Sign Spacing from an "R" District (Sections 862.2.C; 1130.2.b.2; 1221.3.A; 1221.4.D; and 1221.5.D)
- Overview of proposed regulations from the City Legal Department pending on April 18th.

Mr. Frank identified the proposed amendments supported by the Rules and Regulations Committee and those reviewed with no Committee recommendation.

Interested Parties:

Mr. Larry Wald, Chairman of the City of Tulsa Sign Advisory Board (SAB) presented and reviewed a letter to the TMAPC advising of certain items the SAB voted to oppose, which included: Changing of sign heights to comply with PUD sign height limitations; limitation on freestanding signs; deletion of all sections pertaining to the eventual elimination of chasing lights, time and temperature signs, flashing signs and electronic message boards; any changes causing signs to comply with PUD restrictions on signs; Chapter 18 - Definitions as relates to animation, changeable copy, display surface area, flashing illumination and movement; and several areas relating to the section on nonconformity. Mr. Wald discussed the time involved in this process, which began two years ago, and/or the manner in which review of the Zoning Code was pursued or handled which made it difficult for the SAB to respond to all the modifications in the time frame allowed. He also commented the SAB "was hopeful that, in the future, studies of this type will be done by a broader cross-section of the business community with more input from the business and sign people early in the planning stages." He then answered general questions as to the SAB's position on particular items.

Mr. Paddock mentioned those items which the Rules and Regulations Committee had concurred with the recommendation of the SAB for consideration by the TMAPC since the public hearing in February.

PUBLIC HEARINGS: Sign Code Amendments - Cont

Mr. Rex Hall, representing Mazzio's Corporation, (8935 South 67th East Avenue) advised their main areas of concern involved the following proposals:

- * The proposed 16 square foot maximum on banners was too restrictive. He advised the normal size for most banners (from manufacturers) was 10' x 3'; therefore, he suggested a 30 square foot maximum.
- * Window signage, particularly neon type window displays which were also a part of the interior decor. He commented that he did not see where window signs were being abused throughout the City.
- * "Racing" lights as used around the perimeter of signs.

Mr. Hall commented there were several small businesses in Tulsa where banners and/or window displays were the only available or reasonable types of signage as these smaller businesses could not compete with the national franchise businesses without adequate signage.

Mr. Jerry Eisner, Builders Association of Metro Tulsa, (11545 East 43rd) commented the Association was concerned with regulations for signs on vehicles, particularly as relates to mom/pop businesses; i.e. plumbers, locksmiths, HVAC servicemen, estimators. Mr. Eisner suggested that, if these smaller operations were not the problem in Tulsa with advertising on vehicles, then the amendments should be clarified to specifically exclude these types of use. Chairman Doherty commented the TMAPC has no problem with the mom/pop operations mentioned by Mr. Eisner, the Commission was concerned with the advertising on semi-truck trailers that were parked on a lot for an extended period of time for the purpose of advertising a business.

Mr. Don Beatt, president of the Greater Tulsa Sign Association (GTSA) (6437 South 87th East Avenue), read a statement indicating GTSA's position as "one of the most staunch advocates was "to rid the City of visual clutter and sign pollution. Mr. Beatt commented, "it was misperceived that licensed and bonded sign contractors and/or the Sign Code created problems." He stated that visual clutter has been created through the lack of code enforcement, and unlicensed or unbonded sign contractors. Therefore, the GTSA felt the drafting of new and more stringent regulations would not change this situation without additional code enforcement personnel and the elimination of illegal sign contractors. In regard to public safety and welfare, Mr. Beatt advised there was no incident on record in Tulsa where a legal sign has been the cause of a traffic accident or has impaired the safety of citizens. Mr. Beatt added a more stringent ordinance, which would limit the ability to do business, advertise and sell products would certainly not promote the health of this community.

Mr. Beatt suggested a reinstatement of the previously used "Scrap Old Signs" program which involved the community, sign contractors and the City to rid streets and neighborhood of old signs. He acknowledged the Code Enforcement Department did not presently have the funds or personnel to do

PUBLIC HEARINGS: Sign Code Amendments - Cont

this, but if initiated on an annual basis, it would greatly assist with keeping signs repaired (or removed) and in working order. Mr. Beatt agreed with Mr. Paddock that there were areas where the Code was vague or where more clarification was needed (i.e. backlit awnings). However, he felt the Code did not need this in-depth of a review, just better enforcement of the existing provisions.

Mr. James Adair, sign contractor, (1783 South Canton) read a statement reviewing the history of Sign Code changes since 1985 which involved input from the sign industry, citizens and an Ad Hoc Committee. Mr. Adair commented the findings of the Committee indicated more code enforcement was needed, which he felt was still a problem. He stated he felt today's proposed changes had not been reviewed by a cross-section of businessmen, sign contractors, etc.

Mr. Charles Hare (2530 South 112th East Avenue) commented that he was at hearings about two years ago where backlit awnings were discussed, and to date, the ordinance has still had no change in this regard. He also remarked that he did not understand why this matter must be addressed every five years.

Mr. Wyatt Phillips, representing the QuikTrip Corporation (7619 South Quebec Avenue) advised he worked with the Ad Hoc Committee 2-1/2 and 5 years ago regarding sign regulation changes, and based on revisions made at that time, QuikTrip made a substantial investment for the 60+ stores in the Tulsa area. Mr. Phillips pointed out that the QuikTrip Corporation has never received any complaints or heard of any safety problems or injuries caused by their signs or store displays. He agreed with other interested parties that the real issue was the process involved, not if there should be a four or six second interval for changing messages, window sign problems, etc. He commented he felt the entire process centered more on what someone feels a sign should look like. Mr. Phillips reiterated that if the provisions from five years ago were enforced, a majority of the current problems would be corrected, and that stricter provisions were not necessarily the answer. He agreed with Mr. Paddock that the need for additional staff should be strongly emphasized to the City Administration.

Mr. Tom Collier, representing Citgo Petroleum (112 South Indianwood, BA), stated concern as to the affect the proposed revisions would specifically have on Citgo's operations. Mr. Doherty advised the Citgo operations throughout Tulsa were not a basis for the study on signs, and that the drafted proposals would not greatly affect these type of operations as many of the proposed amendments were of a housekeeping-type nature.

Mr. Harry Smits, representing Phillips 66, (9706 South Braden) stated concerns regarding the amendments which might require significant costs for sign relocations, etc. Mr. Smits agreed clarification was needed for the illumination standards, specifically as how it might impact their canopies; window signs, etc.

PUBLIC HEARINGS: Sign Code Amendments - Cont

Mr. Ken Miles, attorney for the Greater Tulsa Sign Association (GTSA), (1710 BOK Tower) advised he had specific areas of concern, among them Section 294 which had a reference to "or otherwise provided by law". Other sections mentioned by Mr. Miles included 1221.3.R.3 (question as to enforcement capabilities); and Sections 1221.3.D.5, 1221.4.A, 1221.4.D and 1221.5.A. Mr. Miles agreed that more time was needed by the GTSA and the Sign Advisory Board, sign contractors, etc. to review these latest draft amendments, as "it is like trying to shoot a moving target".

TMAPC Review Session:

Chairman Doherty advised receipt of letters from American Banner and Borden's Cafeterias on this matter.

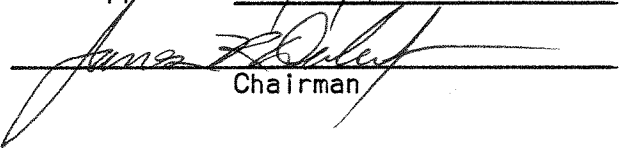
Ms. Wilson suggested that those who spoke today receive a letter indicating a specific time period for review (three weeks) and return of their comments to Staff. Therefore, the public hearing could be continued to June to allow Staff time to receive and review these comments.

Mr. Paddock commented Staff and the interested parties have indicated more time was needed for review of certain items, and Legal Counsel also needed time to review before issuing an opinion. Therefore, with all this in mind, Mr. Paddock moved for a continuance of the public hearing to June 20, 1990, mentioning that the Rules & Regulations Committee would also meet during this period. Discussion followed on the motion.

TMAPC ACTION: 8 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Paddock, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Kempe, Randle, Rice, "absent") to **CONTINUE the Public Hearing on Amendments to the Zoning Codes as Relates to Signs** until Wednesday, **June 20, 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 4:03 p.m.

Date Approved 5/2/90

Chairman

ATTEST:


Secretary