

**TULSA METROPOLITAN AREA PLANNING COMMISSION**  
Minutes of Meeting No. 1796  
Wednesday, **June 20, 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, 1st Vice<br>Chairman   | Paddock               | Frank                | Linker, Legal<br>Counsel        |
| Coutant                        | Randle                | Gardner              | Jackere, Legal<br>Counsel       |
| Doherty, Secretary             | Rice                  | Lasker               | Rice, Protective<br>Inspections |
| Draughon, 2nd Vice<br>Chairman |                       | Setters              |                                 |
| Horner                         |                       | Stump                |                                 |
| Parmeale, Chairman             |                       | Wilmoth              |                                 |
| Wilson                         |                       |                      |                                 |
| Woodard                        |                       |                      |                                 |

The notice and agenda of said meeting were posted in the Office of the City Auditor on Tuesday, June 19, 1990 at 11:40 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 1:32 p.m.

**MINUTES:**

**Approval of the Minutes of June 6, 1990, Meeting #1794:**

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-2** (Carnes, Doherty, Draughon, Horner, Parmele, Woodard, "aye"; no "nays"; Coutant, Wilson, "abstaining"; Paddock, Randle, Rice "absent") to **APPROVE** the **Minutes of June 6, 1990, Meeting #1794**.

**REPORTS:**

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

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Horner, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Rice "absent") to **APPROVE** the Report of Receipts & Deposits for the Month Ended May 31, 1990, as confirmed by Staff to be in order.

Committee Reports:

Mr. Coutant stated the **Comprehensive Plan Committee** meeting had met last Wednesday to review studies on Open Space Zoning and Blanket Zoned Areas. In regard to the Blanket Zoned Areas Study, Mr. Coutant advised the Committee requested a public hearing be set to consider the policy issue of blanket zoning (downzoning). Discussion followed with the Commission members and Staff clarifying that the Blanket Zoned Areas Study identified specific areas blanket zoned 20 years ago to RM-1 or RM-2 which now might be candidates for downzoning. It was stressed, however, that the issue of downzoning must first be considered as to policy, and if considered favorably, under what conditions the TMAPC would initiate the request. Therefore, a public hearing date of August 1, 1990 was suggested to consider the policy of the TMAPC downzoning property. Chairman Parmele requested Staff forward notice of the public hearing, at the appropriate time, to the TMAPC regular mailing list; i.e. District Chairs and Cochairs, Councilors, homeowners associations, etc.

Mr. Coutant also advised the Comprehensive Plan Committee had met this date to review annual housekeeping amendments to various District Plans and the Surplus School Site Study.

Mr. Doherty announced the **Rules & Regulations Committee** would be meeting next Wednesday to consider TMAPC policy on election of officers and a possible setting of a TMAPC night meeting, as well as proposed Zoning Code amendments relating to parking standards, home occupations, child care facilities, etc.

Mr. Doherty briefed the Commission members on the recent Budget & Work Program Committee meeting, advising the Committee voted unanimously to recommend approval of the Fiscal Year 1991 TMAPC budget and work program as presented. Therefore, he moved for adoption by the TMAPC.

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Horner, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Rice "absent") to **ADOPT** the TMAPC FY-91 budget and work program as presented.

Director's Report:

Mr. Lasker thanked the Commission members for their cooperative efforts on the budget and work program. He also briefed the Commissioners on the budget activity at the City Council and Tulsa County, advising the impact on INCOG funding was an overall net increase of 2.1%.

SUBDIVISIONS:

**FINAL APPROVAL & RELEASE:**

Junior League of Tulsa Hdqtr (PUD 410-A)(2293) SE/c of 36th St & Yale Ave

Litchfield (PUD 320-A)(1783) East 82nd Place & South Delaware Avenue

Forest Pointe (PUD 461)(2783) East 104th Street & South Granite Avenue

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Horner, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Rice "absent") to **APPROVE** the Final Plat of the above listed applications and release same as each has met all conditions of approval.

**WAIVER REQUEST: Section 213**

Southpark Lincoln/Mercury/Merkur (PUD 411/Z-5842SP5)(2483) 9700 So Memorial Dr

This request consists of a temporary parking lot adjacent to Lot 1, Block 1 9700 Memorial, Plat #4661, to serve as overflow from the platted property abutting the private drive on the south (Reserve A). The site plan was reviewed and approved by the Planning Commission on 6/6/90. It does not abut Memorial and the only access is to property also owned by the same applicant. It is for parking only and when the property is utilized for any other purpose in the future, another application will be required. Since the tract abuts the same ownership and the use is compatible and is of a temporary nature, Staff has no objection to the request, subject to the following:

1. All conditions of the PUD and Site Plan review by the Planning Commission shall apply.
2. Grading and drainage plans shall be approved by the Department of Stormwater Management in the permit process. Fee-in-lieu-of detention can be paid. Drainage must tie into existing storm sewer. PFPI #2439.
3. The PUD/Corridor Plan restrictions shall be filed of record by separate instrument on the unplatted tract as well as any required amendments to the existing plat of record.

The applicant was represented by Ted Sack.

Southpark - Cont

Staff noted that should the tract be used for a new building or other structure in the future, which would require another site plan review the property when fully developed should be included in a subdivision plat.

The TAC voted unanimously to recommend **approval** of the WAIVER OF PLAT on PUD 411-A, Z-5842-SP-5, subject to the conditions outlined by Staff and TAC.

**TMAPC ACTION: 8 members present**

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Horner, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Rice "absent") to **APPROVE** the **Waiver Request for Southpark (Sections 213 & 805)**, subject to the conditions as recommended by the TAC and Staff. [See discussion below.]

**Comments & Discussion:**

Before adjournment of the TMAPC meeting, Staff commented that the Detail Site Plan for PUD 411 restricted the subject tract to parking. Therefore, Staff felt that condition #3 was not needed as a condition of approval for the Waiver Request. The TMAPC unanimously voted to reconsider the application in order to open discussion.

Mr. Linker advised of an ordinance requirement for a "filing of record". Therefore, a continuance of this matter was suggested in order to allow Legal Counsel and Charles Norman, attorney for the applicant, time to discuss revised language for condition #3.

**TMAPC ACTION: 8 members present**

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Horner, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Rice "absent") to **CONTINUE Consideration of the Waiver Request for Southpark** until Wednesday, **June 27, 1990** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

\* \* \* \* \*

**Z-6056 Woodland Hills Mall (183)** N & E of the NE/c of 71st St & Memorial Dr

On 11/13/86 the TAC reviewed an application to waive plat on a portion of the area covered by Z-6056 and the TMAPC approved the waiver on 11/19/86. The approval only covered that portion being used for the Olive Garden Restaurant since a Detail Site Plan was available on that tract. However, this left the remainder of Z-6056 still "subject to a plat".

**Z-6056 Woodland Hills Mall - Cont**

Subsequently, detailed plans have been reviewed, utility extensions made, and lot splits approved for another restaurant and tire store. Therefore, as all the necessary detailed plans have been reviewed and the property is already platted, Staff is of the opinion that all the conditions of Section 213 of the Code have been met. It is recommended that the plat requirement on the remainder of Z-6056 be waived and the request be APPROVED.

**TMAPC ACTION: 8 members present**

On **MOTION** of **COUTANT**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Horner, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Rice "absent") to **APPROVE** the **Waiver Request for Z-6056 Woodland Hills Mall**, as recommended by Staff.

\* \* \* \* \*

**Z-6283 (Unplatted) (2203)**                      3400 Block of North Sheridan Road                      (IL)

This is a request to waive plat on a tract on the west side of North Sheridan, across the street from the Tulsa International Airport. The zoning was approved for IL and the ordinance public (#17314). The tract is to be used as overflow parking for the Bizjet Company at 3515 North Sheridan Road, and is currently being prepared for drainage and surfacing. Staff has received a plat titled "Bizjet Addition" which will satisfy the requirements of Section 213 of the Code. In order for the applicant to proceed and be able to obtain a Zoning Clearance Permit to use the parking lot, this waiver is requested.

Staff has no objection to the request since all rights-of-way, utility easements and access points are being shown and/or acquired in the plat now being processed. The waiver this date will allow the applicant to proceed at an accelerated rate and obtain the Zoning Clearance Permit much quicker while the plat is still in process. Therefore, Staff recommends APPROVAL subject to the following conditions:

1. Grading and/or drainage plan approval (in progress) is subject to approval by the Department of Stormwater Management (DSM) in the permit process, including any easements required for drainage.
2. Dedication of right-of-way on North Sheridan to meet the Major Street and Highway Plan requirement of 50' from centerline (by separate instrument.)

**Comments & Discussion:**

In reply to Mr. Draughon, Mr. Wilmoth indicated he would contact DSM to request notification of their inspection of the site so as to inform the TMAPC.

**TMAPC ACTION: 8 members present**

On **MOTION** of **DRAUGHON**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Horner, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Rice "absent") to **APPROVE** the **Waiver Request for Z-6283 Unplatted**, as recommended by Staff.

**WAIVER REQUEST (Section 260 - County):**

**CBOA 965 (Unplatted)(1724)** NE/c E 156th Street N & N Garnett Road (AG)

**TAC Minutes for CBOA 965 & L-17309 Brown:**

This is a dual request for a lot split to create three 165' x 264' lots and one 115' x 264' lot on the corner. The three larger lots will be net 1 acre each and the smaller corner lot will be .7 acre. There are other small lots in the area and the buildable area being split is limited by the topography and old strip pits. A church is planned on the northerly lot, which would require a plat under Section 260 of the Code.

Staff has no objection to the request since there are other small lots in this area. Due to the small size of the site, no specific plot plan for the church was submitted, but should be available for the Board of Adjustment application. The conditions shall apply, both to the lot split and waiver of plat on the north tract:

The applicant was not represented.

The TAC voted unanimously to recommend **approval** of the L-17309 including the WAIVER OF PLAT on CBOA 965 as applicable to the church tract, subject to the following conditions:

1. County Board of Adjustment approval of the variance of bulk and area minimums to permit lot widths of 115' and 165' and lot area of one acre and .7 acre. (CBOA 965)
2. City-County Health Department approval of percolation tests for septic systems on each lot.
3. Dedication of 50' of right-of-way from centerline on both 156th Street North and North Garnett Road in accordance with the Major Street Plan.
4. Provide a 17.5' utility easement parallel to the new property line on both 156th Street North and North Garnett Road. Provide other easements if needed or required by utilities.
5. Verification that the tracts created can be served with water. (Including any main extensions, if necessary).

**CBOA 965 (Unplatted) - Cont**

6. Approval on referral to the City of Collinsville since this lies within their fence line and utilizes Collinsville water.
7. Access and driveway tile sizes subject to approval of the Tulsa County Engineer.

**STAFF NOTE:**

The County Board of Adjustment reviewed this case on Tuesday, June 19th and approved the application, subject to the conditions as recommended by Staff.

**TMAPC ACTION: 8 members present**

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Horner, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Rice "absent") to **APPROVE** the **Waiver Request for CBOA 965 (Unplatted)**, subject to the conditions as recommended by the TAC and Staff.

**ACCESS CHANGE ON RECORDED PLAT:**

**Kensington, Block 10 (PUD 128)(783)** 7400 Block of South Lewis Avenue (RS-3)

Staff advised the purpose of the request is to move one access point 40' south. The total number of access points will not change.

**TMAPC ACTION: 8 members present**

On **MOTION** of **DRAUGHON**, the TMAPC voted **8-0-0** (Carnes, Coutant, Doherty, Draughon, Horner, Parmele, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Rice "absent") to **APPROVE** the **Access Change for Kensington, Block 10**, as recommended by Staff.

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

|                              |   |
|------------------------------|---|
| L-17317 (3093) Shadday       | L-17325 (1793) Vesley                     |
| L-17321 (2572) Layne         | L-17309 (1724) Brown (Rec'd BOA approval) |
| L-17322 (1793) Woolman Prop. |   |

**TMAPC ACTION: 8 members present**

On **MOTION** of **WOODARD**, the TMAPC voted **7-0-1** (Carnes, Doherty, Draughon, Horner, Parmele, Wilson, Woodard, "aye"; no "nays"; Coutant, "abstaining"; Paddock, Randle, Rice "absent") to **RATIFY** the Above Listed Lot Splits which have received Prior Approval, as recommended by Staff.

PUBLIC HEARING:

**TO CONSIDER AMENDMENTS  
TO THE CITY OF TULSA ZONING CODE  
AS RELATES TO SIGNS**

Comments & Discussion:

Mr. Irving Frank, INCOG, reviewed the most recent proposals for amendments to the Zoning Code for signage which were based on input received at the April 18th public hearing. Mr. Frank noted these proposals were also distributed, in his June 5th memo, to those speaking at the last hearing.

**Mr. Larry Wald, representing the City of Tulsa Sign Advisory Board (SAB),** submitted and reviewed a letter outlining comments and recommendations of the SAB, as follows:

1. The SAB recommends leaving sign heights in zones other than PUD at 30' and 50'.
2. The 500 square foot limit on business signs should include a clause for lots that allow larger signs, with computations of square footage based on lineal lot frontage.
3. Any proposed changes that will cause signs in other zones to comply to PUD zone restrictions.
4. To change the allowed square footage of wall or building signage from three square feet to two square feet to match CS zones.
5. The SAB would like to see more study done on window signs, particularly the 15" distance for signs to be set back from the window.
6. One item not previously studied, Section 620.2 - Signs in Office Districts. The limit of one sign per each street frontage of a lot is creating a hardship on businesses located in office buildings and office complexes who cannot identify themselves without going to the Board of Adjustment for a variance.

On behalf of the SAB, Mr. Wald thanked the Commission, INCOG Staff, City Legal Staff and the Protective Inspections Department for their efforts to resolve many of the issues previously presented at public hearings on this matter.

**Mr. Joe Westervelt, QuikTrip Corporation (901 North Mingo),** commented that his company, at this time, feels this process has gone beyond an explanation for clarity or beyond what was really necessary, and this has become more of an exploitation. Mr. Westervelt added that they felt the original Ad Hoc Committee's findings and sign ordinance (in 1985) was quite good, with the major problem from that ordinance being an enforcement problem. He advised there were three main areas of concern with the current proposals, as follows:



**PUBLIC HEARING: Signs - Cont**

1. Non-product label which cannot be more than 15" from the glass window. Mr. Westervelt remarked this presented a problem for convenience store operations, as a part of their marketability involved the stacking or stocking of merchandise inside the store fronts, which were mostly glass. They did not feel it was an appropriate position for the sign codes to regulate such an item.
2. Language regarding banners. Mr. Westervelt advised that, typically, the banners that have been on the QT Stores for a number of years have been 93 square feet. The proposed ordinance would reduce this to 24 square feet. Further, if counted towards to allowable square footage, this would present a hardship for all in this industry.
3. Promotional business signs. Mr. Westervelt commented that, if interpreted correctly, QT would no longer be able to use their "wind master signs" or their light pole signs other than four times a year, and no more than one type of sign would be able to be used at once. He stated that in a business such as QuikTrip, with many various products to market, it would be very difficult to comply with this standard and still conduct business.

Mr. Westervelt commented that he felt there was a great deal of concern about the effect of the new ordinance on their business and others in similar operations.

For clarification Mr. Doherty stated that the intent was not to regulate those signs more than 15" from the window, but only those signs that were hung in the window as window signs and directed outwardly. In response to Mr. Westervelt, he further clarified that this was not intended to include merchandise or logos on goods located more than 15" from the front of the store. Mr. Westervelt, as the messenger from their marketing department, commented that this regulation created design and inventory problems for for their stores, and they assume it would for others as well.

Chairman Parmele agreed with Mr. Doherty that this language needed further review, and he stressed that it was not the intent to regulate stacked or stocked merchandise within the store as advertisement. In regard to banners, Mr. Doherty clarified that any square footage over 24 square feet would count toward their wall signs.

**Mr. Charles D. Hare, Oklahoma Neon** (2530 South 112th East Avenue), speaking on behalf of the **Greater Tulsa Sign Association (GTSA)**, advised of problems with proposed restrictions in four main areas:

1. Sign height restrictions, in regard to PUD standards.
2. Signs in windows. (Not in the present Code, and does not feel it is needed.)
3. Size of business signs based on their locations.
4. Different zoning classifications should have different standards; should not be the same regulation for all categories.

**PUBLIC HEARING: Signs - Cont**

In regard to square footage for signs, Mr. Hare remarked that he was not aware of complaints or abuse of the current Code provisions, and recommended no change be made to the existing Code. Mr. Hare advised that the GTSA also desired that, "during the continued review of these proposed changes as well as new items in the future, the Rules & Regulations Committee assign the task to the Sign Advisory Board to permit them to function in a similar manner as the Committee." Mr. Hare added that this would permit the SAB, during its study and research, to solicit input from the business community, the City's Protection Inspections Department and Legal Staff and GTSA.

**Mr. Jim Williams, owner of A-Sign Rental** (1327 South 122nd East Avenue), addressed items relating to portable signs, commenting that he felt there was a threat of over-regulation. Mr. Williams added that some of the proposed changes were not needed and would, in fact, be virtually impossible to enforce. Mr. Jackere, Legal Department, and Mr. Rice, Protective Inspections, clarified items relating to anchoring, installation, etc. In regard to wall signs, pole signs, and portable or promotional signs.

**Mr. David Polson, Donrey Outdoor Advertising** (7777 East 38th Street), read a statement emphasizing that during this process, which has escalated to over 80 new or proposed changes, "those in the outdoor sign industry have been continually told that no changes would affect us." Mr. Polson reviewed the various proposed amendments that would impact his industry, commenting that those in this industry "have had no input whatsoever on these proposed changes", nor has the impact of these proposals on their business or local businesses they serve been discussed. He requested that changes on those items specifically having a direct affect on the outdoor advertising industry be halted to allow for proper study and input; i.e., spacing, computation of aggregate display surface area, prohibition of changeable copy, animation, etc. Mr. Polson commented that he felt the existing code regulations were very stringent on outdoor advertising and any changes would just add to the problem. He also pointed out that a great deal of their business would be affected by the moratorium effective 1995. In response to Mr. Doherty, Mr. Polson remarked that one specific concern involved the proposed increase of distance for spacing for outdoor advertising.

**Mr. Bill Stokely, Stokely Outdoor Advertising Company** (10111 East 45th Place), expressed an interest in becoming involved in the future review process for the proposed sign amendments. Mr. Stokely commented that there has already been a great amount of paper and documents distributed for the code revisions, and he suggested that a consolidated sign regulations brochure would be easier for those in the industry to use. Therefore, rather than having a 42 page document cross-referencing various sections, there should be one document with the appropriate guidelines. Mr. Stokely mentioned areas which he felt needed additional clarification of the proposed language as it was currently somewhat confusing; i.e. changeable signs, spacing for billboards, etc. He remarked on the changes

**PUBLIC HEARING: Signs - Cont**

and trends in the billboard industry which he felt required a closer look at the proposed language so as to be able to satisfy clientele who desired the newer types of signs. Mr. Stokely commented on instances where interpretation by the Protective Inspections personnel of the existing standards created problems for those in the industry.

**Mr. Frank Fellers, American Banner Company** (9810 East 58th), addressed those areas which impacted his banner business. Mr. Fellers requested an explanation of the logic behind the 24 square foot limitation for banners. He invited the TMAPC members to tour his facility which makes banners for several national franchises, explaining that he distributes his banners to many other states outside Oklahoma. When asked the dimensions of a typical banner, Mr. Fellers advised 3' x 10' was one typical size (30 square feet), adding that 4' x 12' was also considered an average banner size. He suggested the banner size be tied to the amount of business frontage.

**Mr. Kenneth Miles, attorney for the Greater Tulsa Sign Association**, (1710 BOK Tower), advised that his group took exception to Sections 1221.4.A and 1221.5.A, both dealing with standards for ground signs. Mr. Miles remarked that consideration should be given to allowing more intense signage due to a more intense zoning category. He expressed concern regarding the proposed language for portable business signs versus what would be allowed for banners.

TMAPC Review Session:

Mr. Doherty commented on receipt of two letters from Alan Jackere, City Legal Department, addressing specific items under review. He suggested Mr. Jackere's comments and those of the interested parties be presented to and reviewed by the Rules & Regulations Committee before any decision is made by the TMAPC.

Mr. Doherty suggested setting a Rules & Regulations Committee for Wednesday, August 1st to allow time for the Committee members and INCOG Staff to review the items presented today and make any necessary revisions to the proposed language. After discussion among the Commission members, Mr. Doherty moved to continue the public hearing on amendments to the Zoning Code relating to signs to August 15th.

TMAPC ACTION: 7 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-0** (Carnes, Coutant, Doherty, Draughon, Horner, Parmele, Wilson, "aye"; no "nays"; no "abstentions"; Paddock, Randle, Rice, Woodard, "absent") to **CONTINUE the public hearing on amendments to the Zoning Code relating to signs to Wednesday, August 15, 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 2:50 p.m.

Date Approved 11-90  
[Signature]  
Chairman

ATTEST:  
[Signature]  
Secretary