

UNOFFICIAL MINUTES UNTIL APPROVED

MINUTES
ARCHITECTURAL COMMITTEE
6:00 PM
116 WEST NEEDLES
BIXBY, OKLAHOMA
Monday
August 20, 2007

MEMBERS PRESENT

Jim Powell
Tim Remy
Richard Altmann

STAFF PRESENT

Erik Enyart
Deborah Forbes

MEMBERS ABSENT

Beverly Savage
David Skaggs

Meeting called to order by Jim Powell at 6:04 PM.

Consent Agenda: none

Approval of Minutes for July 16, 2007.

Motion was made by Remy and seconded by Altmann to approve the minutes as written.

VOTING FOR: Powell, Altmann, & Remy
VOTING AGAINST: None
ABSTAINING: None
MOTION PASSED: 3-0-0

1. Case #07-08-01 Discussion and possible action to approve the construction of an archway over an internal access drive, to contain future signage on Lot 1 Block 1 Boardwalk on Memorial, 12345 S. Memorial.

Enyart summarized the staff report on page 6 of the agenda packet:

Applicant: Boardwalk on Memorial I LP
Location: – 12345 S. Memorial

– Lot 1, Block 1, The Boardwalk on Memorial
CS and PUD # 29

Zoning:

Development Type: Construction of an archway over an internal access drive, to contain future signage.

Analysis:

From an aesthetic standpoint, if constructed with materials as per the submitted example, the archway would appear attractive and may enhance the visual appearance of the commercial structure. However, the Fire Marshal, per the attached memo, has raised emergency access questions.

The Committee should consider all aspects of this application before making its final decision.

Altmann questioned if the archway was structural.

Enyart states that it wasn't explained in the materials he was provided with. He'd have to speculate that it wouldn't support the building.

Bill Wilson 14441 S. 50th E. Ave. Bixby states the tenant on the east side of the building had requested signage that will give him a clear view on Memorial. He explained about the sign structure and about the materials that will be used. Bill spoke with Jim Sweden that there will be an extra 6 inches added to the archway for clearance to the trucks.

Powell questioned the location.

Remy questioned the arch being used if it had a curve to it.

Wilson states it is not going to be an arch but a square structure with at least 14 feet clearance across the top.

Powell questioned Enyart of the fire marshal's memo. Enyart states that he has talked to Jim Sweeden and his impression of the conversation corresponded with the tone of the memo: there was nothing in the code which would specifically prohibit the structure, but that that Jim had some reservations, but they were mild.

Motion was made by Altmann and seconded by Remy to approve.

VOTING FOR: Powell, Remy, & Altmann
VOTING AGAINST: None
ABSTAINING: None
MOTION PASSED: 3-0-0

2. Case #07-08-02 Discussion and possible action to approve the construction of a covered patio/canopy on Lot 1 Block 1 Boardwalk on Memorial, 12345 S. Memorial.

Enyart summarized the staff report on page 7 of the agenda packet:

Applicant: Boardwalk on Memorial I LP
Location: – 12345 S. Memorial
– Lot 1, Block 1, The Boardwalk on Memorial
Zoning: CS and PUD # 29
Development Type: Construction of a covered patio/canopy; steel composition.

Analysis:

Staff has been informed that the roofing material of the commercial structure in The Boardwalk on Memorial is painted metal. Provided the proposed covered patio/canopy is compatible with the existing structure in terms of material and color, from an aesthetic standpoint, it may enhance the overall visual appearance.

The submitted information leaves some question as to the precise location of the proposed covered patio/canopy and its proposed appearance.

The Committee should consider all aspects of this application before making its final decision.

Bill Wilson states cover to go over 12 foot of the same structure of the building.

Powell questioned if it is going to be a restaurant in the back.

Bill Wilson states that it is not going to be a restaurant, that it is just to cover the area in back to clear the sun in the morning and to serve as a rain guard for the customers.

Motion was made by Powell and seconded by Remy to approve with condition that the patio cover be the same like material as the building.

VOTING FOR: Powell, Remy, & Altmann
VOTING AGAINST: None
ABSTAINING: None
MOTION PASSED: 3-0-0

3. Case #07-08-03 Discussion and possible action to approve a ground sign for Hampton Inn & Suites in Regal Plaza, 8200 E. Regal.

Enyart summarized the staff report on page 27 of the agenda packet:

Applicant: Tom Christopoulos
Location: – 8200 E. Regal
– Lot 10, Block 1, Regal Plaza
Zoning: CS and PUD # 40
Development Type: Sign permit for Hampton Inn & Suites; A 10' high by 12' 8" wide on-premise ground sign.

Background Information:

This case similar to case number AC-07-07-01, which proposed a 26' high ground sign but was denied by the Architectural Committee on July 16, 2007 for reason of excessive height. At said meeting, the Committee advised the applicant to reapply for the sign, not to exceed 10' in height, as is now requested by this application.

Analysis:

This proposed ground sign meets the maximum permitted number, 25' setback, 30' maximum height, display surface area, and other such sign standards of Bixby Zoning Code Section 1021 and PUD # 40. Staff recommends Approval.

Remy announced he would abstain from the vote.

Motion was made by Powell and seconded by Altmann to approve.

VOTING FOR: Powell, Remy, & Altmann
VOTING AGAINST: None
ABSTAINING: Remy
MOTION PASSED: 2-0-1

The Committee discussed whether or not the majority of a 3-member quorum would be enough to take action on the item, and the consensus was that it would be.

4. Case #07-08-04 Discussion and possible action to approve (a) ground sign(s) for Thrifty Car Sales, 14780 S. Memorial.

Enyart summarized the staff report on page 33 of the agenda packet:

Applicant: Leonard McCullough
Location: – 14740 and/or 14780 S. Memorial

- Lots 23, 24, and 25, Block 2, Morris-Bright Industrial Park Addition

Zoning: IL industrial

Development Type:

AC-07-08-04: Sign permit for a wall sign.

AC-07-08-05: Sign permit for one (1) ground sign.

Background Information:

This property appears to have been the former site of Bentley Auto Sales and Danny Beck Motor Company, among other things.

The submitted plot plan shows the location of the two (2) existing sign support structures. Both sign support structures represented on the plot plan are existing, and are thus assumed lawfully conforming and/or lawfully nonconforming, as the case may be.

During a site inspection conducted the date of this report, Staff observed that the sign 'cabinets' of both signs were empty. Staff also observed that the wall sign per AC-07-08-04 was at that time being installed.

Applicant Leonard McCullough confirmed that the main, larger, southerly sign is requested for use at this time, and there is no plan to use the smaller northerly sign at the present time.

Analysis:

Based on available information, both proposed signs conform to the number, display surface area, 40' separation, and other such IL district sign standards of Zoning Regulations Section 11-9-21. Staff recommends Approval.

Powell questioned if it is going to be well maintained.

Leonard McCullough 15311 W. Teel Rd. Sapulpa states they have been approved of five Thrifty Car Sales Dealerships in Tulsa Metro Area and Thrifty has about 40 to 50 Dealerships nation wide. It is a completely separate division from their rental car sites so it's basically a new car dealers used car division without the new car side of it. Leonard says their first site location was going to be in Jenks but it would have required new construction and this building would work out better for our site. He described the remodeling of the building to the members.

Altmann questioned about the sign being illuminated.

Motion was made by Remy and seconded by Powell to approve.

VOTING FOR: Powell, Remy, & Altmann

VOTING AGAINST: None

ABSTAINING: None

MOTION PASSED: 3-0-0

5. Case #07-08-05 Discussion and possible action to approve a wall sign for Thrifty Car Sales, 14780 S. Memorial.

(Enyart's staff report on page 33 of the agenda packet covered this item also)

Motion was made by Remy and seconded by Powell to approve.

VOTING FOR: Powell, Remy, & Altmann

VOTING AGAINST: None

ABSTAINING: None

MOTION PASSED: 3-0-0

6. Case #07-08-06 Discussion and possible action to approve the construction of a commercial building for Spectrum Painting, 7228 E. 151st St. S.

Enyart provided a revised staff report and 11" X 17" sized copied of the site plan, certain pages from the building plans, and landscape plan. Enyart stated that the staff report included in the agenda packet noted that there was a Zoning setback issue which had to be resolved, and that this case did not get a thorough review after this major issue was discovered. Enyart stated that JR Donelson, applicant's agent, had that morning called and asked if it would be possible for the Committee to approve the plans 'subject to' the resolution of the Zoning setback issue, which Enyart considered to be reasonable, but that during his thorough review that day he had discovered several other issues, including inadequate landscaping, proposed parking not meeting Zoning standards, lack of screening, among other things. Enyart recommended the item be tabled, or Continued to the next meeting pending the Applicant resolving the above-listed Zoning issues. Enyart recognized that JR Donelson was present and could respond for the Applicant.

Donelson asks to continue this until further notice to resolve the zoning and landscape issues. There have been four buildings built on this site over a period of time. This is the last building that needs to be built. He has already been approved for the earth change with Jared Cottle. The plans have been sent in and reviewed. The owner was on the impression that it was ready to go forward. He was basically going to do it the way he has

done it before. So when the site plan was made he told us to do it the way it was done before. Nothing has been landscaped on the site since last time.

Powell states the owner needs to be here but go through the Planning Commission requirements first.

Remy questioned the location to where the set-back is off, and Enyart and Donelson clarified the 75' setback requirement was from both the south and east property lines. Donelson stated that this was the last building that could be built on the property due to the floodplain.

Powell states that this has probably gone out of the grandfather's clause.

Motion was made by Powell and seconded by Altmann that the item be Tabled until the Zoning issue is resolved.

VOTING FOR: Powell, Remy, & Altmann
VOTING AGAINST: None
ABSTAINING: None
MOTION PASSED: 3-0-0

7. Report by the City Planner on Code Enforcement programs

Enyart summarized the staff report in the agenda packet:

Background Information At the regular meeting held July 18, 2007; the Architectural Committee discussed the efficacy and current issues with Bixby's code enforcement program, and directed Staff to research and report on examples from the metro area of programs considered to be successful. This report is the result of this research.

Broken Arrow One of the larger programs in the area, second perhaps only to Tulsa / Tulsa County, is the Broken Arrow code enforcement program. Staff interviewed by telephone Broken Arrow Manager of One Stop Services Russell Gray on Friday, August 03, 2007. Here are the highlights of the information provided by interview:

- *Broken Arrow ("BA") has two (2) Code Enforcement ("CE") officers. A third (3rd) position is approved but pending.*
- *BA's CE officers enforce all municipal codes that the police do not enforce.*
- *Citations can result in fines.*
- *For nuisances, a notice of abatement is given.*
- *When necessary, a work order is cut to do the abatement.*

- *When citations are involved, municipal courts are used.*
- *Authority comes from Title 11 O.S. and BA City Code Chapter 15.*
- *If a landowner does not agree with the CE officer's determination, they can appeal to the Hearing Officer.*
- *City crews do the abatement, but BA is presently looking at doing RFPs for demolitions of derelict structures and for mowing and cleaning, etc.*
- *City charges \$300/hour to the property owner to do the abatement.*
- *The trend is to move away from calling it 'code enforcement' to: Tulsa: "Neighborhood Inspections Officers," BA: "Neighborhood Improvement Officers." More politically correct.*
- *Russell advised that one (1) CE officer may be adequate for Bixby at 20,000 populations, but when it reaches 30,000, Bixby will really need a second officer.*
- *Russell offered to personally assist Bixby in any effort to establish a CE program.*

Sapulpa staff interviewed Sapulpa Code Enforcement Officer Carl Prescott on Friday, August 03, 2007. Here are the highlights of the information provided by interview:

- *Sapulpa has one (1) Code Enforcement ("CE") officer.*
- *Approximately 75% to 80% of CE cases are driven by citizen-complaint; the balance are obvious violations observed by the CE officer while driving around investigating other cases or while out for other reasons.*
- *Initial contact with property owner in violation is a warning notice attached (taped) to the front door of nicer residences, or a letter sent to the property owner of record for less welcoming residences.*
- *After 10 days notice, if the violation is not alleviated, a ticket is issued for single-offences.*
- *For multiple offences, or for offences where the total cost of fines levied against the property is excessive, the case goes through a Public Hearing process. Administrative findings are written based on documentation, and the matter is set for Public Hearing before the City Manager or Assistant City Manager. The CM or Assistant CM makes a determination, which is appeal-able only to the City Council.*
- *Work order is issued, and city crews abate the violation (mow lawn, remove trash, demolish dilapidated structure, etc.). The total of costs and fines are placed on a bill sent to the property owner.*
- *Bills not paid within 30 days are filed against the property as a lien.*
- *When properties are sold, the liens are satisfied.*

Enyart states that his inquiry did not receive a response, but that he understood that Bixby's code enforcement program was complaint-driven, and that complaints are processed by the assistant City Clerk and the Fire Chief, with ultimate enforcement action taken by the City Council. Enyart says there is no recommendation at this time.

Powell states he will get information on a code enforcement program for a city in Indiana for comparison and further review.

The Committee asked Enyart to talk to the Fire Chief about the program, and Enyart agreed to do this.

Altmann wants to start a discussion on the selling of fireworks in the city limits on the corner of 121st and Memorial. What the city is going to do about getting a permit started to prevent any more being sold in the city limits.

Remy stated that he knows of the property and could say that this past season was likely the last the fireworks sales will occur. Remy stated the property owner has been grandfathered in to sell them until he sells the property or moves the buildings he can't bring them back in under the clause.

Altmann asks if there is any other area in the city limits are doing the same thing. Remy responds yes, as Bixby's city limits are large.

Remy discussed the program in Broken Arrow which allows for fireworks sales but also fireworks use during restricted hours and with a city permit. Remy noted how this could be a revenue source for the city, and if the city were to license vendors to administer the permitting and record keeping with a certain percentage of the permit costs returned to the vendor, it could be a successful program.

Old Business: None

New Business: None

Adjournment:

Motion was made by Altmann and seconded by Powell to adjourn the meeting.

VOTING FOR: Powell, Remy, & Altmann
VOTING AGAINST: None
ABSTAINING: None
MOTION PASSED: 3-0-0

Meeting adjourned at 7:00 PM.

Approved _____

Date _____