

TULSA METROPOLITAN AREA PLANNING COMMISSION
Minutes of Meeting No. 1677
Wednesday, **December 16, 1987**, 1:30 p.m.
City Commission Room, Plaza Level, Tulsa Civic Center

MEMBERS PRESENT	MEMBERS ABSENT	STAFF PRESENT	OTHERS PRESENT
Carnes	Crawford	Frank	Linker, Legal
Doherty, 2nd Vice-Chairman	Draughon	Gardner	Counsel
Paddock, 1st Vice-Chairman	Kempe	Setters	
Parmelee, Chairman	Rice	Wilmoth	
Selph (Designee)			
VanFossen, Secretary			
Wilson			
Woodard			

The notice and agenda of said meeting were posted in the Office of the City Auditor on Monday, December 14, 1987 at 1:37 p.m., as well as in the Reception Area of the INCOG offices.

After declaring a quorum present, Chairman Parmelee called the meeting to order at 1:36 p.m.

MINUTES:

Approval of Minutes of December 2, 1987, Meeting #1675:

On **MOTION** of **CARNES**, the TMAPC voted **5-0-1** (Carnes, Doherty, Paddock, VanFossen, Woodard, "aye"; no "nays"; Parmelee, "abstaining"; Crawford, Draughon, Kempe, Rice, Wilson, "absent") to **APPROVE** the **Minutes of December 2, 1987, Meeting #1675.**

REPORTS:

Committee Reports:

Mr. Paddock advised the Rules and Regulations Committee would be conducting a work session on the Historic Preservation Ordinance at the conclusion of today's meeting.

PUBLIC HEARING:

TO AMEND THE CITY OF TULSA ZONING CODE TO INCLUDE ESTABLISHMENT OF A HISTORIC PRESERVATION (HP) ZONING DISTRICT, DESIGN GUIDELINES, AND RELATED MATTERS.

(Suggested continuance to January 27, 1988)

TMAPC ACTION: 8 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Carnes, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Draughon, Kempe, Rice, "absent") to **CONTINUE Consideration of the Public Hearing** as relates to a **Historic Preservation Zoning District, Design Guidelines, etc.** until Wednesday, **January 27, 1988** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

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CONSIDER APPROVAL OF AMENDMENTS TO THE DISTRICT 17 PLAN MAP AND TEXT TO DESIGNATE THE EASTLAND SHOPPING MALL, LOCATED AT THE SOUTHWEST CORNER OF EAST 21ST STREET AND SOUTH 145TH EAST AVENUE, AS A SPECIAL DISTRICT

Comments & Discussion:

Ms. Robin Burke, representing the Eastland Mall, submitted a letter stating no objection to the District 17 amendments, based upon their understanding of the changes as discussed with the INCOG Staff. Chairman Parmele read the letter which was stamped as an exhibit to the record of the hearing.

TMAPC ACTION: 8 members present

On **MOTION** of **VANFOSSEN**, the TMAPC voted **8-0-0** (Carnes, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Draughon, Kempe, Rice, "absent") to **APPROVE** the Amendments to the District 17 Plan Map and Text to Designate the Eastland Shopping Mall, located at the southwest corner of East 21st Street and South 145th East Avenue, as a Special District, as recommended by Staff.

SUBDIVISIONS:

PRELIMINARY PLAT APPROVAL:

Church of the Holy Cross Episcopal (2114) South of East 96th Street North and
North 129th East Avenue (AG)

This plat had a preliminary approval by TMAPC on 4/3/85, plus one extension of approval, but it expired due to inactivity. This is the same plat, resubmitted for processing. A "Draft Final" plat had been previously prepared and some release letters had been received. However, since this is a resubmittal new letters should be obtained. A copy of the TMAPC minutes of 4/3/85 outlining the conditions of approval was provided. The same should apply in the new process, including staff comments/conditions in the margin.

The Health Department advised that no septic system would be approved on this tract due to a high water table. Connection to a sanitary sewer will be a requirement for plat approval.

The TAC voted unanimously to recommend **approval** of the PRELIMINARY plat of Church of the Holy Cross Episcopal, subject to the following conditions:

1. 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. Show 17.5' parallel to 129th East Avenue.
2. Water plans shall be approved by the Rogers County RWD #3 prior to release of final plat.
3. Paving and/or drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and earth change permit where applicable), subject to criteria approved by the County Commission.
4. Limits of Access shall be shown on the plat as approved by County Engineer.
5. Street lighting in this Subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix "C" of the Subdivision Regulations.
6. 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.
7. Sanitary sewer main extension required. Approval of applicable agency required for release of final plat.

TMAPC ACTION: 8 members present

On **MOTION** of **WOODARD**, the TMAPC voted **8-0-0** (Carnes, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Draughon, Kempe, Rice, "absent") to **APPROVE** the **Preliminary Plat for Church of the Holy Cross Episcopal**, as recommended by Staff.

Dove Creek (2114) North of East 86th St. and North 145th East Ave. (AG)

The applicant requested a preliminary and final approval of this plat. Staff has no objection, provided that the draft final plat can be prepared and distributed and release letters received prior to the Planning Commission meeting 12/16/87. Otherwise, a preliminary approval will be recommended and the plat placed on the next available agenda after release letters are received. Applicant is further advised that CBOA Case #681 requires that the final site plan be submitted to and reviewed by the Board of Adjustment prior to construction. This plat also must be filed of record prior to issuance of a building permit. (No site plan was submitted for TAC review.)

The TAC voted unanimously to recommend **approval** of the PRELIMINARY plat of Dove Creek, subject to the following conditions:

1. Site plan should be submitted for review in accordance with CBOA Case # 681. All conditions of that case applicable to the plat should be met prior to final approval and release.
2. Utility easements shall meet the approval of the utilities. Coordinate with Subsurface Committee if underground plant is planned.
3. Water plans shall be approved by the Rogers County RWD #3 prior to release of final plat.
4. Paving and/or drainage plans shall be approved by the County Engineer, including storm drainage and detention design (and earth change permit where applicable), subject to criteria approved by the County Commission.
5. Limits of No Access shall be shown on plat as directed by County Engineer. (Need site plan to determine location of drive(s).)
6. Street lighting in this Subdivision shall be subject to the approval of the County Engineer and adopted policies as specified in Appendix C of the Subdivision Regulations.
7. 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.
8. The method of sewage disposal and plans therefore, shall be approved by the City-County Health Department. Percolation tests required prior to preliminary approval.
9. The owner shall provide the following information on sewage disposal system if it is to be privately operated on each lot: type, size, and general location. This information is to be included in the restrictive covenants.
10. The method of water supply and plans therefor shall be approved by City/County Health Department.
11. On face of plat show (near location map) "1 lot; 5.033 acres". Also show net lot dimensions inside property line.

Dove Creek - Cont'd

12. Add "landscape repair" provision in covenants. Sample:
THE OWNER SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY LANDSCAPING AND PAVING LOCATED WITHIN THE UTILITY EASEMENT IN THE EVENT IT IS NECESSARY TO REPAIR ANY UNDERGROUND WATER OR SEWER MAINS, ELECTRIC, NATURAL GAS, COMMUNICATIONS OR TELEPHONE SERVICE.
13. In 5th paragraph of covenants delete the last line ... "and the TMAPC" This is not a PUD so the Planning Commission is not a party to the covenants.
14. 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.
15. This plat has been referred to Owasso because of its location near or inside a "fence line" of that municipality. Additional requirements may be made by the applicable municipality; otherwise only the conditions listed herein shall apply.
16. 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.
17. All (other) Subdivision Regulations shall be met prior to release of final plat.

TMAPC ACTION: 8 members present

On **MOTION** of **CARNES**, the TMAPC voted **8-0-0** (Carnes, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Draughon, Kempe, Rice, "absent") to **APPROVE** the **Preliminary Plat for Dove Creek**, as recommended by Staff.

* * * * *

6600 Riverside Drive (182) NE/c of East 66th Place & Riverside Drive (OM)

A zoning application is in progress which will be approved by the Planning Commission on 11/25/87. Staff has no objection to review of the plat by the TAC at this time, but it should not be transmitted to the Planning Commission until the zoning application has been approved. (Z-6179; by both Planning and City Commissions.)

Mr. Hill of PSO advised they needed additional easement along the south side of their pole line. After discussion, it was agreed to show 27.42 feet.

6600 Riverside Drive - Cont'd

The TAC voted unanimously to recommend **approval** of the PRELIMINARY PLAT of **6600 Riverside Drive** subject to the following conditions:

1. On face of plat show:
 - (a) Number of lots/acres near location map
 - (b) Show a lot and block number
 - (c) For reference show in dashed lines the west line of Riverside and identify "Harbour Pointe I" plat. Also a dashed line reference to Newport would be helpful.
2. Check dedication on 66th Place. Show Book/Page of dedication. (If not dedicated, plat boundary should be extended to centerline and dedication included in plat.)
3. Legal description has error in one call. Should be "62.72 feet" not 162.72.
4. Check with City Engineer on correct title for "Riverside Drive" or "Riverside Parkway" in this area. Show as directed, and make sure legal description also refers to the correct designation. City Engineer advises it is "Riverside Drive" in this area.
5. Covenants:
 - (a) Include provisions for landscape repair similar to the following: THE OWNER SHALL BE RESPONSIBLE FOR THE REPAIR AND REPLACEMENT OF ANY LANDSCAPING AND PAVING LOCATED WITHIN THE UTILITY EASEMENTS IN THE EVENT IT IS NECESSARY TO REPAIR ANY UNDERGROUND WATER OR SEWER MAINS, ELECTRIC, NATURAL GAS, COMMUNICATIONS OR TELEPHONE SERVICE.
 - (b) Paragraph D, Section 1: Add ... "with the concurring approval of the City Engineer".
6. 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. Show 17.5' utility easement parallel to 66th and Riverside. Also clarify utility Easement where it intersects PSO easement.
7. Water plans shall be approved by the Water and Sewer Department prior to release of final plat.
8. 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 owner(s) of the lot(s).
9. A request for creation of a Sewer Improvement District (or approval of plans) shall be submitted to the Water and Sewer Department prior to release of final plat.
10. Paving and/or drainage plans shall be approved by Stormwater Management and/or City Engineer, including storm drainage, detention design and Watershed Development Permit application subject to criteria approved by City Commission. (100 year sewer to Arkansas River may be required.)

6600 Riverside Drive - Cont'd

11. A request for a Privately Financed Public Improvement (PFPI) shall be submitted to the City Engineer. (If required.)
12. Limits of Access or (LNA) as applicable shall be shown on the plat as approved by Traffic Engineer.
13. It is recommended that the developer coordinate with Traffic Engineer during the early stages of street construction concerning the ordering, purchase, and installation of street marker signs. (Advisory, not a condition for release of plat.)
14. 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.
15. The key or location map shall be complete.
16. 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.
17. The Zoning Application Z-6179 shall be approved and the ordinance or resolution therefore published before final plat is released. Plat shall conform to the applicable zoning approved.
18. 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.
19. All (other) Subdivision Regulations shall be met prior to release of final plat.

Comments & Discussion:

Mr. Wilmoth advised this approval request was for the preliminary and final plats. He pointed out the zoning application had been heard and approved by the TMAPC and the City Commission.

TMAPC ACTION: 8 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **7-0-1** (Carnes, Doherty, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; Paddock, "abstaining"; Crawford, Draughon, Kempe, Rice, "absent") to **APPROVE** the **Preliminary and Final Plat for 6600 Riverside Drive**, as recommended by Staff.

REQUEST FOR WAIVER (Section 260):

CZ-84 Unplatted (1090) NW/c of Highway 51 & South 209th West Avenue (AG-R)

This request was prompted by refusal of a building permit on a 3.94 acre tract because it has been zoned and is "subject to a plat". The following sequence of events has taken place:

- (a) A 20 acre tract is rezoned from AG to AG-R, 8/22/83, Resolution #104828. Section 260 of the Zoning Code requires platting (or waiver) before a building permit can be issued. Applicant signed statement that he understood this condition.
- (b) Subsequently, a home is constructed on the easterly side of the 20 acre tract. Applicant advised that he had a permit.
- (c) Owner sells the west half of the tract (10 acres). Owner of the west half builds a house.
- (d) Owner (same original applicant) of the remaining east half (10 acres) sells the house and 2.65 acres. This creates three tracts, one of 3.94 acres and two of 2.65 acres. Owner indicates a private access easement was granted. (This does not require a lot split because tracts are all over 2.5 acres.)
- (e) November 1987, same owner that rezoned property and sold the house on 2.65 acre tract is refused a building permit because of the platting requirements. (Permit is sought on the 3.94 acre tract.) Applicant requests waiver of plat so he can obtain a building permit.

The foregoing facts are for background information as needed. The present policy of the TAC and Planning Commission is not to grant waivers of plat on tracts larger than 2.5 acres. Based on the facts outlined above, the Staff cannot support a waiver of plat on the entire tract. However, due to the topography on the 3.94 acre tract, it will probably not support a very large building area since most of it lies on the bluff overlooking the Arkansas River with a great deal of the property unbuildable on the side of the bluff. The section line (209th) lies along the side of this tract, but it is not maintained by the County. Access does not appear to be a problem nor do the sizes of the lots. Frontage on the section line road (209th West Avenue) will meet the zoning requirements even though access is also provided by private easement on the interior of the whole tract. Therefore, Staff will only support a waiver as follows:

- (a) Waiver only to apply to the 2.65 acre tract containing an existing home and the 3.94 acre tract which is mostly in the bluff area but will contain one building site. The rest of the entire CZ-84 tract should remain "STP".
- (b) City-County Health Department approval of existing septic system and for the remaining tracts.
- (c) Utility easement if required by utilities to serve the tract.
- (d) No lot split approvals anywhere in the area covered by CZ-84. If further development is contemplated the property should be platted.

NOTE: There were no utility requirements, thereby negating the need for condition (c).

CZ-84 (Unplatted)

The TAC voted unanimously to recommend **approval** of the waiver, subject to conditions outlined by Staff and TAC, as (a), (b) and (d).

In reply to Chairman Parmele, the applicant stated agreement to the TAC and Staff recommendation.

TMAPC ACTION: 8 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Carnes, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Draughon, Kempe, Rice, "absent") to **APPROVE** the **Waiver Request for CZ-84 (Unplatted)**, subject to conditions (a), (b) and (d) as recommended by the TAC and Staff.

* * * * *

BOA-14689 (Unplatted)(1094) 1700 Block of South 145th East Avenue (RS-3)

Mr. Wilmoth advised this application was to be withdrawn. Therefore, having no objection from the Commission, the waiver request for BOA-14689 was withdrawn.

LOT SPLITS FOR WAIVER:

L-16960 Johnson/Heatherly (392) NE/c of East 24th & South Owasso Place (RS-2)

This request had originally been scheduled only for a "discussion item" at the TMAPC, but applicant is requesting waiver of the Street Plan requirement for additional dedication on South Peoria. Also, DSM has indicated that there may be storm water related problems in this area. No additional information had been received at the time of mailing to the TAC for review.

Consistent with past recommendations regarding street right-of-way, the TAC will not recommend waiver of the street right-of-way requirement. Other requirements, if approved by the TMAPC, will include minimum floor elevations, relocation of water and sewer service lines if required, and additional utility easement along South Peoria.

Currently this is not in a mapped floodplain. However, the tract is in the floodplain in the Swan Lake Master Drainage Plan.

The TAC voted unanimously to recommend **approval** of L-16960 subject to the following conditions:

- a) Dedication of right-of-way on Peoria to meet the Street Plan (additional 15'). The applicant is requesting waiver of this condition.
- b) Utility easement parallel to South Peoria between structure and right-of-way line.
- c) Provide minimum floor elevation in accordance with the Department of Stormwater Management requirements.
- d) Relocate water and sewer service lines so they do not cross the newly created lot, and reconnect subject to approval of Water and Sewer Department.

Comments & Discussion:

Mr. VanFossen inquired, if the TMAPC granted waiver of the dedication, how much easement would be needed for condition b. Mr. Wilmoth stated a 10' utility easement would be consistent with similar cases on Utica and Union. Mr. Paddock confirmed that there presently was a 35' dedication on either side of Peoria, but he inquired how far this 35' right-of-way went along Peoria. Mr. Wilmoth stated that 30' - 35' was fairly consistent the entire length between 21st and 31st Street.

Mr. Doherty asked if any communication had been received from the Street Department as to any long-range plans for the widening of Peoria. Mr. Wilmoth stated this agency did not have any input at the TAC meeting, but only commented they did not wish to recommend a waiver of the Street Plan at this time, which was a consistent practice.

Applicant's Comments:

Mr. John Boyd (111 West Fifth, #800), representing the applicant, reiterated the request for waiver of the dedication, as there was no dedication between 15th and 31st Streets on this side of Peoria that exceeded 35'. Mr. Boyd also requested waiver of condition (b) regarding the utility easement. In regard to condition (c), he stated that he felt the TMAPC could not impose floor elevation restrictions, as this was under the jurisdiction of the Building Permit office. He added that he has been in contact with DSM on this matter. Mr. Boyd commented, in reply to Chairman Parmele, that the applicant was not opposing condition (d).

In regard to condition (c) requiring floor elevations, Mr. Linker agreed with Mr. Boyd that the TMAPC should not be imposing conditions in addition to those imposed by DSM and their ordinance. Mr. Carnes stated he agreed with the applicant as to the street dedication, and asked Staff if the utility easements were necessary. Mr. Wilmoth replied that, usually, the reason for asking for an easement parallel to an arterial street, was to provide a place for lines, poles, etc. should the arterial be widened. In further reply to Mr. Carnes, Mr. Wilmoth stated he would have no problem rewording condition (c) to read "must meet DSM requirements".

L-16960 Johnson/Heatherly - Cont'd

In regard to the dedication requirement of condition (a), Mr. Paddock commented this was another classic case indicating the need for review of the Major Street and Highway Plan to reflect realistic situations. He stated he felt the TMAPC should waive the requirement for dedication (condition a), and moved for approval of such. Mr. VanFossen suggested amending the motion to delete conditions (b) and (c). After discussion among the Commission and Legal Counsel, Mr. Paddock amended his motion for approval of the lot split waiver, deleting conditions (a), (b) and (c).

TMAPC ACTION: 8 members present

On **MOTION** of **PADDOCK**, the TMAPC voted **8-0-0** (Carnes, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Draughon, Kempe, Rice, "absent") to **APPROVE L-16960 Johnson/Heatherly**, subject only to condition (d), above.

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L-16966 White (1893) South Victor Avenue at East 27th Street (RS-1)

On **MOTION** of **VANFOSSEN**, the TMAPC voted **7-0-0** (Carnes, Doherty, Paddock, Parmele, Selph, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Draughon, Kempe, Rice, Wilson, "absent") to **CONTINUE Consideration of L-16966 White** until Wednesday, **January 6, 1988** at 1:30 p.m. in the City Commission Room, City Hall, Tulsa Civic Center.

LOT SPLITS FOR RATIFICATION OF PRIOR APPROVAL:

L-16975	(2193)	Teichman
L-16976	(1993)	Coburn
L-16978	(3194)	Giberson

TMAPC ACTION: 8 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **8-0-0** (Carnes, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Draughon, Kempe, Rice, "absent") to **APPROVE** the Above Listed Lot Splits for Ratification of Prior Approval, as recommended by Staff.

SURVEYOR'S CORRECTION TO RECORDED PLAT:

Canyon Creek (PUD 285)(383) N & E of East 68th Street at Canton Avenue (OL)

This is to correct two dimensions on a recorded plat as per the submitted copy of the Affidavit of Correction. Since the plat was approved by the TMAPC and the City Commission, any correction should also be approved by those authorities. The document was recorded without the approvals on 10/11/84. This is a scrivener's error that does not affect the outer boundaries of the plat nor affect any rights-of-way and/or easements. It also does not affect the current PUD and any amendments thereto. Staff recommends **APPROVAL** in order to clear title on this tract.

TMAPC ACTION: 8 members present

On **MOTION** of **VANFOSSEN**, the TMAPC voted **8-0-0** (Carnes, Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Crawford, Draughon, Kempe, Rice, "absent") to **APPROVE** the **Surveyor's Correction to the Recorded Plat of Canyon Creek**, as recommended by Staff.

CONTINUED ZONING PUBLIC HEARING:

Application No.: **PUD 435** Present Zoning: OM, OL & RS-3
Applicant: **Johnsen (Warren Foundation)** Proposed Zoning: Unchanged
Location: East of South Yale Avenue and North/South of East 66th Street
Size of Tract: 71 acres, approximate
Date of Hearing: December 16, 1987
Presentation to TMAPC by: Mr. Roy Johnsen, 324 Main Mall (585-5641)

Staff Recommendation:

The subject tract has an area of approximately 71 acres and is located east of South Yale (north and south of East 66th Street South) being zoned RS-3, OL, and OM. The most westerly portion of PUD 435 is included in the District 18 Special District 2 - Hospital/Medical Complex, and the easterly portion is designated Low Intensity - No Specific Land Use. A significant portion of the PUD is Development Sensitive due to steep slopes and heavily wooded areas. The area north of East 66th Street and east of the existing Warren Medical Center has been developed for single-family residential dwelling units.

The applicant is requesting approval to transfer what would be unused floor area from land south of East 66th Street to the north to permit construction of additional medical and high-rise buildings and related parking structure. The area north of East 66th Street along South Yale is presently developed for medical/office and related uses. Two new

buildings are proposed along with the parking structure. The area south of East 66th Street along South Yale would be devoted to future medical offices and a research center. The most easterly and internal area of the PUD is planned for a professional building and a psychiatric hospital which includes a professional building, a building(s) for an activity center and recreational activity therapy, medical services, a 135 bed residential center, and cottages which provide 30 units to be used as transitional living centers. No change in the underlying zoning is being requested and the necessary floor area is generated by the existing zoning patterns. The psychiatric hospital is a Use Unit 5 which is a use permitted by Special Exception in the RS-3 District.

Staff met with the applicant upon presentation of the development plans and addressed concerns of land use relationships (both internal and external), access patterns, points of access, buffers from existing residential development, building heights, traffic generation data and site topography. A revised plan was submitted subsequent to that meeting and several staff concerns appear to have been addressed within the limits of the site. Preliminary data has been submitted on traffic generation and this concern is somewhat lessened by the revisions to points of access, and in particular an additional point of access to the psychiatric hospital and related buildings from East 68th Street. A buffer of natural vegetation south of East 66th Street approximately 150' wide at the minimum is proposed and a maximum height of two stories (35' maximum) is placed on the building heights within the psychiatric hospital area such that the complex will be naturally screened by vegetation now in place.

The psychiatric hospital facilities are located on the highest part of this portion of the site. The site slopes downward to East 66th Street. Staff would recommend that a further condition be adopted that requires the building facades in Area A be earth tones to blend on a year round basis to the extent possible with the vegetation. Staff would also propose that the building setback from East 66th Street or the extension of East 66th and Fulton be increased to 300' which will cause the built-upon areas of the hospital to be placed in closer proximity to existing office and multifamily uses along East 68th Street.

The three principal development areas south of East 66th Street are as follows:

- A - Psychiatric hospital and related administration building, and residences including transitional living units
- B - Doctors building and research center
- C - General medical offices

The area north of East 66th Street is planned for expanded uses of the Warren Medical Center. Discussion with the applicant indicates that the proposed psychiatric hospital is a related use to the existing and planned Saint Francis Hospital Complex. Transportation and access within PUD 435 should be controlled such that no access to Area A is permitted east of the existing drive that serves the most easterly parts of the Warren Medical Center; further, that no access is permitted from Area A to East

66th Street/Fulton Avenue extended. The future street pattern should be routed to the east of the planned lake on the east boundary of PUD 435 with no connection between East 68th Street and Granite Avenue being permitted. The existing street pattern would indicate that the most easterly internal drive serving Area A would have to be relocated approximately 330' to the west and a cul-de-sac turn around built to terminate East 68th Street at that point.

Staff review of PUD 435, with additional conditions of approval as noted above, indicates that it would be:

- (1) Consistent with the Comprehensive Plan;
- (2) In harmony with the existing and expected development of surrounding areas;
- (3) A unified treatment of the development possibilities of the site and;
- (4) Consistent with the stated purposes and standards of the PUD Chapter of the Zoning Code.

Therefore, Staff recommends **APPROVAL** of PUD 435 as follows:

- 1) That the applicant's Outline Development Plan (Illustrative Site Plan) and Text (including "Character Sketches") be made a condition of approval, as modified herein.
- 2) **Development Standards:**

INTENSITY SUMMARY

		<u>Non-Hospital Floor Area</u>	<u>Hospital Floor Area</u>
Proposed Floor Area: (in square feet)			
<u>Warren Medical Center</u>			
Warren Professional Bldg.	150,362		
Kelly Medical Bldg.	163,072		
William Medical Bldg.	171,431		
Fourth Medical Bldg. & Diagnostic Clinic	<u>289,920</u>	774,785	
<u>Saint Teresa Campus</u>			
Hospital	125,000		
Cottage Residences	<u>25,000</u>		150,000
Medical Research Center	50,000		
Psychiatric Doctors Bldg.	50,000		
General Medical Office Bldg.	<u>120,000</u>	<u>220,000</u>	
TOTAL PROPOSED FLOOR AREA:		993,784	150,000
TOTAL PERMITTED BY ZONING/PUD:		1,038,688	522,720

WARREN MEDICAL CENTER

Land Area (Net):	24 acres
Permitted Uses:	As permitted by right in an OM District
Maximum Building Height:	14 stories
Maximum Building Floor Area:	774,785 sf
Minimum Off-Street Parking:	
Existing Buildings	1 space/300 sf of Floor Area
New Buildings	1 space/250 sf of Floor Area *
Minimum Building Setbacks:	
from Centerline of Yale	110'
from Centerline of East 66th	55'
from other Project Boundaries	10' **
Other Bulk & Area Requirements:	As required in an OM District
Minimum Landscaped Open Space:	15% of net area (See Condition 3)

* Light standards on the top deck of the parking garage shall be limited to a maximum height of 8'. The east elevation of the parking structure shall be screened such that interior lighting is not permitted to spill over into adjacent residential areas. The character of the screening shall be consistent with screening presently in place for similar parking structures for Saint Francis Hospital and the extent of the screening will be determined at the time of submission of a Detail Site Plan and Detail Landscape Plan.

** A 10' setback is permitted except where new development abutts property within an RE, RS, or RD District. In all such cases, setbacks shall comply with requirements of the City of Tulsa Zoning Code.

Sign Standards: No signs shall be permitted on east building facades above the first floor. Signs accessory to the office uses shall comply with the restrictions of the Planned Unit Development Ordinance and the following additional restrictions:

Project Identification: One monument sign identifying the project may be located at the Yale entry, not exceeding 8' in height and 120' in display surface area.

Interior Ground Signs: Ground signs shall be limited to one monument sign identifying each principal building, not exceeding 6' in height and not exceeding a display surface area of 64 square feet.

Wall or Canopy Signs: Wall or canopy signs shall be limited to one sign for each principal building and shall not exceed a display surface area of 64 square feet.

AREA A - PSYCHIATRIC HOSPITAL

Land Area (Net):	30 acres
Permitted Uses:	Use Unit 5, psychiatric hospital, including accessory administration building and residences, to include transitional living units.
Maximum Building Height:	2 stories, not to exceed 35'
Maximum Building Floor Area:	150,000 sf
Maximum Number of Dwelling Units:	30/transitional living units
Minimum Off-Street Parking:	As required by the Zoning Code
Minimum Building Setbacks:	
from Centerline of East 66th	300'
from West Boundary	200'
from South Boundary	100'
from East Boundary	50'
Minimum Natural and Landscaped Open Space:	18.6 acres *

* See Condition 3. Required open space shall also include natural wooded areas such as the buffer south of East 66th Street which shall be maintained in their present state as a condition of approval for PUD 435. The lake, shown on the eastern boundary of PUD 435, is also understood to be a condition of approval and a part of the natural buffer area.

Sign Standards: No signs are permitted on north or east building facades. Signs accessory to the office uses shall comply with the restrictions of the Planned Unit Development Ordinance and the following additional restrictions:

Project Identification: One monument sign identifying the project may be located at the Yale entry, not exceeding 8' in height and 120' in display surface area.

Interior Ground Signs: Ground signs shall be limited to one monument sign identifying each principal building, not exceeding 6' in height and not exceeding a display surface area of 32 square feet.

Wall or Canopy Signs: Wall or canopy signs shall be limited to one sign for each principal building and shall not exceed a display surface area of 32 square feet.

Exterior Finish Standards: All exterior finishes within Area A shall be earth tones such as to blend, to the maximum extent possible, with the natural wooded areas maintained as a buffer.

Access Standards: No access to Area A from East 66th Street is permitted east of that location shown on the Illustrative Site Plan. No street connection is permitted between East 68th Street and Granite Avenue. A cul-de-sac shall be constructed at the presently improved east end of East 68th Street (at the northeast corner of the existing apartment development) and private internal drives within PUD 435 revised accordingly.

AREA B - DOCTORS BUILDING AND RESEARCH CENTER

Land Area: 9.5 acres
Permitted Uses: As permitted by right in an OM District, including medical clinics and laboratories
Maximum Building Height: 5 stories
Maximum Building Floor Area: 100,000 sf
Minimum Off-Street Parking: 1 space/250 sf of floor area
Minimum Building Setbacks:
from Centerline of Yale Avenue 100' 110' (collected per TMAPC 3/2/88)
from Interior Boundaries 20'
Other Bulk & Area Requirements: As required in an OM District
Minimum Landscaped Open Space: 15% of net area (See Condition 3)

Sign Standards: No signs are permitted on north or east building facades above the first floor. Signs accessory to the office uses shall comply with the restrictions of the Planned Unit Development Ordinance and the following additional restrictions:

Ground Signs: Ground signs shall be limited to one monument sign identifying each principal building, not exceeding 6' in height and not exceeding a display surface area of 64 square feet.

Wall or Canopy Signs: Wall or canopy signs shall be limited to one sign for each principal building and shall not exceed a display surface area of 32 square feet.

AREA C - GENERAL MEDICAL OFFICES

Land Area (Net): 7.5 acres
Permitted Uses: As permitted by right with an OM District
Maximum Building Height: 10 stories
Maximum Building Floor Area: 120,000 sf
Minimum Off-Street Parking: 1 space/250 sf of floor area

Minimum Building Setbacks:

from Centerline of Yale	110'
from Centerline of East 66th	55'
from Other Interior Boundaries	20'

Minimum Landscaped Open Space: 15% of net area (See Note 3)

Sign Standards: No signs are permitted on north or east building facades above the first floor. Signs accessory to the office uses shall comply with the restrictions of the Planned Unit development Ordinance and the following additional restrictions:

Interior Ground Signs: Ground signs shall be limited to one monument sign identifying each principal building, not exceeding 6' in height and not exceeding a display surface area of 64 square feet.

Wall or Canopy Signs: Wall or canopy signs shall be limited to one sign for each principal building and shall not exceed a display surface area of 32 square feet.

- 3) Landscaped open space shall include internal and external landscaped open areas, parking lot islands and buffers, but shall exclude pedestrian walkways and parking areas designed solely for circulation.
- 4) That all trash, mechanical and equipment areas (including roof mounted equipment) shall be screened from public view.
- 5) That all parking lot lighting shall be directed downward and away from adjacent residential areas. All parking light standards in Area A shall be limited to a maximum height of 15' and shielded to direct light downward and away from residentially developed areas.
- 6) All signs shall be subject to Detail Sign Plan review and approval by the TMAPC prior to installation and in accordance with Section 1130.2(b) of the PUD Chapter of the Zoning Code and as further limited herein.
- 7) That a Detail Landscape Plan for each development area shall be submitted to the TMAPC for review and approval and installed prior to issuance of an Occupancy Permit. The landscaping materials required under the approved Plan, including existing natural wooded areas and a lake shown in Area A, shall be maintained and replaced as needed, as a continued condition of the granting of an Occupancy Permit.
- 8) Subject to review and approval of conditions, as recommended by the Technical Advisory Committee. Access to Area A is further restricted and conditioned upon the Development Standards for Area A.
- 9) That a Detail Site Plan, including building and parking garage elevations elevations, shall be submitted to and approved by the TMAPC prior to issuance of a Building Permit, to include specific requirements for exterior building finish as stated in the Area A Development Standards.

PUD 435 Johnsen (Warren Foundation) - Cont'd

- 10) That no Building Permit shall be issued until the requirements of Section 260 of the Zoning Code has been satisfied and approved by the TMAPC and filed of record in the County Clerk's office, incorporating within the Restrictive Covenants the PUD conditions of approval, making City of Tulsa beneficiary to said Covenants.
- 11) Unused floor area allocation is permitted to be transferred within the various Development Areas, except no unused floor area from the Warren Medical Center, Area B, or Area C is permitted to be transferred into Area A.

Comments & Discussion:

Regarding the "...existing and planned St. Francis Hospital complex..." in Staff's recommendation, Mr. Paddock inquired if this reference was to what was being presented in this PUD proposal or if it might be something the Commission has not yet heard about. Mr. Gardner stated the St. Francis Hospital complex was all related to what was before the Commission. However, even though the hospital was not a part of the PUD, the medical buildings south of the hospital were in this PUD as there was a new building proposed, and the hospital and medical buildings were all interrelated as being a part of a "super-complex".

In reply to Mr. VanFossen, Mr. Gardner clarified that the parking structure proposed was five stories, including the one level underground. Mr. VanFossen commented he felt a limitation should be stated in the PUD for this parking structure.

Applicant's Comments:

Mr. Roy Johnsen, representing the Warren Foundation and the St. Teresa of Lisieux Hospital (St. Teresa), reviewed the background of the relationship of the Warren Foundation with St. Francis Hospital, and stated the Foundation would have the same relationship with St. Teresa in that they would be interrelated from a functional standpoint, even though they would remain separate entities. Mr. Johnsen reviewed an aerial photo of the entire area, indicating locations of the proposed office and medical facilities, noting that the site would be surrounded by a heavily wooded area which would be preserved to provide a buffer to the residential subdivisions. Mr. Johnsen then explained the proposed standards of the Site Plan as to each proposed facility and intended uses, as well as the physical facts of existing and proposed structures.

In regard to the concern on the parking structure height, Mr. Johnsen stated they could accept a five story limitation with one level underground. He continued review of the Site Plan, pointing out the three options for access, stating the Foundation's concern to provide a secure and quiet area. Mr. Johnsen advised that they have reviewed the proposed access with the Traffic Engineer, and the Engineer concurred that the streets in the medical complex would not be extended to the south, and provisions would be made for a possible future eastward extension of a collector street from East 66th.

Mr. Johnsen stated that the Foundation had arranged a meeting with the neighborhood to discuss their concerns; one concern being access to 66th Street. Mr. Johnsen advised there would be no access to 66th Street east of the Public Service (PSO) substation. Secondly, the design provides for staff parking south of the hospital with direct access to 68th Street, which presently was only a half-street dedication, but the Foundation has agreed to extend and improve the street with a cul-de-sac at the end. He pointed out that the access from Yale was intended to be the primary and principal patient entry for the hospital.

Regarding the proposed access on 66th Street, Mr. Johnsen stated this was intended to be a secondary means of access, as the Foundation felt it important to have a connection between the two facilities for those physicians practicing in both places, and the Traffic Engineer agreed so as to keep traffic internal and not on the main arterials. He added the Foundation had several options to assure that this access would serve the intended purpose. Mr. Johnsen stated one alternative would be that the parking for the hospital staff (not the doctors) would be designed and constructed in a way to disallow through movement into the rest of the complex. Another alternative was to install a security gate limited to physicians and administrative staff, as opposed to regular hospital staff, visitors and/or patients. Thirdly, it could be gated to be closed during peak periods. Mr. Johnsen stated the Foundation, even though one of the three alternatives had not yet been perfected, would soon be selecting the desired alternative.

In regard to building setbacks, Mr. Johnsen requested the setback from centerline of East 66th be amended to 250' to accommodate the northernmost building of the patient rooms. Mr. Johnsen explained they had consulted with their architects and considering the topography, it was determined that Staff's proposed setback of 300' from centerline of 66th could be accommodated, with the exception of the one building. Therefore, a 250' setback was requested for the patient rooms (#10) and a 300' setback for residential cottages (#8) was acceptable.

Mr. Johnsen stated, for the record, that within 150' of the south boundary of development Area B (Building 2), which was adjacent to existing office buildings, no parking structure exceeding two levels would be permitted; and within 50' of this boundary, no building shall be located at all. In regard to construction traffic, which was a concern at the neighborhood meeting, Mr. Johnsen remarked that there would be no construction traffic east of PSO on 66th Street. He further clarified that there was an access dirt road several hundred feet east of PSO which the Foundation uses for patrolling its properties, and this road would remain open during construction for security purposes, but would be removed after the facilities were ready for occupancy. Another concern of the neighboring property owners was that the buffered areas remain and not be used for housing in the future. Mr. Johnsen commented that this buffer area would remain in its natural form.

Mr. Johnsen submitted a revised legal description of the site, which excluded from the PUD the area that would be potential right-of-way. Mr. Johnsen then proceeded with the following areas of nonconcurrency with the Staff recommendation and other requested changes:

- a) Regarding the recommendation on the setbacks for the Warren Medical Center, as noted by two asterisks, Mr. Johnsen stated this created a problem due to the way the zoning patterns were drawn, and he pointed out that the Foundation owned houses in this area. Therefore, he requested this notation be worded, "a 250' setback from the nearest residential zoning line". Mr. Gardner commented that, if the applicant met the two-to-one setback for each 1' of building height over 15' from the quarter section where the actual residential lots were platted and developed, then this would meet what the Staff was intending in the recommendation. However, there were some residential zoning lines between that section line and where a building was proposed. Therefore, Mr. Gardner concurred with the suggested wording of "normal OM setbacks shall apply, measured to the quarter section line".
- b) Regarding signage, Mr. Johnsen stated that the existing signs at the Warren Medical Center had been overlooked. Therefore, he requested the sign restrictions for this area be modified to permit these existing signs, and that these standards apply to any additional signage. Staff agreed to this modification.
- c) Regarding the setbacks for Area A, Mr. Johnsen commented he had already discussed amending the 300' setback from 66th Street to 250' for the one building, being a patient rooms (#10). Further, he requested that the setback from the west boundary be amended to 100', as this was an interior boundary, and 200' as proposed in the PUD Text was an excessive setback on an interior line.
- d) Mr. Johnsen commented that Staff's condition regarding the maintenance of the "natural wooded areas in their present state" would not permit the applicant to clean up and/or clear out some underbrush of this buffer area in Area A. Further, the applicant also intended to do some supplemental planting, as well as take the road out. Therefore, to prevent any future misunderstanding, Mr. Johnsen suggested wording the condition so as to assure the natural wooded areas "be substantially in accord with its present state, or in accordance with the approved landscaping plan", which would be presented for approval by the TMAPC.

Additional Comments & Discussion:

Mr. Paddock inquired if any consideration had been given to an over/under pass for the north/south traffic between the two hospitals as a fourth access alternative, which might also provide an access for emergency vehicles. Mr. Johnsen stated that, although this had not been considered, it might be very costly due to existing 72" drainage conduits. Mr. Johnsen clarified for Mr. Paddock that physicians access from existing medical facilities (Warren Medical Center) would not be cut off from accessibility from the proposed hospital (St. Teresa).

Commissioner Selph inquired as to the number of beds in the proposed transitional living center (cottages). Mr. Johnsen stated that the Foundation had not attempted to identify the number of beds in a building, as one structure might have two beds, while another structure might have six beds. However, he pointed out there would be a 30 bed maximum, with 135 beds proposed for the patient rooms. Commissioner Selph then inquired as to the age population this living center was intended to serve. Mr. Johnsen stated it would serve adult and adolescent patients. He added there were a number of beds from the psychiatric treatment center in St. Francis that would be transferred to this facility as a part of the certificate of need. However, this was included in the 135 proposed, and not in addition to the 135 beds.

In response to Mr. Paddock, Mr. Johnsen confirmed they have been in contact with the Fire Department regarding emergency vehicles, and had worked with them at the TAC meeting.

Interested Parties:

Address:

Mr. H.M. Jacklin, Jr.	5522 East 61st Ct.	74136
Ms. Yvonne Jackson	5525 East 65th Place	"
Mr. Calvin Brusewitz	5532 East 62nd Street	"
Mr. Robert Diehl	5463 East 66th Street	"
Mr. Ron Graham	5443 East 66th Street	"
Ms. Ginny Poe	5808 East 63rd Street	"

Mr. H.J. Jacklin, representing the Warrenton Neighbors, Inc., submitted a copy of the notice that had been mailed to the members of the Warrenton and Warrenton South subdivisions. He commented the main concerns expressed by the property owners were connected with a possible increase in traffic (speed and volume) through the Warrenton subdivisions. Other questions raised at the meeting concerned how limited access would be controlled; construction vehicles on 66th Street; and provisions to assure minimum traffic flow east on 66th Street when the future medical office building was constructed (Building 9). Mr. Jacklin commented on his understanding of how each of these concerns would be addressed as discussed by Mr. Johnsen during his presentation. Mr. Jacklin commented on answers provided by the Foundation in response to other questions raised by the homeowners, and as indicated in the PUD. Mr. Jacklin commented that, to date, he was not aware of any request from the property owners that Warrenton Neighbors hold a meeting to determine their position as being for or against this PUD, or suggested changes thereto. However, on a personal note, Mr. Jacklin stated he endorsed the proposal as it presented the best possible world for Warrenton in light of its potential reduction in traffic through the Warrenton subdivisions.

Ms. Yvonne Jackson, a resident in this area for nine years, requested assistance from the TMAPC with regard to the existing traffic problems in this area (66th, 61st, Hudson, etc.).

Chairman Parmele mentioned that the traffic problem outside the PUD could not be addressed by the TMAPC. However, a copy of these minutes would be forwarded to the City Commission and Commissioner Metcalfe, with these traffic concerns noted.

Mr. Calvin Brusewitz reiterated the traffic problems, particularly those along 66th and Hudson. He also stated concerns as to the effect of the transitional living center (cottages) on the Warrenton addition, in light of a similar facility at 61st and Sheridan where patients have wandered into the residential areas.

Mr. Robert Diehl stated concerns as to the security measures offered by the proposed project. He commented he was pleased the buffer area would be upgraded, as it was presently being used as a dump area. Mr. Diehl agreed with the suggestion for a possible overpass from the hospital to help eliminate traffic problems along 66th.

Mr. Ron Graham stated he felt there was a conflict of interest between the homeowners association and the hospital since several members were employees of the hospital. As he felt the homeowners had not been given sufficient notice, Mr. Graham requested the TMAPC delay their decision to allow time for the homeowners to meet again among themselves, as the previous meeting was presented by the Foundation. Mr. Graham's repeated response to Commissioners was that he was not prepared to answer as there had not been an opportunity to meet and consider alternatives. In reply to Ms. Wilson, Mr. Graham submitted a formal request for a two month continuance. Ms. Wilson commented she felt two months was too long, and asked Mr. Graham if he was protesting the development or just requesting more time to work within the PUD. Mr. Graham stated that he knew enough to think this undesirable at this location, but he again requested more time for homeowner review.

Mr. Jacklin was recognized by the Commission, and he commented, in regard to Mr. Graham's statements on conflict of interest, that any member associated with the hospital had always abstained on a vote at the association meetings.

Ms. Ginny Poe, District 18 Chairman, advised that she had received calls and concerns from residents of District 18 and would try to relay these with a sense of neutrality as Chairman of the District. Ms. Poe commented that, due to the holiday season, she felt there might be some validity to the homeowners not having enough opportunity to review this proposal. Ms. Poe suggested an impact study be requested by the TMAPC on the affect of this PUD to the surrounding neighborhoods. She commented this proposal was not in total consistency with the Comprehensive Plan, and she felt there was a question as to the definition of hospital as relates to the mental health care facility. She also requested the Commission consider the possibility of these type services not being covered by the insurance companies, which might necessitate this coming under the jurisdiction of

the state. Ms. Poe stated concern as to the concept of a wholly owned subsidiary, since there was a possibility that it could be sold off, and she commented that if the applicant was someone other than the Warren Foundation, she felt the Commission would consider this more closely.

In reply to Mr. Paddock and Mr. Carnes, Ms. Poe stated that she felt a continuance would be in order to allow time for the neighborhood to review the proposal, and that at least 60 days would offer this opportunity.

Chairman Parmele commented that it was TMAPC policy to grant a continuance to either party if submitted in a timely manner. However, this request was not timely and would require a vote of the Commission. He pointed out that one continuance had been granted to the applicant in order to meet with the homeowners. Mr. Paddock confirmed with Staff that the original PUD hearing was advertised for a continuance from December 9th to this date.

Mr. Johnsen stated objection to the continuance request as all of the residents did have the statutory 20 day notice with a map and the INCOG address to obtain additional information from the Staff if needed. He further pointed out that the applicant and the homeowners association did have a meeting, of which each resident in the addition received notice. Mr. Johnsen added that the letter transmitted to the residents contained the "high points" of the proposal, i.e. a psychiatric hospital and facilities, buffer zone, etc. Mr. Johnsen stated that the public hearing process has been served, and he requested the Commission proceed accordingly.

Mr. Doherty moved for denial of a continuance of PUD 435. Mr. Paddock stated the question in his mind was, would a continuance serve any useful purpose, and he requested input from the Commission members. Chairman Parmele stated he felt the request for continuance was unjustified, as the applicant and homeowners did have a meeting to address concerns, and any interested party had ample opportunity during the 20 day notice period to obtain and review information from the INCOG offices and Staff.

After confirming the dates of notice and the date of the homeowners meeting, Mr. VanFossen commented he felt adequate notice had been given and he would vote for the denial of continuance. Commissioner Selph remarked that he was not opposed to the basic concept of the PUD; however, he felt there were some legitimate concerns raised by the protestants that might warrant another meeting, which could possibly change from protest to support of the project.

Ms. Wilson commented she felt there were some legitimate concerns raised. She inquired if there was a Master Plan for St. Francis' further expansion to the east on the remainder of the vacant property owned by the Foundation. Mr. Johnsen advised he was not aware of a Master Plan for the St. Francis Hospital or for the properties to the east which were also Warren Foundation holdings, and currently zoned OL. He added that the Foundation would be happy to meet with any resident(s) between now and the City Commission meeting.

PUD 435 Johnsen (Warren Foundation) - Cont'd

Mr. Doherty commented that the purpose of a continuance should be to further the Commission's understanding, and not necessarily to allow time for a public relations campaign. He felt the applicant, in this case, had met their obligation in meeting with the residents, and the Commission had heard the concerns of the interested parties, and he did not feel a continuance would improve either the Foundation's ability to answer concerns on security, etc., or lessen the neighborhood's concern about this. Therefore, he felt the Commission should address any valid concern at this time.

Mr. Carnes remarked he was not in favor of putting this off for six months, or even two months. He suggested, however, including a condition requiring another meeting with the homeowners before the City Commission hearing. Mr. Paddock stated he would be reserving his position on the continuance until such time as Mr. Johnsen had offered his rebuttal.

TMAPC ACTION: 8 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **4-2-2** (Doherty, Parmele, VanFossen, Woodard, "aye"; Selph, Wilson, "nay"; Carnes, Paddock, "abstaining"; Crawford, Draughon, Kempe, Rice, "absent") to **DENY** a **Continuance of PUD 435 Johnsen (Warren Foundation)**, as requested by the Protestants.

Applicant's Rebuttal:

Mr. Johnsen reviewed the strict security measures enforced by St. Francis and the other Warren operations. He pointed out that the facilities housing the psychiatric patients were all interconnected and would be under the same strict security as St. Francis. In regard to the transitional living center, Mr. Johnsen stated that a key factor was that the Warren Foundation was a privately owned and a nonprofit organization; therefore, offering the opportunity for upgraded standards over those of public and/or profit-oriented groups.

Mr. Johnsen commented that the traffic concerns had been addressed as sufficiently as possible, as they have worked with the Traffic Engineer and this topic was discussed at length during the homeowners meeting.

Mr. VanFossen inquired if the applicant might possibly consider, for the buffered area, a chain link fence interwoven inconspicuously to offer a better feeling of security to the surrounding property owners. Mr. Johnsen replied that the concepts for these type of facilities was not that of prisons, and sometimes the placement of a fence creates a feeling of insecurity, i.e. there's something dangerous. Commissioner Selph commented that, in his experience with special housing, a fence was not necessarily a deterrent to those wanting in or out.

Mr. Doherty inquired if the applicant would object to a condition that the normal access be restricted to the south and west. Mr. Johnsen clarified that there was not access to the north and west and the buildings were interconnected with a complete circle access, therefore, patient access was all internal as this was an enclosed complex. Mr. Doherty and

PUD 435 Johnsen (Warren Foundation) - Cont'd

Commission Selph stated that this understanding reassured them as to hesitation with access and/or security. Commissioner Selph added that, as pointed out by Mr. Johnsen, the Warren Foundation certainly had the expertise and resources to design a facility to maximize a sense of security.

Mr. Paddock asked Mr. Johnsen if some further consideration might be given to the idea of an overpass connecting the northern part of the St. Francis complex to this new development. Mr. Johnsen stated he would pass this on to the applicant for further study, but he could not commit to this suggestion. In reply to Mr. Doherty, Mr. Johnsen committed to meeting again with the homeowners at a reasonable time and place. Mr. Paddock inquired as to the time limit with the permitting from State. Mr. Johnsen advised this involved a four year time frame.

Review Session:

Mr. VanFossen moved for approval of PUD 435 with the following modifications:

- 1) The parking building identified as #14 in the Warren Medical Center shall have a maximum of five parking levels above grade.
- 2) The 10' setback to the east side of the Warren Medical Center be changed to 250' from the quarter section line.
- 3) Modify the 300' setback on the south side of 66th Street in Area A to permit one building type #10 to have a 250' setback from the centerline of 66th Street so long as the north facade of the building does not exceed 35' building height from the existing finished grades.
- 4) That the parking structure to the south side of Area B shall be limited to two parking levels above grade, within 150' of the south property line with a 50' building setback for the structure.
- 5) Modify the wording of the natural wooded buffer area along 66th Street to require it to be substantially retained in its natural state, but subject to changes approved by a submitted landscape plan.
- 6) An over/under pass crossing be considered as the fourth alternative for the 66th Street crossing.

Mr. VanFossen further commented that, although concerned about security, he felt the Foundation would deal with this as well as possible. He felt traffic, however, would continue to be a problem in this part of Tulsa, but he pointed out that these buildings (except for the hospital) were on land that has been properly zoned and recognized for years as being for heavy development of office type uses. Mr. VanFossen remarked that he felt this was a well conceived and designed project.

In regard to access to Yale, Mr. Doherty and Mr. VanFossen clarified that this issue would be reviewed by Traffic in the plat process. However, Mr. Doherty requested this item be "flagged" for further consideration by the applicant.

PUD 435 Johnsen (Warren Foundation) - Cont'd

Mr. Paddock stated he was persuaded that no useful purpose would be served by continuing this public hearing, and he was ready to vote on Mr. VanFossen's motion. However, one item that was overlooked was Mr. Johnsen's request on the sign standards. Therefore, Mr. VanFossen amended his motion to permit the existing signs in the Warren Medical Center.

Commissioner Selph commented that he felt the details of these minutes would serve to pass the traffic concerns on to the City Commission. An additional item he wanted to stress was that this project was not an asylum and he felt the residential living units could be compatible with the surrounding neighborhoods. He reiterated his confidence in the expertise and resources of the Warren Foundation to design these units to maximize security to lessen fears and concerns of the residents.

TMAPC ACTION: 7 members present

On **MOTION** of **VANFOSSEN**, the TMAPC voted **7-0-0** (Doherty, Paddock, Parmele, Selph, VanFossen, Wilson, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Draughon, Kempe, Rice, "absent") to **APPROVE PUD 435 Johnsen (Warren Foundation)**, as recommended by Staff, and modified as follows:

- 1) The parking building identified as #14 in the Warren Medical Center shall have a maximum of five parking levels above grade.
- 2) The 10' setback to the east side of the Warren Medical Center be changed to 250' from the quarter section line.
- 3) Modify the 300' setback on the south side of 66th Street in Area A to permit one building type #10 to have a 250' setback from the centerline of 66th Street so long as the north facade of the building does not exceed 35' building height from the existing finished grades.
- 4) That the parking structure to the south side of Area B shall be limited to two parking levels above grade, within 150' of the south property line with a 50' building setback for the structure.
- 5) Modify the wording of the natural wooded buffer area along 66th Street to require it to be substantially in its natural state, but subject to changes approved by a submitted landscape plan.
- 6) An over/under pass crossing be considered as a fourth alternative for the 66th Street crossing/access.
- 7) The sign restrictions for the Warren Medical Center be modified to permit the existing signs, and that these standards apply to any additional signage.

STAFF NOTE: The modification of the setback from the west (interior) boundary of Area A from 200' to 100' was discussed as acceptable to the Commission. However, this item was excluded from the motion and the Commission's conditions of approval. Therefore, Staff recommends an addition/correction to the motion conditions, as follows:

- 8) The building setback from the west (interior) boundary of Area A be changed to 100'.

Legal Description:

A part of the W/2 of Section 3, T-18-N, R-13-E, Tulsa County, Oklahoma, POB at the southwest corner of the NE/2 of the NW/4 of the SW/4 of said Section 3; thence east along the south line of said N/2 of the NW/4 of the SW/4 a distance of 660' to the northwest corner of lot 4, Block 1, CANYON CREEK, A PRIVATE OFFICE PARK, an addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof; thence south along the west boundary of said Lot 4 a distance of 330.20'; thence east along the south boundary of Lot 4 a distance of 170.38' to a point on the west boundary of Lot 3, Block 1, CANYON CREEK, A PRIVATE OFFICE PARK; thence south along said west boundary of said Lot 3 a distance of 104.98'; thence east a distance of 171.94'; thence S 83°01'40" E a distance of 186.52'; thence N 26°30'57" E a distance of 13.41'; thence east a distance of 126.90' to a point on the east boundary of Lot 3, Block 1, CANYON CREEK, A PRIVATE OFFICE PARK, which is also the west boundary of the NE/4 of the SW/4; thence south along said east line a distance of 230' to the southwest corner of the NE/4 of the SW/4 of said Section 3; thence east along the south line of said NE/4 SW/4 a distance of 970'; thence due north a distance of 780'; thence north 37°50' W 210' parallel to and 60' from the south line of lot 4, block 2, of WARRENTON SOUTH, and Addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof, said point being on the southerly right-of-way line of East 66th Street South; thence westerly along said right-of-way line to a point that is 180' south of the northwest corner of the NE/4 of the SW/4 of said Section 3; thence south 250'; thence west 200'; thence north 250' to the southerly right-of-way line of East 66th Street South; thence northwesterly along said right-of-way line to the west line of Section 3, a portion of said right-of-way line also being the north line of a portion of WARREN CENTER SOUTH AMENDED, an addition to the City of Tulsa, Tulsa County, Oklahoma, according to the recorded plat thereof; thence south along the west line of Section 3, a distance of 690' to the POB.

*All corrected
Reggie - per
TMABC 9/2/88*

Legal Description:

A part of the W/2 of Sect. 3, T-18-N, R-13-E, Tulsa County, OK, POB at the SW/c of the NE/2 NW/4 SW/4 of said Sect. 3; thence east along the south line of said N/2 NW/4 SW/4 a distance of 660' to the NW/c of Lot 4, Block 1, CANYON CREEK, A PRIVATE OFFICE PARK, an addition to the City of Tulsa, Tulsa County, OK, according to the recorded plat thereof; thence south along the west boundary of said Lot 4 a distance of 330.20'; thence east along the south boundary of Lot 4 a distance of 170.38' to a point on the west boundary of Lot 3, Block 1, CANYON CREEK, A PRIVATE OFFICE PARK; thence south along said west boundary of said Lot 3 a distance of 104.98'; thence east a distance of 171.94'; thence S 83°01'40" E a distance of 186.52'; thence N 26°30'57" E a distance of 13.41'; thence east a distance of 126.90' to a point on the east boundary of Lot 3, Block 1, CANYON CREEK, A PRIVATE OFFICE PARK, which is also the west boundary of the NE/4, SW/4; thence south along said east line a distance of 230' to the SW/c of the NE/4 SW/4 of said Sect. 3; thence east along the south line of said NE/4 SW/4 a distance of 970'; thence due north a distance of 780'; thence N 37°50' W 210' parallel to and 60' from the south line of Lot 4, Block 2, of WARRENTON SOUTH, and Addition to the City of Tulsa, Tulsa County, OK, according to the recorded plat thereof, said point being on the southerly R/W line of East 66th Street South; thence westerly along said R/W line to a point that is 180' south of the NW/c of the NE/4 SW/4 of said Sect. 3; thence south 250'; thence west 200'; thence north 250' to the southerly R/W line of East 66th Street South; thence northwesterly along said R/W line to the west line of Sect. 3, a portion of said R/W line also being the north line of a portion of WARREN CENTER SOUTH AMENDED, an addition to the City of Tulsa, Tulsa County, OK, according to the recorded plat thereof; thence south along the west line of Sect. 3, a distance of 690' to the POB; and

All of Lot 1 and part of Lot 2, Block 1, WM.K. WARREN MEDICAL RESEARCH CENTER, INC., and part of Lot 1, Block 1, WARREN MEDICAL PROFESSIONAL CENTER, additions in Tulsa, Tulsa County, OK according to the official recorded plats thereof; more particularly described as follows, to-wit: Beginning at the NW/c of said Lot 1, Block 1 of WARREN MEDICAL PROFESSIONAL CENTER; thence S 89°57'12" E along the north boundary a distance of 1,021.16'; thence S 0°07'32" E a distance of 60'; thence N 89°57'12" W a distance of 86.40'; thence S 0°07'32" E a distance of 279.03'; thence S 89°58'34" E a distance of 205.75'; thence S 0°07'32" E a distance of 75'; thence N 89°58'34" W a distance of 273'; thence S 0°07'32" E a distance of 69.68' to a point on the south boundary of said Lot 1, Block 1 of WARREN MEDICAL PROFESSIONAL CENTER (north boundary of said Lot 2, Block 1, WM. K. WARREN MEDICAL RESEARCH CENTER, INC.) 402.65' from the SE/c thereof; thence S 0°07'32" E a distance of 157.32'; thence N 89°58'34" W a distance of 173.06' to a point in the east boundary of said Lot 2, 157.32' from the NE corner thereof; thence along the east boundary of said Lot 2 as follows: S 0°07'32" E a distance of 157.87'; thence S 42°45'20" W a distance of 102.87'; thence S 0°07'32" E a distance of 371.83' to the SE/c thereof; thence along the southerly boundaries of said Lots 1 & 2, Block 1, WM. K. WARREN MEDICAL RESEARCH CENTER, INC. as follows: N 79°09'39" W a distance of 0.0'; thence on a curve to the right having a radius of 688.24' a distance of 244.22'; thence N 58°49'46" W a distance of 137.87'; thence on a curve to the left having a radius of 519.04' a distance of 17.82' to the common corner of said Lots 1 & 2; thence on a curve to the left having a radius of 519.04' a distance of 385.17'; thence S 76°41'06" W a distance of 77.96'; thence on a curve to the right having a radius of 396.79' a distance of 92.55'; thence N 89°57'03" W a distance of 60.10' to the SW/c of said Lot 1; thence N 0°08'39" W along the west boundary of said Lot 1, Block 1, WM.K. WARREN MEDICAL RESEARCH CENTER, INC. a distance of 572.12' to the NW/c thereof; thence N 89°58'34" W along the south boundary of said Lot 1, Block 1, WARREN MEDICAL PROFESSIONAL CENTER a distance of 10' to the SW/c thereof; thence N 0°08'39" W along the west boundary of said Lot 1, Block 1, WARREN MEDICAL PROFESSIONAL CENTER a distance of 484.08' to the POB; containing 1,046,829 square feet or 24.03189 acres, more or less.

12.16.87:1677(28)

*Correction approved
by TMAPC 3/2/88*

OTHER BUSINESS:

PUD 285-A-1: North of the NE/c of East 68th Street & South Canton Avenue

Staff Recommendation: Amended Deeds of Dedication for Canyon Creek

On September 16, 1987 the TMAPC approved PUD 285-A which abandoned the most northerly portion of the PUD and retained the underlying OL zoning. The applicant is now requesting approval of the amended Deeds of Dedication for the PUD.

Staff review of the document finds the contents, including the legal description of deleted property, to be consistent with that approved by the TMAPC and City Commission.

Therefore, Staff recommends APPROVAL of the Amended Deeds of Dedication as submitted subject to the approval by the City of Tulsa Legal Department.

NOTE: The applicant is requesting early transmittal of this item to the City Commission.

TMAPC ACTION: 6 members present

On **MOTION** of **DOHERTY**, the TMAPC voted **6-0-0** (Doherty, Paddock, Parmele, Selph, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Draughon, Kempe, Rice, Wilson, "absent") to **APPROVE** the **Amended Deeds of Dedication for PUD 285-A-1**, as recommended by Staff, requiring receipt of all release letters prior to transmittal to the City Commission.

* * * * *

PUD 282-2: South of the SE/c of East 71st Street & South Wheeling Avenue

Staff Recommendation: Minor Amendment to Permit Christmas Tree Sales

PUD 282-2 is a commercial/office complex located at the southwest corner of East 71st Street South and South Lewis Avenue. The applicant is requesting a minor amendment to permit existing Christmas tree sales, for the 1987 season, in a portion of the PUD currently being used for open space. The applicant plans to file a major amendment to the PUD after the first of the year to permit Christmas tree sales as a permitted use of the PUD during the holiday season. The existing use is open from 10:00 a.m. to 10:00 p.m., seven days per week. The use utilizes existing shopping center parking for customers and has an 8' x 12' portable building as an office. Notice of the application was given to abutting property owners. Staff can support the requested minor amendment, per the above mentioned conditions due to the property across South Wheeling Avenue being both vacant and containing multifamily apartments.

PUD 282-2 Minor Amendment - Cont'd

Therefore, Staff recommends **APPROVAL** of Minor Amendment PUD 282-2 per the above conditions.

TMAPC ACTION: 6 members present

On **MOTION** of **VANFOSSEN**, the TMAPC voted **6-0-0** (Doherty, Paddock, Parmele, Selph, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Draughon, Kempe, Rice, Wilson, "absent") to **APPROVE** the **Minor Amendment to PUD 282-2**, as recommended by Staff.

* * * * *

PUD 343-2: West of the SW/c of East 81st Street and South Memorial

Staff Recommendation: Minor Amendment and Lot Split #16977

The subject PUD is located west of the southwest corner of South Memorial Drive and 81st Street and has been approved for various types of office, commercial and recreational uses. This particular application has been platted into Lots 1, 2 and 3, Block 1, Echelon Centre. Lot 1, Block 1 is developed and contains a drive-in banking structure which was approved on 1/16/85.

PUD 343, as approved, permits Lot 2, Block 1, a maximum floor area for retail and commercial uses of 60,000 square feet and a maximum floor area for office and studios of 150,000 square feet.

A part of Lot 2, Block 1 has been developed as a retail center containing 55,715 square feet of gross floor area pursuant to a detail site plan which was approved by the TMAPC on 2/15/84.

Lots 2 and 3, Block 1 were originally described in PUD 343 as Development Area B and Development Area C. A portion of Lot 2 has previously been attached to Lot 3, (minor amendment 343-1 & L-16735) to increase the area availability for off-street parking within Lot 3 and is now tied to Lot 3 by a tie contract on the face of the deed.

The minor amendments requested are as follows:

1. To divide Lots 2 & 3, Block 1, Echelon Centre (originally Development Areas B & C) into three Development Areas (tracts A, B & C).
2. To permit the approval of a lot split of part of Lot 2, and a part of Lot 3 to allow the separate ownership and financing of the retail center by Echelon Retail Joint Venture.
3. To allocate the remainder of the permitted retail and commercial building floor area and all of the office and studio building floor area to the undeveloped portion of Lot 2, Block 1, Echelon Centre.

Staff finds this request for lot split and the allocation of the remaining floor area to be minor in nature and a normal part of the typically required adjustment of the development area boundaries at the time of development. Therefore, staff recommends **APPROVAL** of the minor amendment and lot split #16977 as requested, subject to the following conditions:

1. Subject to approval of the Department of Stormwater Management.
2. Subject to the execution and filing of the tie agreement with lot split #16977.
3. All development shall be in accordance with the submitted plot plans and by the development standards as listed below.
4. Subject to the filing of a mutual access agreement which will allow tract C to have access to both East 81st Street and South Memorial Drive.

Development Standards:

Tract A

Area:	4.53 acres	197,233 sf
Permitted Uses:	Principal and accessory uses permitted as a matter of right in the CS district, EXCEPT Use Unit 21 shall not be permitted.	
Maximum Building Floor Area:	56,000 sf	
Maximum Building Height:	None	
Minimum Building Setbacks:		
from centerline of E. 81st Street	125'	
from centerline of S. Memorial	135'	
from Tract B	10'	
from Tract C	10'	
Off-Street Parking:	As required in the applicable Use Units.	
Minimum Internal Landscaped Open Space:	15% *	
Signs:	As permitted in PUD 343	

* Internal landscaped open space includes street frontage landscaped areas, landscaped parking islands, landscaped yards and plazas but does not include any parking, building or driveway areas.

Tract B

Area:	8.68 acres	378,086 sf
Permitted Uses:	Principal and accessory uses permitted as a matter of right in the OM district and health club and related medical and exercise facilities, including enclosed gymnasium, racquetball courts, swimming pools, jogging and biking trails.	
Maximum Building Floor Area:	50,000 sf	
Maximum Building Height:	35'	
Minimum Building Setbacks:		
from centerline of E. 81st	80'	
from West property line	70'	
from Tract C	10'	
Off-Street Parking:	As required in the applicable Use Units	
Minimum Internal Landscaped Open Space: Within the North 350' of Tract B	20% *	
Signs:	As permitted in PUD 343	

Tract C

Area:	2.27 Acres	99,070 sf
Permitted Uses:	Principal and accessory uses permitted as a matter of right in the CS district except that Use Unit 21 shall not be permitted.	
Maximum Building Floor Area:		
Retail and Commercial	4,000 sf	
Offices, Studios and		
Customary Accessory Uses	150,000 sf	
Minimum Building Height:	None	
Minimum Building Setbacks:	None	
Off-Street Parking:	As required in the applicable Use Units.	
Minimum Internal Landscaped Open Space:	15% *	
Signs:	As permitted in PUD 343	

* Internal landscaped open space includes street frontage landscaped areas, landscaped parking islands, landscaped yards and plazas, and pedestrian areas, but does not include any parking, building or driveway areas.

PUD 343-2 Minor Amendment - Cont'd

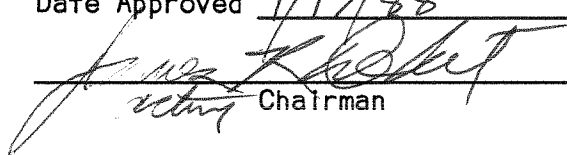
All other development standards, conditions and restrictions of PUD 343 not amended herein shall remain in full force and effect. The development standards and restrictions of PUD 343 as amended shall continue to be administered and interpreted pursuant to the provision of Title 42, Revised Ordinances, Section 1100-1170 as the same existed on October 12, 1983.

TMAPC ACTION: 6 members present

On **MOTION** of **VANFOSSEN**, the TMAPC voted **6-0-0** (Doherty, Paddock, Parmele, Selph, VanFossen, Woodard, "aye"; no "nays"; no "abstentions"; Carnes, Crawford, Draughon, Kempe, Rice, Wilson, "absent") to **APPROVE** the **Minor Amendment and Lot Split for PUD 343-2**, as recommended by Staff.


There being no further business, the Chairman declared the meeting adjourned at 4:25 p.m.

Date Approved 1/13/98



Chairman

ATTEST:



Secretary

