

TULSA METROPOLITAN AREA PLANNING COMMISSION

Meeting No. 2658

September 18, 2013, 1:30 PM

**175 East 2nd Street, 2nd Level, One Technology Center
Tulsa City Council Chamber**

CONSIDER, DISCUSS AND/OR TAKE ACTION ON:

Call to Order:

REPORTS:

Chairman's Report:

Work Session Report: Work session to be held following TMAPC meeting

Director's Report:

1. Minutes of September 4, 2013, Meeting No. 2657

CONSENT AGENDA:

All matters under "Consent" are considered by the Planning Commission to be routine and will be enacted by one motion. Any Planning Commission member may, however, remove an item by request.

2. **LS-20634** (Lot-Split) (CD-1) – Location: East of the Northeast corner of West Cameron Street and North 29th West Avenue (Related to LC-515)
3. **LC-515** (Lot-Combination) (CD-1) - Location: East of the Northeast corner of West Cameron Street and North 29th West Avenue (Related to LS-20634)
4. **LS-20635** (Lot-Split) (CD-1) – Location: East of the Northeast corner of West Cameron Street and North 29th West Avenue (Related to LC-516)
5. **LC-516** (Lot-Combination) (CD-1) - Location: East of the Northeast corner of West Cameron Street and North 29th West Avenue (Related to LS-20635)
6. **LC-523** (Lot-Combination) (CD-1) – Location: Northwest corner of East 36th Street North and North Lansing Place
7. **LC-524** (Lot-Combination) (CD-2) – Location: Northwest corner of West 48th Street South and South 32nd West Avenue
8. **LS-20640** (Lot-Split) (CD-2) – Location: Southeast corner of West 81st Street South and South 33rd West Avenue

9. **LS-20642** (Lot-Split) (County) – Location: East of the Southeast corner of West 41st Street South and South 73rd West Avenue
10. **LS-20643** (Lot-Split) (County) – Location: West of the Northwest corner of West 21st Street South and South 49th West Avenue
11. **LS-20644** (Lot-Split) (CD-3) – Location: Southeast corner of East Pine Street and North 143rd East Avenue
12. **LS-20645** (Lot-Split) (CD-4) – Location: Northeast corner of East 11th Street South and South Elgin Avenue

CONSIDERATION OF ITEMS REMOVED FROM THE CONSENT AGENDA:

COMPREHENSIVE PLAN PUBLIC HEARINGS:

13. **Consider adoption of Housekeeping Amendments to the Tulsa Comprehensive Plan, Resolution**

ZONING CODE PUBLIC HEARINGS:

14. **Consider proposed amendments to the Zoning Code of the City of Tulsa, Oklahoma, regarding building demolition and surface parking lots in the IDL.**

PUBLIC HEARINGS:

15. **LS-20641** (Lot-Split) (County) – Location: West of the Northwest corner of West 111th Street South and South 33rd West Avenue.
16. **DVIS** – Preliminary Plat, Location: 2424 North Harvard Avenue, South of East Apache Street, West of North Harvard Avenue (0329) (CD 3)
17. **CZ-428 – Sisemore, Weisz & Associates, Inc./Darin Akerman**, Location: North of northwest corner of West Avery Drive and Highway 97, Request for rezoning from **AG** to **IM**, (County)
18. **PUD-801 – Lou Reynolds/Crossbow Center**, Location: Northwest corner of South Garnett Road and East 41st Street, Requesting a PUD for redevelopment of Crossbow Center, (CD-6)

OTHER BUSINESS

19. **Consider initiation of three (3) additional amendments to the 6th Street Infill Plan**
20. **'Commissioners' Comments**

ADJOURN

CD = Council District

NOTE: If you require special accommodation pursuant to the Americans with Disabilities Act, please notify INCOG (918) 584-7526. Exhibits, Petitions, Pictures, etc., presented to the Planning Commission may be received and deposited in case files to be maintained at Land Development Services, INCOG. Ringing/sound on all cell phones and paggers must be turned off during the Planning Commission.

Visit our website at www.tmapc.org

TMAPC Mission Statement: The Mission of the Tulsa Metropolitan Area Planning Commission (TMAPC) is to provide unbiased advice to the City Council and the County Commissioners on development and zoning matters, to provide a public forum that fosters public participation and transparency in land development and planning, to adopt and maintain a comprehensive plan for the metropolitan area, and to provide other planning, zoning and land division services that promote the harmonious development of the Tulsa Metropolitan Area and enhance and preserve the quality of life for the region's current and future residents.

TMAPC

September 18, 2013

Comprehensive Plan Housekeeping Amendments

- A. **CPA 6, 7, 8, 9, 12, 13, 14, 15, 16, 17 & 18:** Consider adoption of housekeeping Comprehensive Plan map amendments.
- B. **Background:** The Tulsa Comprehensive Plan was adopted in July, 2010. Since that time, there have been no amendments made to either the Land Use Map or the Areas of Stability and Growth Map of the Comprehensive Plan (other than the Land Use Plan Map area of Eugene Field which was adopted as part of the Small Area Plan). As the Plan is used on a daily basis to guide development decisions in Tulsa (both public and private), a consequence of implementation is finding certain areas and/or parcels of land do not have the most appropriate map designations. Some of these are discovered through review of development applications, some by the need to proactively designate lands for future activity, and some areas or parcels simply did not receive the most appropriate map designation when the Plan was adopted.

The Comprehensive Plan states that the Land Use Plan and Areas of Stability and Growth Map "should be updated at five year intervals with projections toward the future. Housekeeping updates and maintenance to reflect development approvals should be made annually." (p. LU-75)

The Policies and Procedures and Code of Ethics of the Tulsa Metropolitan Area Planning Commission were amended in January, 2013 to include a specific process as to how to proceed with housekeeping amendments. The document states: "TMAPC staff will establish a system to track all housekeeping amendments needed to reflect development approvals and present a comprehensive plan amendment to TMAPC annually, generally in July. These annual amendments will include updates to the Land Use Plan and, if necessary, changes to the Growth and Stability Maps."

TMAPC presented the proposed housekeeping amendments to the TMAPC at their Work Sessions on July 24 and August 21, 2013.

- C. **Amendments Summary:** There are seven areas and/or parcels that have been identified as proposed map amendments to the Comprehensive Plan. The attachments to this report contain information on each of these, including general information, justification for the change, and supporting maps (Land Use, Areas of Stability and Growth, and aerial/zoning) for each site.

In addition to these site specific map amendments, staff is proposing to insert 17"x 22" size versions of the Land Use Plan map and Areas of Stability and Growth map at the end of the Land Use Section of the Plan, as well as adding a 17"x 22" size map of the adopted Small Area Plans. These maps are at a size more legible than those existing in the Comprehensive Plan and will be updated as amendments are adopted.

To assist in tracking amendments to the Comprehensive Plan as they are adopted, staff has prepared an Amendment Inventory to insert into the Appendix of the Comprehensive Plan.

- D. Staff Recommendation:** Adopt the proposed housekeeping amendments to the Tulsa Comprehensive Plan.

ATTACHMENT 1

Comprehensive Plan Amendment (CPA-6)

Change of Land Use Designation

Location: South of the SE corner of 41st Street South & Harvard Avenue (Harvard Square South)
Size: 3.2 Acres **Zoning District:** RS-1/PUD **Existing Use:** Dry Cleaners

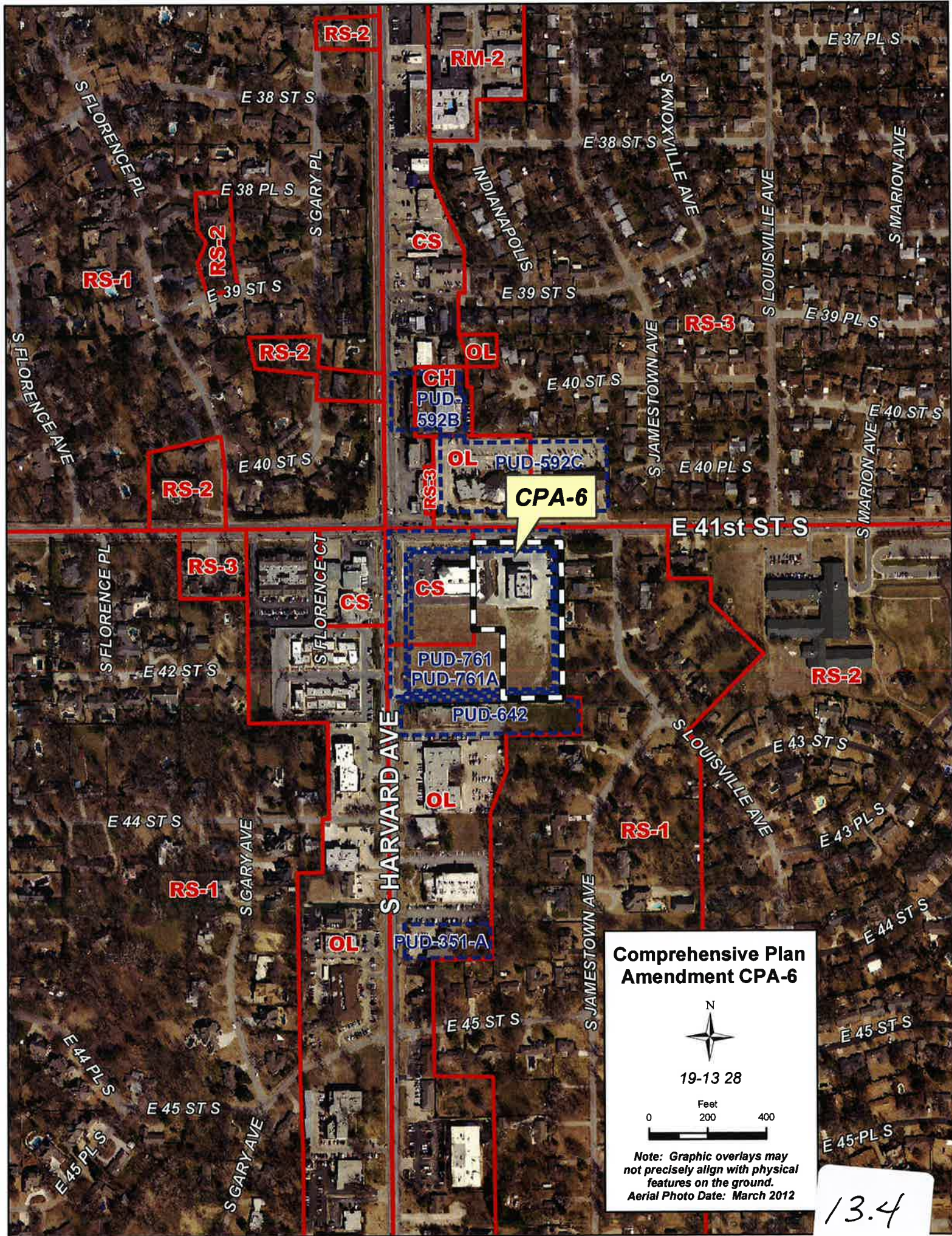
	<u>Land Use Designation</u>	<u>Stability & Growth Designation</u>
<u>Existing</u>	<i>Existing Neighborhood</i>	<i>Area of Growth</i>
<u>Proposed</u>	<i>Neighborhood Center</i>	<i>Area of Growth</i>

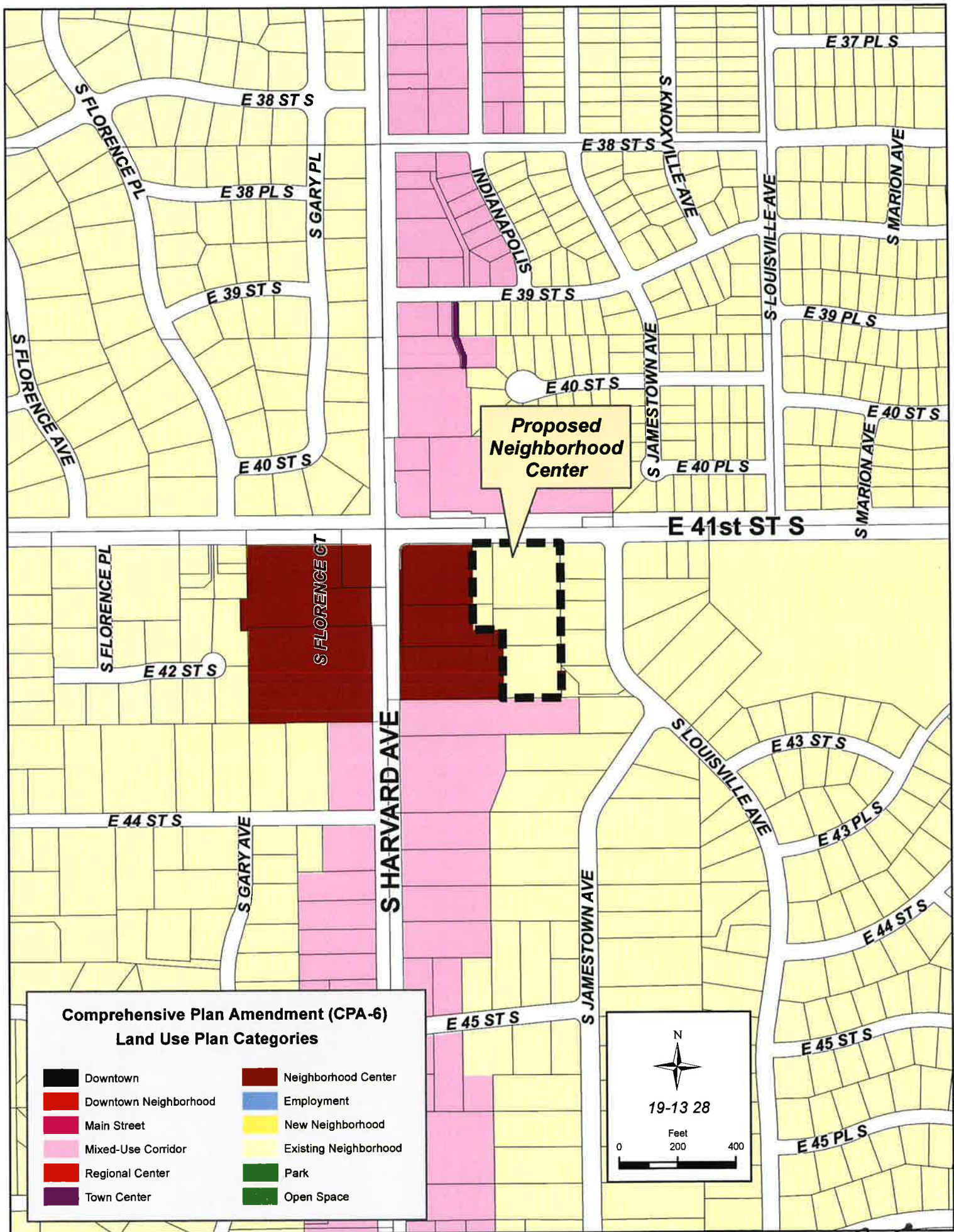
Development Approval History:

- **2008:** PUD-761: Established Harvard Square South shopping center, permitting only commercial uses.
- **2010:** PUD-761-A: Permitted dry cleaner use and amended some development standards.
- **2012:** PUD-761-B: Established development areas, amended standards for Area C, and reallocation of floor area.

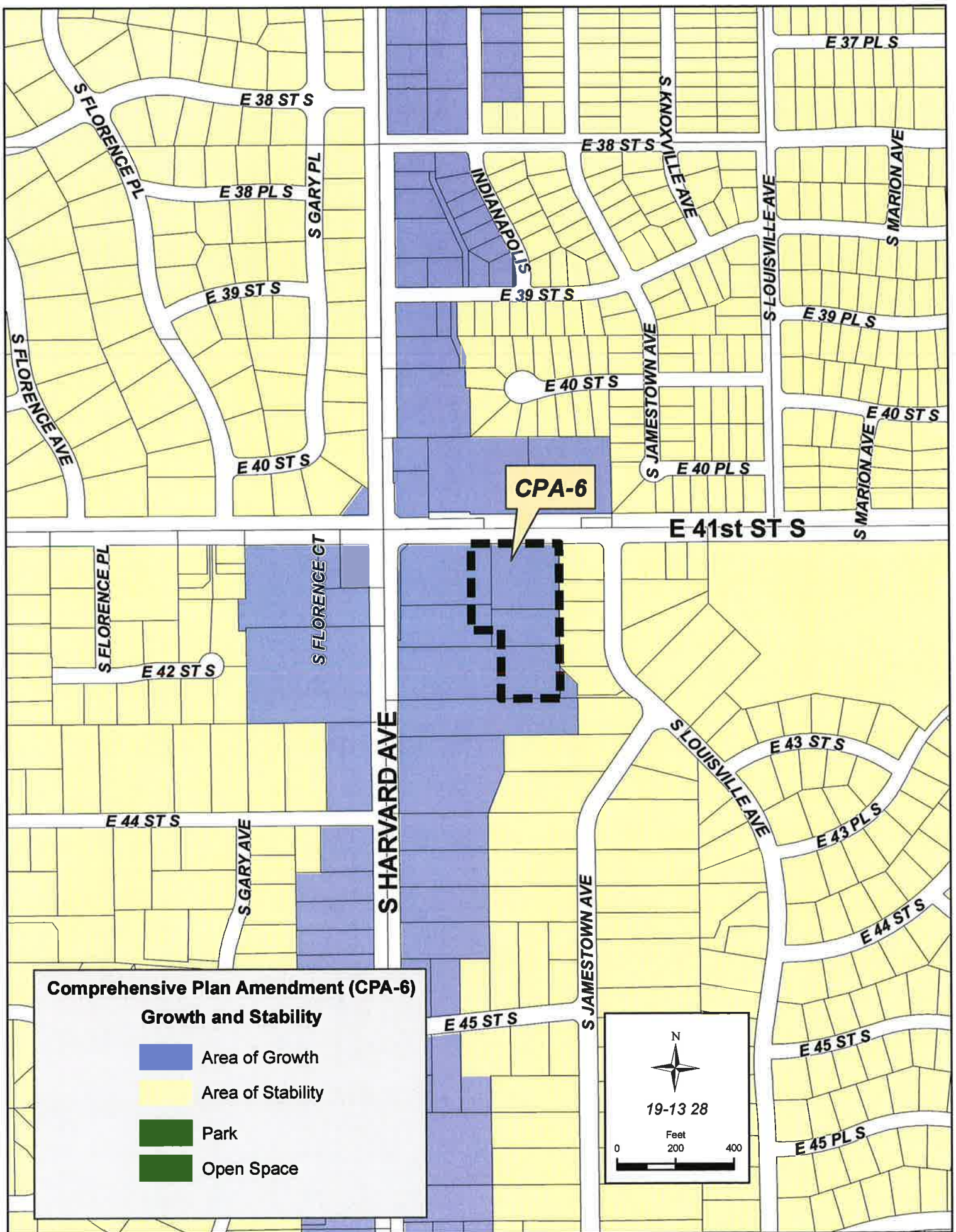
Justification: At the time of adoption of the Comprehensive Plan in 2010, the Land Use designation was incorrectly identified as *Existing Neighborhood*, although correctly identified as an *Area of Growth*. PUD-761 was approved in 2008 for a variety of commercial uses. In the recent major amendment PUD-761-B, the permitted uses changed to allow Use Units 10 (Off-street Parking), 11 (Office, Studios, & Support Services), 12 (Eating Establishments, Other than Drive-ins), 13 (Convenience Goods and Services), and 14 (Shopping Goods and Services), all of which are intended to serve the nearby neighborhoods. The remaining land included within this Planned Unit Development (PUD) was designated as a *Neighborhood Center* at the time of adoption of the Comprehensive Plan in 2010.

Staff Recommendation: Staff recommends changing the Land Use designation for the subject property to *Neighborhood Center*.





13.5



ATTACHMENT 2

Comprehensive Plan Amendment (CPA-7)

Change of Land Use Designation

Location: North of the NE corner of 91st Street South and Yale Avenue (Society of Exploration Geophysicists)

Size: 11 ± Acres **Zoning District:** OL/PUD **Existing Use:** Office building(s)

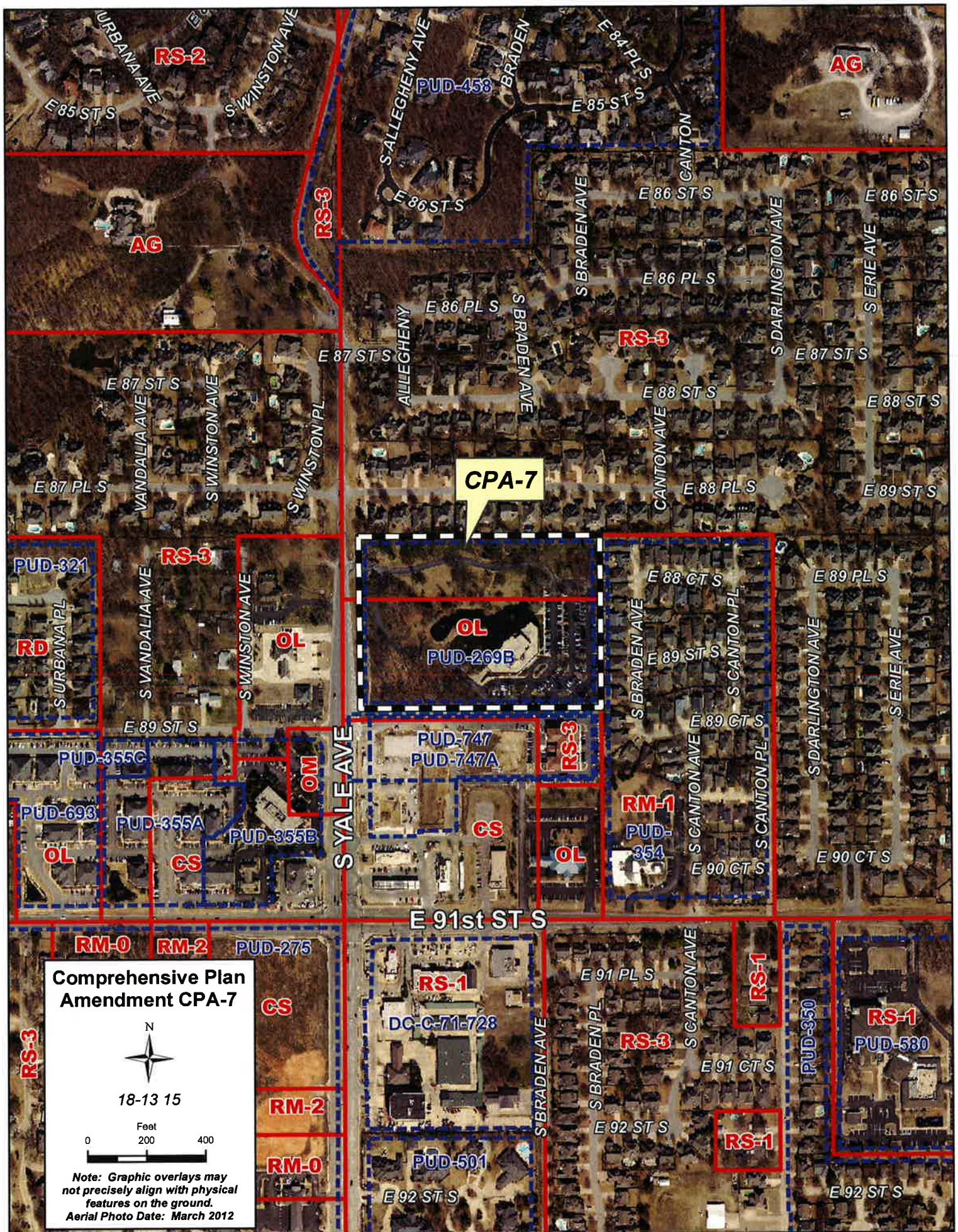
	<u>Land Use Designation</u>	<u>Stability & Growth Designation</u>
<u>Existing</u>	<i>Neighborhood Center</i>	<i>Area of Growth</i>
<u>Proposed</u>	<i>Employment</i>	<i>Area of Growth</i>

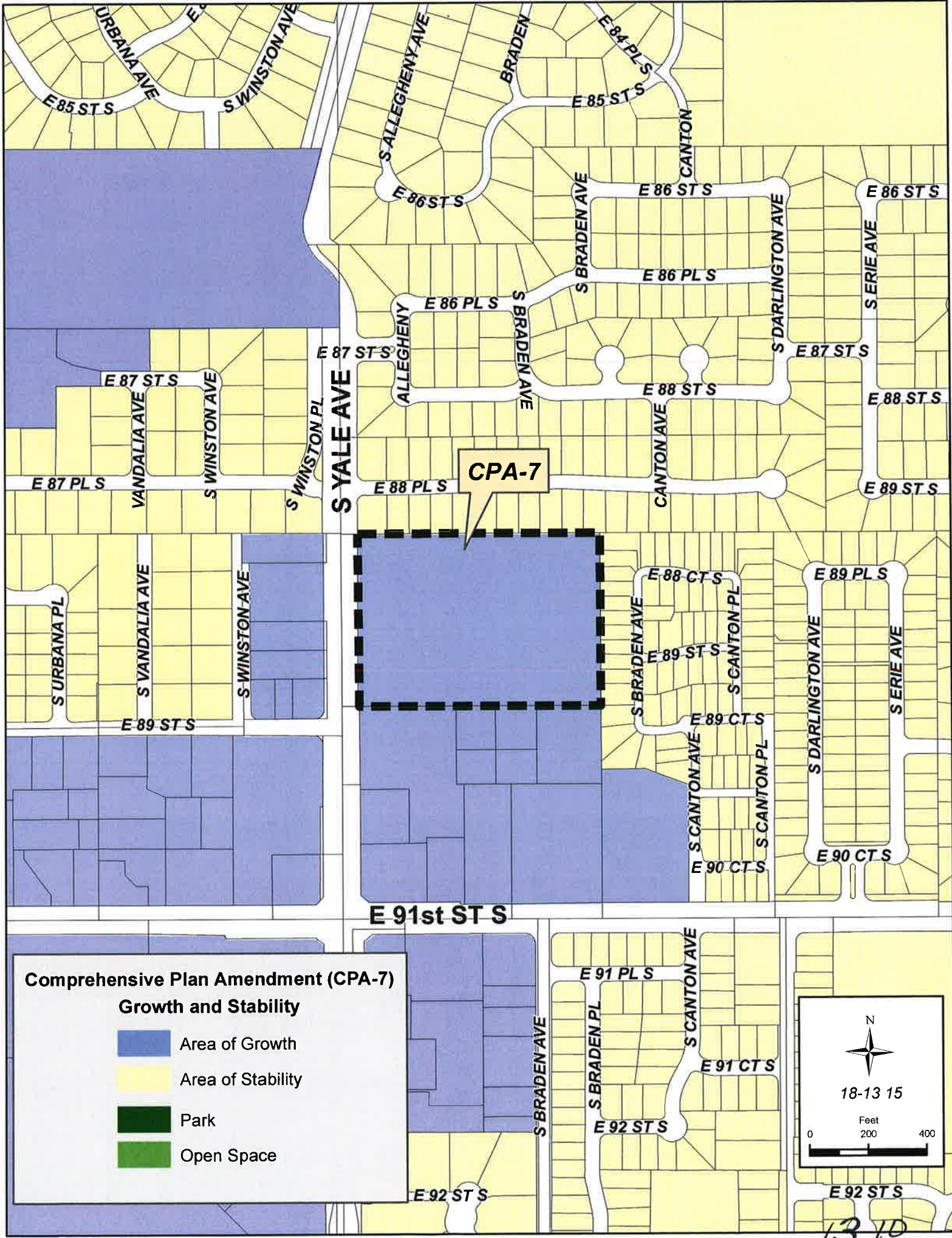
Development Approval History:

- **1981:** PUD-269: Established an office building use on the property with only 19% of land to be covered by buildings, and the rest preserved as open space.
- **1982:** PUD-269-A: Major Amendment to PUD to reduce the number of office buildings on property, increased the height of buildings from 2 stories to 5 stories, and increased the amount of open space from 58% to 65% to allow for a park-like setting.
- **2001:** PUD-269-B: Major Amendment to PUD to add a 30,000 SF, 3 story office building.
- **2001:** Z-6791: Rezoned property from RS-3/OL to OL/PUD-269-B.
- **2013:** PUD-269-C: Major Amendment to PUD to construct a 4-story office building near the center of the site, a parking garage, and site improvements.
- **2013:** Z-7225: Rezoned property from RS-3/PUD-269-B to OL/PUD-269-C.

Justification: At the time of adoption of the Comprehensive Plan in 2010, the Land Use designation of *Neighborhood Center* that was assigned to the property did not adequately reflect the existing and future uses intended for the property. An *Employment* land use designation will more appropriately do that. The development standards of this Planned Unit Development allow for two multi story office buildings with open space buffering the adjacent neighborhood. This use does not contain pedestrian-oriented, mixed use places intended to serve nearby neighborhoods, as suggested by the *Neighborhood Center* designation.

Staff Recommendation: Staff recommends changing the Land Use designation for this property to *Employment*.

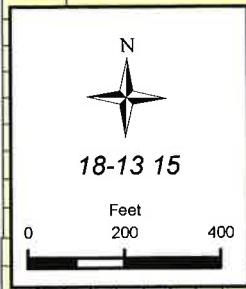




Comprehensive Plan Amendment (CPA-7)

Growth and Stability

-  Area of Growth
-  Area of Stability
-  Park
-  Open Space



13.10

ATTACHMENT 3

Comprehensive Plan Amendment (CPA-8)

Change of Land Use and Area of Stability & Growth Designations

Location: South of the SW corner of South Memorial Drive and Admiral Place
Size: 1.7 Acres **Zoning District:** RS-3 **Existing Use:** 10 Single-Family Homes

	<u>Land Use Designation</u>	<u>Stability & Growth Designation</u>
<u>Existing</u>	<i>Existing Neighborhood</i>	<i>Area of Stability</i>
<u>Proposed</u>	<i>Mixed Use Corridor</i>	<i>Area of Growth</i>

Development Approval History:

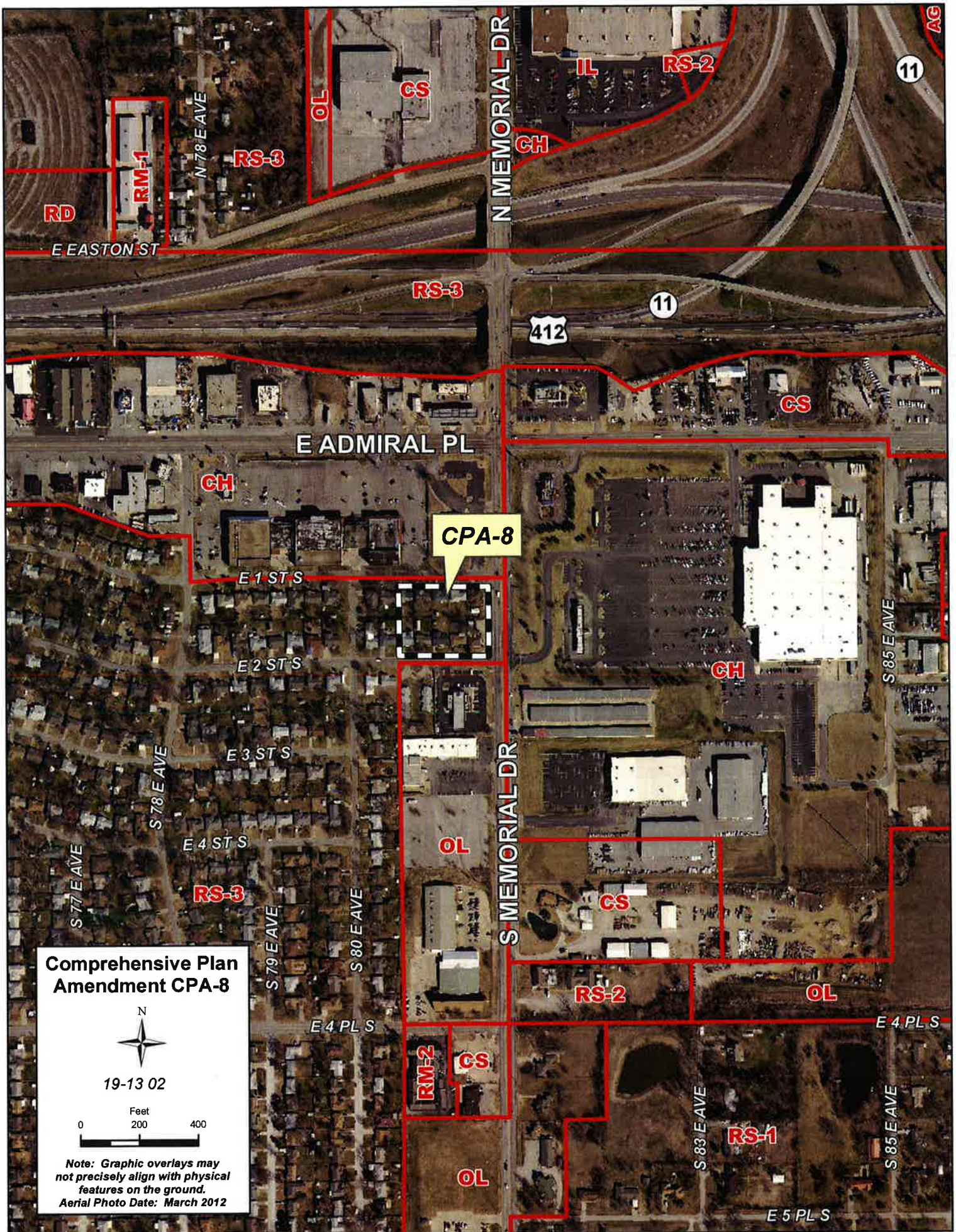
- **2013: Z-7228:** Rezoned property from RS-3 to OL (only on the 2 lots directly fronting on Memorial Drive).

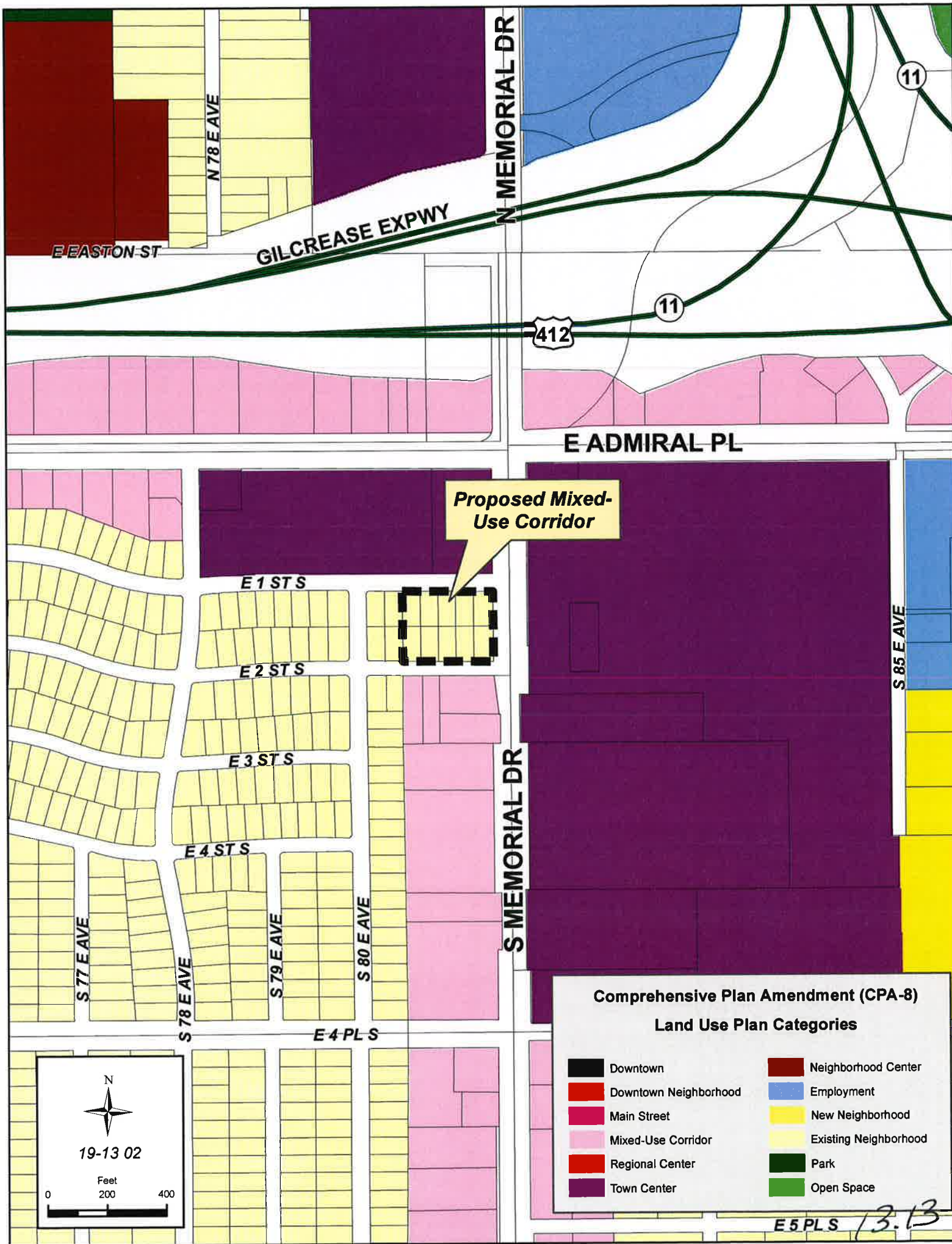
Justification: The existing character of the subject area is transitioning away from that of *Existing Neighborhood* and, accordingly, can no longer be considered an *Area of Stability*. The two parcels directly fronting on Memorial Drive were rezoned to OL in June, 2013 to allow for a parking lot and ATM for the Arvest Bank to the south. The surrounding properties to the north, east, and south of this area are zoned for commercial and office uses, and the office zoning to the south is a part of the *Mixed-Use Corridor* land use designation, described as:

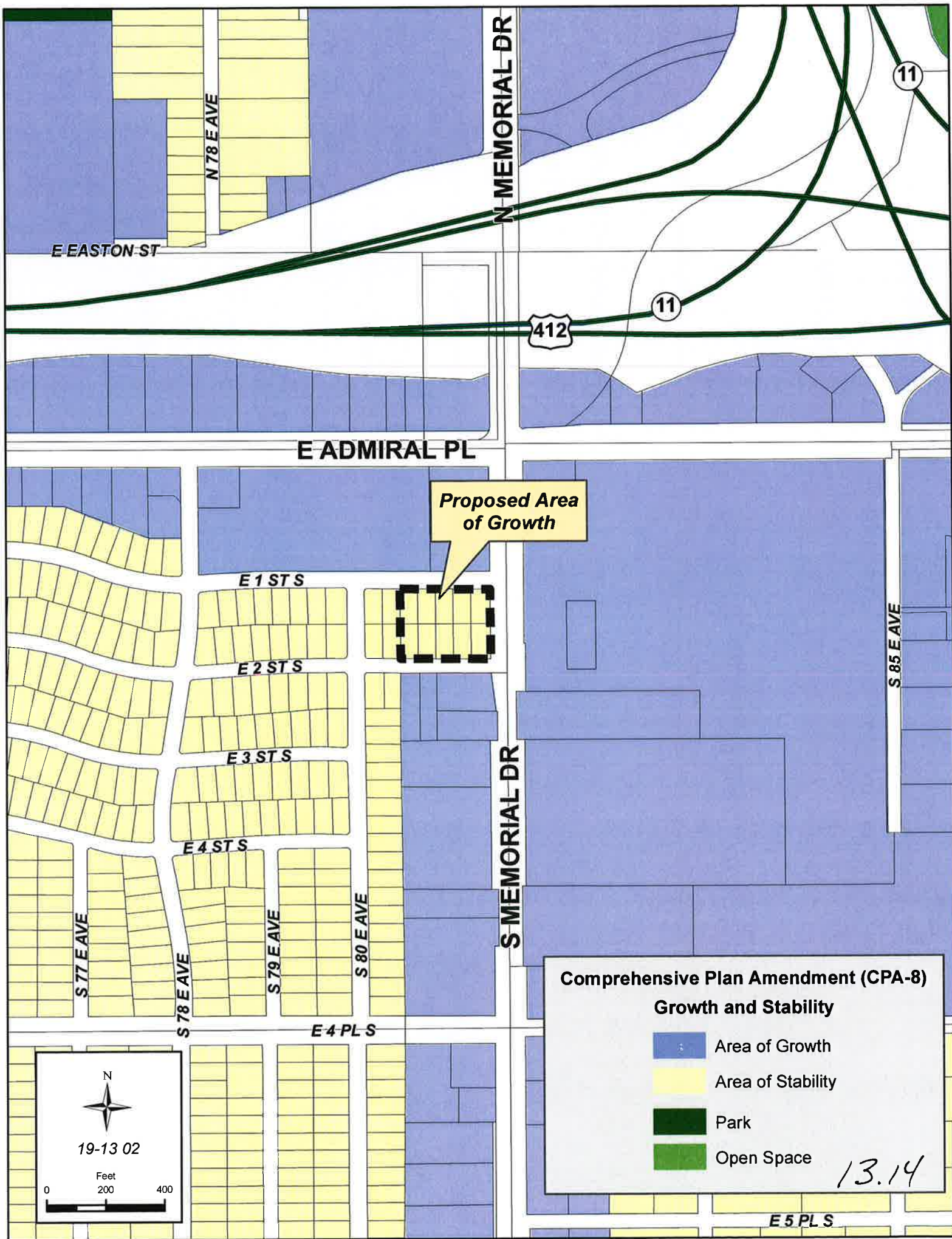
“Mixed-Use Corridors are Tulsa’s modern thoroughfares that pair high capacity transportation facilities with housing, commercial, and employment uses. Off the main travel route, land uses include multifamily housing, small lot, and townhouse developments, which step down intensities to integrate with single family neighborhoods. Mixed-Use Corridors usually have four or more travel lanes, and sometimes additional lanes dedicated for transit and bicycle use. The pedestrian realm includes sidewalks separated from traffic by street trees, medians, and parallel parking strips. Pedestrian crossings are designed so they are highly visible and make use of the shortest path across a street. Buildings along Mixed-Use Corridors include windows and storefronts along the sidewalk, with automobile parking generally located on the side or behind.”(Tulsa Comprehensive Plan, LU p. 32).

Given the commercial intensification in the area, this is a logical continuation of the *Mixed-Use Corridor* land use designation. In order to accommodate a quality transition to non-residential uses and ensure adequate buffering to the residential area to the west, a larger area than the recently rezoned OL parcels are included in this proposed amendment.

Staff Recommendation: Staff recommends changing the area to a *Mixed-Use Corridor* land use designation, and an *Area of Growth*.







ATTACHMENT 4

Comprehensive Plan Amendment (CPA-9)

Change of Land Use and Area of Stability & Growth Designations

Location: East of the SE corner of 41st Street South & 129th E. Ave

Size: 4.8 Acres **Zoning District:** RS-3/PUD **Existing Use:** Vacant Land

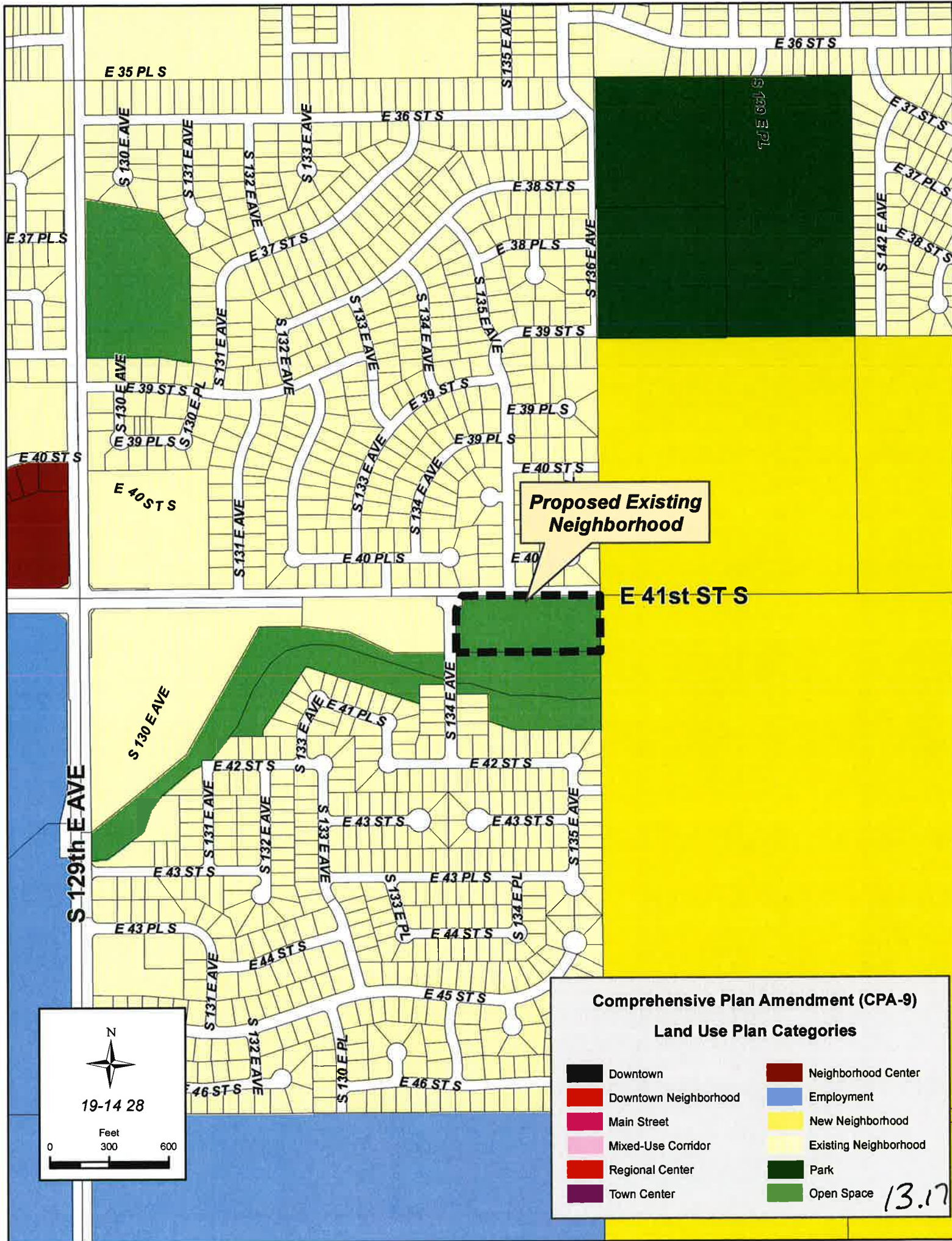
	<u>Land Use Designation</u>	<u>Stability & Growth Designation</u>
	<i>Open Space</i>	<i>Area of Stability/Open Space</i>
<u>Existing</u>		
<u>Proposed</u>	<i>Existing Neighborhood</i>	<i>Area of Growth</i>

Development Approval History:

- **1979: PUD-221:** This PUD designates the subject area as Development Area I, and the standards permit townhouses, patio homes, and uses found in Use Unit 5 (Community Services and Similar Uses).
- **1999: PUD-221-F:** Major Amendment to PUD to add church, school, and accessory uses; to amend development standards; and to allocate floor area in development areas.
- **2013: PUD-221-G (DENIED):** Proposed Major Amendment to PUD to permit Use Unit 14 (Shopping Goods and Services) on a 1.771 acre piece of the subject property to allow for the construction of a Dollar General.
- **2013: Z-7215 (DENIED):** Request to rezone area from RS-3 to CS.

Justification: At the time of adoption of the Comprehensive Plan in 2010, the subject site was given an *Open Space* land use designation and *Area of Stability* designation because of its proximity to the flood plain. In the development of the Plan, the City of Tulsa assigned *Open Space* land use designations to vacant properties located in the flood plain. The subject site has a very slight flood plain encroachment along its southern boundary; therefore, an *Existing Neighborhood* land use designation and *Area of Growth* designation is more appropriate and consistent with the similar property immediately west. There are non-residential uses allowed in PUD-221 that may be appropriate for this site, such as a church, school, and accessory uses.

Staff Recommendation: Staff recommends changing the subject site to an *Existing Neighborhood* land use designation, and an *Area of Growth*.





ATTACHMENT 5

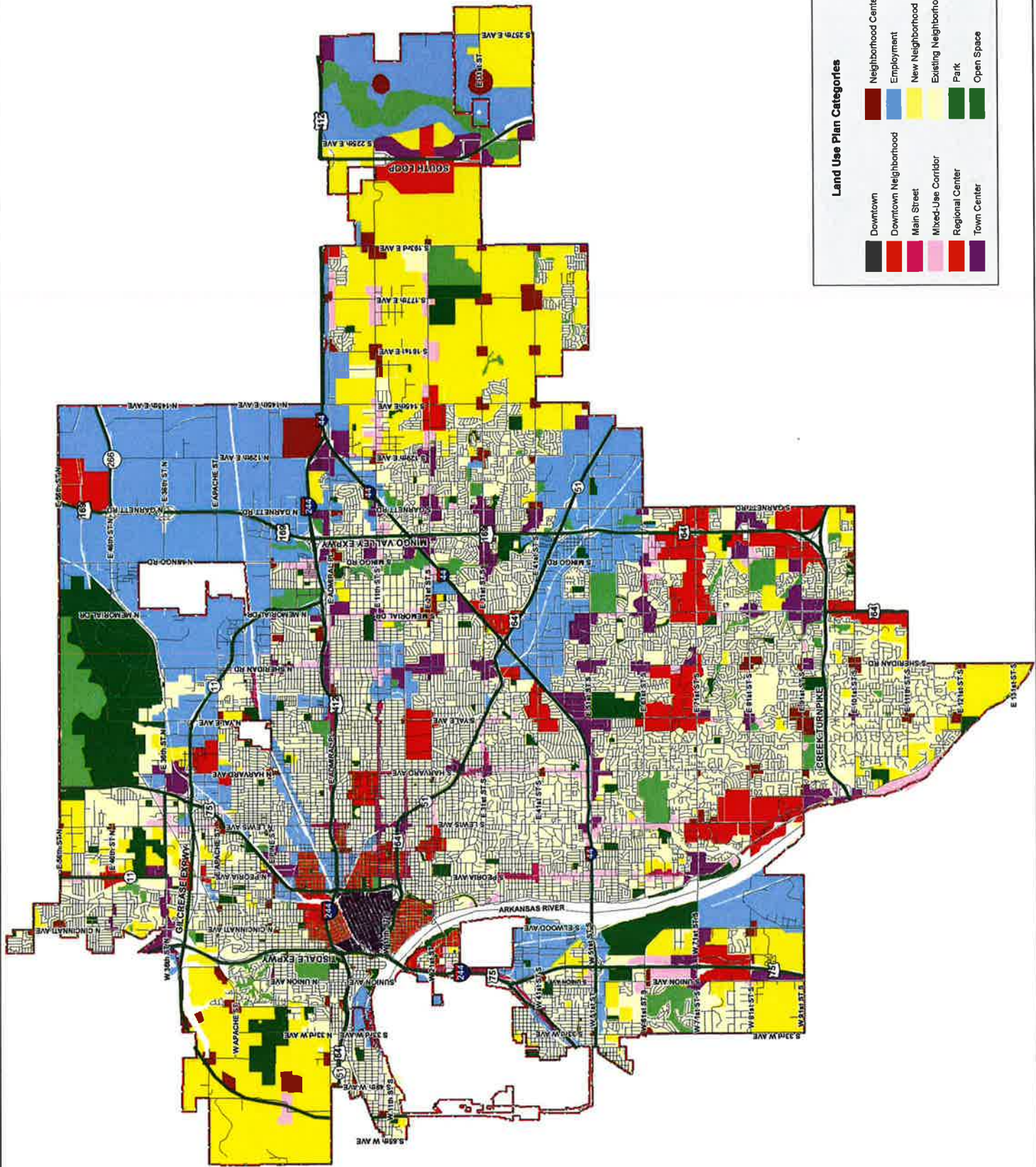
Comprehensive Plan Amendment (CPA-12)

Addition of 17" x 22" updated Tulsa Plan Map to the Tulsa Comprehensive Plan

Description: At the end of the Land Use Section of the Comprehensive Plan, a 17" x 22" Tulsa Plan Map illustrating the most current land use designations will be added. The map will be folded down to an 8.5" x 11" page size to insert as page LU 87 as a part of the hard-copy of the Tulsa Comprehensive Plan.

Justification: The Tulsa Plan Map currently found in the Comprehensive Plan is small and, therefore, not user friendly. As land use amendments are made to the Tulsa Plan Map, a larger, more legible version is necessary to more accurately view land use designations on properties.

Staff Recommendation: Staff recommends the addition of 17" x 22" updated Tulsa Plan Map as page LU 87 in the Tulsa Comprehensive Plan.



Land Use Plan Categories

- | | | | |
|--|-----------------------|--|-----------------------|
| | Downtown | | Neighborhood Center |
| | Downtown Neighborhood | | Employment |
| | Main Street | | New Neighborhood |
| | Mixed-Use Corridor | | Existing Neighborhood |
| | Regional Center | | Park |
| | Town Center | | Open Space |



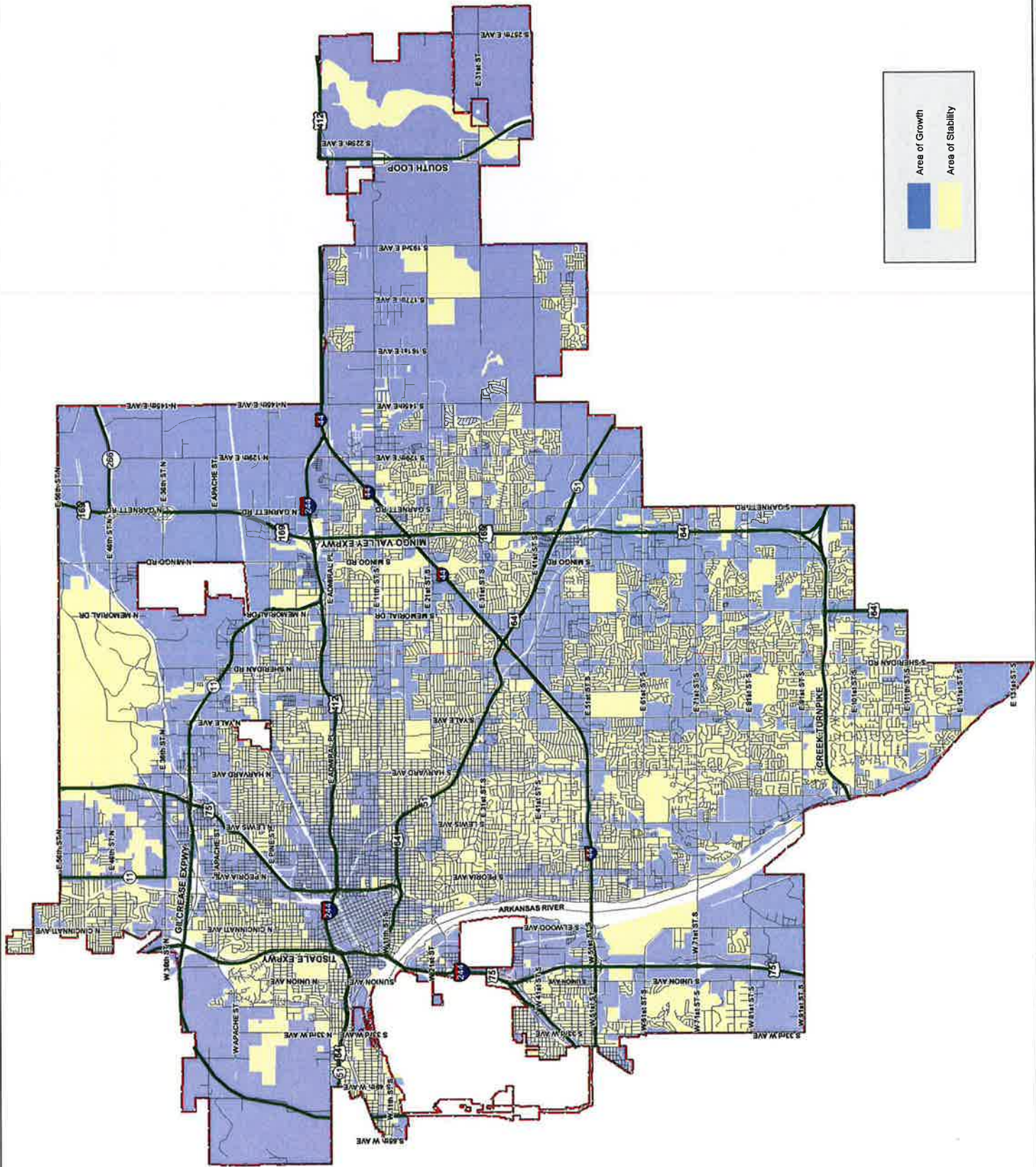
13.20

ATTACHMENT 6
Comprehensive Plan Amendment (CPA-13)
Addition of 17" x 22" updated Areas of Stability & Growth Map
to the Tulsa Comprehensive Plan

Description: At the end of the Land Use Section of the Comprehensive Plan, a 17" x 22" Areas of Stability & Growth Map illustrating the current stability and growth designations will be added. The map will be folded down to an 8.5" x 11" page size to insert as page LU 88 as a part of the hard-copy of the Tulsa Comprehensive Plan.

Justification: The Areas of Stability & Growth Map currently found in the Comprehensive Plan is small and, therefore, not user friendly. As amendments are made to the Areas of Stability & Growth Map, a larger, more legible version is necessary to more accurately view areas of stability and growth.

Staff Recommendation: Staff recommends the addition of 17" x 22" updated Areas of Stability & Growth Map as page LU 88 in the Tulsa Comprehensive Plan.



13.22

ATTACHMENT 7
Comprehensive Plan Amendment (CPA-14)
Addition of 17" x 22" Small Area Plans Map

Description: After the Tulsa Plan Map and the Areas of Stability and Growth Map, a 17 x 22 map illustrating the locations of all adopted small area plans will be added. This map will be folded down to regular 8.5 x 11 page to keep as a part of the hard-copy to the Comprehensive Plan on page LU 89.

At the time of adoption of the Comprehensive Plan in 2010, several existing neighborhood plans were mentioned in the Plan (page LU 63):

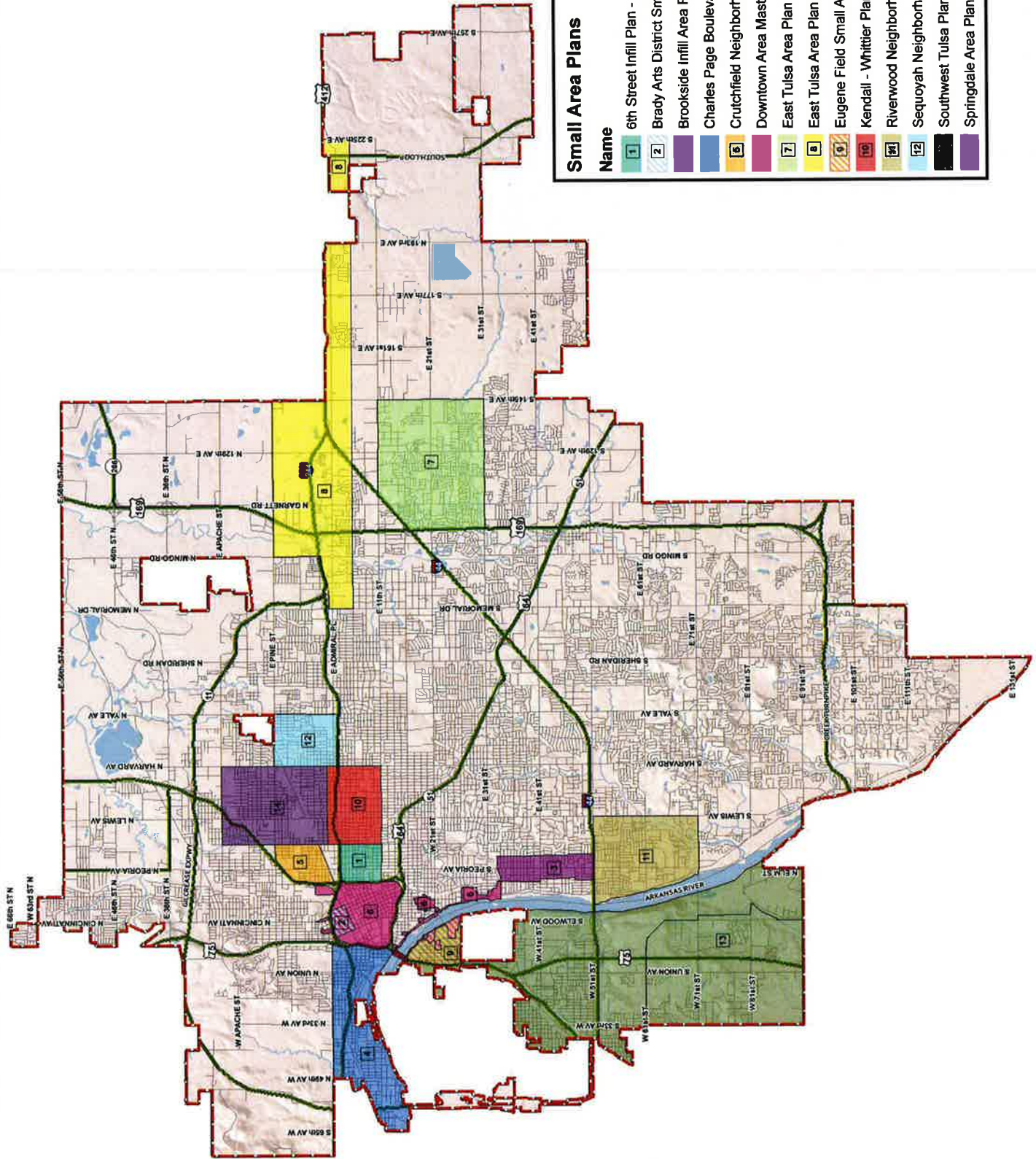
- Kendall-Whittier Plan
- Springdale Area Plan
- Charles Page Blvd. Plan
- Brookside Infill Area Plan
- Crutchfield Neighborhood Plan
- 6th Street Infill Plan- Pearl District
- East Tulsa Area Plans Phase 1 & 2
- Riverwood Neighborhood Plan
- Southwest Tulsa Plan Phase I

Since the adoption of the Comprehensive Plan in July, 2010, several other small area plans have been adopted as amendments:

- Tulsa Downtown Master Plan
- Southwest Tulsa Plan Phase II
- Brady Arts District Small Area Plan
- Eugene Field Small Area Plan

Justification: There is not currently a map illustrating the locations of all small area plans. The addition of this map will allow users to determine the locations of small area plans in detail and determine if a property is located within a small planning area.

Staff Recommendation: Staff recommends the addition of 17" x 22" Small Area Plans Map as page LU 89 in the Tulsa Comprehensive Plan.



13.24

ATTACHMENT 8
Comprehensive Plan Amendment (CPA-15)
Addition of Amendments Inventory to Appendix of Comprehensive Plan

Justification: Since the adoption of the Comprehensive Plan in July, 2010, there has been no official inventory created to track amendments to the Plan. As mentioned on page 11 of this report, several small area plans have been adopted; however, no amendments have been made to the Comprehensive Plan document itself. In order to record and keep track of all amendments that have been made to the Comprehensive Plan, an Amendments Inventory is proposed to be added to the end of the Appendix on page AP 63.

In addition to amendments made after the adoption of the Comprehensive Plan, a log of the small area plans adopted prior to the adoption of the 2010 Comprehensive Plan, but brought forward into with the Plan, will also be included.

Staff Recommendation: Staff recommends the addition of an Amendments Inventory as page AP 63 in the Tulsa Comprehensive Plan.

Appendix

AMENDMENTS INVENTORY

SMALL AREA PLANS ADOPTED PRIOR TO 2010 COMPREHENSIVE PLAN

Name	Effective Date	Resolution #
Kendall-Whittier Plan	May 1991	1832:718
Springdale Area Plan	Nov 1993	1952:745
Charles Page Blvd. Plan	Oct 1996	2080:745
Brookside Infill Area Plan	Nov 2002	2326:845
Crutchfield Neighborhood Plan	Jun 2004	2381:862
6 th Street Infill Plan	Jan 2006	2429:873
East Tulsa Area Plan Phase I	Nov 2006	2464:880
East Tulsa Area Plan Phase II	May 2007	2478:886
Sequoyah Neighborhood Plan	May 2007	2478:887
Riverwood Neighborhood Plan	Oct 2008	2530:893
Southwest Tulsa Plan Phase I	May 2009	2546:896

AMENDMENTS TO THE COMPREHENSIVE PLAN

CPA #	Type	Location/Page #	Description	Resolution #	Effective Date
1	SAP	Downtown	Tulsa Downtown Master Plan	2585:901	Oct 2010
2	SAP	SW Tulsa	Southwest Tulsa Plan Phase II	2602:903	June 2011
3	SAP	Brady Arts District	Brady Arts District Small Area Plan	2461:906	Feb 2013
4	SAP & LU	Eugene Field	Eugene Field Small Area Plan	2650:907	Jun 2013
5	LU	Proposed Northwest Passage	New Neighborhood & Neighborhood Center designations changed to Town Center and Employment		
6	LU	SE/c of 41st St & Harvard Ave	Existing Neighborhood designation changed to Neighborhood Center		
7	LU	N of the NE/c of 91 st St & Yale Ave	Neighborhood Center designation changed to Employment		
8	LU	S of the SW/c of Memorial Dr & Admiral Pl	Existing Neighborhood designation changed to Mixed Use Corridor		
9	LU	E of the SE/c of 41 st St & 129 th E Ave	Open Space designation changed to Existing Neighborhood		
12	LU	LU 87	Added 17" x 22" LU Map to Comprehensive Plan		
13	S&G	LU 88	Added 17" x 22" S&G Map to Comprehensive Plan		
14	SAP	LU 89	Added 17" x 22" Small Area Plans Map to Comprehensive Plan		
15	TEXT	AP 63	Added Amendments Inventory page to Appendix of Comprehensive Plan		

Type Descriptions:

[SAP] = Small Area Plan [LU] = Land Use Map [S&G] = Areas of Stability & Growth Map

[TEXT] = Comp Plan Text

Appendix

AMENDMENTS INVENTORY

AMENDMENTS TO THE COMPREHENSIVE PLAN

CPA #	Type	Location/Page #	Description	Resolution #	Effective Date
16	LU, S&G	(1) SW/c of I-44 & S 33 rd W Ave (2) N of NW/c of W 51 st St S & S 33 rd W Ave (3) NW/c of W 51 st St S & S 32 nd W Ave	Existing Neighborhood designations change to Neighborhood Center; and Area of Stability designations changed to Area of Growth		
17	LU	NE/c of N Osage Dr & W Apache St	New Neighborhood designation changed to Employment		
18	LU	E of SE/c of E Admiral PI & I-44			

Type Descriptions:

[SAP] = Small Area Plan [LU] = Land Use Map [S&G] = Areas of Stability & Growth Map

[TEXT] = Comp Plan Text

13.28

ATTACHMENT 9
Comprehensive Plan Amendment (CPA-16)
Change of Land Use and Area of Stability & Growth

Location: (1) SW corner of I-44 and S 33rd W Ave;
(2) North of NW corner of W 51st St S and S 33rd W Ave;
(3) NW corner of W 51st St S and S 32nd W Ave.
Size: 1.5 Acres **Zoning District:** CS, PK, OL **Existing Use:** Gas Station & Vacant Land

	<u>Land Use Designation</u>	<u>Stability & Growth Designation</u>
<u>Existing</u>	<i>Existing Neighborhood</i>	<i>Area of Stability & Growth</i>
<u>Proposed</u>	<i>Neighborhood Center</i>	<i>Area of Growth</i>

Development Approval History:

- **Area (1):**
 - o **1991: Z-6321:** Property located at southwest corner of S 33rd W Ave & I-44 rezoned from RS-3 to CS.
 - o **2012: Z-7200:** Request to rezone PK district zoning to CS at the southwest corner of S 33rd W Ave and W Skelly Dr. Request was DENIED.
 - o **2012: Z-7190:** Request to rezone from RS-3 to CS at a parcel located south of the southwest corner of S 33rd W Ave and W Skelly Dr. Request was DENIED.
 - o **2012: PUD-791:** Request to permit 4,000 sq ft of retail/office space to be added south of an existing convenience store. Request DENIED.
- **Area (2):**
 - o **2009: Z-7143:** Property located north of the northwest corner of W 51st St S and S 33rd W Ave rezoned from RS-3 to CS and 10 feet of the northern boundary rezoned to OL.
- **Area (3):**
 - o **1981: Z-5531:** Property located at northeast corner of S 33rd W Ave and W 51st St S rezoned from RS-3 to CS.

Justification: The Comprehensive Plan, as adopted in 2010, did not assign the three different sites located around the intersection of I-44 and S 33rd W Avenue with the most appropriate land use designations. At site (1), an existing gas station was designated as an *Existing Neighborhood*, but this development has potential for growth and no longer exhibits the qualities found in that land use. At site (2), this vacant parcel was incorrectly designated as part of the *Existing Neighborhood*, but CS and OL zoning, as well as surrounding uses make this property better suited as a part of a *Neighborhood Center*. At site (3), this vacant property was incorrectly designated as part of the *Existing Neighborhood* even though it was rezoned to CS in 1981 for the purpose of being developed into neighborhood commercial uses.

Staff Recommendation: Staff recommends changing the land use designation for all three sites to *Neighborhood Center* and an *Area of Growth*.

**Comprehensive Plan
Amendment (CPA-16)**

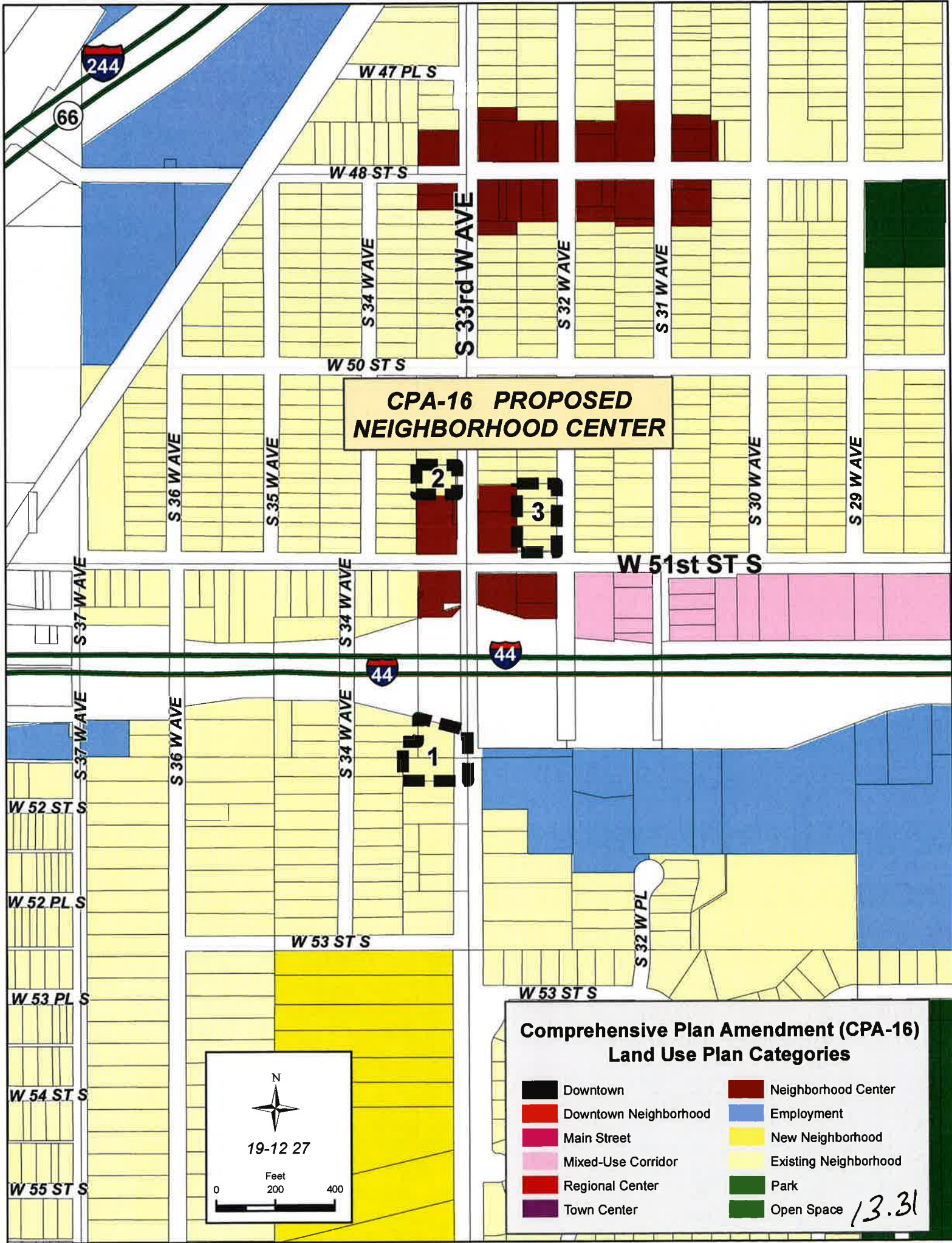


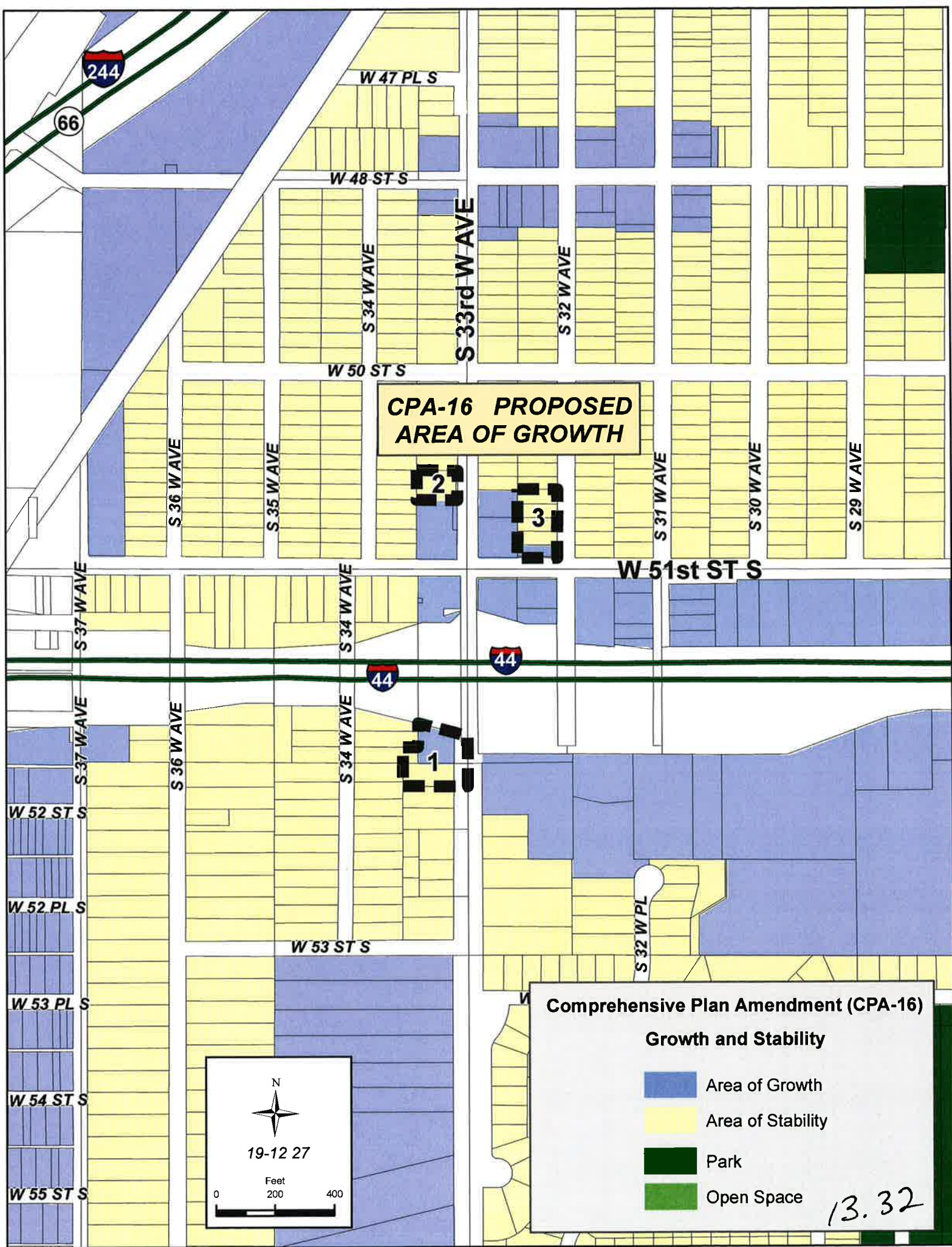
19-12 27



Note: Graphic overlays may
not precisely align with physical
features on the ground.
Aerial Photo Date: March 2012

13.30





ATTACHMENT 10
Comprehensive Plan Amendment (CPA-17)
Change of Land Use

Location: NE corner of N Osage Dr and W Apache St

Size: 44 Acres

Zoning District: IM

Existing Use: Under Construction

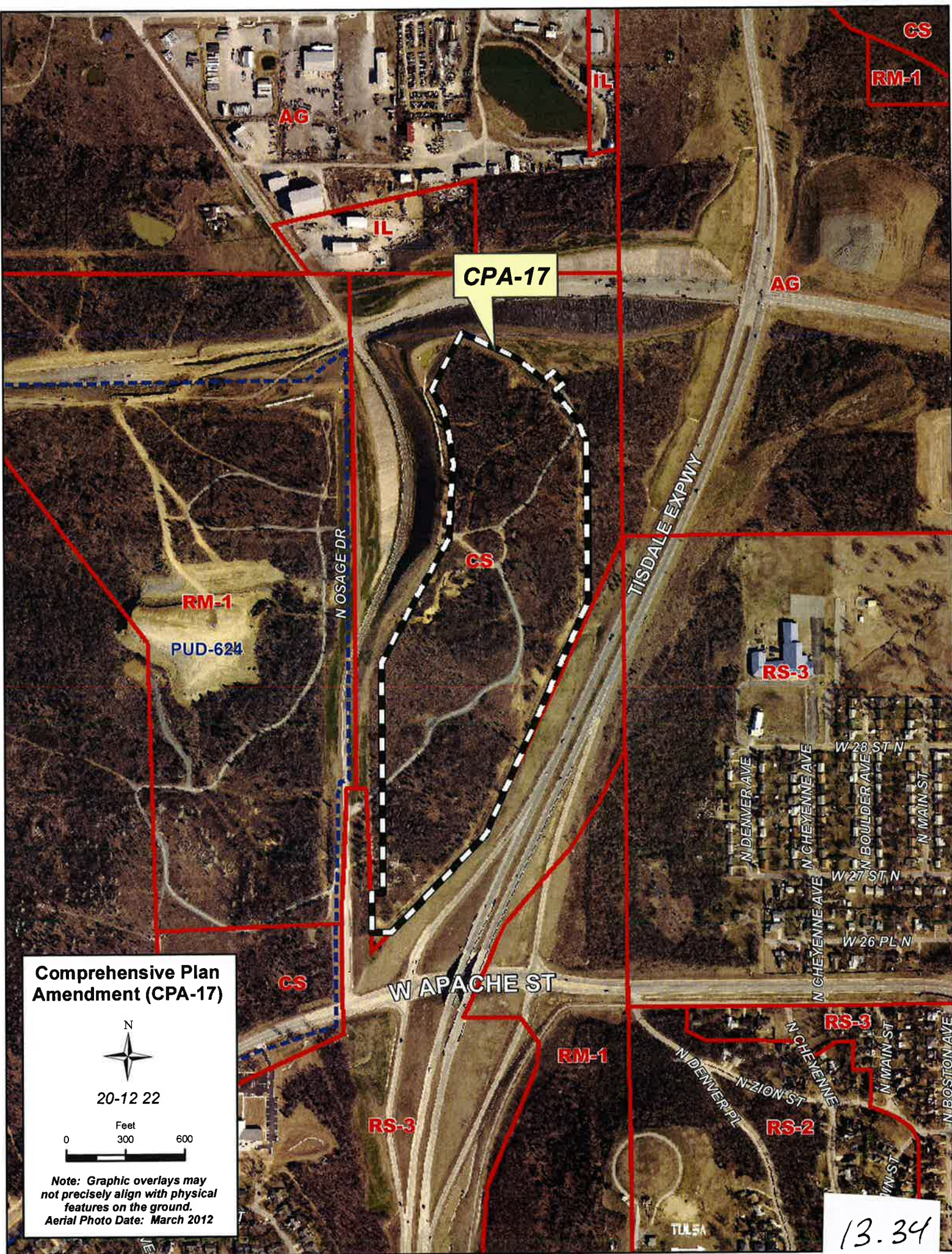
	<u>Land Use Designation</u>		<u>Stability & Growth</u>
			<u>Designation</u>
<u>Existing</u>	<i>New Neighborhood</i>		<i>Area of Growth</i>
<u>Proposed</u>	<i>Employment</i>		<i>Area of Growth</i>

Development Approval History:

- **2011: Z-7189:** Property rezoned from CS to IM.

Justification: Since the adoption of the Comprehensive Plan, the subject property has been rezoned to IM, and is being developed for a large scale welding operation. An *Employment* land use designation is now more appropriate for this industrial zoned property.

Staff Recommendation: Staff recommends changing the land use designation of the subject property to *Employment*.



**Comprehensive Plan
Amendment (CPA-17)**



20-12 22

Feet
0 300 600

Note: Graphic overlays may
not precisely align with physical
features on the ground.
Aerial Photo Date: March 2012

13.34

CPA-17
PROPOSED
EMPLOYMENT

N OSAGE DR

TISDALE EXPWY

W 28 ST N

W 27 ST N

W 26 PL N

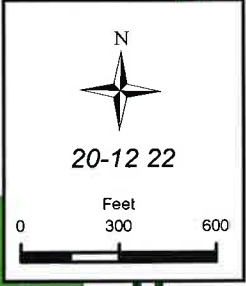
W APACHE ST

W UNION AVE
W YOUNG ST

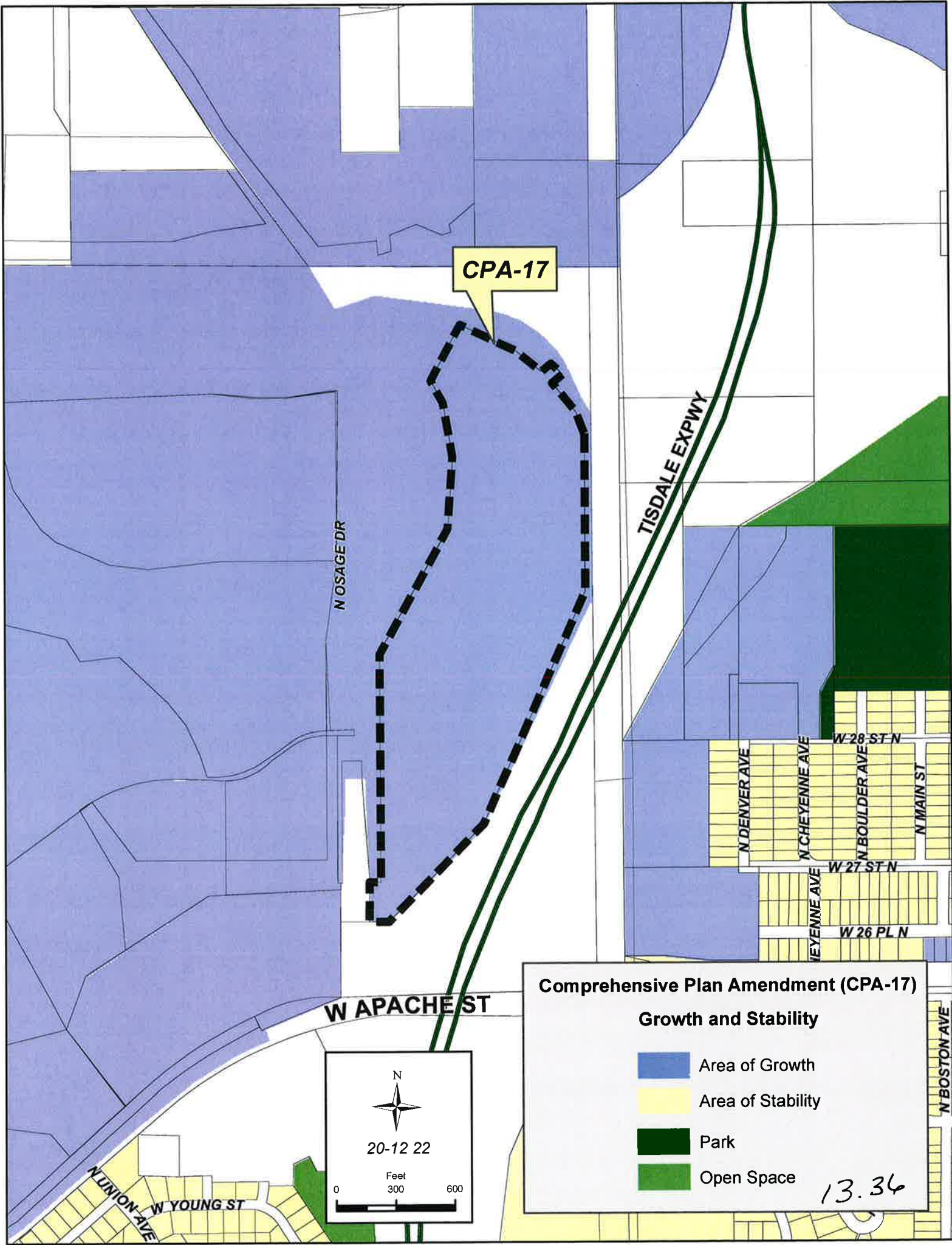
N BOSTON AVE

**Comprehensive Plan Amendment (CPA-17)
Land Use Plan Categories**

- | | |
|-----------------------|-----------------------|
| Downtown | Neighborhood Center |
| Downtown Neighborhood | Employment |
| Main Street | New Neighborhood |
| Mixed-Use Corridor | Existing Neighborhood |
| Regional Center | Park |
| Town Center | Open Space |



13.35



CPA-17

N OSAGE DR

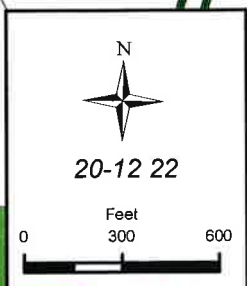
TISDALE EXPWY

W APACHE ST

N UNION AVE
W YOUNG ST


N DENVER AVE
N CHEYENNE AVE
N BOULDER AVE
N MAIN ST
W 28 ST N
W 27 ST N
W 26 PL N

N BOSTON AVE



Comprehensive Plan Amendment (CPA-17)

Growth and Stability

-  Area of Growth
-  Area of Stability
-  Park
-  Open Space

13.36

ATTACHMENT 11
Comprehensive Plan Amendment (CPA-18)
 Change of Land Use

Location: East of the SE corner of E Admiral Pl and I-44

Size: 14.3 Acres **Zoning District:** IL

Existing Use: Vacant

	<u>Land Use Designation</u>	<u>Stability & Growth Designation</u>
<u>Existing</u>	<i>Town Center</i>	<i>Area of Growth</i>
<u>Proposed</u>	<i>Employment</i>	<i>Area of Growth</i>

Development Approval History:

- **2000: Z-6799:** Property rezoned from OL to CG.
- **2012: Z-7207:** Property rezoned from CG to IL.

Justification: Since the adoption of the Comprehensive Plan, the subject property has been rezoned to IL for a truck parts facility. An *Employment* land use designation on this site would be an extension of the *Employment* land use designation to the east and is more appropriate for this industrial zoned property.

Staff Recommendation: Staff recommends changing the Land Use designation of the subject property to *Employment*.



**Comprehensive Plan
Amendment (CPA-18)**

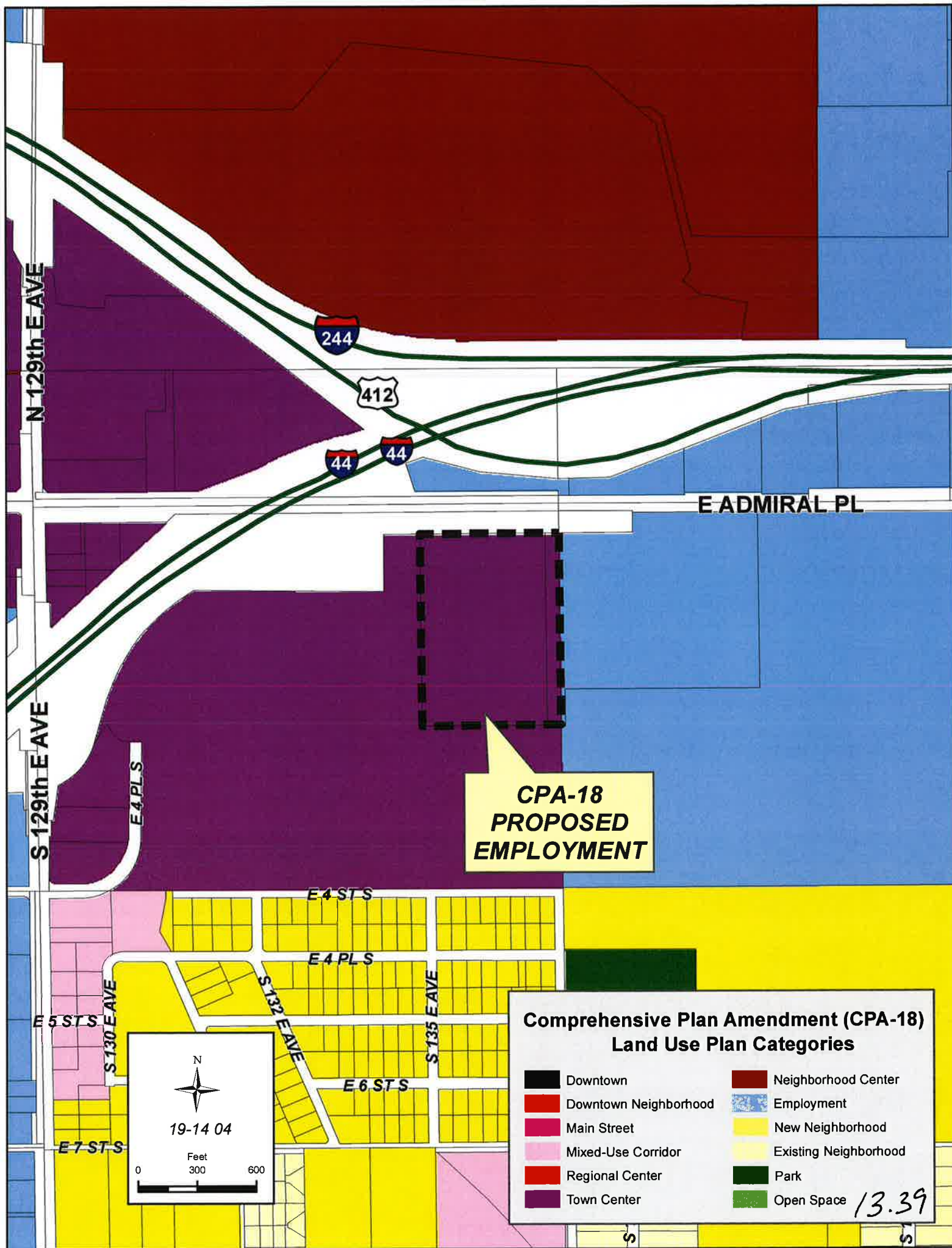
N

19-14 04

0 300 600
Feet

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2012

13.38





TMAPC

September 18, 2013

Building Demolition and Surface Parking within the IDL ordinance

Item: Provide recommendation to City Council on ordinance regarding Building Demolition and Surface Parking within the IDL.

Background & Purpose: The purpose for developing this proposal was to provide a permanent solution to the problems identified by the City Council in the moratorium imposed in July 2012 (see attached). The focus of the initial moratorium was clearly two-fold with a desire to address both demolition of downtown structures and the location of new surface parking facilities. This proposal is supported by land use policies within the 2010 Comprehensive Plan (PLANiTULSA) as well as the Downtown Area Master Plan. While the proposed ordinance does not resolve every possible scenario or example it is moving the community toward adopted goals and policies for the creation of the downtown environment that is more pedestrian friendly. Continued development is encouraged with uniform parameters allowing all downtown property owners to seek approvals and/or relief through the same means.

It is appropriate for the City to lead and to provide expectations regarding the desired outcomes of downtown development. Ensuring a clear path to a decision and involving interested parties (see attached spreadsheet with comments received to date) in the decision-making process represents sound community planning practices and an appropriate application of the guidance provided by our Comprehensive Plan. There is no attempt to stifle development, only ensure the interests and priorities of the City are taken into account as proposals are considered.

Key Components of Proposed Ordinance:

A. Demolition – permitted when:

1. Approved redevelopment
2. Threat to public safety
3. Special Exception
 - a. BOA consideration
 - Building does not contribute in a significant way to the quality, character or integrity of the neighborhood
 - No viable economic use of the building
 - b. Submittal materials to include
 - 2009 HP survey info
 - Owner records demonstrating efforts to rehabilitate
 - Records of property condition, listing history
 - Other deemed relevant by applicant for consideration

B. Parking:

1. Two use units instead of one
 - a. Structured
 - Permitted by right
 - b. Surface
 - Permitted as accessory
 - Permitted by Special Exception
 - Basic landscape requirements

Staff Recommendation: Provide a recommendation of approval to City Council on ordinance regarding Building Demolition and Surface Parking within the IDL.

(Published in the Tulsa Business
& Legal News,

_____, 2013.)

ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 42, TULSA REVISED ORDINANCES, TITLED "THE TULSA ZONING CODE", RELATED TO RESTRICTIONS ON LAND USES WITHIN THE CITY OF TULSA; AMENDING CHAPTER 2 TITLED "GENERAL PROVISIONS" BY ADDING A NEW SECTION 226 TITLED "DEMOLITIONS OF BUILDINGS IN THE IDL" WHICH REQUIRES ZONING CLEARANCE AND BUILDING PERMIT FOR DEVELOPMENT TO REPLACE A BUILDING BEFORE DEMOLITION IN THE IDL; SUBJECT TO EXCEPTIONS AND AS DETERMINED BY THE BOARD OF ADJUSTMENT, AND ADDING THE DEFINITION OF THE IDL; AMENDING CHAPTER 4, TITLED "RESIDENTIAL DISTRICT PROVISIONS," SECTION 401 TITLED "PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS," REPLACING THE TERM "OFF-STREET PARKING" WITH "SURFACE OFF-STREET PARKING AREAS" AND "STRUCTURED OFF-STREET PARKING AREAS"; PROVIDING ADDITIONAL CONSIDERATIONS BY THE BOARD OF ADJUSTMENT IN THE GRANT OF A SPECIAL EXCEPTION FOR SURFACE OFF-STREET PARKING AREAS IN THE IDL; AMENDING CHAPTER 5 TITLED "PARKING DISTRICT PROVISIONS," SECTION 501 TITLED "PRINCIPAL USES PERMITTED IN THE PARKING DISTRICTS," REPLACING THE TERM "OFF-STREET PARKING AREAS" WITH "SURFACE OFF-STREET PARKING AREAS" AND CHANGING THOSE IN THE IDL FROM USE BY RIGHT TO REQUIRING SPECIAL EXCEPTION BY THE BOARD OF ADJUSTMENT AND WITH "STRUCTURED OFF-STREET PARKING AREAS"; AMENDING CHAPTER 6 TITLED "OFFICE DISTRICT PROVISIONS," SECTION 601 TITLED "PRINCIPAL USES PERMITTED IN OFFICE DISTRICTS," REPLACING THE TERM "OFF-STREET PARKING AREAS" WITH "SURFACE OFF-STREET PARKING AREAS" AND CHANGING THOSE IN THE IDL FROM USE BY RIGHT TO REQUIRING SPECIAL EXCEPTION BY THE BOARD OF ADJUSTMENT AND WITH "STRUCTURED OFF-STREET PARKING AREAS"; AMENDING CHAPTER 7, TITLED "COMMERCIAL DISTRICT PROVISIONS," SECTION 701 TITLED "PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS," REPLACING THE TERM "OFF-STREET PARKING AREAS" WITH "SURFACE OFF-STREET PARKING AREAS" AND CHANGING THOSE IN THE IDL FROM USE BY RIGHT TO REQUIRING SPECIAL EXCEPTION BY THE BOARD OF ADJUSTMENT AND WITH "STRUCTURED OFF-STREET PARKING AREAS"; AMENDING CHAPTER 8 TITLED "CORRIDOR DISTRICT PROVISIONS," SECTION 801 TITLED "PRINCIPAL USES PERMITTED IN CORRIDOR DISTRICTS" REPLACING THE TERM "OFF-STREET PARKING AREAS" WITH "SURFACE OFF-STREET PARKING AREAS" AND "STRUCTURED OFF-STREET PARKING AREAS"; AMENDING CHAPTER 8A TITLED "SCIENTIFIC RESEARCH AND

DEVELOPMENT DISTRICT PROVISIONS," SECTION 851 TITLED "PRINCIPAL USES PERMITTED IN THE SCIENTIFIC RESEARCH DISTRICT," REPLACING THE TERM "OFF-STREET PARKING AREAS" WITH "SURFACE OFF-STREET PARKING AREAS AND CHANGING THOSE IN THE IDL FROM USE BY RIGHT TO REQUIRING A SPECIAL EXCEPTION BY THE BOARD OF ADJUSTMENT, AND WITH "STRUCTURED OFF-STREET PARKING AREAS;" AMENDING CHAPTER 9 TITLED "INDUSTRIAL DISTRICT PROVISIONS," SECTION 901 TITLED "PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS," REPLACING THE TERM "OFF-STREET PARKING AREAS" WITH "SURFACE OFF-STREET PARKING AREAS" AND CHANGING THOSE IN THE IDL FROM USE BY RIGHT TO REQUIRING A SPECIAL EXCEPTION FROM THE BOARD OF ADJUSTMENT, AND WITH "STRUCTURED OFF-STREET PARKING AREAS;" AMENDING CHAPTER 10 TITLED "LANDSCAPE REQUIREMENTS," SECTION 1002 TITLED "LANDSCAPE REQUIREMENTS," REPLACING THE TERM "CENTRAL BUSINESS DISTRICT (CBD)" WITH THE TERM "IDL AS DEFINED IN SECTION 226;" AND FURTHER AMENDING SECTION 1002 BY ADDING PARAGRAPH G TITLED "LANDSCAPE REQUIREMENTS FOR SURFACE OFF-STREET PARKING AREAS WITHIN THE IDL," APPLICABLE TO PRINCIPAL AND ACCESSORY USE SURFACE OFF-STREET PARKING AREAS WITHIN THE IDL REQUIRING DIFFERENT LANDSCAPING PATTERNS DEPENDENT UPON DATE OF BUILDING PERMIT APPLICATION; AMENDING CHAPTER 12, TITLED "USE UNITS"; AMENDING SECTION 1210, TITLED "OFF-STREET PARKING AREAS" RENAMING THE SECTION "SURFACE OFF-STREET PARKING AREAS" AND AMENDING THE TEXT TO SPECIFY SURFACE OFF-STREET PARKING LOT USAGE; ADDING A NEW SECTION 1210A TITLED "STRUCTURED OFF-STREET PARKING AREAS" DIRECTED AT ENCLOSED OFF-STREET PARKING AREAS WHICH ARE PRINCIPAL USES; AMENDING CHAPTER 16 TITLED "BOARD OF ADJUSTMENT," SECTION 1601 TITLED "POWERS OF THE BOARD," ADDING TO THE AUTHORITY OF THE BOARD THE POWER TO MAKE DETERMINATIONS RELATED TO DEMOLITION OF BUILDINGS WITHIN THE IDL IN ACCORDANCE WITH SECTION 226B; AMENDING CHAPTER 16 TITLED "BOARD OF ADJUSTMENT," SECTION 1604 TITLED "FEES," ADDING TO THE LIST OF APPLICATIONS REQUIRING FEES, THOSE UNDER SECTION 226B; AMENDING CHAPTER 16, SECTION 1608 TITLED "SPECIAL EXCEPTION" PARAGRAPH A TITLED "GENERAL" BY ADDING A NEW PARAGRAPH 20 PROVIDING FACTORS TO BE CONSIDERED BY THE BOARD OF ADJUSTMENT IN ITS DETERMINATION TO GRANT OR TO DENY THE SPECIAL EXCEPTION; AMENDING APPENDIX A TITLED "USE UNIT- SUMMARY ZONING DISTRICTS" TO REFLECT THE AMENDMENTS SET OUT HEREIN; AMENDING APPENDIX B TITLED "INDEX OF LAND USES" TO DELETE AND TO ADD THE TERMINOLOGY STATED; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. That Title 42, Tulsa Revised Ordinances, Chapter 2, titled "General Provisions," be and the same is hereby amended by adding thereto Section 226, titled "Demolitions of Buildings in the IDL" to read as follows:

"SECTION 226. DEMOLITIONS OF BUILDINGS IN THE IDL

A. **Demolition permits.** Consistent with the purposes expressed in Section 700 E., and in order to foster and preserve the urban character of the properties within the IDL, as defined herein, and to encourage preservation and creation of building stock, no demolition of a building within the IDL shall be permitted until such time as:

1. A Zoning Clearance Permit and Building Permit for the proposed use of the property have been issued;
2. The Building Official has determined that the building proposed for demolition poses an imminent threat to public health or safety, and demolition of the building is required to eliminate said threat; or
3. The Board of Adjustment has determined that one or both of the following facts relating to the building proposed for demolition has been established by the applicant for the demolition permit:
 - a. The building does not contribute in a significant way to the quality, character or integrity of the neighborhood, and the demolition will not adversely affect the quality, character or integrity of the neighborhood; or
 - b. There is no viable economic use of the building. For purposes of this paragraph, the term "no viable economic use" shall mean:
 - 1). The building cannot reasonably be modified or developed for a use which would result in a reasonable economic return, and
 - 2). The owner has made reasonable efforts, but has been unable to achieve a sale or lease of the property that would enable the owner to realize a reasonable economic return.

B. **Board of Adjustment Determination.** For demolition based upon the criteria stated in paragraphs A.3 a. or b. above, an application (Application), together with appropriate fees, shall be submitted to the Board of Adjustment (BOA). The Application shall be accompanied by a legal description of the lot and plans in duplicate, drawn to scale, showing the actual shape and dimension of the lot; the location, size and height of any existing buildings proposed for demolition; the

description of the subject property within the Downtown Tulsa Intensive-Level Historic Resources Survey maintained by the Planning and Economic Development Department of the City of Tulsa which is in effect at the time the Application is submitted; and such other information with regard to the subject building, lot and neighboring lots deemed relevant by the applicant. The BOA, within ninety (90) days from submission of the Application, shall review the Application and documentation submitted by the Applicant or others, which may include appraisals, profit and loss statements, itemized expenses, listings of the property for sale, current fair market value, records depicting the current conditions of the property and other relevant documentation; consider options for renovation, adaptive reuse and redevelopment that have been submitted; conduct a public hearing; and determine whether any or all of the criteria stated in paragraphs A.3 a. or b. above has been established.

C. Notice of Public Hearing:

1. At least ten days' notice of the public hearing to be held by the BOA shall be given as follows:

a. By publication in a newspaper of general circulation; and

b. By mailing written notice to the Applicant, to the owner of the subject property and to all owners of property abutting the exterior boundary of the subject property and to the following:

(1) Tulsa Chamber of Commerce

(2) Tulsa Preservation Commission

(3) Tulsa Downtown Coordinating Council

(4) Tulsa Fire Department – Attention: The Fire Chief

(5) Trust Authority for the Tulsa Stadium Improvement District;
and

(6) Tulsa City Councilor or Councilors for the IDL; and

c. By posting one (1) sign facing each street which abuts the subject property.

2. The notice shall contain:

a. The legal description of the subject property and the street address or approximate location of the property; and

- b. The announcement that demolition of the building or buildings is requested; and
- c. The date, time, and place of the hearing.
- 3. The Applicant shall furnish the names and mailing addresses of the owner of the subject property, if not the Applicant, all owners of property abutting the subject property and all others to whom notice is to be mailed.
- 4. Costs associated with giving notice of the public hearing as required herein shall be paid by the Applicant.
- D. **Burden of Proof.** The Applicant has the burden of proof to establish to the satisfaction of the BOA, the necessary facts to demonstrate the criteria stated herein to authorize demolition.
- E. **Appeals to the District Court.** An appeal from the action taken by the BOA herein may be pursued by any person or persons aggrieved by following the procedure authorized in Section 1609.
- F. **Stay of Proceedings.** Any appeal stays all proceedings in furtherance of the action appealed from.
- G. **Demolition Permit to Issue.** The Code Official shall issue the demolition permit upon the Applicant's payment of all related fees and upon 1) submittal of appropriate Zoning Clearance and Building Permit for the proposed use of the subject property, 2) determination by the Building Official that the building proposed for demolition poses an imminent threat to public health or safety and demolition of the building is required to eliminate said threat or 3) determination by the BOA that a demolition permit may be issued; and in the case of 2) or 3), upon the determination not being reversed on final appeal or upon conclusion of any final appeal which holds that the demolition permit should be issued.
- H. **IDL Definition.** As used herein, the IDL (Inner Dispersal Loop) shall mean the area of the City of Tulsa within and bounded on the East by the East leg of the IDL (U.S. 75), on the West by I-244, on the North by I-244, and on the South by the Broken Arrow Expressway (S.H. 51). (Drawing Attached)"

Section 2. *That Title 42, Tulsa Revised Ordinances, Chapter 4, Section 401, titled "Principal Uses Permitted in Residential Districts," be and the same is hereby amended to read as follows:*

"SECTION 401. PRINCIPAL USES PERMITTED IN RESIDENTIAL DISTRICTS

The principal uses permitted in the Residential Districts are designated by use unit. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading and screening requirements and other use conditions in Chapter 12. The use of an RE, RS, RD or RT District for access to any RM, O, C, or I District, or the use of an RM District for access to any O, C, or I District is prohibited unless permitted through an approved Planned Unit Development. The use units permitted in Residential Districts are set forth below in Table 1.

Table 1

Use Units Permitted in Residential Districts

Use Units		Districts					
No.	Name	RE	RS	RD	RT	RM	RMH
1.	Area-Wide Uses by Right	X	X	X	X	X	X
2.	Area-Wide Special Exception Uses [#]	E	E	E	E	E	E
4.	Public Protection & Utility Facilities	E	E	E	E	E	E
5.	Community Services & Similar Uses	E	E	E	E	E	E
6.	Single-Family Dwelling	X	X	X	X	X	E
7.	Duplex Dwelling		E*	X	X	X	
7a.	Townhouse Dwelling				X	X	
8.	Multifamily Dwelling & Similar Uses	E [†]	E [†]	E [†]		X	
9.	Manufactured Home Dwelling	E	E	E		E	X
10.	<u>Surface Off-Street Parking Areas</u>					E**	
10a.	<u>Structured Off-Street Parking Areas</u>					E**	
11.	Offices, Studios & Support Services					E***	
16.	Mini-Storage					E ^{††}	

X Use by Right

E Special Exception

* Duplexes permitted only in RS-3 and RS-4 Districts.

** In RM-2 and RM-3 Districts only. Surface Off-Street Parking Areas within the IDL (defined in Section 226) are further subject to the requirements of Section 1608, Paragraph A.20.

*** In RM-1, RM-2, and RM-3 Districts only.

[†] Assisted living facility, community group home, convent, life/care retirement center, monastery, and novitiate are the only uses within Use Unit 8 permitted by special exception in the RE, RS and RD Districts

^{††} Mini-storage is permitted only in the RM-1, RM-2 and RM-3 Districts

Detention/Correctional Facilities, Emergency and Protective Shelters, Homeless Centers, Transitional Living and Residential Treatment Centers are not allowed in RE and RS Districts.”

Section 3. That Title 42, Tulsa Revised Ordinances, Chapter 5, Section 501, titled “Principal Uses Permitted in the Parking Districts,” be and the same is hereby amended to read as follows:

“SECTION 501. PRINCIPAL USES PERMITTED IN THE PARKING DISTRICTS

The principal uses permitted in the Parking District are designated by use units. The use units are groupings of individual uses and are fully described, including their respective requirements and other use conditions in Chapter 12. The use units permitted in the Parking District are set forth below in Table 1.

Table 1

Use Units Permitted in the Parking Districts*

Use Unit	Parking District
1. Area-Wide Uses	X
2. Area-Wide Special Exception Uses	E
10. <u>Surface</u> Off-Street Parking Areas	X/E*
<u>10a. Structured Off-Street Parking Areas</u>	X

*X = Use by Right

E = Special Exception

*Surface Off-Street Parking Areas within the IDL (defined in Section 226) require Board of Adjustment approval of a Special Exception and are further subject to the requirements of Section 1608, Paragraph A.20.”

Section 4. That Title 42, Tulsa Revised Ordinances, Chapter 6, Section 601, titled “Principal Uses Permitted in Office Districts,” be and the same is hereby amended to read as follows:

“SECTION 601. PRINCIPAL USES PERMITTED IN OFFICE DISTRICTS

The principal uses permitted in the Office Districts are designated by use units. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading, and screening requirements and other use conditions in Chapter 12. The use units permitted in Office Districts are set forth below in Table 1.

Table 1

Use Units Permitted in Office Districts*

Use Unit		Districts			
No.	Name	OL	OM	OMH	OH
1.	Area-Wide Uses	X	X	X	X
2.	Area-Wide Special Exception Uses	E	E [#]	E [#]	E [#]
4.	Public Protection & Utility Facilities	E	E	E	E
5.	Community Services & Similar Uses	E	X	X	X
6.	Single-Family Dwelling	X	X†	X†	X†
7.	Duplex Dwelling	X	X†	X†	X†
7a.	Townhouse Dwelling	X	X	X	X
8.	Multifamily Dwelling and Similar Uses	E	X	X	X
10.	<u>Surface</u> Off-Street Parking Areas	X/E*	X/E*	X/E*	X/E*
10a.	<u>Structured Off-Street Parking Areas</u>	X	X	X	X
11.	Offices, Studios & Support Services	X**	X	X	X
12.	Eating Establishments Other than Drive-Ins				X
13.	Convenience Goods and Services	E****	E****	E****	E****
16.	Mini-Storage	E	E	E	E
19.	Hotel, Motel and Recreational Facilities			E***	E***

*X = Use by Right

E = Special Exception

† = Must be within a mixed use building

* = Surface Off-Street Parking Areas within the IDL (defined in Section 226) require Board of Adjustment approval of a Special Exception and are further subject to the requirements of Section 1608, Paragraph A.20

** = Drive-in bank facilities, whether a principal or accessory use, require Board of Adjustment approval of special exception in OL Districts.

*** = Limited to Hotel and motel.

= Residential Treatment and Transitional Living Centers are allowed by right in OM, OMH, and OH districts.

**** = Limited to barber and beauty shops."

Section 5. That Title 42, Tulsa Revised Ordinances, Chapter 7, Section 701, titled "Principal Uses Permitted in Commercial Districts," be and the same is hereby amended to read as follows:

"SECTION 701. PRINCIPAL USES PERMITTED IN COMMERCIAL DISTRICTS

The principal uses permitted in the Commercial Districts are designated by use units. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading and screening requirements and other use conditions in Chapter 12. The use units permitted in Commercial Districts are set forth below in Table 1.

Table 1

Use Units Permitted in Commercial Districts*

Use Units		Districts			
No.	Name	CS	CG	CH	CBD
1.	Area-Wide Uses	X	X	X	X
2.	Area-Wide Special Exception Uses	E	E	E	E***
4.	Public Protection and Utility Facilities	X	X	X	X
5.	Community Services & Similar Uses	X	X	X	X
6.	Single-Family Dwelling	X#	X#	X#	X#
7.	Duplex Dwelling	X#	X#	X#	X#
7a.	Townhouse Dwelling	X	X	X	X
8.	Multifamily Dwelling and Similar Uses	X	X	X	X
9.	Manufactured Home Dwelling		E	E	
10.	<u>Surface</u> Off-Street Parking Areas	<u>X/E*</u>	<u>X/E*</u>	<u>X/E*</u>	<u>X/E*</u>
10a.	<u>Structured Off-Street Parking Areas</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>X</u>
11.	Offices, Studios & Support Services	X	X	X	X
12.	Eating Establishments Other than Drive-Ins	X	X	X	X
12a.	Adult Entertainment Establishments	X**	X**	X**	X**
13.	Convenience Goods and Services	X	X	X	X
14.	Shopping Goods and Services	X	X	X	X
15.	Other Trades and Services	E	X	X	X
16.	Mini-Storage	E	X	X	X
17.	Automobile and Allied Activities	E	X**	X**	X**
18.	Drive-In Restaurants	E	X	X	X
19.	Hotel, Motel and Recreational Facilities	X	X	X	X
20.	Commercial Recreation: Intensive	E	E	E	E
21.	Business Signs and Outdoor Advertising	X†	X†	X†	X†
22.	Scientific Research and Development		E	X	X
23.	Warehousing and Wholesaling		E	X	X
25.	Light Manufacturing and Industry		E	E	E

X = Use by Right

E* = Surface Off-Street Parking Areas within the IDL (defined in Section 226) require Board of Adjustment approval of a Special Exception and are further subject to the requirements of Section 1608, Paragraph A.20.

X** = Use Unit 12a and auto body painting within Use Unit 17 uses require Board of Adjustment approval of a special exception if the lot containing either of these uses is within 150 feet of R zoned land, other than streets or freeways which are in R Districts.

- | **X₁** = Use Unit 21 outdoor advertising signs shall only be permitted in a CS, CG, CH, or CBD zoning district when located within a freeway sign corridor.
- | **E** = Special Exception
- | **E^{***}** = Except that tents used for special events are allowed by right on any non-right-of-way properties zoned CBD.
- | **X_#** = Must be located within a mixed-use building."

Section 6. That Title 42, Tulsa Revised Ordinances, Chapter 8, Section 801, titled "Principal Uses Permitted in Corridor Districts," be and the same is hereby amended to read as follows:

"SECTION 801. PRINCIPAL USES PERMITTED IN CORRIDOR DISTRICTS

The principal uses permitted in the Corridor District are designated by use units as set forth in Table 1. The use units are groupings of individual uses and are fully described, including their respective off-street parking and loading requirements in Chapter 12; provided that off street parking and loading requirements and minimum building setbacks may be modified when part of an approved Corridor Development Plan. Selection of specific uses and their locations are subject to the requirements as set forth in Section 804 of this chapter.

Table 1

Use Units Permitted in Corridor Districts

No.	Name
1.	Area-Wide Uses
2.	Area-Wide Special Exception Uses
4.	Public Protection and Utility Facilities
5.	Community Services & Similar Uses
6.	Single-Family Dwelling
7.	Duplex Dwelling
7a.	Townhouse Dwelling
8.	Multifamily Dwelling and Similar Uses
9.	Manufactured Home Dwelling
10.	<u>Surface</u> Off-Street Parking Areas
10a.	<u>Structured Off-Street Parking Areas</u>
11.	Offices, Studios, and Support Services
12.	Eating Establishments Other than Drive-Ins
12a.	Adult Entertainment Establishments
13.	Convenience Goods and Services
14.	Shopping Goods and Services
15.	Other Trades and Services
16.	Mini-Storage

- | | |
|-----|--|
| 17. | Automotive and Allied Activities |
| 18. | Drive-In Restaurants |
| 19. | Hotel, Motel and Recreation Facilities |
| 20. | Commercial Recreation: Intensive |
| 21. | Business Signs and Outdoor Advertising |
| 22. | Scientific Research and Development |
| 23. | Warehousing and Wholesaling |
| 25. | Light Manufacturing and Industry |

Section 7. That Title 42, Tulsa Revised Ordinances, Chapter 8a, Section 851, titled "Principal Uses Permitted in the Scientific Research District," be and the same is hereby amended to read as follows:

"SECTION 851. PRINCIPAL USES PERMITTED IN THE SCIENTIFIC RESEARCH DISTRICT.

The principal uses permitted in the Scientific Research District are designated by use units. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading and screening requirements and other use conditions in Chapter 12. The use units permitted in the Scientific Research District are set forth below in Table 1.

Table 1

Use Units Permitted in Scientific Research District*

Use Units		District
No.	Name	SR
1.	Area-Wide Uses by Right	X
2.	Area-Wide Special Exception Uses	E
4.	Public Protection and Utility Facilities	X
5.	Community Services & Similar Uses	E
10.	Surface Off-Street Parking Areas	X/E*
10a.	Structured Off-Street Parking Areas	X
11.	Offices, Studios & Support Services	X
22.	Scientific Research and Development	X

X = Use by Right

E = Special Exception

E* Surface Off-Street Parking Areas within the IDL (defined Section 226) require Board of Adjustment approval of a Special Exception and are further subject to the requirements of Section 1608, Paragraph A.20."

Section 8. That Title 42, Tulsa Revised Ordinances, Chapter 9, Section 901, titled "Principal Uses Permitted in Industrial Districts" be and the same is hereby amended to read as follows:

“SECTION 901. PRINCIPAL USES PERMITTED IN INDUSTRIAL DISTRICTS

The principal uses permitted in the Industrial Districts are designated by use units. The use units are groupings of individual uses and are fully described, including their respective off-street parking, loading and screening requirements and other use conditions in Chapter 12. The use units permitted in the Industrial Districts are set forth below in Table 1.

Table 1

Use Units Permitted in Industrial Districts

Use Units		Districts		
No.	Name	IL	IM	IH
1.	Area-Wide Uses	X	X	X
2.	Area-Wide Special Exception Uses	E#	E	E
3.	Agriculture	X	X	X
4.	Public Protection and Utility Facilities	X	X	X
5.	Community Services and Similar Uses	E	E	E
9.	Manufactured Home Dwelling	E	E	E
10.	<u>Surface</u> Off-Street Parking Areas	<u>X/E*</u>	<u>X/E*</u>	<u>X/E*</u>
<u>10a.</u>	<u>Structured Off-Street Parking Areas</u>	<u>X</u>	<u>X</u>	<u>X</u>
11.	Offices, Studios and Support Services	X	X	X
12.	Eating Establishments, Other than Drive-Ins	X	X	X
12a.	Adult Entertainment Establishments	E	E	E
13.	Convenience Goods and Services	X	X	X
14.	Shopping Goods and Services	X	X	X
15.	Other Trades and Services	X	X	X
16.	Mini-Storage	X	X	X
17.	Automotive and Allied Activities	X	X	X
18.	Drive-In Restaurants	X	X	X
19.	Hotel, Motel and Recreational Facilities	E	E	E
20.	Commercial Recreation: Intensive	E	X	X
21.	Business Signs, Outdoor Advertising	X†	X†	X†
22.	Scientific Research and Development	X	X	X
23.	Warehousing and Wholesaling	X	X	X
24.	Mining and Mineral Processing		E	E
25.	Light Manufacturing and Industry	X	X	X
26.	Moderate Manufacturing and Industry	E	X	X
27.	Heavy Manufacturing and Industry		E	X
28.	Junk and Salvage Yards		E	X

X = Use by Right

E* = Surface Off-Street Parking Areas within the IDL (defined in Section 226) require Board of Adjustment approval of a Special Exception and are further subject to the requirements of Section 1608, Paragraph A.20.

- X₁ = Use Unit 21 outdoor advertising signs shall only be permitted in an IL, IM or IH zoning district when located within a freeway sign corridor.
- E = Special Exception
- # = Residential Treatment and Transitional Living Centers are allowed by right in IL Districts."

Section 9. That Title 42, Tulsa Revised Ordinances, Chapter 10, Section 1002 titled "Landscape Requirements," Paragraph B, be and the same is hereby amended to read as follows:

"B. Parking Area Requirements. Within surface off-street parking areas which are not zoned Central Business District (CBD) located within the IDL (defined in Section 226), landscaped areas shall be established and maintained as follows:

1. For lots 2.5 acres or less in size, no parking space shall be located more than 50 feet from a landscaped area containing at least 30 square feet, with a minimum width or diameter of three feet;
2. For lots greater than 2.5 acres in size, no parking space shall be located more than 75 feet from a landscaped area containing at least 100 square feet, with a minimum width or diameter of seven feet."

Section 10. That Title 42, Tulsa Revised Ordinances, Chapter 10, Section 1002 titled "Landscape Requirements," Paragraph C, be and the same is hereby amended to read as follows:

C. Tree Requirements. Within surface off-street parking areas which are not located within the IDL (defined in Section 226), trees shall be planted and maintained as follows.

1. Within the street yard, trees shall be preserved or planted and maintained or replaced as follows:

One tree for each 1500 square feet, or fraction thereof, of street yard.

2. For surface parking areas located outside the street yard, ~~which are in zoning districts other than CBD~~, one tree for each 12 parking spaces, with at least one tree in each required landscaped area, shall be preserved or planted and maintained or replaced.

- ~~3. For surface parking areas located in the CBD zoning district which are designed for 20 or more spaces and which parking areas are within 25 feet of a public street right-of-way, trees shall be preserved or planted and maintained or replaced as follows:~~

- ~~a. One tree for each 35 lineal feet of parking area located along and parallel to the street boundary which is within 25 feet of public street right-of-way; and~~

~~b. Required trees shall be located within 10 feet of a public street right-of-way.~~

3. An existing or planted tree which is at least six inches in caliper shall be considered as two trees for the purpose of determining compliance with the requirement of Subsection 1002.C., provided there is no alteration of the soil grade under an existing tree's dripline.
4. Planted trees shall be planted in a pervious area not less than three feet in diameter.
5. Minimum tree sizes at time of planting shall be as follows:
 - a. Ornamental trees shall be not less than six feet in height and one inch in caliper;
 - b. Conifers/Evergreen trees, such as pine, spruce or cedar, shall be not less than five feet in height; and
 - c. Canopy trees shall not be less than eight feet in height and 1-1/2 inch in caliper.

Section 11. That Title 42, Tulsa Revised Ordinances, Chapter 10, Section 1002 titled "Landscape Requirements," is hereby amended by adding thereto Paragraph G, to read as follows:

G. Landscape Requirements For Surface Off-Street Parking Areas Within The IDL. For principal and accessory use surface off-street parking areas located within the IDL (defined in Section 226), landscaping and fencing shall be established and maintained as follows:

1. The provisions of this paragraph G. shall be applicable to the following:
 - a. Surface off-street parking areas within the IDL for which a building permit is issued on or after September 1, 2013;*
 - b. Surface off-street parking areas existing as of September 1, 2013, in which the size of the parking area is thereafter increased; and
 - c. Surface off-street parking areas existing as of September 1, 2013, in which the surface of the parking area is, as of that date, constructed of a material that is not an all-weather material, and in which an all-weather material is subsequently applied
- * A building permit shall be required for all surface off-street parking areas.
2. Within the lot containing the surface off-street parking area, landscaping, fencing and trees shall be provided along the right-of-way abutting the lot as

follows:

- a. A landscaped area shall be established and maintained which is not less than 8 feet in width and which extends along the entirety of street right-of-way abutting the lot, except at points of vehicular access and except where the parking area is screened from the right of way by a building. Wheel stops or curbing shall be placed and maintained in the parking area so as to prevent vehicle overhang into the landscaped area and vehicle contact with the ornamental fence or masonry wall described in Section 1002.G.2.b.
 - b. An ornamental fence or masonry wall, no less than 2-1/2 feet in height and no greater than 4 feet in height shall be constructed and maintained along the entirety of the interior perimeter of the landscaped area described in Section 1002.G.2.a.
 - c. A minimum of 15 evergreen shrubs or ornamental grasses for every 50 lineal feet of right-of-way abutting the lot (or if the parking area is screened in part from the right of way by a building for every 50 lineal feet of right of way where the parking area is not screened by a building), with a minimum 3 gallon size, shall be preserved or planted and maintained or replaced within the landscaped area described in Section 1002.G.2.a. Spacing of shrubs and grasses within the landscaped area shall be at the discretion of the owner of the lot.
 - d. A minimum of 1 tree for every 50 lineal feet of right-of-way abutting the lot (or if the parking area is screened in part from the right of way by a building for every 50 lineal feet of right of way where the parking area is not screened by a building) shall be preserved or planted and maintained or replaced within the landscaped area described in Section 1002.G.2.a. Spacing of trees within the landscaped area shall be at the discretion of the owner of the lot.
 - e. The requirements of Sections 1002.G.2. a, b, c, and d, shall be deemed satisfied if there exist, or if the owner of the lot shall construct prior to or at the time of construction of the surface off-street parking area, improvements within the right-of-way abutting the lot (street trees, light standards, sidewalks and landscaping), along the entirety of the length of the right-of-way except for points of vehicular access, which meet or exceed the design standards set forth in the Engineering Design Criteria Manual maintained in the Engineering Services Department of the City of Tulsa which is in effect at the time of the construction of the off-street parking area.
3. Within the lot containing the principal or accessory use surface off-street parking area, and outside the landscaped area described in Section 1002 G.2., a minimum of 1 tree shall be preserved or planted and maintained or

replaced for every 15 parking spaces. No parking space shall be further than 50 feet from a required tree as measured from the tree trunk. Trees shall be located in landscaped areas with a minimum size of 100 square feet and a minimum width or diameter of 10 feet. The landscaped areas shall be protected by a raised 6 inch concrete curb, and neither concrete curbing nor parking area surfacing shall be placed nearer to the trunk of a tree than 4-1/2 feet.

4. Trees required under the provisions of Sections 1002.G.2. and 3. shall be subject to the following additional requirements:
- a. An existing or planted tree which is at least 6 inches in caliper shall be considered as 2 trees, provided there is no alteration of the soil grade under the existing tree's dripline.
 - b. Minimum tree sizes at time of planting shall be as follows:
 - 1) Ornamental trees shall be not less than 6 feet in height and 1 inch in caliper;
 - 2) Conifers/evergreen trees, such as pine, spruce or cedar, shall be not less than 5 feet in height; and
 - 3) Canopy trees shall not be less than 8 feet in height and 1-1/2 inch in caliper.

Section 12. That Title 42, Tulsa Revised Ordinances, Chapter 12, Section 1210, be and the same is hereby amended to read as follows:

"SECTION 1210. USE UNIT 10. SURFACE OFF-STREET PARKING AREAS

- A. **Description.** Off-street parking areas which are principal uses and which are unenclosed.
- B. **Included Uses.** Surface Off-street parking areas as defined in Section 1210, Subsection A.
- C. **Use Conditions.** Surface Off-street parking areas shall conform to the landscaping, design, lighting and improvement requirements for off-street parking contained in Chapters 10 and 13; Surface Off-Street Parking areas within the IDL require Board of Adjustment approval of a Special Exception and are further subject to the requirements of Section 1608, Paragraph A.20.
- D. **Off-Street Parking and Loading Requirements.** Not applicable."

Section 13. That Title 42, Tulsa Revised Ordinances, Chapter 12, be and the same is hereby amended by adding thereto Section 1210a to read as follows:

"SECTION 1210a. USE UNIT 10a. STRUCTURED OFF-STREET PARKING AREAS

- A. **Description.** Off-Street parking areas which are principal uses and which are enclosed within a building containing one or more floors, a roof, and exterior walls, and in which the parked vehicles are not visible from the building exterior; and off-street parking areas which are principal uses and which are located within a structure containing more than one floor, in which the parked vehicles may be visible from the exterior of the structure and in which the highest floor may not be covered by a roof.
- B. **Included Uses.** Structured off-street parking areas as defined in Section 1210a, Subsection A.
- C. **Use Conditions.** Structured Off-Street Parking Areas shall conform to the landscaping, design, lighting and improvement requirements for off-street parking contained in Chapters 10 and 13."

Section 14. That Title 42, Tulsa Revised Ordinances, Chapter 16, Section 1601, titled "Powers of the Board," be and the same is hereby amended to read as follows:

"SECTION 1601. POWERS OF THE BOARD

The Board shall have the power to hear appeals from the determinations of an administrative official in enforcing this Code, to grant variances, to grant special exceptions, and to make interpretations of the zoning map and text, in accordance with the substantive and procedural standards hereinafter set forth. The Board shall further have the power to make determinations as set forth in Section 226B, in accordance with the substantive and procedural standards set forth therein."

Section 15. That Title 42, Tulsa Revised Ordinances, Chapter 16, Section 1604, titled "Fees," be and the same is hereby amended to read as follows:

"SECTION 1604. FEES

An application for an appeal from an administrative official enforcing this Code, for any variance or special exception or for a determination in accordance with Section 226B shall be accompanied by the payment of a fee in accordance with the schedule of fees adopted by resolution of City Council of the City of Tulsa. Additionally, the applicant shall pay a fee to cover the costs of publishing notice and posting signs on the property."

Section 16. That Title 42, Tulsa Revised Ordinances, Chapter 16, Section 1608, titled "Special Exception," Paragraph A, be and the same is hereby amended by adding thereto paragraph 20, to read as follows:

"20. In granting a special exception to permit a principal use Surface Off-Street Parking Area within the IDL, and making the findings required by Section 1608, paragraph

C, the following factors, together with any other factors deemed relevant by the Board of Adjustment, shall be considered in the determination to grant or deny the special exception:

- a. The site plan for the proposed parking area.
- b. The uses of properties within the vicinity of the proposed parking area.
- c. The number and availability of public parking spaces (available to the general public) and private parking spaces (available only to the owners, occupants and visitors of a nearby building) within a quarter mile of the proposed parking area.
- d. Demand for additional parking within the vicinity of the proposed parking area.
- e. Impact upon the immediate neighborhood of the proposed parking area.

Information furnished with Application. The information described in 20.a. through e. shall be submitted by the applicant along with his/her application."

Section 17. That Title 42, Tulsa Revised Ordinances, Appendix A, titled "Use Unit – Summary Zoning Districts," be and the same is hereby amended to read as follows:

APPENDIX A

USE UNIT -- SUMMARY ZONING DISTRICTS

Use Units	AG	RE	RS1	RS2	RS3	RS4	RD	RT	RMH	RMO	RM1	RM2	RM3	PK	OL	OM	OMH	OH	CS	CG	CH	CBD	CO	SR	IL	IM	IH	
1. Area-Wide Uses By Right	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	X	S	X	X	X	X
2. Area-Wide Exception Uses	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	S	E	E	E	E	
3. Agriculture	X																								X	X	X	
4. Protection & Utilities	X	E	E	E	E	E	E	E	E	E	E	E	E	E		E	E	E	E	X	X	X	X	S	X	X	X	X
5. Community Services & Similar Uses	E	E	E	E	E	E	E	E	E	E	E	E	E	E	E	X	X	X	X	X	X	X	S	E	E	E	E	
6. Single-Family Dwelling	X	X	X	X	X	X	X	X	X	E	X	X	X	X		X	X†	X†	X†	X*	X*	X*	X*	S				
7. Duplex Dwelling					E	E	X	X		X	X	X	X	X		X	X	E	E	X*	X*	X*	S					
7a. Townhouse Dwelling								X		X	X	X	X	X		X	X	X	X	X	X	X	S					
8. Multifamily & Similar Uses	E*	E*	E*	E*	E*	E*	E*			X	X	X	X	X	E	X	X	X	X	X	X	X	S					
9. Manufactured Home Dwelling	E	E	E	E	E	E	E		X	E	E	E	E	E					E	E	S			E	E	E	E	
10. Surface Off-Street Parking Areas														E*	E*	X*	X*	X*	X*	X*	X*	X*	S	X*	X*	X*	X*	
10a. Structured Off-Street Parking Areas														E	E	X	X	X	X	X	X	X	S	X	X	X	X	
11. Offices, Studios & Support Services	E*													E	E	X*	X	X	X	X	X	X	S	X	X	X	X	
12. Eating Establish. Other Than Drive-Ins																		X	X	X	X	S		X	X	X	X	
12a. Adult Entertainment Establishments																		X*	X*	X*	X*	S		E	E	E	E	
13. Convenience Goods and Services															E*	E*	E*	E*	X	X	X	X	S	X	X	X	X	
14. Shopping Goods and Services																		X	X	X	X	S		X	X	X	X	
15. Other Trades & Services																		E	X	X	X	S		X	X	X	X	
16. Mini-Storage										E	E	E	E	E	E	E	E	E	E	X	X	X	S		X	X	X	
17. Automotive & Allied Activities																		E	X*	X*	X*	S		X	X	X	X	
18. Drive-In Restaurants																		E	X	X	X	S		X	X	X	X	
19. Hotel, Motel & Recreation																	E*	E*	X	X	X	S		E	E	E	E	
20. Commercial Recreation, Intensive	E																	E	E	E	E	S		E	X	X		
21. Signs & Outdoor Advertising																		X†	X†	X†	X†	S		X†	X†	X†	X†	
22. Scientific Research & Development																		E	X	X	S	X		X	X	X	X	
23. Warehousing & Wholesaling																		E	X	X	S			X	X	X	X	
24. Mining & Mineral Processing	E																								E	E		
25. Light Manufacturing																		E	E	E				X	X	X	X	
26. Moderate Manufacturing																								E	X	X	X	
27. Heavy Manufacturing																									E	X	X	
28. Junk & Salvage Yards																										E	X	

X = USE BY RIGHT E = USE BY EXCEPTION S = SITE PLAN APPROVAL REQUIRED * ONLY SELECTED USES † Must be within a mixed use building
 ‡ = Residential Treatment and Transitional Living Centers are allowed by right in IL, OM, OMH, and OH Districts
 † = Use Unit 21 outdoor advertising signs shall only be permitted in a CS, CG, CH, CBD, IL, IM, or IH zoning district when located within a freeway sign corridor
 * = Surface Off-Street Parking Areas within the IDL require approval of a Special Exception and are subject to additional requirements.

Section 18. That Title 42, Tulsa Revised Ordinances, Appendix B, titled "Index of Land Uses," be and the same is hereby amended to delete the following listing of land uses:

Use Unit	Land Use
10	Parking
10	Parking Garage

and to add the following listing of land uses:

Use Unit	Land Use
10	Parking, Surface

10a Parking, Structured

Section 19. SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.

Section 20. REPEAL OF CONFLICTING ORDINANCES. That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.

Section 21. EMERGENCY CLAUSE. That an emergency is now declared to exist for the preservation of the public peace, health and safety, by reason whereof this ordinance shall take effect immediately from and after its passage, approval and publication.

ADOPTED by the Council: _____
Date

Chairman of the Council

ADOPTED as an emergency measure: _____
Date

Chairman of the Council

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____.
Date Time

Dewey F. Bartlett Jr., Mayor

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma:

Date

at _____.
Time

Mayor

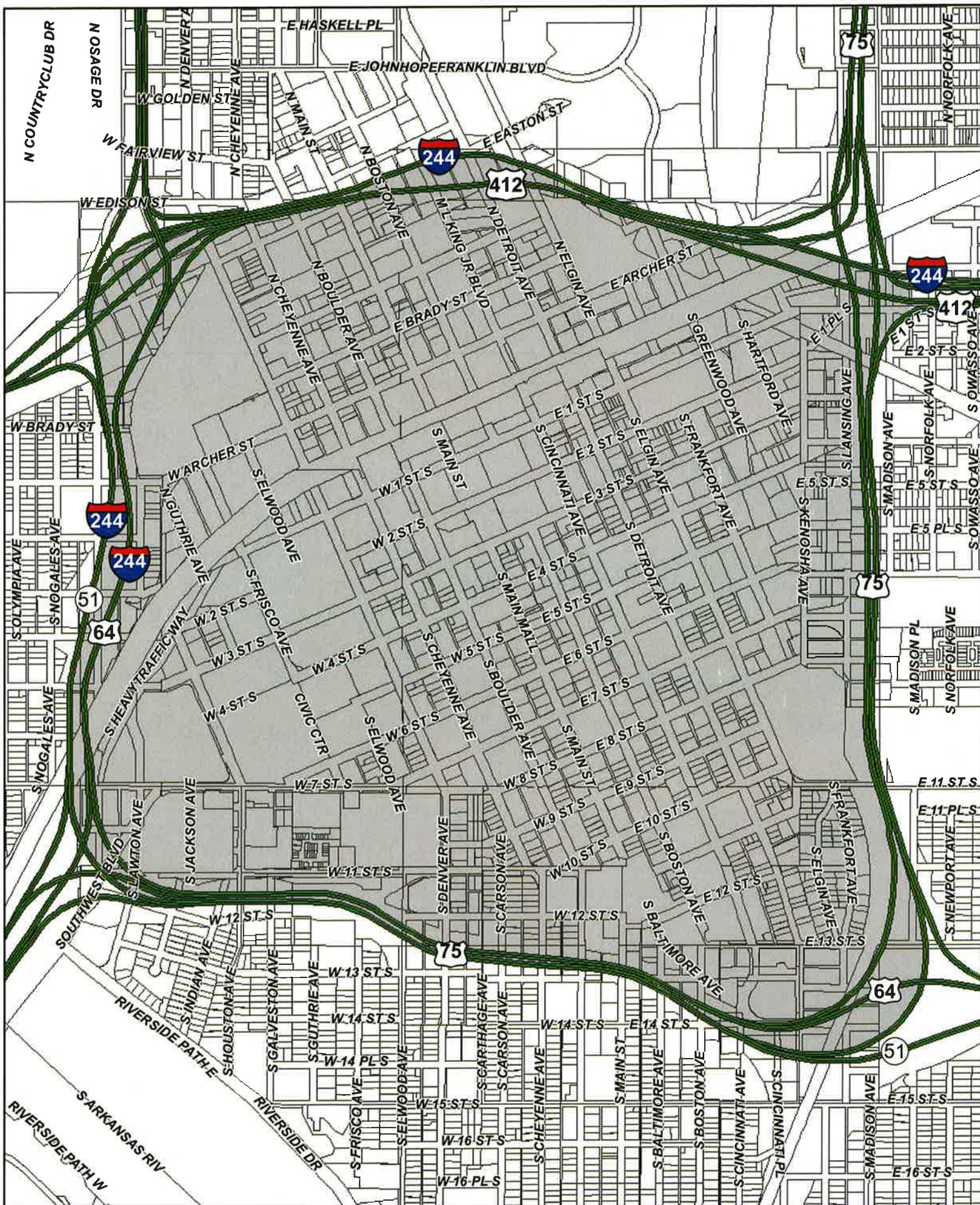
(Seal)

ATTEST:

City Clerk

APPROVED:

City Attorney



12-199-8

2, 3, 2

(Published in the

Tulsa Business & Legal News,

JUNE 19, 2013)

ORDINANCE NO. 22880

AN ORDINANCE RENEWING AND EXTENDING ORDINANCE NO. 22825, WHICH WILL EXPIRE BY ITS TERMS ON MAY 15, 2013; PROVIDING THAT ALL TERMS AND CONDITIONS OF SAID ORDINANCE NO. 22825, WHICH RENEWED AND EXTENDED ORDINANCE NO. 22707, SHALL CONTINUE IN FULL FORCE AND EFFECT; AND DECLARING AN EMERGENCY.

WHEREAS, City of Tulsa Ordinance No. 22707 (copy attached as Exhibit "A"), which was enacted effective July 18, 2012, declared a moratorium on permitting or construction of surface parking lots as a principal use within the Inner Disbursal Loop area of downtown Tulsa (the IDL); and

WHEREAS, the said moratorium was extended to May 15, 2013 by Ordinance No. 22825 (copy attached as Exhibit "B"); and

WHEREAS, the said moratorium was enacted to allow City staff the time to study and present proposed changes to regulations concerning the permitting, location and use of surface parking lots as a principal use; and

WHEREAS, such studies are not yet complete;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. Ordinance No. 22825, which extended Ordinance No. 22707, declaring a moratorium on the permitting or construction of surface parking lots as a principal use in the City's IDL, is hereby renewed and extended until SEPTEMBER 1, 2013.

Section 2. All terms and conditions of the original Ordinance No. 22707, including a property owner's appeal rights as explained in Section 2 of said Ordinance, shall continue to apply in full force and effect.

Section 3. That because the ordinance is essential to the proper and orderly growth and development of the City of Tulsa and the area contiguous thereto, an emergency is hereby declared to exist for the preservation of the public peace, health, and safety, by reason whereof this ordinance shall take effect immediately upon its passage, approval, and publication.

MDS

14.25

ADOPTED by the Council: MAY 09 2013
Date

ADOPTED as an emergency measure: N/A
Date
[Signature]
Chair of the Council

OFFICE OF THE MAYOR

Received by the Mayor _____, at _____
Date Time

Dewey F. Bartlett, Jr., Mayor

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma

June 10, 2013, at 2:30 PM
Date Time

[Signature]
Mayor

ATTEST:

[Signature]
Deputy City Clerk

APPROVED:

[Signature] MDS
City Attorney

(Published in the Tulsa Daily Commerce
& Legal News,

JULY 18, 2012.)

ORDINANCE NO. 22707

AN ORDINANCE DECLARING A MORATORIUM ON DEMOLITIONS AND ON THE ISSUANCE OF PERMITS, VARIANCES, SPECIAL EXCEPTIONS, AMENDMENTS, OR OTHER PERMISSIONS ALLOWING FOR THE CONSTRUCTION OR USE OF A PROPERTY LOCATED IN THE IDL OF THE CITY OF TULSA, OKLAHOMA, AS A SURFACE PARKING LOT; AUTHORIZING THE TULSA METROPOLITAN AREA PLANNING COMMISSION AS AN APPELLANT BODY TO RECOMMEND TO THE CITY COUNCIL THE LIFTING OF THIS MORATORIUM WHEN NEEDED TO PROTECT THE PUBLIC PEACE, HEALTH, WELFARE, ORDER, MORALS, AND SAFETY GOVERNING THE USE OR CONSTRUCTION OF PROPERTY LOCATED IN THE IDL; PROVIDING EFFECTIVE AND REPEAL DATES FOR THE MORATORIUM; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Tulsa is charged with the solemn responsibility of protecting the public peace, health, order, morals, and safety, and promoting the general welfare of the City of Tulsa and its inhabitants;

WHEREAS, the City of Tulsa desires to preserve the safety, character, and economic values of its citizens and their property;

WHEREAS, the City of Tulsa, its agencies and numerous personnel, have expended substantial time and energy on the City's updated Comprehensive Plan (PLANiTULSA) and associated policies; and

WHEREAS, the City of Tulsa and others have expended substantial funds in the construction of municipal parking garages in its downtown core area; and

WHEREAS, the appearance of surface level parking lots often follows the removal and demolition of older and sometimes historically significant structures well known and associated with their downtown character and influence; and

WHEREAS, the preservation of downtown structures with historic significance should be the goal rather than their demolition and replacement by surface level parking lots; and

WHEREAS, following a public hearing conducted on April 19, 2012, it was determined that this proposed moratorium is justified and that time is needed to study and develop long term approaches and solutions which will save, secure and preserve historically significant downtown structures in lieu of their elimination and ultimate replacement by surface level parking lots; and



14.27

WHEREAS, construction of surface parking lots as the principal use often leads to unsightly, unplanned and misplaced facilities; and

WHEREAS, construction of surface parking lots as the principal use eliminates developable land from the stock of land for such purposes, thereby frustrating the City's economic development efforts; and

WHEREAS, development of surface parking lots in certain areas of downtown may result in potentially negative traffic consequences at a time when the City is without sufficient funds for proactive transportation improvements; and

WHEREAS, the City of Tulsa should encourage the use of multilevel parking structures rather than surface parking lots to allow the City of Tulsa to better function as an urban center; and

WHEREAS, continued approval and construction of additional surface parking lots, without careful consideration of the Comprehensive Plan policies, may undermine the benefits of coordinated planning, and may irreparably damage long-term Comprehensive Plan goals; and

WHEREAS, the City of Tulsa would benefit from the expertise of the Tulsa Metropolitan Area Planning Commission ("TMAPC"), to better understand and reconcile the policy considerations raised by this issue, specifically considerations of community planning, historic preservation, public safety, community aesthetics, and economic value; and

WHEREAS, this moratorium will be implemented to provide adequate time for City staff with the help of others to prepare proposed changes to land development regulations impacting downtown, and to present such changes to the TMAPC and, as appropriate, to the City Council for review and adoption;

NOW THEREFORE, BE IT ORDAINED BY THE CITY OF TULSA, OKLAHOMA:

SECTION 1. There is hereby declared a moratorium on the permitting or construction of surface parking lots as the principal use, including commercial lots, park and ride lots and lots serving transit facilities, in the City's IDL, to provide adequate time for staff to draft, review and present to the City Council, and for the City Council to review and adopt changes to regulations concerning the permitting, location and use of surface parking lots as a principal use.

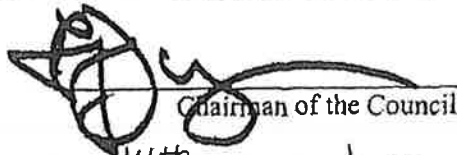
SECTION 2. During this moratorium, the TMAPC shall hear appeals from owners of property in the IDL affected by this moratorium and recommend to the City Council whether or not to exempt said property, in whole or in part, from the moratorium.

SECTION 3. **EFFECTIVE DATES.** This Moratorium shall remain in full force and effect through January 31, 2013, after which it shall be automatically null, void, and specially repealed, provided that the effective and repeal dates of this Moratorium may be modified as enacted by subsequent ordinance of the City of Tulsa.

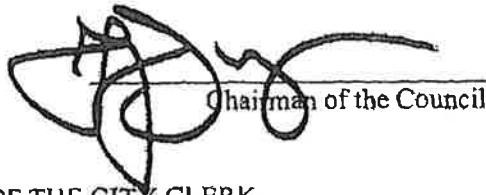
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SECTION 4. That an emergency is hereby declared to exist for the preservation of the public peace, health and safety, by reason whereof this Ordinance shall take effect immediately upon its adoption and approval.

ADOPTED, by the Council on this 14th day of June 2012.


Chairman of the Council

ADOPTED, as an emergency measure, on this 14th day of June 2012.


Chairman of the Council

OFFICE OF THE CITY CLERK

Received by the City Clerk: _____ at _____
Date Time

OFFICE OF THE MAYOR

Received by the Mayor: _____, at _____
Date Time

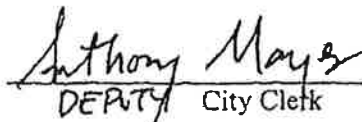
Dewey F. Bartlett, Jr., Mayor

By: _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma: 10 JULY 2012,
Date



at _____
Time

ATTEST:


DEPUTY City Clerk



APPROVED:


Mayor

City Attorney

14.29

(Published in the
Tulsa Business & Legal News,
FEBRUARY 26, 2013)
ORDINANCE NO. 22825

AN ORDINANCE RENEWING AND EXTENDING ORDINANCE NO. 22707 WHICH WAS ENACTED BY THE CITY OF TULSA EFFECTIVE JULY 18, 2012 AND WHICH WILL EXPIRE BY ITS TERMS ON JANUARY 31, 2013; PROVIDING THAT ALL TERMS AND CONDITIONS OF SAID ORDINANCE NO. 22707 SHALL CONTINUE IN FULL FORCE AND EFFECT; AND DECLARING AN EMERGENCY.

WHEREAS, City of Tulsa Ordinance No. 22707 (copy attached hereto), which was enacted effective July 18, 2012, declared a moratorium on permitting or construction of surface parking lots as a principal use within the Inner Disbursal Loop area of downtown Tulsa (the IDL); and

WHEREAS, the said moratorium was enacted to allow City staff the time to study and present proposed changes to regulations concerning the permitting, location and use of surface parking lots as a principal use; and

WHEREAS, such studies are due to be complete within the next few months;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF TULSA:

Section 1. Ordinance No. 22707, declaring a moratorium on the permitting or construction of surface parking lots as a principal use in the City's IDL, is hereby renewed and extended until May 15, 2013.

Section 2. All terms and conditions of the original Ordinance No. 22707, including a property owner's appeal rights as explained in Section 2 of said Ordinance, shall continue to apply in full force and effect.

Section 3. That because the ordinance is essential to the proper and orderly growth and development of the City of Tulsa and the area contiguous thereto, an emergency is hereby declared to exist for the preservation of the public peace, health, and safety, by reason whereof this ordinance shall take effect immediately upon its passage, approval, and publication.



14.30

7c

ADOPTED by the Council: 2-7-2013
Date

ADOPTED as an emergency measure: 2-7-2013
Date
[Signature]
Chair of the Council


OFFICE OF THE MAYOR

Received by the Mayor _____, at _____
Date Time

Dewey F. Bartlett, Jr., Mayor

By _____
Secretary

APPROVED by the Mayor of the City of Tulsa, Oklahoma
FEB 18 2013
_____, at _____
Date Time

[Signature]
Mayor **PRO-TEM**


ATTEST:
[Signature]
DEPUTY City Clerk

APPROVED:
[Signature] MDS
City Attorney 3/20/13

14.31

Downtown Demo / Surface Parking Ordinance

Comment Log

Note: All document references refer to ordinance draft dated 7/24/13 (clean version / not redlined)

Item #	Date	Source	Doc Reference	Issue/Question	Staff Response	TMAPC Action
1	7/25/2013	City Admin	p. 14 / G. Landscape Requirements	Consider requiring irrigation or access to hose bib to facilitate survival of landscape materials	Irrigation is required per title 42 sec. 1002D	n/a
2	8/21/2013	Planning Commission	p. 3, Section 226, A. 1.	Question about whether an owner could secure necessary permits to redevelop and then be denied a demo permit	Response from City Legal - the ordinance provides for this option and ensures the ability to pursue a demo permit when conditions are met (such as securing necessary permits). This is a strength of the proposal.	n/a
3	8/24/2013	City Legal	p.5, G, 3}	Change language to read "determination by the BOA that the facts in paragraph A. 3. a or b have been established"	Clarification is appropriate - recommend changing this language as proposed by Legal staff	
4	8/27/2013	Board of Adjustment	p.3, Section 226, A. 1	Question if staff should consider revising this sentence to specify "structure."		
5	8/27/2013	Tulsa Preservation Commission	p.3, Section 226	Concerns about repeated use of the word "reasonable" as criteria to approve demolition - "reasonable" is arbitrary and far too vague, reminiscent of "functionally obsolete" catchphrase.		
6	8/27/2013	Tulsa Preservation Commission		Is it possible to propose a new building or use and then change it after the building is demolished? Bait and switch?		
7	8/27/2013	Tulsa Preservation Commission		Concerns about all decision-making power for demolitions given to Board of Adjustment without input of TPC		
8	8/27/2013	Tulsa Preservation Commission		The ordinance is not perfect but it's an improvement over what we have now. We probably won't get it right the first time.		
9	8/27/2013	Tulsa Preservation Commission	p.4	Should read "Tulsa Regional Chamber" and not "Tulsa Chamber of Commerce"		
10	8/27/2013	Tulsa Preservation Commission	p.3, Section 226, 3.a.	We're not all the Philtower. This provision makes it difficult to justify retaining much of our downtown building stock.		
11	8/27/2013	Tulsa Preservation Commission	p.3, Section 226, 3.b	The reasonable economic return is problematic because of the structure of the Stadium Improvement District. The Improvement District treats the land and the building separately, incenting teardowns. Need to lock in one overall		
12	8/27/2013	Chip Atkins - Public input from audience at Tulsa Preservation Commission mtg		This is no different than what we have now. Ordinance is not strong enough and places too much power with BOA. Why does this not go to TPC before BOA? No input from public before BOA hearing. 10 days notice is not enough time.		

14.32

Downtown Demo / Surface Parking Ordinance

Comment Log

Note: All document references refer to ordinance draft dated 7/24/13 (clean version / not redlined)

Item #	Date	Source	Doc Reference	Issue/Question	Staff Response	TMAPC Action
13	9/9/2013	TPA		Too broad and restrictive; additional criteria for BOA consideration is needed ("proposed new use is more appropriate, would significantly enhance character and/or quality of neighborhood"); broadened too far by inclusion of the demo restrictions; BOA needs ability to apply more discretion		
14	9/9/2013	Michael Sager (downtown property owner)		Opposed, too much like suburban development; parking on the lot with a principal use is too restrictive in downtown; should be allowed to establish parking in the vicinity to support downtown uses/buildings		
15	9/10/2013	Michael Sager at DCC Parking Committee		Ordinance is ludicrous - why would property owners want more government interference? This eliminates any potential economic gain for the property owner, as owner will still be taxed but can't make money on the property if the building can't be torn down for parking.		
16	9/10/2013	Chris Bumgarner at DCC Parking Committee		Why was there not a meeting for all property owners in advance of TMAPC hearing? Ordinance is convoluted and paints red tape with a broad brush. We do not need suburban red tape downtown. Ordinance has gone beyond the issue of surface parking lots. We need a package of incentives instead of this ordinance. Real estate is market driven, and parking lots are necessary to support businesses, schools, and churches.		
17	9/10/2013	Barbara Hess at DCC Parking Committee		Should keep moratorium instead of the goal is to stop creation of more surface lots. Ordinance is barrier to economic development.		
18	9/10/2013	George Shahadi at DCC Parking Committee		Ordinance affects existing lots too. Result is inverse condemnation. Spend money incenting what we do want instead of developing restrictions.		
19	9/10/2013	Tom McKeon at DCC Parking Committee		Concerns about landscaping requirements.		
20	9/10/2013	Cherie Cook - citizen input to Tulsa Preservation Commission staff		Ordinance is needed and is on the right track.		
21	9/10/2013	Homebuilders' Association		Too much regulation too late...Prohibiting building demolition downtown should have been done two decades ago.		
22	9/10/2013	Homebuilders' Association		The concept of cleaning up the lot when a building is removed might be a good idea. Placing suburban landscape standards on parking lots are counter productive. The streetscape improvements should be encouraged in the street right of way.		

14.33

Downtown Demo / Surface Parking Ordinance

Comment Log

Note: All document references refer to ordinance draft dated 7/24/13 (clean version / not redlined)

Item #	Date	Source	Doc Reference	Issue/Question	Staff Response	TMAPC Action
23	9/10/2013	Homebuilders's Association	p. 3, Section 226.B.1	Changing the last word of paragraph B.1 from "and" to "or"		
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14.34

Miller, Susan

From: Kent Morlan [kent@morelaw.com]
Sent: Thursday, August 29, 2013 10:54 AM
To: Miller, Susan
Cc: dwarrick@cityoftulsa.org
Subject: Downtown Parking Issues

Ms. Miller and Ms. Warrick:

Three or four years ago, I work an article about downtown parking and the lack thereof and its impact on downtown businesses. I am not concerned about buildings that are functionally, physically and economically exhausted. The owners of these buildings, for which there is no demand are being wrongfully assessed to pay for a baseball stadium that benefits them not at all. Taxing someone's property and not allowing them to use it at its highest and best use constitutes a taking without just compensation.

As far as parking is concerned, the City wants to manage downtown parking in the worst way possible and it has.

My article is set forth below:

It's About Parking Stupid!

I have worked and lived in Downtown Tulsa for more than a quarter of a century. I first worked at 9th and Detroit in 1968.

Since at least the 1950s, our City Fathers have struggle with the decline of Downtown Tulsa. The change of Tulsa and other American cities from downtowns surrounded by populations that rode in buses, street cars and other forms of mass transit into the center city to shop for goods and services began to change shortly after the Second World War. The ability of the men and women who served around the world during WWII to purchase inexpensive automobiles fundamentally changed the way America's cities began to function. In Tulsa, Utica Square, Southland, South Roads, Woodland Hills, etc. made it more convenient for shoppers to drive to a shopping center to shop for what they needed rather than to go downtown.

In 1968, downtown traffic snarls made it difficult to get into and out of downtown Tulsa every morning and evening. Accessing downtown Tulsa is not a problem today. The exact number of people who live and work in downtown Tulsa is probably not know with certainty but it can be said with certainty that the number of people who work and live in downtown Tulsa has decreased over time for decades and continues to do so.

As a city matures, was Tulsa is maturing as it reaches the end of its first century, the buildings in the downtown tend to become functionally, physically or economically obsolete. If conditions are right, it makes economic sense to rebuild or rehabilitate aging buildings. If conditions are not right, older buildings are torn down, e.g., the Sinclair Building at 4th and Boulder, or simply become vacant shells that are eyesores or worse.

In the 30 plus years that I have lived and worked in downtown Tulsa, I have seen it slowly but surely deteriorate from a vibrant center of business and commerce to a core group class B and C buildings occupied by lawyers because of the buildings' proximity to the state and federal courts, what is left of the oil community and support businesses.

Should Tulsans care that the number of people who live and work downtown continues to decrease? I think the answer is clearly "Yes!" The city, state and federal Governments have invested tremendous amounts of public funds in the infrastructure of downtown Tulsa. Letting downtown Tulsa set idle while spending public money to cause the city to become more and more spread out and inefficient is not in our best interest.

Every city is unique. No two are alike. Comparing Tulsa to Oklahoma City or any other city is not productive. Downtown Oklahoma City, for example, is located more or less in the middle of the Oklahoma City metro area. Tulsa's downtown have never been in the middle of the population that it serves because of Osage County and its unique real estate laws that made it generally unattractive to for homes or businesses.

So what can be done to change the continued decline in downtown Tulsa. Tearing down more of downtown and building a new convention center is one idea. While I voted for it, I had and continue to have serious reservations about the impact that Vision 2025 will have on downtown Tulsa. I have serious qualms about the location of the new convention center but that is a done deal.

The construction of the Civil Center in the 60s and the Williams Center, Performing Art Center Complex in the 70s did not "fix" downtown Tulsa and it is not likely that Vision 2025 will do the trick, in my opinion. The reason that I believe that this to be true is that nothing that the City has done, is doing or plans to do is going to fix what is wrong with downtown Tulsa.

So, what is wrong with downtown Tulsa? Well, there are several things, but one thing sticks out more than anything else and it is "parking". The parking at shopping malls is connected or associated with the businesses located in the malls. That is not true in downtown Tulsa with one or two notable exceptions. e.g., Home Depot. Downtown Tulsa was laid out before the automobile was a common means of conveyance. When the automobile began to become a common means of conveyance during the 20s and parking them in the downtowns of America became a problem, and Carl C. Magee devised and patented the parking meter in 1935. In short order cities across America purchased and installed parking meters to "control" parking in downtown Tulsa.

When hundreds of parking meters were vandalized for the money that they contained in 2003 and 2004, the City blindly spent hundreds of thousands of dollars to purchase tougher and better parking meters to get back in the business of collecting nickels, dimes and quarters from people who are forced to go downtown to do business. They seemed to be clueless about why people hate to come downtown. Thousands of people who came to downtown to do business signed petitions pleading with the City to not replace the parking meters to no avail.

It is clear that it is possible to create the conditions in downtown Tulsa to make it attractive for businesses to locate downtown and for customers for those businesses to drive downtown to do business. How do I know this to be true, all I have to do is go to 9th and Elgin and look at the parking lot of the Home Depot Store that appears to be doing a brisk business. The Brady district restaurants, art galleries and other businesses north of the railroad tracks also appears to be doing OK but not spectacularly.

While there are several things that need to be "fixed" in downtown Tulsa to cause the outflow of jobs and residents to become an inflow of jobs and residents, the first thing that needs to be done is to change where and how people park their cars downtown. A Parking Authority employee and were talking about parking recently and he expressed the opinion that people will not walk more than three blocks. My belief is that humans are inherently lazy. The construction and operation of every shopping center accepts this as a fact and in doing so have created attractive places for people to shop. As a result they go to shopping centers where they are not charged to park their cars close to the front door of the store.

Visitors to downtown Tulsa have to pay to park unless a business owns parking that it makes available to its customers. This, of course, is what some businesses have done or are doing, e.g., the Tulsa World which tore down the Skelly Building at 4th and Boulder to put in a parking lot. Downtown Tulsa is not an attractive place for customers to do business and, as a result, the businesses have relocated to places that make it convenient for their customers drive to close to there business and to park for free.

The City is once again in a pickle over parking and once again it wants to do what it has done over and over since 1945. It want to repair or replace meters, raise the rates and better enforce the parking ordinances. Everything the City proposes to do makes coming downtown to do business makes it less pleasant and more expensive to come downtown to do business. Not a good business plan.

The demand for street level parking has decreased since the City last spent hundreds of thousands to "fix" the parking meters. The demand for street level parking south of 7th Street, east of Boston and West of Cheyenne continues to fall. This is so because there are fewer businesses located in the core to Downtown Tulsa. Making it less convenient and more expensive to do business downtown will drive more businesses out of downtown and further reduce demand.

The City's management plan for Downtown Tulsa, if it can seriously be called a plan, guarantees that Downtown Tulsa will be the location for fewer businesses five years from now than today. The failure of the City to recognize that the failure of the City to effectively and consistently enforce the two hour on street parking limit results in unavailability of street level parking spaces for customers of the businesses that remain in Downtown Tulsa. The proposal made by American Parking that is apparently under consideration will guarantee that Downtown Tulsa will be less successfully at the end of the contract than it is today.

For the last 75 years the City has done the same thing over and over expecting a different outcome with each iteration on of the City's downtown management plan and has gotten the same outcome with each repetition. It is insane to think that repairing and replacing meters, increasing rates and instituting a new enforcement plan that punishes short term business visitors for failing to strictly comply with rules that they do not know will make Downtown Tulsa a more inviting place to do business is absurd.

It is fundamentally obvious that the biggest problem with Downtown Tulsa parking! Fix the parking stupid and you fix a really big problem in downtown Tulsa.

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MoreLaw Asks: "Have You Googled Yourself Lately?"

Printed from the Urban Tulsa Weekly website:
<http://www.urbantulsa.com>

POSTED ON SEPTEMBER 4, 2013:

Downtown Parking

Notices going out about surface lot ordinance

By Jaime Adame

It's a bit of an odd moment in time for downtown parking watchers.

A moratorium on new surface parking lots expired Sept. 1, with a Sept. 18 public hearing scheduled in front of planning commissioners for a new proposed city ordinance addressing the regulation of any new surface lots.

In recent years, those seeking to revitalize downtown have harped on the dissonance created by such "parking craters." Despite these calls of concern, some older buildings downtown were still being demolished in favor of surface lots.

Spurred by the stinging cries of preservationists, the Tulsa Foundation for Architecture and other downtown renewal enthusiasts, the city enacted a moratorium in June of last year -- since extended twice -- as it continues to study other issues related to parking, including supply and demand as well as how to manage meter rates.

The proposed new ordinance would require approval from the Board of Adjustment for those seeking to tear down a structure and devote a lot solely to parking.

"The desire ... is structures without a lot of gaps and open spaces that break up the pedestrian environment of a downtown, so we want to encourage that, but still give property owners the avenues to pursue other types of development," Dawn Warrick, the city's director of planning and economic development, told commissioners at an Aug. 21 work session.

She said the city simply didn't have the manpower to put together the lengthy ordinance proposal more quickly. Bill Leighty, a planning commissioner, expressed concern that developers might try to take advantage of the moratorium's expiration, as the group agreed to act quickly on the issue.



"We're at risk of additional damage being done by having more surface parking and the loss of more structures until this gets in place," Leighty told commissioners. Following a recommendation by the commission, it would be up to the city council to approve a new ordinance.

Part of the initial public hearing will involve a notification to downtown property owners, an action pushed for by Dwain Midget, Mayor Dewey Bartlett's designee on the Tulsa Metro Area Planning Commission.

Midget said it is important to "make sure the property owners are part of that discussion." In an email, Warrick confirmed that approximately 700 notices have been sent out in advance of the scheduled public hearing.

The earlier moratoriums drew limited opposition, though property owner Kent Morlan -- a critic of city policies regarding downtown assessments -- noted that many older buildings depreciate greatly in value, with that and other costs leading to them being turned into parking lots.

The proposed ordinance provides different guidelines for developers seeking a demolition permit. If they have a redevelopment plan involving a new structure for a business, for example, they would not have to go before the Board of Adjustment, so long as they receive the required approvals for their new project.

14.38

But the proposed ordinance also allows for deteriorating buildings to be torn down without the scrutiny of the Board of Adjustment if a city building official "has determined the building proposed for demolition poses an imminent threat to public health or safety," according a document presented to planning commissioners at the meeting.

Planning Commissioner Brandon Perkins expressed concern that this might be viewed as a sort of loophole by some property owners.

"If they wanted surface parking and got denied, then they sit around and let their building go to pot," Perkins said, describing a scenario he found worrisome.

Not mentioned at the meeting was a push by the Downtown Coordinating Council for city funding to help construct surface parking garages.

The group, which includes government and business representatives, requested \$26 million for such garages be included in the infrastructure sales tax package being put before Tulsa voters in November.

Ultimately, however, funding wasn't included in the approximately \$919 million package.

"I'm hoping there will be other funding mechanisms in the future," said Tulsa Community College President Tom McKeon, a downtown council member who spoke publicly in favor of the garages being funded. "I think most of the city council understands that the garages are good for downtown development."

The college's downtown campus currently relies on large surface parking lots used by students and faculty.

"We park about 1,200 cars a day downtown, so to free up three square blocks of land, we would need a parking garage," McKeon said, noting that garages are capable of generating revenue.

For the college, McKeon said the vision is to someday redevelop existing surface parking lots into four-story mixed-use developments, with shops on the ground floor and housing above.

"We do have a lot of surface parking downtown, but to unlock that, we need some strategically located garages," McKeon said.

He noted that City Councilor Blake Ewing, who represents downtown, is "a real proponent" of garages.

"It's unfortunate that it wasn't included on the ballot. I'm hopeful it will be looked at again in the near future," McKeon said.

Most immediate, however, on the downtown parking front seems to be the new surface lot regulations. Amid such a large group -- and with lingering uncertainty about new meter regulations that have been shelved for months -- will there be much of a reaction to the proposed ordinance?

Tulsa planners have sought input online through the city website FeedbackTulsa.org. So far, at least one building owner seems outspoken in her support for the ordinance.

"As an owner of a small building (three stories) with no on-site parking, I think it is imperative that we encourage reuse of buildings, instead of rewarding people for tearing down our historically significant structures," wrote Kristen Bergman. "Downtown Tulsa is a hub for entrepreneurs and small businesses that want quirky spaces and unique buildings."

URL for this story: <http://www.urbantulsa.comhttp://www.urbantulsa.com/gyrobase/Content?oid=oid%3A63605>

Demolition of Buildings in Downtown Tulsa

What do you think of the proposed ordinance designed to encourage structured parking and reuse of existing buildings in Downtown Tulsa?

All comments sorted chronologically

As of September 11, 2013, 9:43 AM



Demolition of Buildings in Downtown Tulsa

What do you think of the proposed ordinance designed to encourage structured parking and reuse of existing buildings in Downtown Tulsa?

Introduction

UPDATE August 22nd:

The Tulsa Metropolitan Area Planning Committee will review the proposed ordinance on September 18th, 2013. For more information on this meeting, visit the commission's website.

Original Topic:

PLANiTULSA and the Downtown Area Master Plan recognize that losing existing structures for the creation of additional parking lots is detrimental to a vital, thriving downtown. City staff drafted an ordinance to address City Council's concern about demolition of buildings and the proliferation of surface parking lots in downtown Tulsa. This move prompted applause from Streetsblog for "taking steps to build a healthier balance for the city's downtown."

Building on input received from the previous Feedback topic entitled 'Downtown Buildings and Parking Policy: Past, Present, Future?', comments collected from this follow-up topic will be considered during the September 18th TMAPC public hearing on the proposed regulatory changes to demolitions and parking downtown.

The draft ordinance provides for issuance of a demolition permit inside the IDL only when: the building poses a public health or safety risk; a zoning clearance permit and building permit for the proposed use of the property has already been approved; the Board of Adjustment has conducted a public hearing and determines the proposed demolition to be appropriate based upon review criteria contained within the ordinance. [Click here for the full draft ordinance.](#)

To retain the integrity of a pedestrian-friendly, active downtown, structured parking is preferred. It represents a more efficient, economical and sustainable way to utilize limited downtown property. The proposed ordinance establishes structured parking as a permitted use by right within the IDL. It continues to permit surface parking as an on-site accessory use and allows an applicant to request a Special Exception (to be considered by the Board of Adjustment in a public hearing) for approval of surface parking as a principal or off-site accessory use.

Tell us what you think about the proposed ordinance by reviewing it and then by clicking on Post below to have your say.

Demolition of Buildings in Downtown Tulsa

What do you think of the proposed ordinance designed to encourage structured parking and reuse of existing buildings in Downtown Tulsa?

PEGGY BURGESS inside District 8

September 10, 2013, 10:31 AM

Surface parking lots in the downtown area should be the absolute last use of land. The downtown area is the most valuable land in the city and should be developed to maximize property tax valuation.

3 Supporters

Jim Brackett inside District 4

September 10, 2013, 12:27 AM

While the well intentioned people the are objecting to loss of a few buildings because of too many parking lots, may I remind you that the decline of the downtown is precisely because of the lack of free parking. Until you have owned and tried to operate these functionally obsolete buildings, faced with the choking building codes, few situations make since to improve, thus owners just make minimal repairs, limp along lowering their rents and tenant standards. It is a self fulfilling decline for everyone around a few derelict buildings. Things were different when major corporations could afford the up keep and contributed, 'A rising tide lifted all boats', now the tide has left and exposed the brutal reality over decades. I have stated before there was no way out after they became financially and functionally hopeless. We were 2 steps away from what you see in Detroit now.

The only rational thing is to let the free market work and as it becomes economic things will develop and your dreaded parking lots will disappear. Furthermore, building parking structures today are not economic for building owners and will not be until land values and demand rises. You are absolutely 'crazy' to think that anything of any substance will be built with all of the hurtles the city now imposes, much less all of these new burdens. Look around and see how the core owners are struggling. The renaissance of downtown is just beginning the momentum is back why would you ever want to be punitive for developers wanting to join in. We need to be realistic we are competing on a regional arena, we are not Carmel nor the Gas Light District that we can't make it so exclusive people will accept over regulation. Business has just too many options. If a Ritz Carlton came along, I would hate to see them not have the opportunity to build because of some protectionist regulations. Be careful of the bureaucrats and the untended consequences of over regulation.

BTW the trees are appreciated but may/will impede the ability to configure a parking lot, remember most of these lots are only 50' wide, you could be causing damage to foundations an who knows what else. Its better to let the engineers and architects do the planning for the individual needs. I think trees could be used as a incentive, but not demanded.

Until you have tried to develop in the City of Tulsa will you ever understand how have unintentionally hamstrung ourselves in a fragile 3rd tier city. The public has no idea how bloated these city departments are and unresponsive they can be. In short this ordinance does not help us it just drives away new development and developers of a major scale. Remember this is America and we have individual property rights which I'm sure will trigger a backlash. Perhaps the writers of this ordinance can persuade the City to buy and rehabilitate a building to be torn down, but then what do you do with a 'Ritz Carlton' needing a bigger foot print.

2 Supporters

Demolition of Buildings in Downtown Tulsa

What do you think of the proposed ordinance designed to encourage structured parking and reuse of existing buildings in Downtown Tulsa?

Nobody wants to walk by a surface parking lot. Parking is important in a downtown but find creative ways to have buildings with retail and office right by the sidewalks. Hide the parking.

The area between Cincinnati and Boston between 11th and Boston Avenue Church is a deadzone. It's all surface parking and it attracts no interesting social interactions. We don't need any more thoughtless surface parking.

4 Supporters

Cathey Eastman inside District 8

September 9, 2013, 5:43 PM

Save the downtown buildings! This is our history, a tale of our architectural designs and a beautiful backdrop for our fine city. Find another place for your parking lots! There are plenty of empty factories and rundown buildings. Don't look to the beautiful old buildings with such a history---look to other properties which don't have downtown Tulsa's history.

2 Supporters

Genni Davis inside District 4

September 9, 2013, 4:21 PM

I live downtown and enjoy the skyline created by all the structures - old and new / high-rises and not-so-high - and think it's a shame to demolish our structural treasures. Please always consider re-purposing vs. demolition.

5 Supporters

Barbara Smallwood inside District 4

September 9, 2013, 4:13 PM

It is about time this issue was addressed! Way too many beautiful buildings have been torn down to make room for surface parking lots. Surely a more creative approach can be taken!

5 Supporters

Kristen Bergman inside District 4

August 27, 2013, 10:32 AM

As an owner of a small building (three stories) with no on-site parking, I think it is imperative that we encourage reuse of buildings, instead of rewarding people for tearing down our historically significant structures. Downtown Tulsa is a hub for entrepreneurs and small businesses that want quirky spaces and unique buildings.

4 Supporters

Larry Vorba inside District 4

August 23, 2013, 5:37 PM

We have been asked recently to investigate accessing the basements of several buildings in the

14.44

Demolition of Buildings in Downtown Tulsa

What do you think of the proposed ordinance designed to encourage structured parking and reuse of existing buildings in Downtown Tulsa?

downtown area for parking to facilitate their repurposing. This effort adds more cost (and many times not a very parking friendly layout) to potential projects already finding it economically challenging to make them viable. By providing strategically placed parking structures to be used by nearby existing buildings, a major hurdle to redevelopment would be solved.

2 Supporters

Josh Westerman outside Districts

August 23, 2013, 1:27 PM

I believe this type of thinking is necessary and important for Tulsa to continue growing in a positive way with a higher quality of life for its residents. I am proud of the people pushing for a more walkable, pedestrian friendly downtown and city, and look forward to what Tulsa does in the future.

Amanda DeCort inside District 4

August 23, 2013, 12:09 PM

Changing the way we handle demolitions and parking downtown is absolutely essential for the health and continued growth of our city. Unless we want to continue to be known as "Worst Parking Crater in America," Tulsa needs to find a new path. This is a step in the right direction.

I'd like to see more consideration for the smaller, less architecturally significant buildings, though. Those are the ones we're continuing to lose almost without notice, and the ones we very much need to keep if downtown Tulsa is going to have room for entrepreneurs and small businesses.

We've got more than enough surface parking. As a city, we can do better. I hope TMAPC and City Council support this change.

1 Supporter

Patrick Piklapp inside District 1

August 19, 2013, 7:20 PM

I think that we now have too high a ratio of parking lots to buildings and suggest that we start encouraging real businesses to return to the downtown area. I have yet to see an actual business that the average Tulsan would support move into the area since the arena went in.

Wendi Wilkerson outside Districts

August 19, 2013, 12:17 PM

Structured parking can be more convenient, more aesthetic, and more pedestrian friendly--three things people want to see in a thriving downtown area. With the need for more parking met in other ways, it is possible to renovate and repurpose our beautiful old buildings. Honestly: flat, surface lots are just inconvenient eyesores.

3 Supporters

Demolition of Buildings in Downtown Tulsa

What do you think of the proposed ordinance designed to encourage structured parking and reuse of existing buildings in Downtown Tulsa?

I think the ordinance for off street surface parking within the IDL should also address lighting. Overall the landscaping requirements are thoughtful and should serve to both to decrease the proliferation of new surface parking and to make that parking more cohesive to the fabric of our beautiful downtown.

Bruce Bolzle inside District 4

August 19, 2013, 8:43 AM

I am in favor of the Ordinance as written, with two exceptions. In the Section: Uses Permitted in a Commercial District. Single Family and Duplex are allowed IF within a a mixed use building. This provision may occur in other districts as well. Single family by definition is a detached dwelling. A mixed use building is commonly understood as multifamily residential, not a single unit development. Is the ordinance suggesting single family detached dwellings are allowed as long as a separate space is built into the unit that is used or leased or separately owned as office or retail? The same would be true for Duplex. I do not believe single family or duplex should be allowed in commercial districts.

3 Supporters

Amber Neville inside District 4

August 19, 2013, 8:39 AM

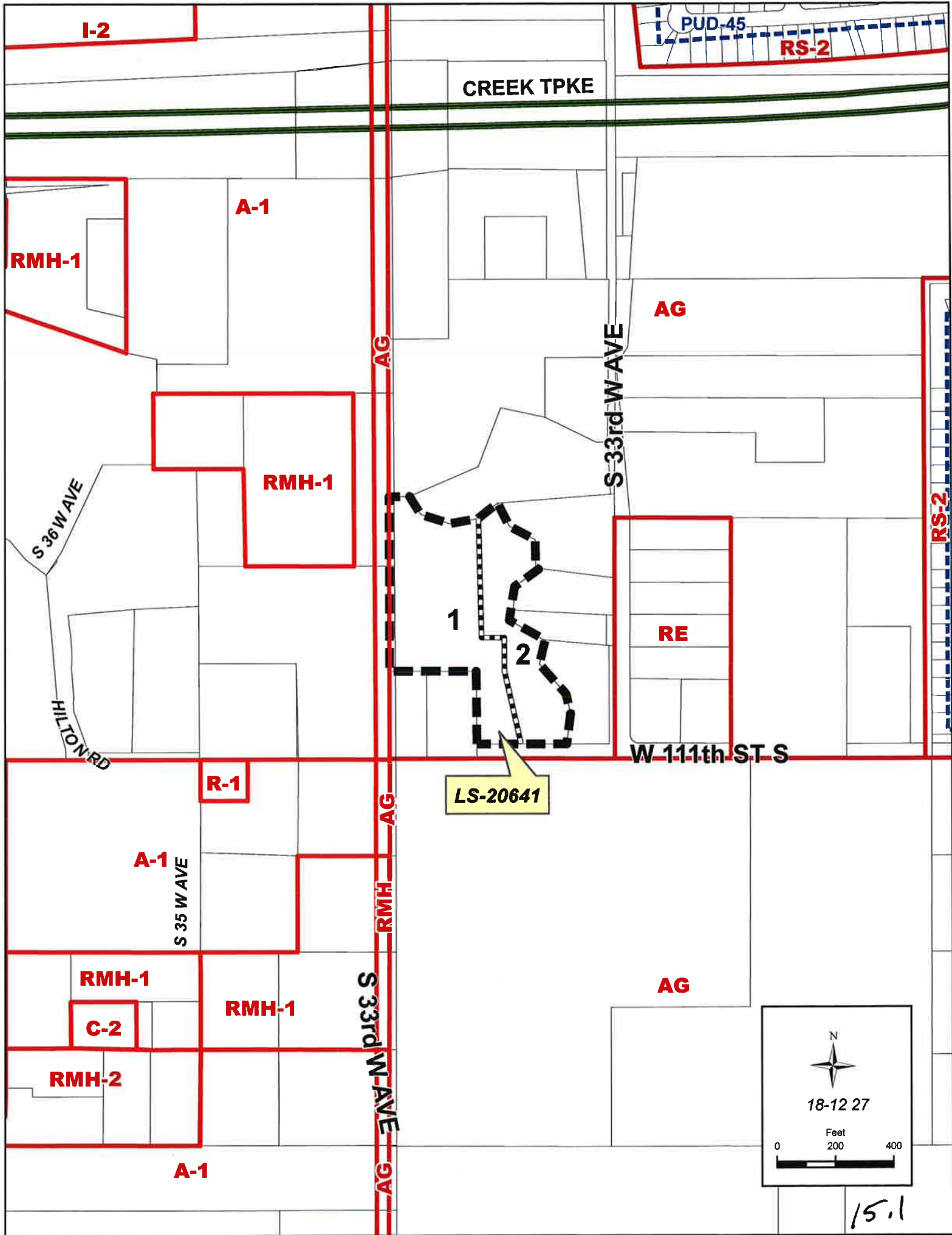
Both the city and county should offer incentives or tax breaks to prospective business owners to open businesses in existing structures with willingness to preserve and protect historic sites or buildings with all renovation, if they are not currently doing so. With respect to parking, Tulsa should adopt an electronic parking meter system like ParkMobile - <http://us.parkmobile.com/members/> and do away with the current metering system as a more effective way to reinvest in capital improvements downtown. There are several vacant parking lots that could be monitored and secured trolley stops for visitors and patrons 24-7 for a nominal fee to encourage pedestrian traffic. These existing structures could be improved by adding a covered parking overhang. In addition, vendors and businesses would be encouraged to setup shop near these existing structures. With these improvements to existing facilities, there is no need for NEW parking lots or structures.

3 Supporters

John Day inside District 6

August 19, 2013, 8:16 AM

Replace eyesores with parking and have a trolley system to make getting to your destination not be dependent on parking next to it.





CREEK TPKE

S 33rd WAVE

S 36 WAVE

HILTON RD

S 35 WAVE

S 33rd WAVE

W 111th ST S

LS-20641

1

2



18-12 27



Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2012

15.2

WAIVER OF SUBDIVISION REGULATIONS FOR A LOT-SPLIT

September 18, 2013

LS-20641

John A. Umholtz, Jr., (8227) (AG) (County)

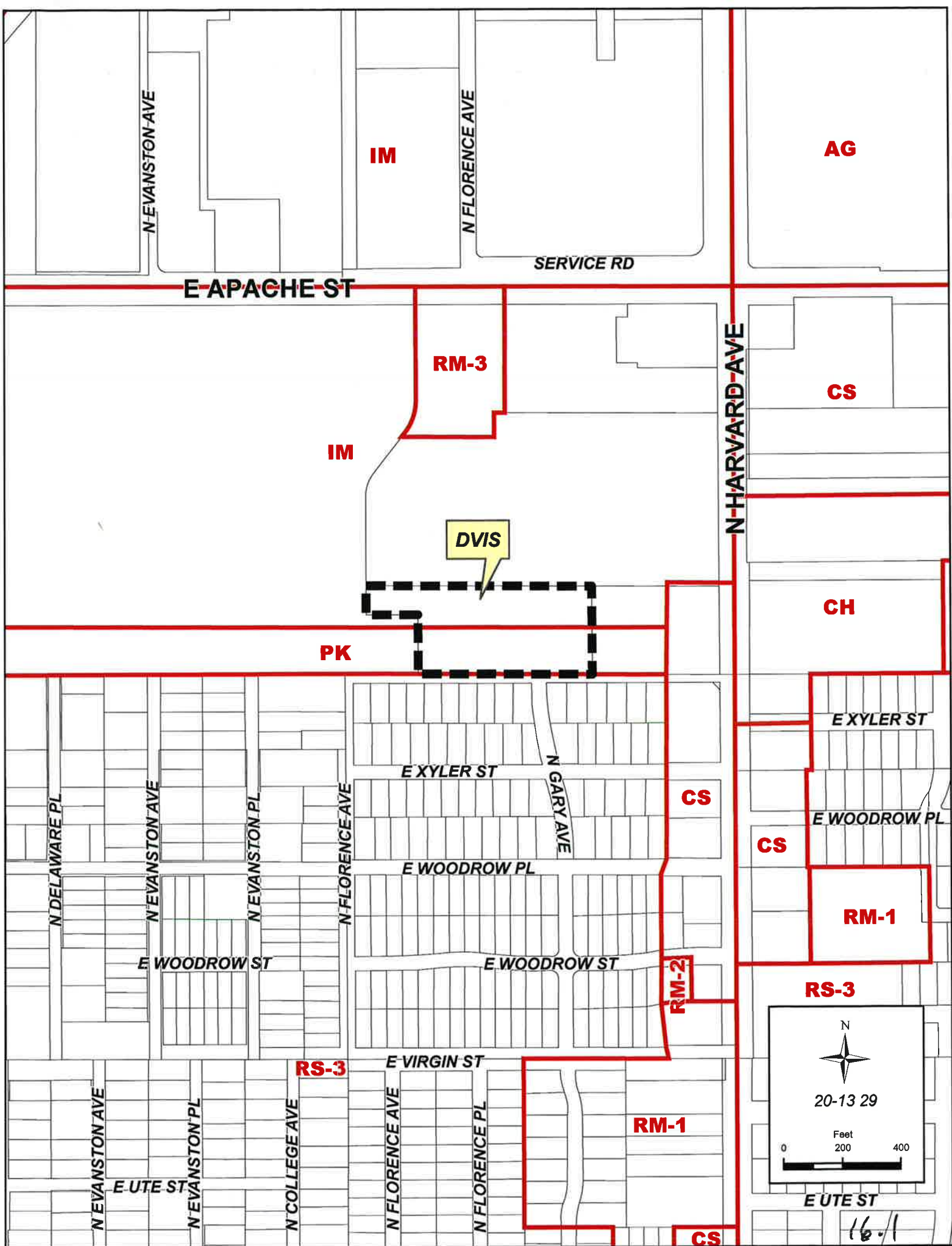
West of the Northwest corner of West 111th Street South and South 33rd West Avenue

The Lot-split proposal is to split an existing AG (Agriculture) tract into two tracts. Both tracts exceed the bulk and area requirements of the Tulsa County Zoning Code.

Both tracts will have more than three side lot lines as required by the *Subdivision Regulations*. The applicant is requesting a waiver of the *Subdivision Regulations* that no tract has more than three side lot lines.

The Technical Advisory Committee reviewed the Lot-Split information on July 11, and have no comments.

The proposed lot-split would not have an adverse affect on the surrounding properties and staff recommends **APPROVAL** of the waiver of *Subdivision Regulations* and the Lot-Split.



IM

AG

E APACHE ST

SERVICE RD

RM-3

IM

DVIS

PK

CS

CH

E XYLER ST

CS

E WOODROW PL

CS

RM-1

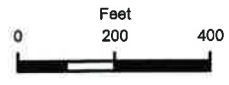
RS-3

RM-1

CS

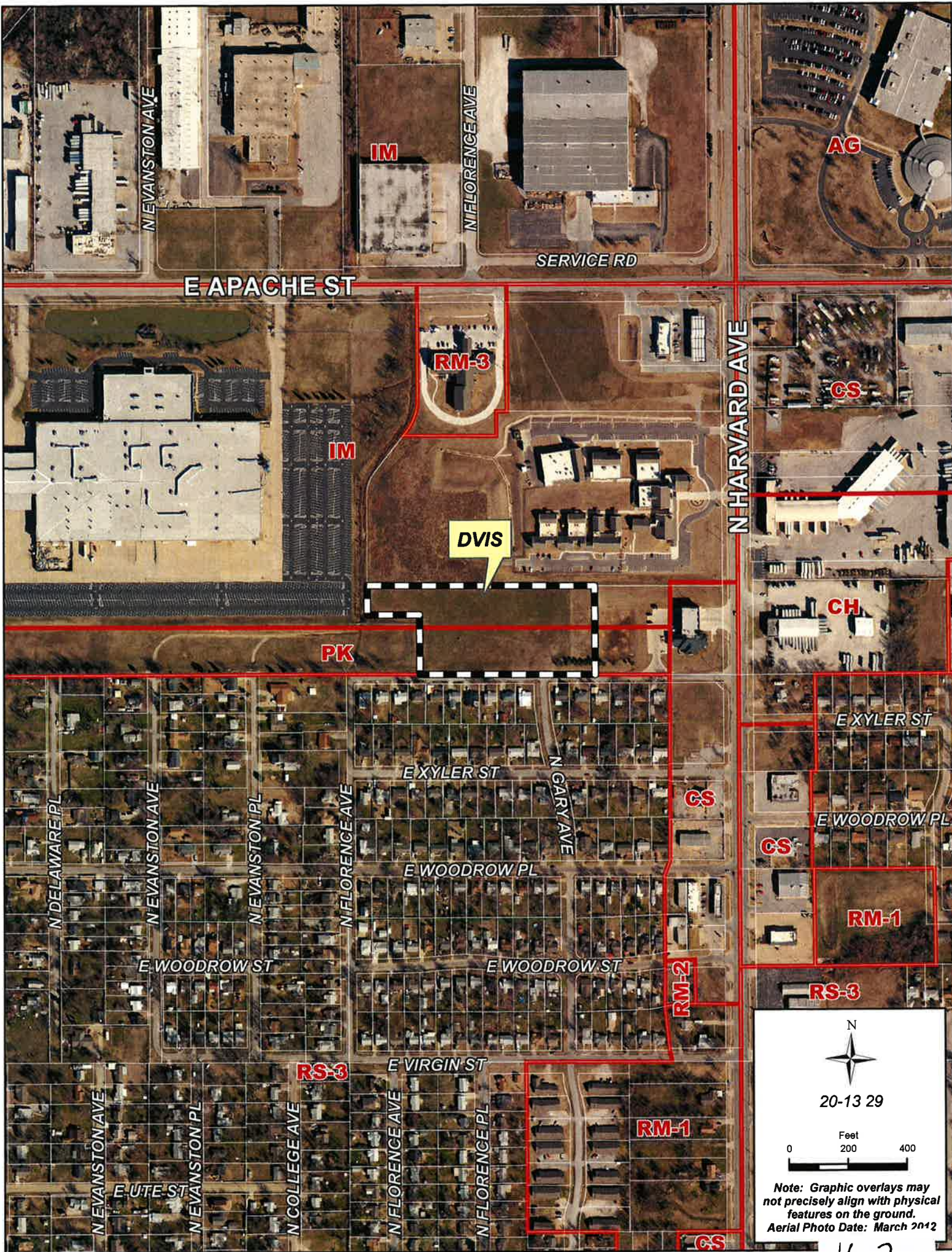


20-13 29

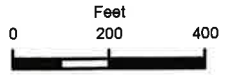


E UTE ST

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20-13 29



Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2012

16.2

PRELIMINARY SUBDIVISION PLAT

DVIS - (0329) (CD 3)

2424 North Harvard Avenue, South of East Apache Street, West of North Harvard Avenue

This plat consists of 1 Lot, 1 Block, on 4.46 acres.

The following issues were discussed September 5, 2013, at the Technical Advisory Committee (TAC) meetings:

1. **Zoning:** The property is zoned PK (parking), IM (industrial medium), with BOA 20601 A pending (to permit an Emergency and Protective Shelter with accessory uses and a Homeless Center and Emergency and Protective Shelter with accessory uses).
2. **Streets:** Provide reference such as plat # or book/page # for existing right-of-way.
3. **Sewer:** An IDP (infrastructure development plan) is required for the proposed sanitary sewer main extension. All 8 inch sanitary sewer lines, both public and private, must be constructed under an IDP.
4. **Water:** Restricted waterline easement is not included in the abbreviations. Establishing document is not shown for the waterline easement to the north of the property. Please show the valves on the existing 8 inch water line. Clarify "ST" as shown on plat. Clarify if the fire hydrant will have an inline valve on the main line? North of the project, the existing fire hydrant looks like it is attached to the storm sewer. Atlas shows the fire hydrant on the left of the connection where plans show fire hydrant to right. Correct this error.
5. **Storm Drainage:** No comment.
6. **Utilities: Telephone, Electric, Gas, Cable, Pipeline, Others:** No comment.
7. **Other: Fire:** Hammer head entrance needs to be 26 feet wide per IFC 2009 Section 1-3 Figure D 103.1.
8. **Other: GIS:** Complete location map. Add e-mail address for engineer and surveyor. Complete legal description. Submit control data sheet. Show preparation date. Fix typos in covenants, i.e. number of lots referenced.

Staff recommends **APPROVAL** of the preliminary subdivision plat with the TAC recommendations and the special and standard conditions listed below.

Waivers of Subdivision Regulations:

1. None requested.

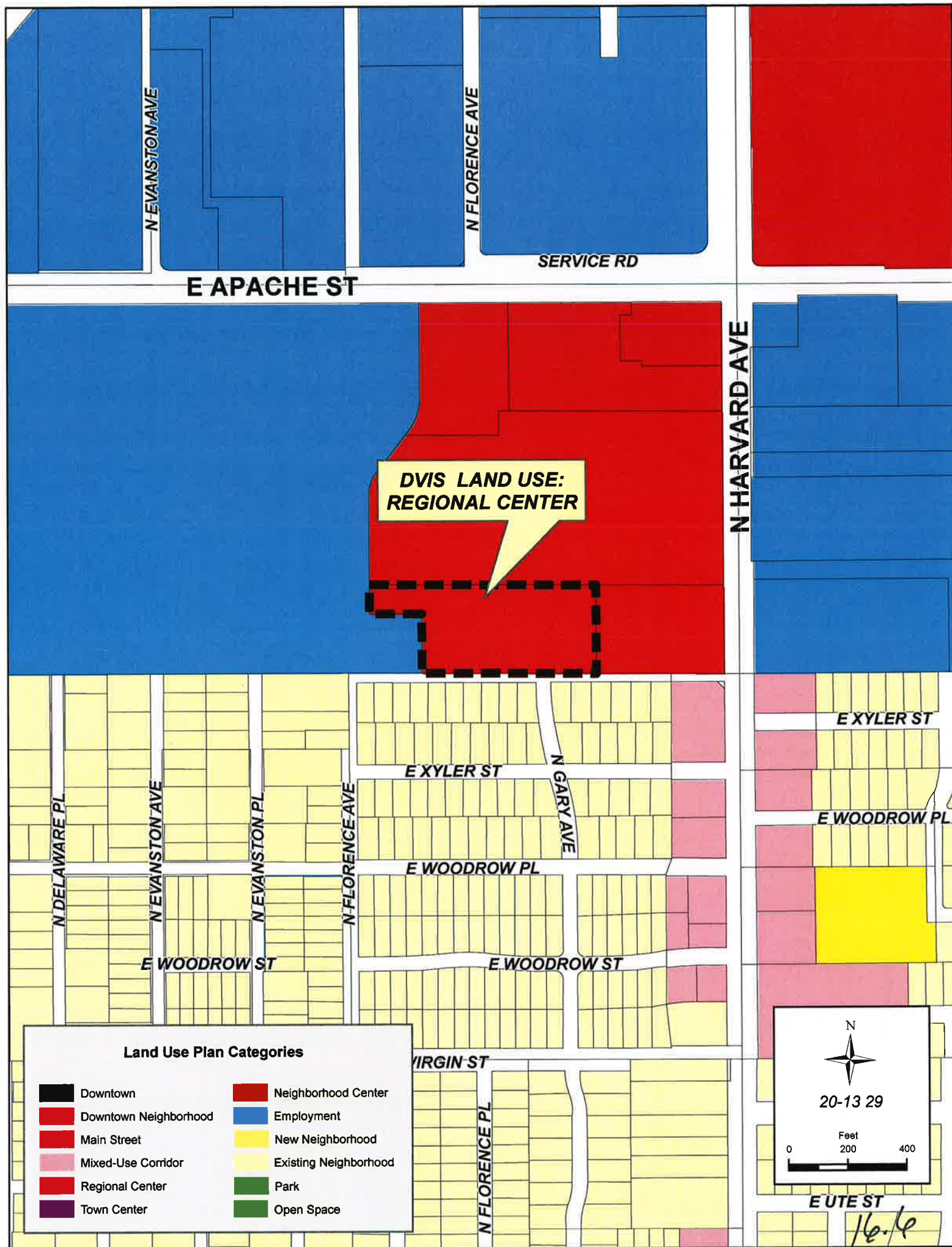
Special Conditions:

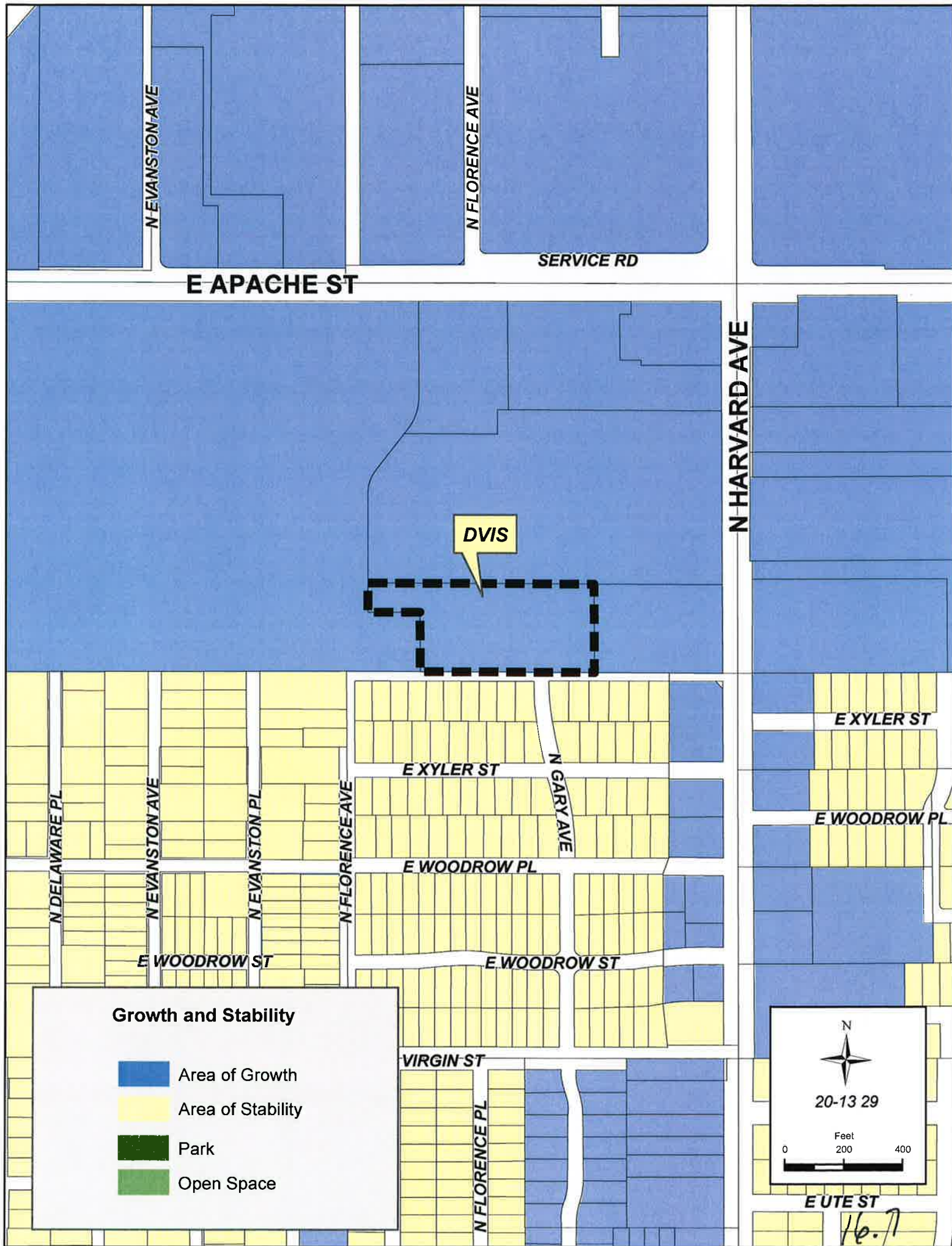
1. The concerns of the Development Services and Engineering Services staffs must be taken care of to their satisfaction.

Standard 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 shall be tied to or related to property line and/or lot lines.
2. Water and sanitary sewer plans shall be approved by the Public Works Department prior to release of final plat. (Include language for W/S facilities in covenants.)
3. 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).
4. Any request for creation of a Sewer Improvement District shall be submitted to the Public Works Department Engineer prior to release of final plat.
5. Paving and/or drainage plans (as required) shall be approved by the Public Works Department.
6. Any request for a Privately Financed Public Improvement (PFPI) shall be submitted to the Public Works Department.
7. A topography map shall be submitted for review by TAC (Subdivision Regulations). (Submit with drainage plans as directed.)
8. Street names shall be approved by the Public Works Department and shown on plat.
9. All curve data, including corner radii, shall be shown on final plat as applicable.
10. Bearings, or true N/S, etc., shall be shown on perimeter of land being platted or other bearings as directed by the County Engineer.
11. All adjacent streets, intersections and/or widths thereof shall be shown on plat.
12. It is recommended that the developer coordinate with the Public Works Department during the early stages of street construction concerning the ordering, purchase and installation of street marker signs. (Advisory, not a condition for plat release.)
13. 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.

14. The method of sewage disposal and plans therefor shall be approved by the City/County Health Department. [Percolation tests (if applicable) are required prior to preliminary approval of plat.]
15. The owner(s) 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 to be included in restrictive covenants on plat.)
16. The method of water supply and plans therefor shall be approved by the City/County Health Department.
17. All lots, streets, building lines, easements, etc., shall be completely dimensioned.
18. The key or location map shall be complete.
19. A Corporation Commission letter, Certificate of Non-Development, or other records as may be on file, shall be provided 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. If plugged, provide plugging records.)
20. A "Letter of Assurance" regarding installation of improvements shall be provided prior to release of final plat. (Including documents required under 3.6.5 Subdivision Regulations.)
21. Applicant is advised of his responsibility to contact the U.S. Army Corps of Engineers regarding Section 404 of the Clean Waters Act.
22. All other Subdivision Regulations shall be met prior to release of final plat.
23. All PUD standards and conditions shall be included in the covenants of the plat and adequate mechanisms established to assure initial and continued compliance with the standards and conditions.
24. Private streets shall be built to City or County standards (depending upon the jurisdiction in which the plat is located) and inspected and accepted by same prior to issuance of any building permits in the subdivision.





AG

AG

CZ-428

IM

IM

CS

RS-3

RS-2

RS-3

W 31st ST S

RS-3

W 32 ST S

PUD-31 PUD-31B

RS-1

E 31 PL S

E 32 PL S

97

97

51

51

113 W AVE

W AVERY DR

E SADDLE ROCK RD

S SUMMIT PL

E RAWSON PL

S SUMMIT BLVD

E RAWSON RD

S LINWOOD DR

97

97

RS-2

17.1



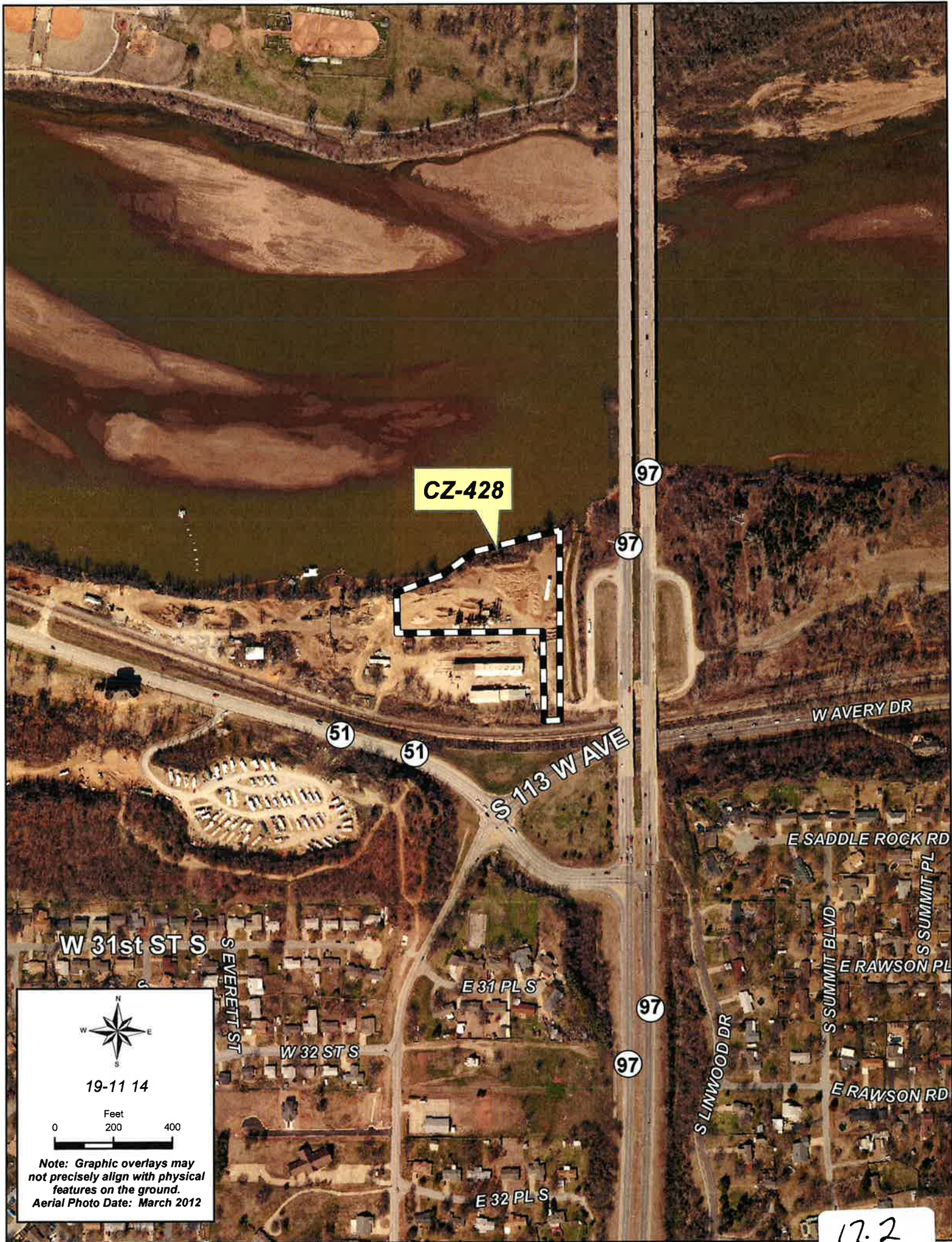
19-11 14

Feet

200

400

0



CZ-428

W 31st ST S

SEVERETT ST

W 32 ST S

E 31 PL S

E 32 PL S

S 113 W AVE

97

97

97

97

W AVERY DR

E SADDLE ROCK RD

S SUMMIT PL

S SUMMIT BLVD

E RAWSON PL

E RAWSON RD

S LINWOOD DR



19-11 14

0 200 400
Feet

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2012

17.2

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: CZ-428

TRS 9114

Atlas 0

CZM 76

County

TMAPC Hearing Date: September 18, 2013

Applicant: Sisemore, Weisz & Assoc., Inc./ Darin Akerman

Tract Size: 3± acres

ADDRESS/GENERAL LOCATION: North of northwest corner of West Avery Drive and Highway 97

EXISTING ZONING: AG

EXISTING USE: Painting & sandblasting business

PROPOSED ZONING: IM

PROPOSED USE: Painting & sandblasting business

ZONING ORDINANCE: Ordinance number 98254 dated September 15, 1980, established zoning for the subject property.

RELEVANT ZONING HISTORY:

CZ-19 July 1981: All concurred in approval of a request for rezoning a 3± acre tract of land from AG to IM for industrial on property located on the southwest corner of Highway 97 and Arkansas River and abutting the subject property to the south.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 3± acres in size and is located north of northwest corner of West Avery Drive and Highway 97. The property appears to be used for a sand mining operation and is zoned AG.

SURROUNDING AREA: The subject tract is abutted on the east by Highway 97, zoned AG; on the north by the Arkansas river, zoned AG; on the south by Highway 51, zoned AG; and on the west by sand and aggregate operations also zoned AG.

UTILITIES: The subject tract has municipal water and sewer available however mainline extensions may be required for any building construction.

TRANSPORTATION VISION:

This area is surrounded by the City of Sand Springs which does not have a comprehensive plan establishing the transportation vision. The site is adjacent to rail service on the south and

primary arterial and secondary arterials on the east and south providing adequate vehicular circulation for the foreseeable future.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
West Avery Drive	Secondary Arterial	100 ft	2
Highway 97	Primary Arterial	120 ft	4

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

This site is not included in the Tulsa Comprehensive Plan or any previous comprehensive plans for Tulsa County, or the City of Sand Springs Plan.

STAFF RECOMMENDATION:

This site is a continuation of the sand processing business that has been at this location for several decades but has never been properly zoned. The applicant is requesting IM rezoning to bring the facility into compliance with the Tulsa County Zoning Code.

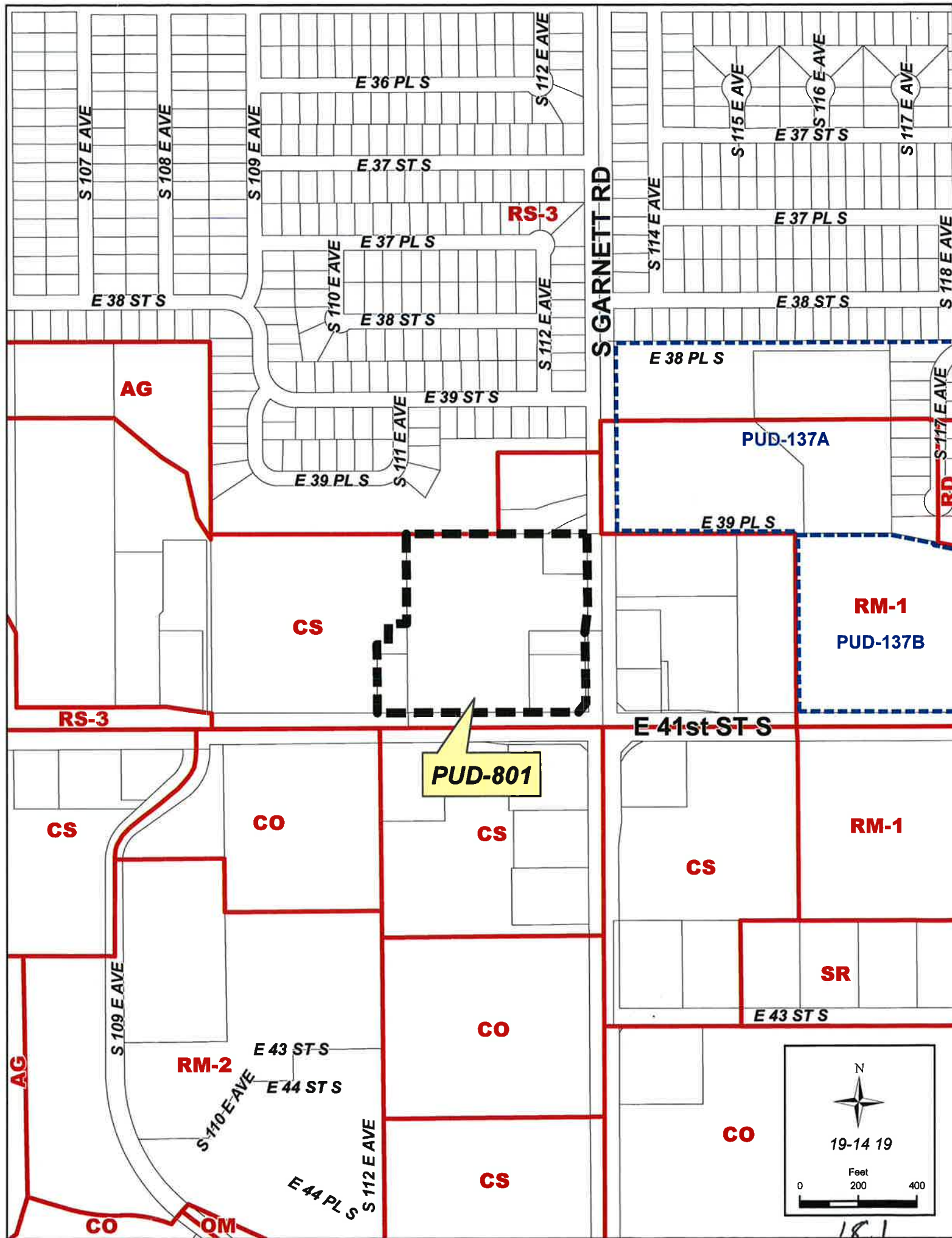
There are no immediate plans for any construction or building permit activities that will require the modification of the zoning classification on this site.

The requested zoning is consistent with the anticipated development pattern around the site and the existing facility will be in conformance with the current zoning code.

Therefore staff recommends approval of CZ-428 to change the zoning from AG to IM

09/18/13

17.4





PUD-801



19-14 19

Feet
0 200 400

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: March 2012

18.2

**TULSA METROPOLITAN AREA PLANNING COMMISSION
CASE REPORT**

APPLICATION: PUD-801

TRS 9420

Atlas 751

CZM 49

CD-6

TMAPC Hearing Date: September 18, 2013

Applicant: Lou Reynolds

Tract Size: 9± acres

ADDRESS/GENERAL LOCATION: Northwest corner of S. Garnett Rd and E. 41st St.

EXISTING ZONING: CS

EXISTING USE: Crossbow Shopping center

PROPOSED ZONING: CS/ PUD-801

PROPOSED USE: Mixed use shopping center

ZONING ORDINANCE: Ordinance number 11825 dated June 26, 1970, established zoning for the subject property.

RELEVANT ZONING HISTORY:

Z-6776 July 2000: All concurred in approval of a request for rezoning a 15± acre tract of land from AG to CS on property located on the northeast corner of East 41st Street and the Mingo Valley Expressway, and west of subject property.

Z-6582 March 1997: All concurred in approval of a request to rezone a 10± acre tract of land from CO to CS for retail use, located on the southwest corner of South Garnett Road and East 41st Street, and abutting south, across E. 41st St., from subject property.

Z-5444-SP-2 October 1994: All concurred in approval of a request for a Corridor Development Plan on a 1± acre tract of land for dry cleaning use, on property located on the southeast corner of East 41st Street and South 109th East Avenue.

Z-5444-SP-1 1982: All concurred in approval of a request for a Corridor Development Plan on a 7± acre tract of land for hotel use, on property located west of the southwest corner of East 41st Street and South Garnett Road.

AREA DESCRIPTION:

SITE ANALYSIS: The subject property is approximately 9± acres in size and is located Northwest corner of South Garnett Road and East 41st Street. The property appears to be used commercially and is zoned CS.

SURROUNDING AREA: The subject tract is abutted on the east by South Garnett Road, across the street further east is a commercial corner, zoned CS; on the north by a significant

18.3

drainage system and across the drainage green space is a single family residential subdivision, zoned RS-3; on the south by East 41st Street then further south is a commercial development, zoned CS; and on the west a large grocery store and commercial area also Zoned CS.

UTILITIES: The subject tract has municipal water and sewer available as defined in detail in the staff summary below.

TRANSPORTATION VISION:

The Comprehensive Plan designates East 41st Street South as a Multi-modal Street.

Multi-modal streets emphasize plenty of travel choices such as pedestrian, bicycle and transit use. Multimodal streets are located in high intensity mixed-use commercial, retail and residential areas with substantial pedestrian activity. These streets are attractive for pedestrians and bicyclists because of landscaped medians and tree lawns. Multi-modal streets can have on-street parking and wide sidewalks depending on the type and intensity of adjacent commercial land uses. Transit dedicated lanes, bicycle lanes, landscaping and sidewalk width are higher priorities than the number of travel lanes on this type of street. To complete the street, frontages are required that address the street and provide comfortable and safe refuge for pedestrians while accommodating vehicles with efficient circulation and consolidated-shared parking.

Streets on the Transportation Vision that indicate a transit improvement should use the multi-modal street cross sections and priority elements during roadway planning and design.

Staff Comment: The Planned Unit Development at this location encourages pedestrian connections that were never part of the original development of this site. The original project was developed prior too many of the current concepts identified in the Comprehensive Plan. There is nothing in this project that will complicate the ultimate transportation vision in this location. The pedestrian improvements will provide appropriate links throughout the project which will support the evolution of the transportation vision in this area.

STREETS:

<u>Exist. Access</u>	<u>MSHP Design</u>	<u>MSHP R/W</u>	<u>Exist. # Lanes</u>
South Garnett Road	Secondary Arterial	100'	4+ turning lanes
East 41 st Street South	Secondary Arterial	100'	4+ turning lanes

RELATIONSHIP TO THE COMPREHENSIVE PLAN:

AREAS OF GROWTH

The purpose of Areas of Growth is to direct the allocation of resources and channel growth to where it will be beneficial and can best improve access to jobs, housing, and services with fewer and shorter auto trips. Areas of Growth are parts of the city where general agreement exists that development or redevelopment is beneficial. As steps are taken to plan for, and, in some cases, develop or redevelop these areas, ensuring that existing residents will not be

18.4

displaced is a high priority. A major goal is to increase economic activity in the area to benefit existing residents and businesses, and where necessary, provide the stimulus to redevelop.

Areas of Growth are found throughout Tulsa. These areas have many different characteristics but some of the more common traits are close proximity to or abutting an arterial street, major employment and industrial areas, or areas of the city with an abundance of vacant land. Also, several of the Areas of Growth are in or near downtown. Areas of Growth provide Tulsa with the opportunity to focus growth in a way that benefits the City as a whole. Development in these areas will provide housing choice and excellent access to efficient forms of transportation including walking, biking, transit, and the automobile.

Staff Summary: The proposed shopping center redevelopment is completely consistent with the Area of Growth concept designation in our Comprehensive Plan. The redevelopment of the property is being proposed to increase economic activity in the area for existing residents and business.

TOWN CENTER

PUD-801 is part of a larger Town Center Designation. The Town Center is defined as a medium-scale, one to five story mixed-use areas intended to serve a larger area of neighborhoods than Neighborhood Centers, with retail, dining, and services and employment. They can include apartments, condominiums, and townhouses with small lot single family homes at the edges. A Town Center also may contain offices that employ nearby residents. Town centers also serve as the main transit hub for surrounding neighborhoods, and can include plazas and squares for markets and events. These are pedestrian-oriented centers designed so visitors can park once and walk to number of destinations.

Staff Summary: The redevelopment of this area is part of a larger Town Center Designation shown on the Land Use Map in the Comprehensive Plan. This area does not cover more than 25% of the Town Center Designation which extends from South Garnett to Highway 169 on both sides of East 41st Street South. The majority of this particular Planned Unit Development includes retail, dining, services and employment opportunities.

STAFF SUMMARY:

I. Applicant Development Concept

This Planned Unit Development ("PUD-801") is for the redevelopment of the Crossbow Center (the "Center").

The Center is comprised of approximately 8.9 acres of land north and west of the intersection of East 41st Street South and South Garnett Road.

An Aerial Photograph of the Center and surrounding area land uses is attached hereto as Exhibit "B".

18.5

The Center was originally developed in the early 1970's by local developers Robert Traband, Ken Tooman and their partners. When the Center was originally conceived, it was believed that what is now Woodland Hills Mall would be located near the southwest corner of East 41st Street and South Garnett Road. Like many commercial shopping center developments of that time it was intended to be open air with a lot of pedestrian activity similar to the Farm Shopping Center and the Southland Shopping Center. Original anchor tenants to occupy the Center were C.R. Anthony's, a clothing store, and Furr's Cafeteria, along with various small sole proprietor merchants, restaurants, an auto parts store, a laundromat and other service business.

Over time the nature of retail and consumer habits changed and the success of the larger anchor tenants in the Center began to decline. What had been one of the highest grossing C.R. Anthony's stores in Oklahoma began to falter shortly after that chain was acquired in a leveraged buyout. As shoppers headed to the malls, C.R. Anthony's new management failed to adapt. It closed roughly two years after the leveraged buyout. Several years later, Furr's Cafeteria failed, probably due in part to the lack of an anchor for the Center. These tenant departures left the Center with some rather large and difficult to lease storefronts.

The Center is in the vicinity of a mix of middle class neighborhoods, apartments and daytime office workers. The area's daytime population swells as these office workers and others enter the area for work. For the Center to be successful it needs to cater to both populations. Currently the property is configured primarily for the residential customer. The purpose of PUD No. 801 is to reconfigure the Center in a manner that will attract more of the daytime customers with tenants that will also be appealing to the residents of the area. The Center will continue to make storefronts available for the smaller service type tenants, a local grocery, and hopefully "junior box" retailers while cleaning up the corner and giving the area a more appealing look.

Attached hereto as Exhibit "A" is a Conceptual Site Illustration of the proposed plan for the redevelopment of the Center.

No zoning change is necessary to support PUD No. 801. The existing zoning is shown on the Area Zoning Map attached hereto as Exhibit "H".

II. Development Standards

A. Land Area:

GROSS:	468,911 SF	10.765 AC
NET:	397,425 SF	9.124 AC

B. Permitted Uses:

Uses permitted as a matter of right and special exception in the CS – Commercial Shopping District, except Use Unit 12a., Adult Entertainment Establishment, and uses of a nature customarily accessory thereto.

C. Maximum Building Floor Area: 175,000 SF

D. Maximum Building Height: 35 FT*

*Architectural elements (elements extending above building roofline) up to 50 FT for unoccupied architectural features shall be subject to Detailed Site Plan approval.

E. Off-Street Parking:

Pursuant to Section 1106., Off-Street Parking and Loading., of the Tulsa Zoning Code, off-street parking on the lots in the Center may be in common and when calculated in the aggregate will provide at least the minimum number of off-street parking spaces required by the applicable Use Units of the Tulsa Zoning Code for all of the lots in the Center. Provisions for the ownership and maintenance of any common off-street parking will be incorporated into the Subdivision Plat or other Restrictive Covenants in compliance with Section 1107.F, Planned Unit Development Subdivision Plat, of the Tulsa Zoning Code. Each site plan shall meet the minimum parking requirements on its individual parcel or provide a parking analysis of the total center identifying all uses.

F. Minimum Building Setbacks:

From the North boundary	30 FT
From the East boundary (S. Garnett Rd.)	50 FT
From the South boundary	50 FT
From the West boundary	10 FT
From internal lot lines	0 FT

G. Landscaped Area:

A minimum of fifteen percent (15%) of the total area of the Center will be improved as internal landscaped open space in accordance with the provisions of the Landscape Chapter of the Tulsa Zoning Code. The minimum landscaped area of each lot shall be established at Detailed Site Plan Review. The requirements of the Landscape Chapter of the Tulsa Zoning Code for each lot in the Center may be altered by an Alternative Compliance Landscape Plan with Tulsa Metropolitan Area Planning

18.7

Commission approval as a part of the Detailed Site Plan Review for the lot.

H. Signs:

1. Ground Signs:

One ground sign will be permitted on each lot with frontage on East 41st Street South and South Garnett Road with a maximum of two (2) SF of display surface area per linear foot of lot frontage and 25 FT in height.

2. Monument Signs:

One monument sign at the common entry point in to the Center from East 41st Street South and one monument sign at the common entry point of the center from South Garnett Road identifying businesses within the Center with a maximum of 400 SF of display surface area for each sign and 30 FT in height.

3. Wall Signs:

Wall signs shall not to exceed 2 SF of display surface area per lineal foot of building wall to which attached. The length of the wall signs shall not exceed 75% of the frontage of the building.

I. Lighting:

All light standards including building mounted shall be hooded and directed downward and away from the boundaries of the Center. Shielding of outdoor lighting shall be designed so as to prevent the light producing element or reflector of the light fixture from being visible to a person standing at ground level in an adjacent residential area. Compliance with these standards shall be verified by application of the Kennebunkport Formula or other Illuminating Engineering Society of North America (IESNA) recommended practice which will verify compliance with the Tulsa Zoning Code Lighting Standards. Consideration of topography must be considered in these calculations.

J. Trash And Mechanical Equipment Areas:

All trash, mechanical and equipment areas (excluding utility service transformers, pedestals or equipment provided by franchise utility providers) including building mounted, shall be screened from public view in such a manner that the areas cannot be seen by a person standing at ground level.

III. Landscape and Screening Concept

As is evident from the aerial photograph, the subject tract is far from meeting the current landscape requirement for the City of Tulsa as set forth in Chapter 10 of the zoning Code. When the center was originally constructed in the 1970's there was no landscape requirements associated with development. The proposed redevelopment will meet current landscape requirements as set forth in the City of Tulsa Zoning Code Chapter 10*.

*Landscape requirements shall be met on each individual platted lot.

IV. Access and Circulation

Currently, Crossbow Shopping Center has six access points exist along the 41st Street frontage and six along the Garnett frontage. There are an additional two access points along 41st Street for the abutting property to the west (containing Reasor's). During the platting process, the number of access points will be reduced to provide more efficient and safer access. There will one primary 'boulevard' type access drive that will serve the entire shopping center on both East 41st Street and South Garnett Road. Cross-access for all lots within the PUD and the abutting Reasor's property will be provided for. Final location of access points will be worked out with the Traffic Engineering Department of the City of Tulsa.

V. Environmental Analysis

A. Topography:

The subject tract is improved (paved and contains buildings) and is generally flat. The property does slope from a high elevation at the southeast corner of the development of 668.54' to a low elevation of 658.0 in the northwest corner. An approximate 1.25% slope from southeast to northwest is present across the site. There are no significant topographic considerations for re-development of this site.

B. Utilities:

1. Water

A City of Tulsa 48" major trunk waterline currently is located along the south side of the PUD (north side of E. 41st Street South). Additionally, an 8" waterline is located along the west side of South Garnett Road and along the north side of the property. There is more than adequate water service available to serve all proposed uses.

2. Sanitary Sewer:

A City of Tulsa 8" sanitary sewer line is located along the north side of the subject tract which runs through the tract to serve buildings along the Garnett frontage.

Other utilities, including electricity, gas, telephone and cable television are available for the site.

The Existing Utilities are shown on Exhibit "G".

C. Drainage:

1. Soils

The subject tract consists primarily (94%) *Okemah-Parsons-Pharoah complex, 0 to 1 percent slopes* and (6%) *Radley silt loam, 0 to 1 percent slopes, frequently flooded soils*. Both soils have "Very Limited" ratings due to Shrink-swell characteristics associated with them for commercial buildings. Prior to construction, a detailed geotechnical report will be performed to properly design building foundations and parking lot specifications. Significant restrictions to re-development because of soil limitations are not anticipated.

2. Flood Plain

According to FEMA Firm Panel 40143C0376L a small area of Zone AE floodplain exists on the north side of the subject. Current building finished floor elevations have been surveyed and have been identified as being above the floodplain elevation. Any new construction will meet both FEMA and City of Tulsa regulations in regards to floodplain.

VI. Area Zoning:

The Existing Comprehensive Plan Map is attached hereto as Exhibit "I" and the Area Zoning Map is attached hereto as Exhibit "H".

18.10

VII. Site Plan Review:

No Building Permits shall be issued for any building within the Center until a Planned Unit Development Detailed Site Plan and Detailed Landscape Plan for that lot or parcel have been submitted to the Tulsa Metropolitan Area Planning Commission and approved as being in compliance with the approved Planned Unit Development Standards.

VIII. Schedule of Development:

Redevelopment in the Center is scheduled to begin in early 2014 after approval of the Planned Unit Development, Detailed Site Plan approval, and the re-platting of the Center.

VIV. Applicant Exhibits:

- Exhibit "A" - Conceptual Site Illustration
- Exhibit "B" - Aerial Photograph
- Exhibit "C" - Landscape Concept
- Exhibit "D" - Access and Circulation
- Exhibit "E" - Soil Map
- Exhibit "F" - Floodplain Map
- Exhibit "G" - Existing Utilities
- Exhibit "H" - Current Zoning
- Exhibit "I" - Comprehensive Plan

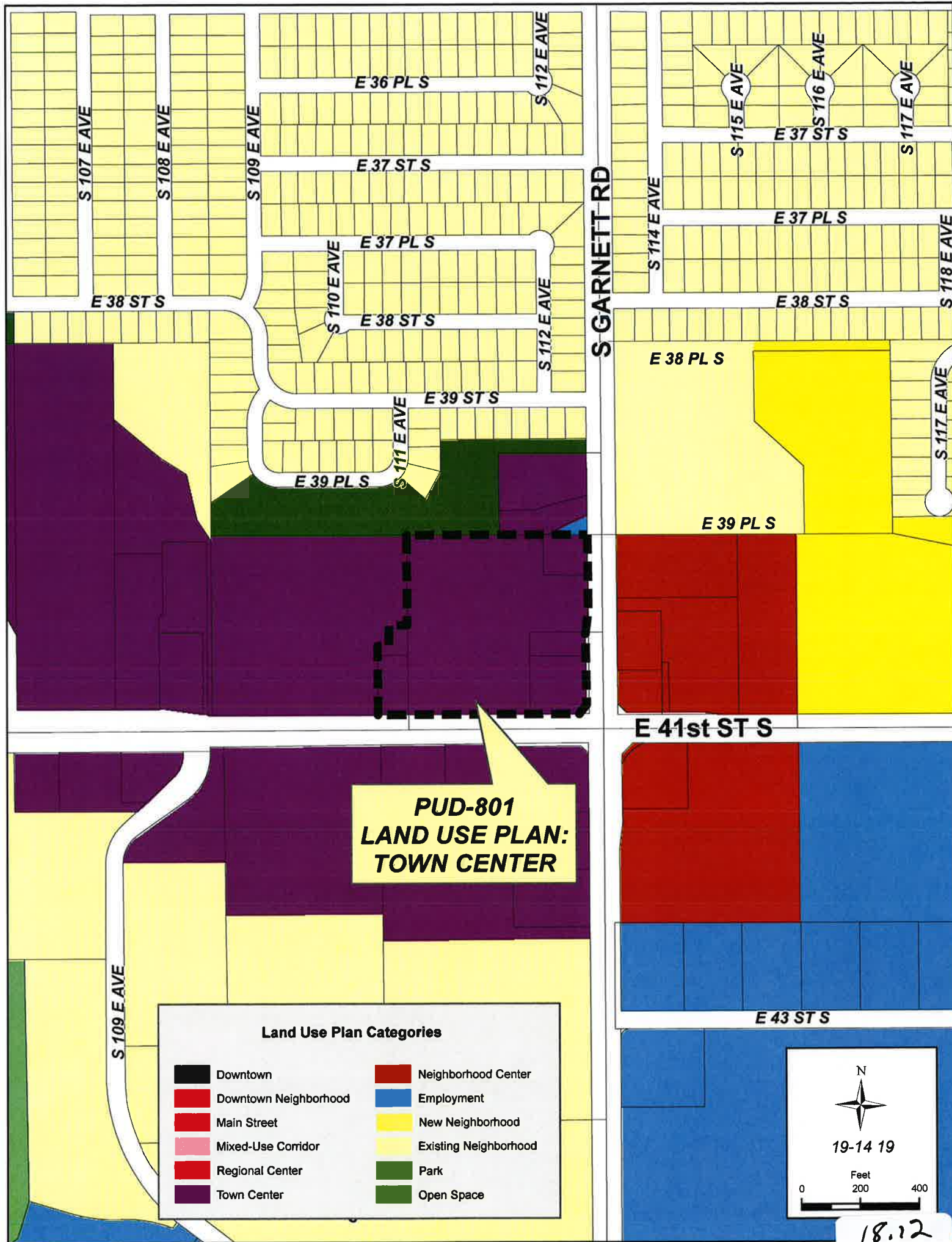
STAFF RECOMMENDATION:

The proposed redevelopment for this shopping area as part of a larger Town Center is consistent with the vision in the Comprehensive Plan. The incremental improvements being proposed provide opportunities for future development that may be provided in a way that will encourage this area as part of a larger Town Center development area.

The proposed uses and limitations provided in the Planned Unit Development are consistent with the expected development pattern in the area.

The redevelopment of this project is consistent with the PUD chapter of the Zoning Code.

Therefore **staff recommends approval** of PUD 801 as defined in the Staff Summary and exhibits referenced above.



PUD NO. # 801

CROSSBOW CENTER

EXHIBIT A

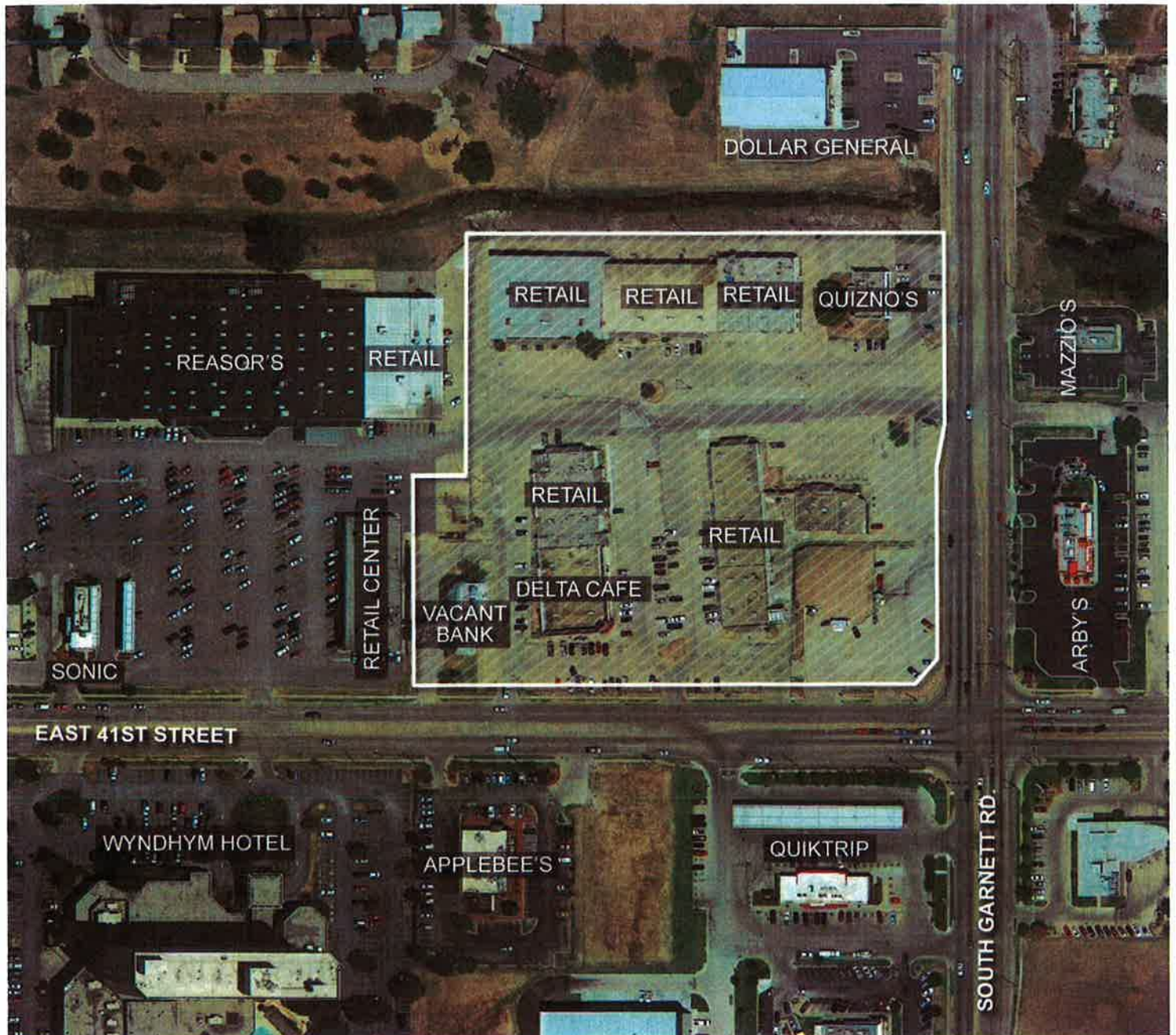
CONCEPTUAL SITE PLAN



CROSSBOW CENTER

EXHIBIT B

AERIAL PHOTOGRAPHY EXISTING CONDITIONS



PUD NO. # 801

CROSSBOW CENTER

EXHIBIT C

LANDSCAPING DIAGRAM
WITH STREET YARD SHADED



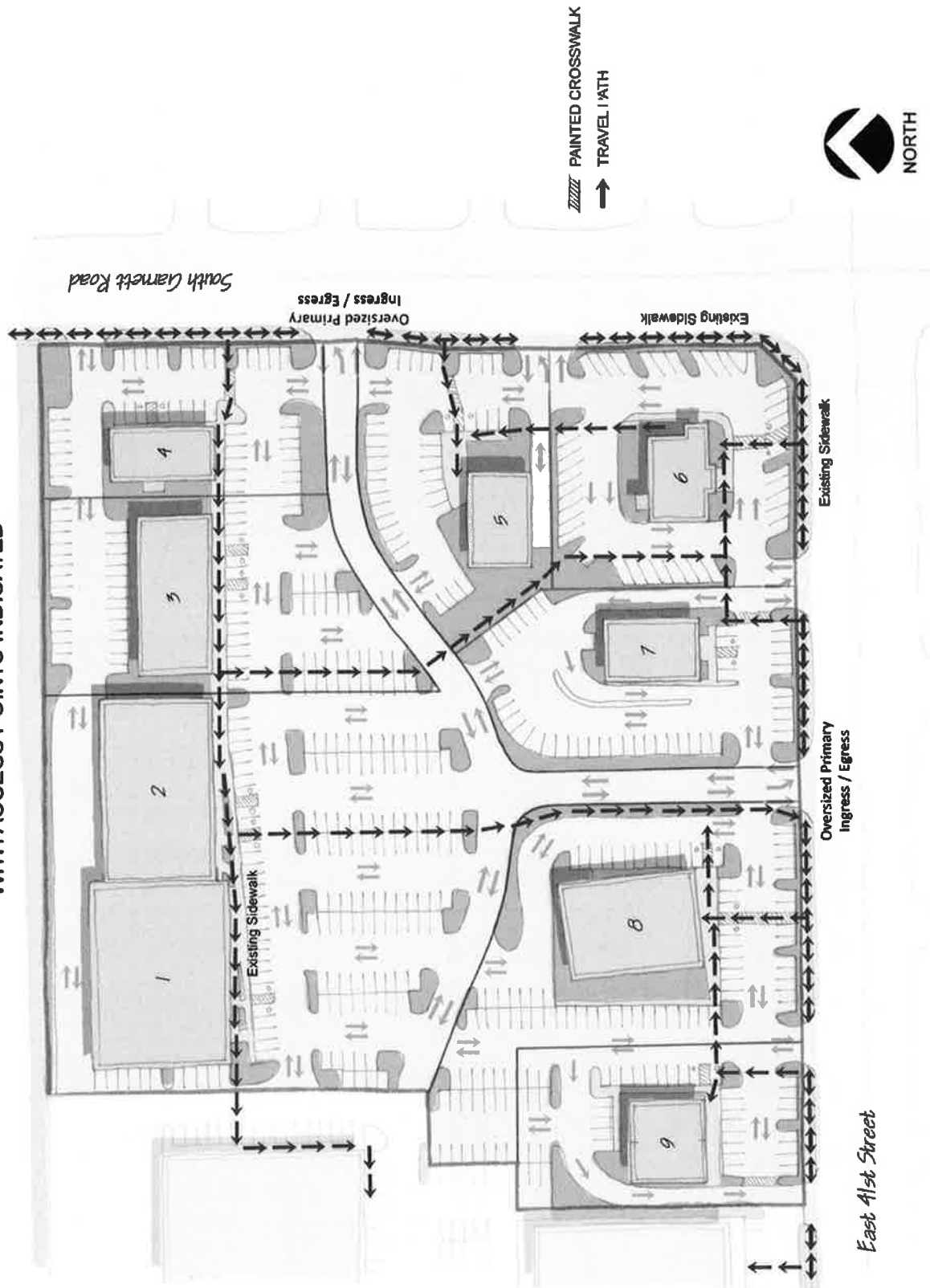
East 1st Street

PUD NO. # 801

CROSSBOW CENTER

EXHIBIT D

VEHICULAR & PEDESTRIAN CIRCULATION
WITH ACCESS POINTS INDICATED



09/06/2013

TANNER CONSULTING LLC, CERTIFICATE OF AUTHORIZATION NO. CA 2661
5323 S LEWIS AVE, TULSA, OK 74105 | 918.745.9929

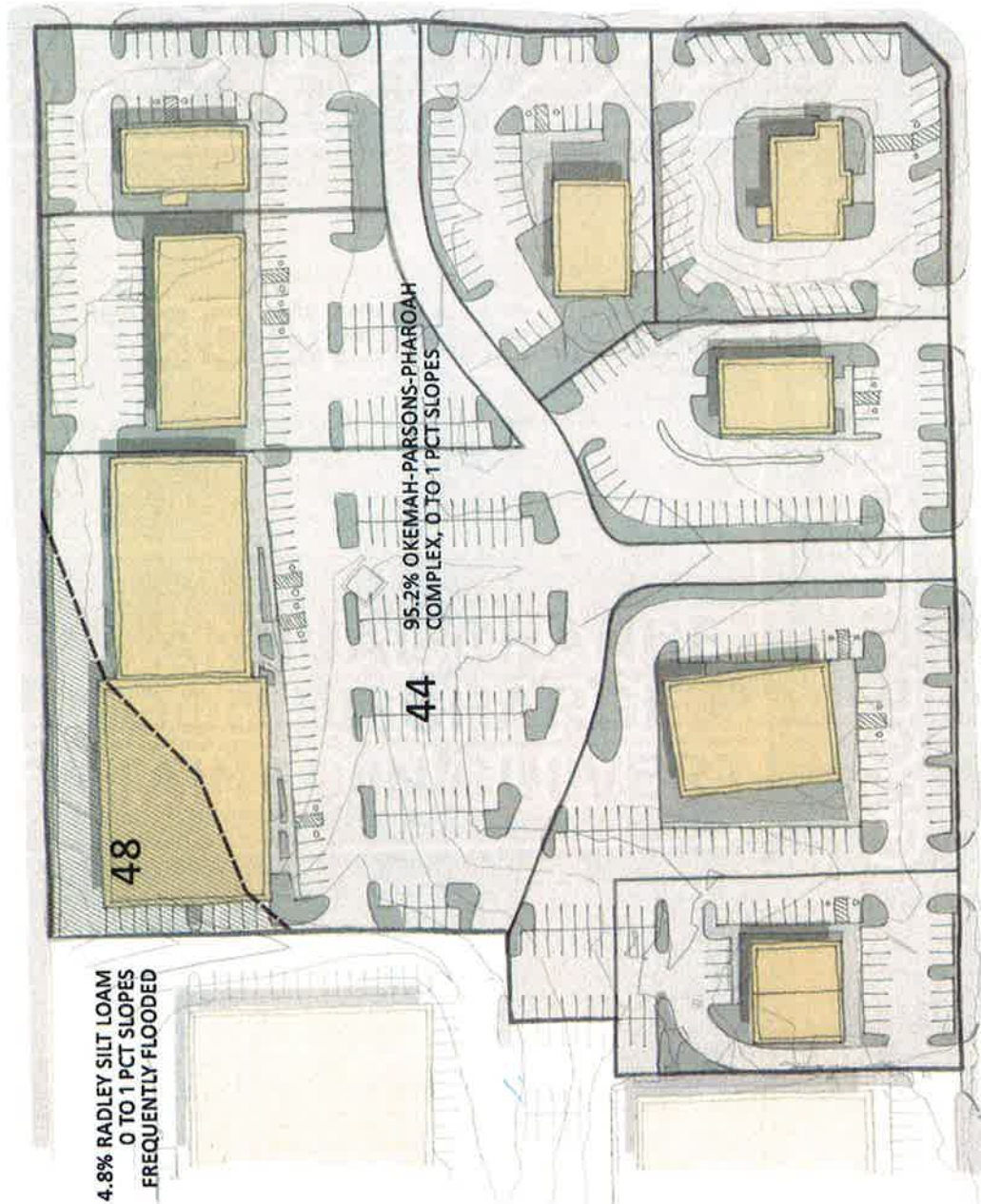
18.17

PUD NO. # 801

CROSSBOW CENTER

EXHIBIT E

ENVIRONMENTAL ANALYSIS
USDA SURVEY & FIELD TOPOGRAPHY



CROSSBOW CENTER

EXHIBIT F

FLOODPLAIN MAPPING
FEMA FIRM PANEL 40143C076L

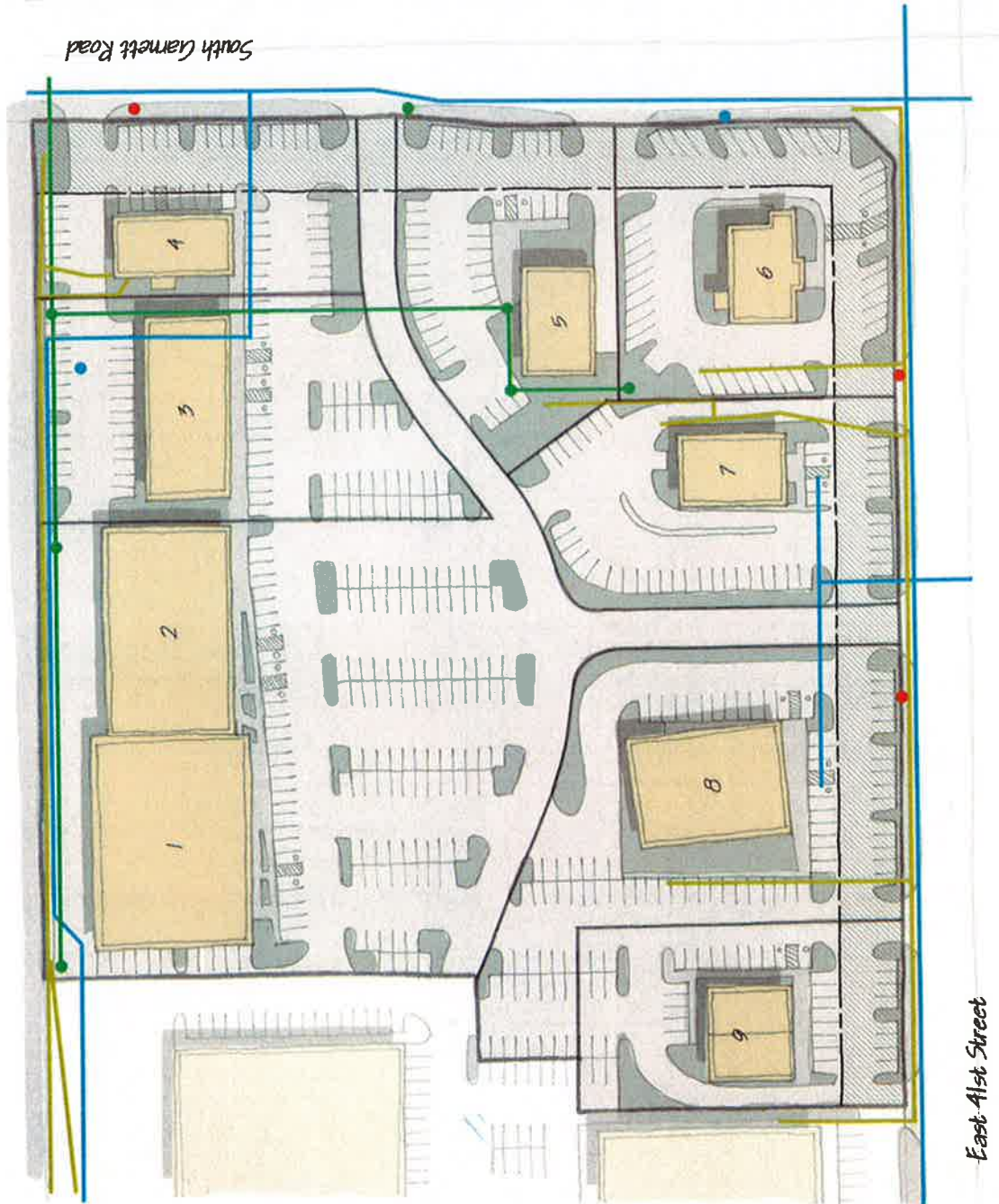


PUD NO. # 801

CROSSBOW CENTER

EXHIBIT G

EXISTING UTILITIES
2013 FIELD SURVEY OVER CSP



TMAPC

September 18, 2013

The 6th Street Infill Plan Amendment Request

Item: Consider initiation of three (3) additional amendments to *The 6th Street Infill Plan*.

A. Background: In response to a February 1, 2013 amendment application to the 6th Street Infill Plan, TMAPC staff presented the items to the TMAPC at a February 20, 2012 Work Session. According to *"Policies and Procedures and Code of Ethics of the Tulsa Metropolitan Area Planning Commission,"* such requests must be presented to the TMAPC who will determine whether to initiate the proposed amendment. The TMAPC considered eight (8) items for initiation at their March 6, 2013 meeting. The following items were initiated at that meeting:

- Request 1) clean up amendments to maps;
- Request 2) evaluate all Industrial zoned property for inclusion into the Industrial Subarea (Manufacturing Warehousing);
- Request 3) amend map to remove all properties east of the center line of South Utica Avenue and south of the center line of East 11th Street South from the plan area;
- Request 6) clarify language in plan regarding street closures, especially as it relates to larger scale developments and expansions, as well as controlled access; and
- Request 7) draft an abbreviated and streamlined version of a form-based code.

These five (5) were presented at an August 21, 2013, TMAPC Work Session for discussion. The Pearl District Business and Property Association voiced their intent to resubmit the three (3) proposed amendments that were not previously initiated. As a result, TMAPC asked that all initiated items - the original five (5) plus any or all of the additional three (3) – be brought back together for a future public hearing.

On August 29, 2013, the Pearl District Business and Property Association made an official Comprehensive Plan Amendment Application for three (3) items (see attached). These proposed amendments items are similar, although not identical, to the items that were not initiated by TMAPC on March 6, 2013. As an application requirement, the applicant was also asked to identify the "proposed plan change" so that the specific modification to the plan is clear.

This report serves as an overview of the amendment request and preliminary staff responses to the three (3) requested items in the application, providing the TMAPC assistance in their review and consideration of this request. This report also contains some options that the TMAPC may consider in the decision making process.

B. Overview of the Amendment Request:

- **Request 1** –Amend the Map to provide that all of South Utica Avenue, all of East 11th Street South, South Peoria Avenue north of East 6th Street, and I-244 frontage, be planned within the Highway Commercial Subarea (*Auto-Oriented Commercial*) and removed from the Neighborhood Commercial Corridors Subarea (*Mixed Use Infill*).

PROPOSED PLAN CHANGE: Substitute Highway Commercial Subarea (Auto-Oriented Commercial) for Neighborhood Commercial Corridor Subarea (Mixed Use Infill) as shown on the revised land plan map. (see attached "Manufacturing Warehousing I-244 Frontage" map)

Staff Response: The proposed change from *Mixed Use Infill* to *Auto-Oriented Commercial* in all areas requested by the applicant is a substantial deviation from the vision of the plan, which promotes pedestrian orientation and compact redevelopment in these areas. The vision of *The 6th Street Infill Plan* is supported by key principles identified on page 53 and 54. This proposed change would conflict with two of those principles, as stated below:

14.2.1. Pedestrian Orientation

"The pedestrian orientation of this neighborhood is one of its chief assets and has been identified as a key contributor to the long term success of this neighborhood. Pedestrian orientation should be protected and incorporated into new developments."

14.2.4. Reducing Automobile Dependency

"The 6th Street Task Force is pragmatic in its approach to this principle. In the short run, the Task Force is recommending strategies which efficiently increase the amount of available parking in order to make existing properties commercially viable. But in the long run, the Task Force is recommending changes in density; preservation of pedestrian movement; and retention of a wide array of businesses and industries within the neighborhood. These measures will ensure that the neighborhood continues to offer residents plenty of opportunities to live, work, and play without having to use a car. Ultimately, the same variables that reduce dependence on automobiles will increase the demand for and the viability of mass transit in the neighborhood and throughout the City."

If an auto-oriented approach is applied to this neighborhood in the future, additional curb cuts and other automobile related infrastructure modifications will alter the district to the point where a pedestrian friendly development pattern cannot be achieved. Since the full request of the applicant represents such a significant departure from the vision and supporting principles, a plan update would be necessary to reevaluate the vision of *The 6th Street Infill Plan*.

One potential option would be to define the term *Auto-Oriented Commercial* in the context of this neighborhood and evaluate all of Utica Avenue (currently Utica Ave. north of the railroad tracks is already designated *Auto-Oriented Commercial*) and E. 11th Street for possible inclusion into this subarea. Both of these roadway segments are the only in the Plan area identified as Urban Arterials on the Major Street and Highway Plan.

Further clarification through design standards within the Form-Based Code are needed to better establish the type of regulatory controls appropriate for properties within the *Auto-Oriented Commercial* subarea.

- **Request 2** – Amend the Plan to provide that no reduction in required parking as currently specified in the Tulsa Zoning Code is allowed until such time as public parking facilities and enhanced public transportation are available within the plan area. Until such time as public parking facilities or enhanced public transportation are provided, any relief from parking requirements should be obtained through processing a Variance request through the Board of Adjustment.

PROPOSED PLAN CHANGE: Add the following language to the Plan as new Section 11.4.3., Parking, as follows:

11.4.3. Parking.

There should be no reduction in required parking as currently specified in the Tulsa Zoning Code until such time as public parking facilities and enhanced public transportation are available within the planned area. Until such time as public parking facilities or enhanced public transportation are provided, any relief from parking requirements should be obtained through processing a Variance request through the Board of Adjustment.

Staff Response: Parking in this area was one of the primary topics of discussion in the form-based code workshops held in January and February, 2013; therefore, there will likely be recommendations regarding parking changes in the Form-Based Code that come out of the re-evaluation process. A change such as the one requested by the applicant is not appropriate for inclusion in a comprehensive plan. Rather, this is a regulatory issue that should be dealt with in the re-evaluation of the Form-Based Code.

The City of Tulsa Zoning Code, which is the regulatory document currently in place for the majority of the Pearl District, only allows relief from parking requirements through Variance from the Board of Adjustment. Therefore, outside of the existing Form-Based Code zoned area, the applicant's request is already in place. The key is to closely assess this issue through the re-evaluation of the Form-Based Code.

It should also be noted that enhanced public transportation in the form of Bus Rapid Transit system on Peoria is planned and part of the City of Tulsa's 2015-2019 Capital Improvement Plan package that will be presented to voters for their consideration in November.

- **Request 3** – Diverse housing is a vital component of the plan area and should be encouraged rather than eliminated.

PROPOSED PLAN CHANGE: Revise the Plan to provide for more diverse housing types per attached land plan map (see attached "Manufacturing Warehousing I-244 Frontage" map)

Staff Response: The Vision Statement of *The 6th Street Infill Plan* clearly states that the intent is to have a diverse neighborhood. One of the key supporting principles of the vision states:

14.1. Diversity

"The 6th Street neighborhood is diverse socially, economically, and in physical function and form. It retains an organic character that predates present-day development, which tends to be formulaic and segregated. This traditional character should be retained. New development should be accessible and responsive to a wide range of needs, needs that tend to evolve over time. This is less a social justice issue and more a marketing strategy. Without cynicism, the 6th Street Task Force recognizes a growing population that seeks a more diverse, interesting, and by default more egalitarian lifestyle. In a bustling city neighborhood, one-dimensional, "one-size-fits-all" solutions just don't seem to work."

The applicant's proposed changes to the map include a significant increase in land area for the *Residential Revitalization* subarea, while significantly decreasing land in the *Redevelopment* subarea and the *Mixed Use Infill* subarea.

All three subareas allow for variety of housing types (See Goals for each subarea below). In fact, diversity of housing is encouraged in *The 6th Street Infill Plan* through the creation of the *Mixed Use Infill* subarea and *Redevelopment* subarea. These subareas allow for alternative types of housing not fully supported by the City's

current conventional zoning code. It should be noted that with the applicant's proposed increase in *Manufacturing Warehousing* and *Auto-Oriented Commercial*, the land uses appropriate and available for residential uses of any kind appear to be decreased by at approximately 50%.

16.4.1.1. Goals for *Residential Revitalization* subarea:

- “16.4.1.1.1. **Retain a small enclave of traditional bungalow housing and small, compatible residential buildings.**
- 16.4.1.1.2. Preserve the historical character of the neighborhood.
- 16.4.1.1.3. **Encourage new infill development that allows for increased density** while respecting the continuity and context of the existing neighborhood.
- 16.4.1.1.4. **Retain a diversity of the housing stock in the neighborhood.**
- 16.4.1.1.5. Create, in the short term, “fixer-upper” opportunities for those who want to purchase housing at reasonable prices and move into this neighborhood.”

16.4.1.1. Goals for *Mixed Use Infill* subarea:

- “6.5.1.1.1. **To create a stable neighborhood with rising property values.**
- 16.5.1.1.2. Allow for a thriving neighborhood commercial area.
- 16.5.1.1.3. **Removal of blight through restoration or replacement.**
- 16.5.1.1.4. Provide adequate parking for commercial businesses.
- 16.5.1.1.5. Land use policies that support traditional forms of development.
- 16.5.1.1.6. **Make the process of restoring older buildings sensible and economically competitive.”**

16.6.1.1. Goals for *Redevelopment* subarea:

“To create **high-density housing** and mixed use development that complements and enhances the existing neighborhood. Walkable neighborhoods have certain physical and contextual traits. Infill development in these kinds of neighborhoods needs to reflect these traits.”

One potential option could be to more clearly define each of these subareas, outlining various types of housing that would be appropriate in each to demonstrate that a diversity of housing needs are met.

C. Potential Options

1. Initiate all amendments to *The 6th Street Infill Plan* as presented by the applicant. This action would require a full small area planning process with extensive stakeholder engagement as defined in the 2010 Tulsa Comprehensive Plan.
2. Initiate any or all of the following options in response to the applicant's concerns:
 - a) Request 1: Define the term *Auto-Oriented Commercial* in the context of this neighborhood and evaluate all of S. Utica Ave. (currently S. Utica Ave. north of the railroad tracks is already designated Auto-Oriented Commercial) and E. 11st Street for possible inclusion in this subarea.
 - b) Request 2: Consider regulatory changes to address parking as part of the re-evaluation of the Form-Based Code.
 - c) Request 3: Define the three subareas: *Residential Revitalization* subarea, *Redevelopment* subarea and the *Mixed Use Infill* subarea, outlining appropriate housing types in each to ensure that a diversity of housing needs are met.
3. Not initiate *The 6th Street Infill Plan* amendment request as presented.

Comprehensive Plan Amendment Application

☐ LAND USE MAP ☐ STABILITY/GROWTH MAP ☒ PLAN POLICY (TEXT)

GENERAL APPLICATION INFORMATION

RECEIVED BY: SM DATE FILED: 8/29/13 CASE NUMBER: CPA-_____

RELATED ZONING, PUD, CO, PUD MAJOR AMENDMENT #(S): _____

SUBJECT PROPERTY INFORMATION

ADDRESS OR DESCRIPTIVE LOCATION: Pearl District TRACT SIZE: _____

LEGAL DESCRIPTION: (email to esubmit@incog.org) see attached "Pearl District Boundary Map"

COUNCIL DISTRICT: 4

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION
NAME <u>Pearl District Business & Property Owners Association, Inc.</u>	NAME <u>same as applicant, see attached "Pearl Business & Property Owner Association" map</u>
ADDRESS <u>325 East Quincy</u>	ADDRESS _____
CITY, ST, ZIP <u>Tulsa, OK 74120</u>	CITY, ST, ZIP _____
DAYTIME PHONE <u>918-724-4406</u>	DAYTIME PHONE _____
EMAIL <u>kbrown@ihcrg.org</u>	EMAIL _____
FAX <u>918-516-0478</u>	FAX _____
I, THE UNDERSIGNED APPLICANT, CERTIFY THAT THE INFORMATION ON THIS APPLICATION IS TRUE AND CORRECT.	
SIGNATURE & DATE: <u>[Signature]</u> <u>8/29/13</u>	

DOES OWNER CONSENT TO THIS APPLICATION? ☒ Y ☐ N. WHAT IS APPLICANT'S RELATIONSHIP TO OWNER? _____

Registered business and property owners association

DISPOSITION	
TMAPC REC.:	COUNCIL/COMMISSION ACTION:
DATE/VOTE:	DATE/VOTE:
	RESOLUTION NO.:
LAND USE MAP AMENDMENTS	

CURRENT ZONING DESIGNATION	CURRENT LAND USE DESIGNATION	PROPOSED LAND USE DESIGNATION
N/A		

[] MAP IDENTIFYING THE SUBJECT AREA(S)

DATE REC'D: N/A

[] WRITTEN JUSTIFICATION FOR THE AMENDMENT(S)

DATE REC'D: N/A

GROWTH AND STABILITY MAP AMENDMENTS
--

CURRENT ZONING DESIGNATION	CURRENT G&S DESIGNATION	PROPOSED G&S DESIGNATION
N/A		

[] MAP IDENTIFYING THE SUBJECT AREA(S)

DATE REC'D: N/A

[] WRITTEN JUSTIFICATION FOR THE AMENDMENT(S)

DATE REC'D: N/A

COMPREHENSIVE PLAN POLICY (TEXT) AMENDMENTS

PLAN SECTION(S): Conclusion

PLAN PAGE(S): 84

PARAGRAPH(S): final map

DATE REC'D: 8/29/13

[] DETAILED DESCRIPTION OF AMENDMENT

Amend the Map to provide that all of South Utica Avenue, all of East 11th Street South, South Peoria Avenue north of East 6th Street, and I-244 frontage, be planned within the Highway Commercial Subarea (Auto-Oriented Commercial) and removed from the Neighborhood Commercial Corridors Subarea (Mixed Use Infill).

PLAN CHANGE: Substitute Highway Commercial Subarea (Auto-Oriented Commercial) for Neighborhood Commercial Corridor Subarea (Mixed Use infill) as shown on the revised land plan map. (see attached "Manufacturing Warehousing I-244 Frontage" map)

[] JUSTIFICATION FOR THE AMENDMENT DEMONSTRATES THAT A CHANGE IS WARRANTED

DATE REC'D: 8/29/13

- Existing traffic counts are not appropriate for Neighborhood Commercial Corridors Subarea. There are approximately 15,000 vehicles per day on South Utica Avenue, 17,000 vehicles per day on 11th Street with approximately 32,000 vehicles per day in the 11th & Utica intersection.
- South Utica Avenue is a major street linking I-244 with direct access to Hillcrest Medical Center, the Broken Arrow Expressway, St. John Medical Center, Utica Square, The University of Tulsa and downtown. All are expected to grow over the next decade.
- Recent investments and planned expansions of existing auto-related uses including Indian Health Care Resource Center (including drive-thru pharmacy), QuikTrip Corporation, Pediatric Dental (including handicapped vehicular drop-off and pick-up), Rancho Grande, Oklahoma Central Credit Union (including drive-thru banking facilities), and Hillcrest Federal Credit Union (including drive-thru banking facilities).
- Hillcrest Medical Center, Indian Health Care Resource Center, and Center for Individuals with Physical Disabilities are major stakeholders in the area.
- No physical or ideological of reason to distinguish between land uses on South Utica Avenue, north from East 6th Street South to I-244 and south from East 6th Street South to East 11th Street South (Route 66).
- The City Council has earmarked \$300,000 to redevelop Route 66 (East 11th Street South). The monies are supposed to enhance auto traffic access, generate tourism in the area, and preserve historic Route 66. It seems counter intuitive to stimulate Route 66 development while recommending zoning on properties with frontage on East 11th Street South (Route 66) that would preclude or hinder Route 66 related commercial uses and businesses.
- Auto-Oriented Uses are consistent with the existing urban fabric.
- Supports downtown businesses.
- Consistent with most of the significant recent building activity, much of which was constructed after the adoption of the Plan.

[] DESCRIPTION OF HOW PROPOSED AMENDMENT WILL ENHANCE THE CITY OF TULSA

DATE REC'D: 8/29/13

- Promotes small business.
- Supports tax base.
- Supports downtown businesses.
- Decreases non-conformity.
- Brings more pedestrians to Pearl District.
- Removes existing development constraints.

COMPREHENSIVE PLAN POLICY (TEXT) AMENDMENTS

PLAN SECTION(S): 11.4.2

PLAN PAGE(S): 48

PARAGRAPH(S): add as Section 11.4.3

DATE REC'D: 8/29/13

[] DETAILED DESCRIPTION OF AMENDMENT

Amend the Plan to provide that no reduction in required parking as currently specified in the Tulsa Zoning Code is allowed until such time as public parking facilities and enhanced public transportation are available within the plan area. Until such time as public parking facilities or enhanced public transportation are provided, any relief from parking requirements should be obtained through processing a Variance request through the Board of Adjustment.

PLAN CHANGE: Add the following language to the Plan as new Section 11.4.3., Parking, as follows:

11.4.3. Parking.

There should be no reduction in required parking as currently specified in the Tulsa Zoning Code until such time as public parking facilities and enhanced public transportation are available within the planned area. Until such time as public parking facilities or enhanced public transportation are provided, any relief from parking requirements should be obtained through processing a Variance request through the Board of Adjustment.

[] JUSTIFICATION FOR THE AMENDMENT DEMONSTRATES THAT A CHANGE IS WARRANTED

DATE REC'D: 8/29/13

- Recognizes that good design includes sufficient parking.
- Existing stake holders cannot afford to provide parking for businesses deficient in parking.
- Lack of sufficient parking will restrict truck and heavy traffic on the street grid, which Industrial Subarea users require.
- Consistent with the need for additional parking identified in the Plan.
- Protects well established businesses, industries and trades as well as the residents of the residential area
- Consistent with recent building activity.
- Ensures sufficient parking.
- Market demands adequate on-site parking for new business development.
- Page 33 – 8.5.2 of the Plan states "Parking needs should be addressed. Business (and City) should be allowed to seek expansion of parking."

[] DESCRIPTION OF HOW PROPOSED AMENDMENT WILL ENHANCE THE CITY OF TULSA

DATE REC'D: 8/29/13

- Ensures parking is not an issue for new business development.
- Will allow truck and heavy traffic on the street grid as Industrial Subarea users require.
- Will protect well-established businesses, industries and trades as well as residents.
- Will ensure there is sufficient parking for the Pearl District.

COMPREHENSIVE PLAN POLICY (TEXT) AMENDMENTS

PLAN SECTION(S): Conclusion PLAN PAGE(S): 84 PARAGRAPH(S): final map

[] DETAILED DESCRIPTION OF AMENDMENT

DATE REC'D: 8/29/13

Diverse housing is a vital component of the plan area and should be encouraged rather than eliminated.

PLAN CHANGE: Revise the Plan to provide for more diverse housing types per attached land plan map (see attached "Manufacturing Warehousing I-244 Frontage" map)

[] JUSTIFICATION FOR THE AMENDMENT DEMONSTRATES THAT A CHANGE IS WARRANTED

DATE REC'D: 8/29/13

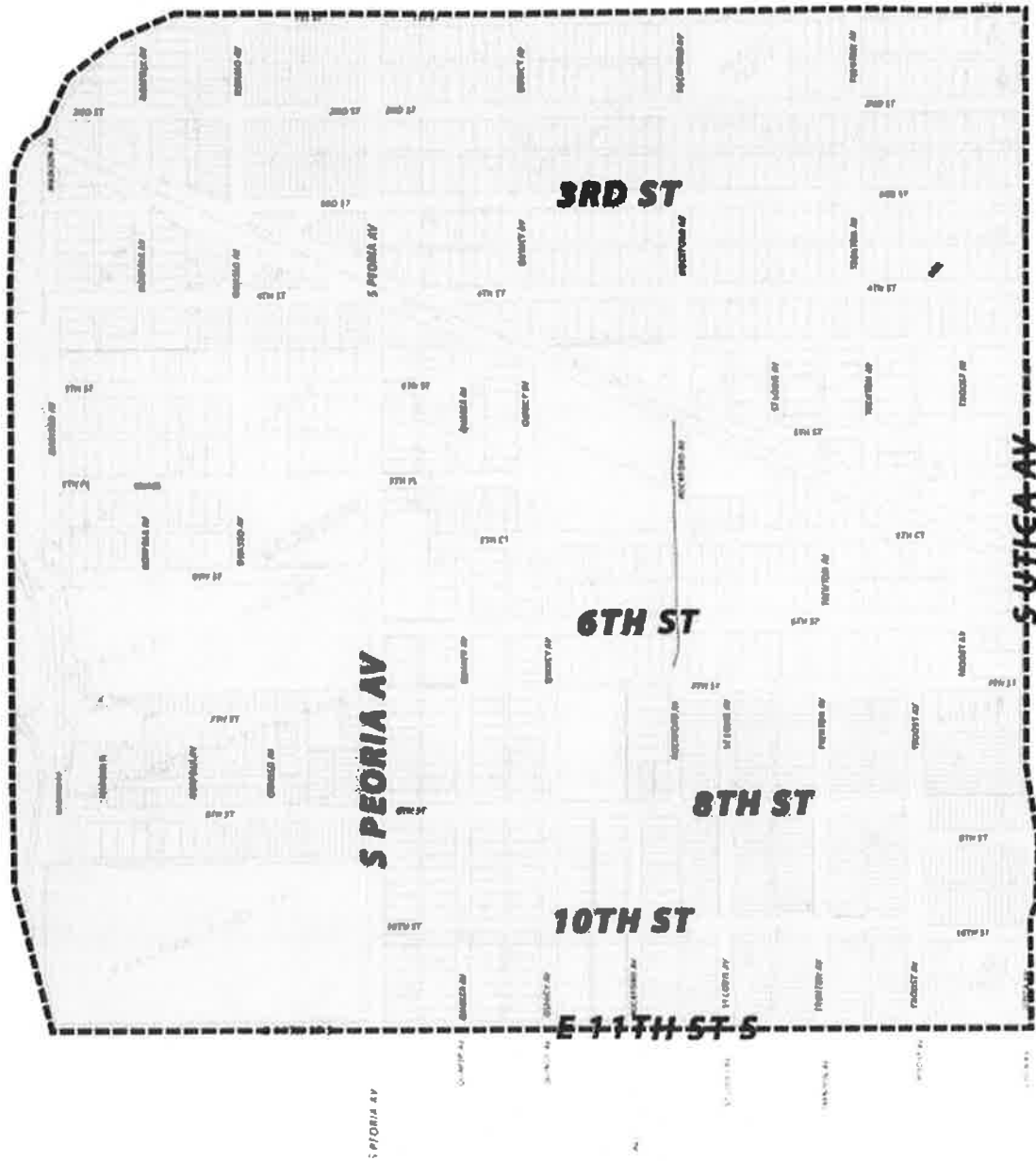
- Compliments existing resources.
- Encourages timely redevelopment of vacant or substandard areas.
- Increases home ownership.
- Decreases dependence on personal vehicles.
- Increases quality of life.
- Promotes small business development.
- Increases economic vitality of this area of the City.
- Unreal expectation to predominately have townhomes.

[] DESCRIPTION OF HOW PROPOSED AMENDMENT WILL ENHANCE THE CITY OF TULSA

DATE REC'D: 8/29/13

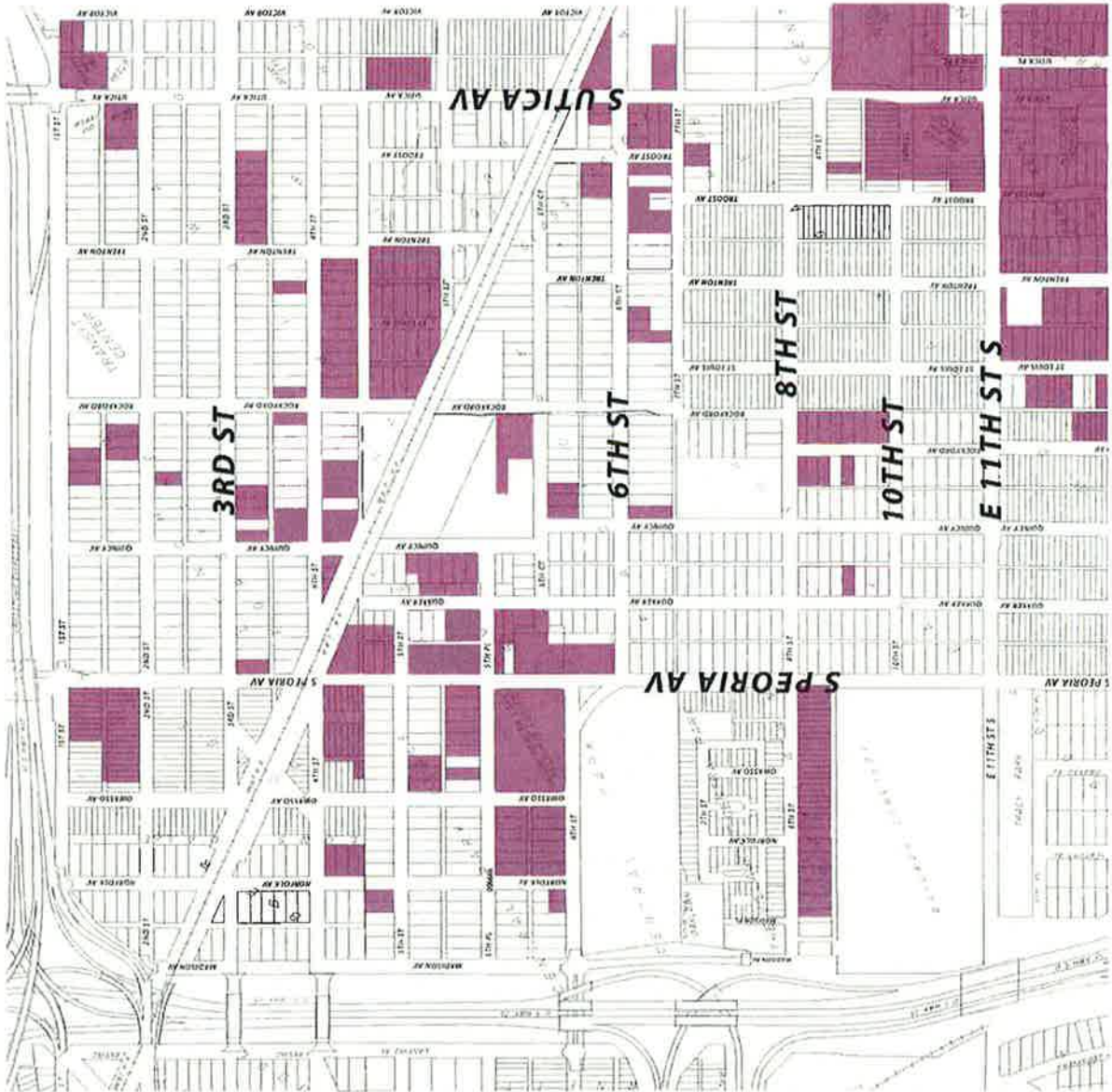
- Increases home ownership.
- New home ownership would promote small business development.
- Encourages growth within the Pearl District rather than the suburbs.
- Takes pressure off infrastructure.
- Increases quality of life.
- Compliments existing resources.
- Decreases depended on personal vehicles.

Pearl District Boundary Map



PEARL BUSINESS & PROPERTY OWNER ASSOCIATION MEMBERSHIP MAP

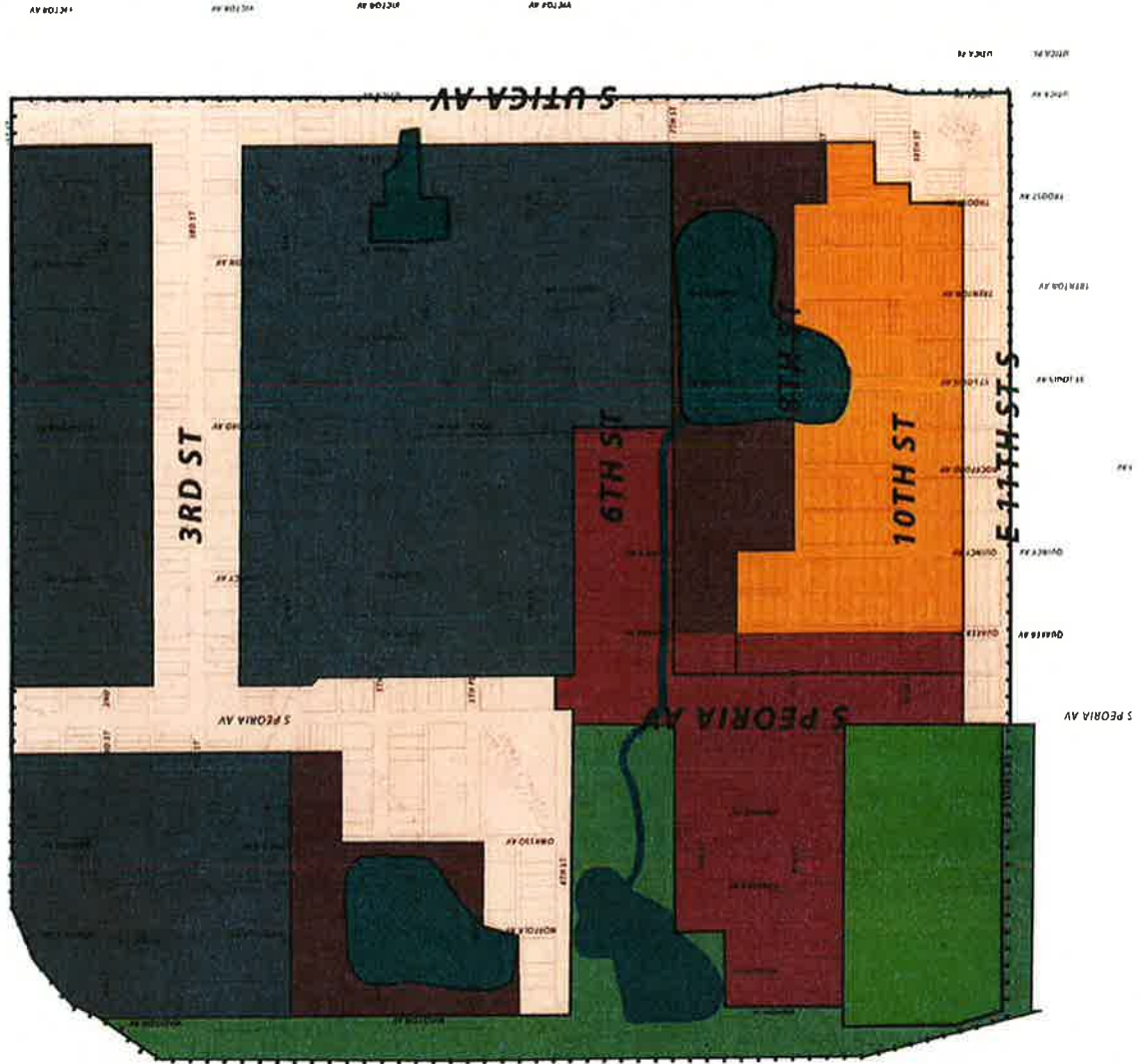
MEMBERS



MANUFACTURING WAREHOUSING I-244 FRONTAGE

Legend:

- Redevelopment**
Large-scale, residential/mixed-use infill developments
- Residential Revitalization**
Restoration of existing housing, introduction of small-scale, compatible infill
- Mixed Use Infill**
Residential, Commercial, Office, Manufacturing, Warehousing. Reuse of existing structures, smaller-scale, compatible, high-quality infill.
- Auto-Oriented Commercial**
- Manufacturing Warehousing**
- Flood Control**
New urban parks that provide flood control when needed
- Park**
non-flood control park areas and trails
- Cemetery**



Miller, Susan

From: Katherine Brown [runslowgirl@gmail.com]
Sent: Monday, September 09, 2013 8:31 AM
To: Miller, Susan
Subject: Re: Amendment Application
Attachments: Auto Oriented-I244 Frontage.pdf; ATT00001.htm

Hi Susan,

Thanks for your questions regarding our application. Please see responses below in red and let me know if there is anything else you need.

Best regards,
Katy

On Sep 5, 2013, at 4:19 PM, Miller, Susan wrote:

Hi Katy,

I started looking at the application today and I have a few comments/questions.

Regarding your first item, there are inconsistencies in the map and text, for example:

- One request mentions auto-oriented commercial along I-244 frontage, but this is not shown on your proposed map. The map in the current Plan is auto-oriented (in the eastern part), but your proposed map shows it as Manufacturing Warehousing.

Two maps were originally filed with our initial application last year - this "manufacturing warehousing I-244 frontage" map as well as the "auto oriented I-244 frontage" map (see attached). The trend along the I-244 frontage is industrial as this is a one-way service road. Either map will work, as property can be zoned either way, although the trend is clearly toward industrial. Five lots along the frontage just west of Utica Ave have recently been purchased for industrial development

- One request is to change all of S. Utica; however, the map in the current plan already has S. Utica designated as auto-oriented commercial north of the RR tracks.

Correct. The area we are referring is from the railroad tracks south to the centerline of 11th Street, providing for auto-oriented continuously along Utica Ave from I-244 to 11th Street.

Also, another comment regarding the same item is that an area west of S. Peoria is proposed to be auto-oriented commercial, but it is not a corridor, nor a commercial use.

Peoria is an arterial street with predominately non-residential commercial and industrial auto-oriented businesses along it. All commercial is not retail - commercial here refers to businesses such as health care, warehouse, industrial, and places of worship. All are non-residential and most closely fit into auto oriented.

On the third item, we are unclear how the existing plan limits and/or discourages diverse housing. And, also unclear how the proposed changes to increase residential revitalization and reduce redevelopment (which both include various housing opportunities) would encourage more diverse housing. More clarity on that would be helpful.

The Plan area for Residential Revitalization is too small. There is more revitalization than is called for in the redevelopment area. More traditional housing types are being discouraged, while there is too much unattainable high-density residential housing.

Hope this all makes sense. I am leaving for the day to attend the Utica Midtown Corridor small area plan meetings, but please feel free to call me in the morning to discuss.

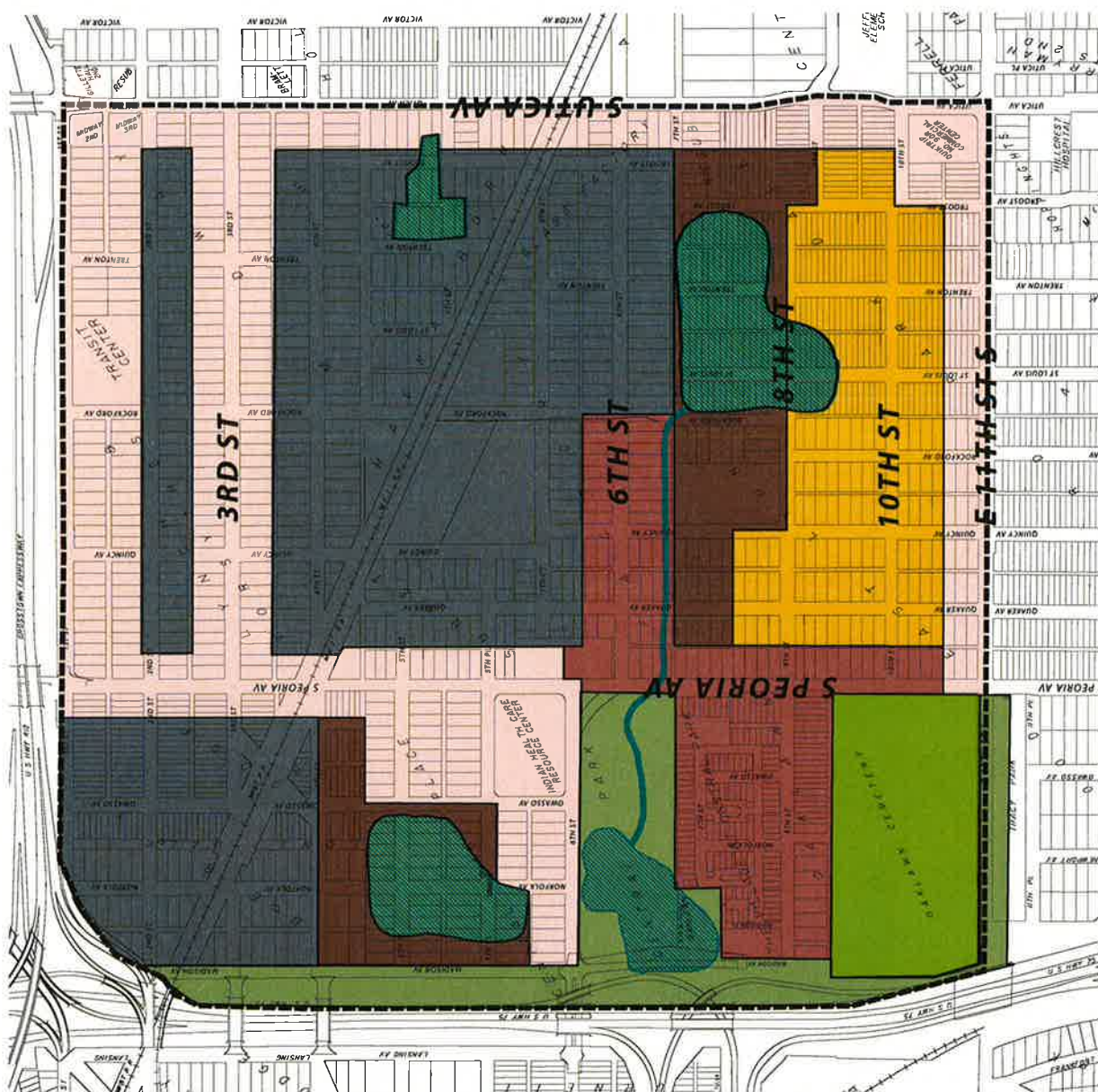
Thanks,

Susan Miller, AICP | Director, Land Development Services

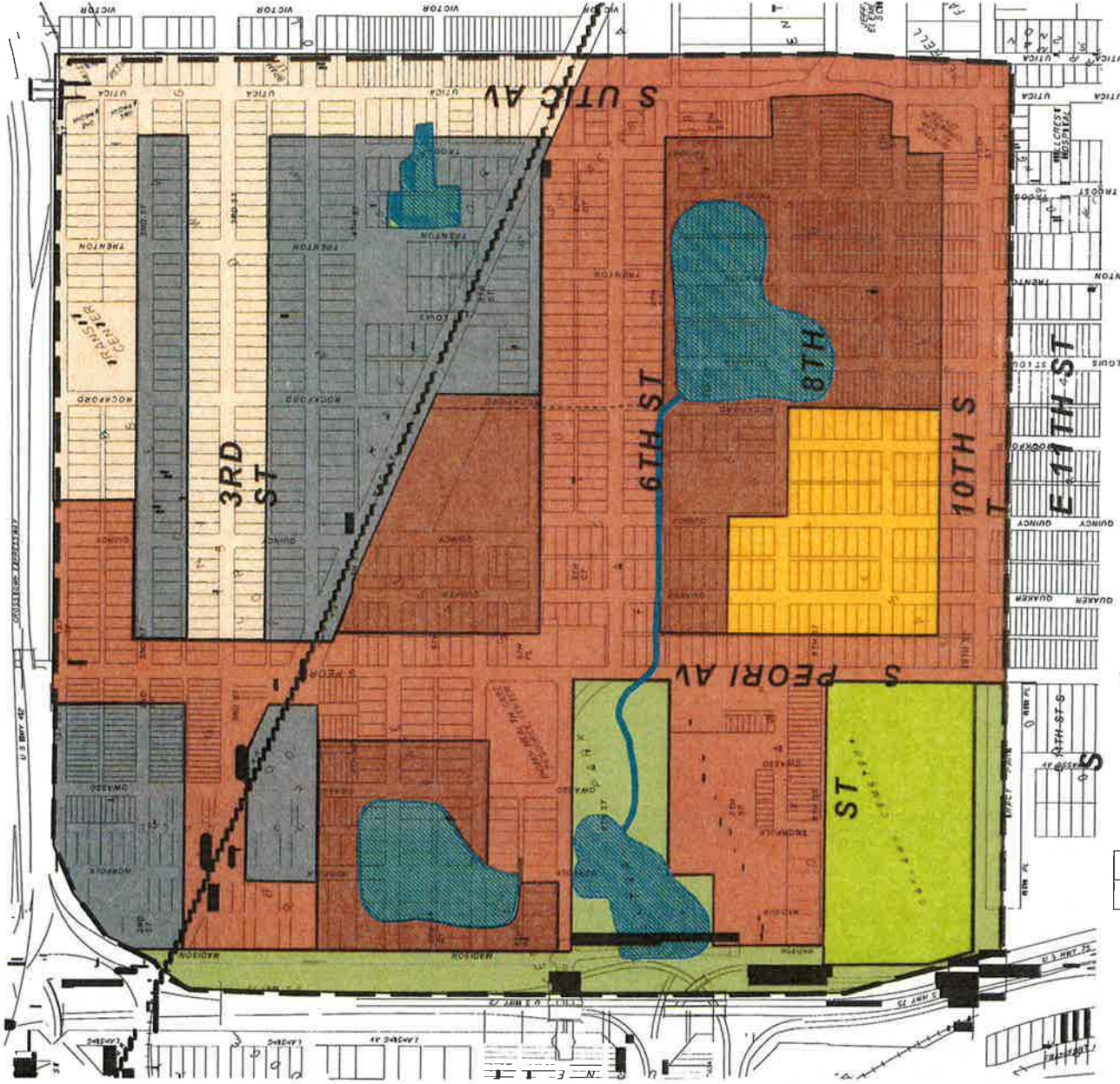
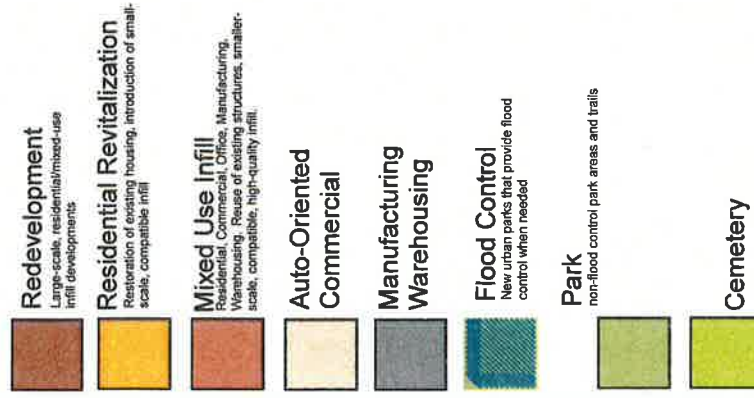
19.16

Legend:

- Redevelopment**
Large-scale, residential/mixed-use infill developments
- Residential Revitalization**
Restoration of existing housing, introduction of small-scale, compatible infill
- Mixed Use Infill**
Residential, Commercial, Office, Manufacturing, Warehousing. Reuse of existing structures, smaller-scale, compatible, high-quality infill.
- Auto-Oriented Commercial**
- Manufacturing Warehousing**
- Flood Control**
New urban parks that provide flood control when needed
- Park**
non-flood control park areas and trails
- Cemetery**



Legend:



The 6th Street Infill Plan Existing Map
(for reference)

19.18