# TMAPC September 18, 2013 The 6<sup>th</sup> Street Infill Plan Amendment Request

Item: Consider initiation of three (3) additional amendments to The 6<sup>th</sup> Street Infill Plan.

- A. Background: In response to a February 1, 2013 amendment application to the 6<sup>th</sup> 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 6<sup>th</sup> 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*  $6^{th}$  *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. 11<sup>th</sup> 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 6<sup>th</sup> 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 6<sup>th</sup> 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

The 6<sup>th</sup> Street Infill Plan Amendment Request TMAPC

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 6<sup>th</sup> 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 reevaluation 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 6<sup>th</sup> Street Infill Plan* amendment request as presented.

# **Comprehensive Plan Amendment Application**

# [ ] LAND USE MAP [ ] STABILITY/GROWTH MAP [X] PLAN POLICY (TEXT)

11-
29/3 CASE NUMBER: CPA
TRACT SIZE:
"Pearl District Boundary Map"
PROPERTY OWNER INFORMATION
NAME same as applicant, see attached "Pearl Business & Property
Owner Association" map
ADDRESS
CITY, ST, ZIP
DAYTIME PHONE
EMAIL
FAX
ORMATION ON THIS APPLICATION IS TRUE AND CORRECT.
0/20/12
1/21/1)

Registered business and property owners association

DISPOSITION			
TMAPC REC.:	COUNCIL/COMMIS	COUNCIL/COMMISSION ACTION:	
	DATE/VOTE:		
DATE/VOTE:	RESOLUTION NO.:	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:	
] WRITTEN JUSTIFICATION FOR THE AMENDME	DATE REC'D		
		* 0	
GROWTH AND STABILITY MAP AME	ENDMENTS		
	CONTRACTOR DECICALATION	PROPOSED G&S DESIGNATION	
CURRENT ZONING DESIGNATION	CURRENT G&S DESIGNATION	PRUPUSED GAS DESIGNATION	
N/A			
TUZ			

[ ] MAP IDENTIFYING THE SUBJECT AREA(S)

[ ] WRITTEN JUSTIFICATION FOR THE AMENDMENT(S)

DATE REC'D:

DATE REC'D:

COMPREHENSIVE PLAN POLICY	(TEXT) AMENDMENTS		
PLAN SECTION(S): Conclusion  [ ] DETAILED DESCRIPTION OF AMENDA	PLAN PAGE(S): <u>84</u> MENT	PARAGRAPH(S): final map	429/13
Amend the Map to provide that all of So 6 <sup>th</sup> Street, and I-244 frontage, be plar removed from the Neighborhood Comm	ned within the Highway Comm	nercial Subarea (Auto-Oriented Comi	north of East mercial) and
PLAN CHANGE: Substitute Highway ( Corridor Subarea (Mixed Use infill) as s 244 Frontage" map)  [ ] JUSTIFICATION FOR THE AMENDMEN	hown on the revised land plan m	nap. (see attached "Manufacturing Wa	Commercial arehousing I-
<ul> <li>Existing traffic counts are not approximately 15,000 vehicles approximately 32,000 vehicles approximately 32,000 vehicles of South Utica Avenue is a major of Expressway, St. John Medical grow over the next decade.</li> <li>Recent investments and planned Center (including drive-thru phadrop-off and pick-up), Rancho and Hillcrest Federal Credit Unional Hillcrest Medical Center, Indian are major stakeholders in the are No physical or ideological of restreet South to I-244 and south the City Council has earmark supposed to enhance auto trafficounter intuitive to stimulate Rest 11th Street South (Route businesses.</li> </ul>	ot appropriate for Neighborhood per day on South Utica Avenue per day in the 11 <sup>th</sup> & Utica intersestreet linking I-244 with direct acceptate, Utica Square, The University of the University of the Utica Square,	od Commercial Corridors Subarea. Thue, 17,000 vehicles per day on 11th ection. The coess to Hillcrest Medical Center, the Elersity of Tulsa and downtown. All are elated uses including Indian Health Carpediatric Dental (including handicappedit Union (including drive-thru banking facilities).  The coefficient of Individuals with Physical drives on South Utica Avenue, north ast 11th Street South (Route 66).  The area, and preserve historic Route for the commending zoning on properties with hinder Route 66 related commercial	Broken Arrow expected to are Resource ped vehicular ing facilities), al Disabilities from East 6 <sup>th</sup> expected are 66. It seems a frontage on

Consistent with most of the significant recent building activity, much of which was constructed after the adoption of

- Promotes small business.
- Supports tax base.
- Supports downtown businesses.

Supports downtown businesses.

- Decreases non-conformity.
- Brings more pedestrians to Pearl District.
- Removes existing development constraints.

## COMPREHENSIVE PLAN POLICY (TEXT) AMENDMENTS PARAGRAPH(S): add as Section 11 PLAN PAGE(S): 48 PLAN SECTION(S): 11.4.2 [ ] 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: Parking. 11.4.3. 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 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.

Page 33 - 8.5.2 of the Plan states "Parking needs should be addressed. Business (and City) should be allowed

Market demands adequate on-site parking for new business development.

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.

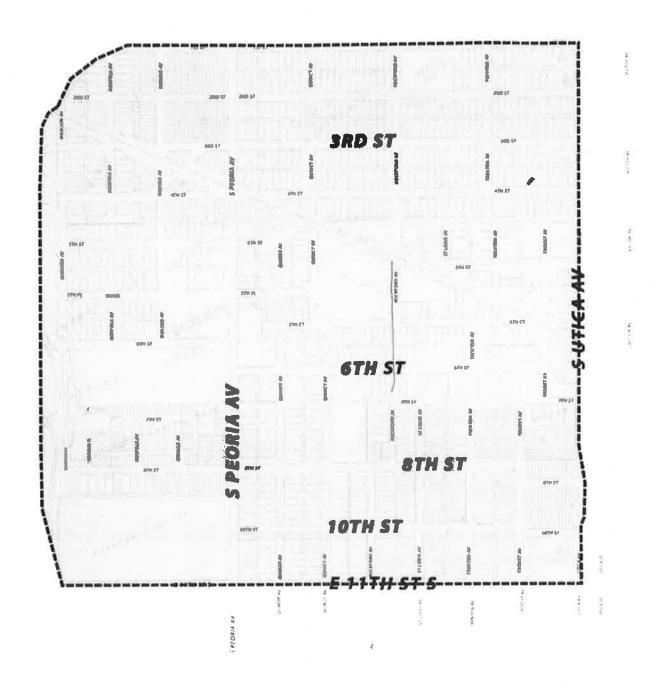
Ensures sufficient parking.

to seek expansion of parking."

# COMPREHENSIVE PLAN POLICY (TEXT) AMENDMENTS PARAGRAPH(S): final map PLAN PAGE(S): 84 PLAN SECTION(S): Conclusion [ ] DETAILED DESCRIPTION OF AMENDMENT 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 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

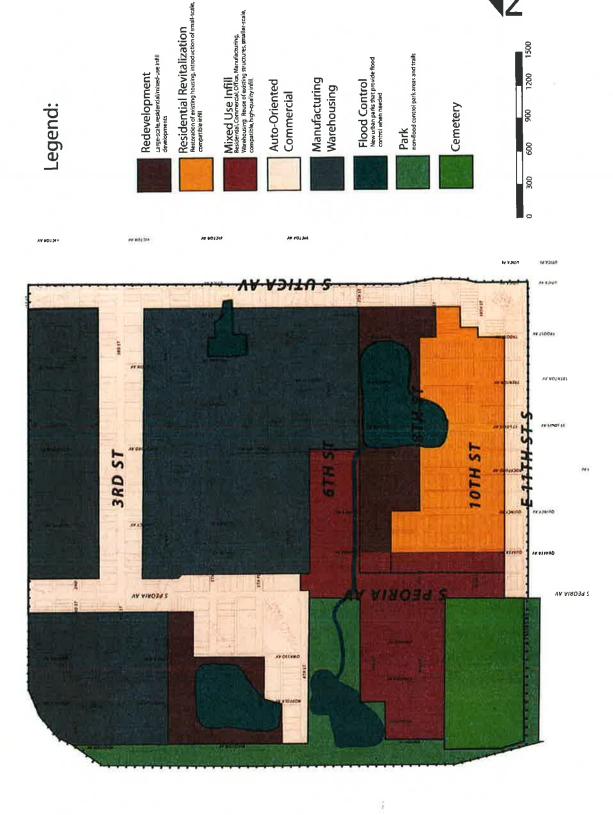
- Increases home ownership.
- New home ownership would promote small business development.
- Encourages growth within the Pearl District rather than the suburbs.
- Takes pressure off infrastructure.
- Increases quality of life.
- Compliments existing resources.
- Decreases depended on personal vehicles.

# **Pearl District Boundary Map**



19.12





## Miller, Susan

From: Sent:

Katherine Brown [runslowgirl@gmail.com] Monday, September 09, 2013 8:31 AM Miller, Susan

To:

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.

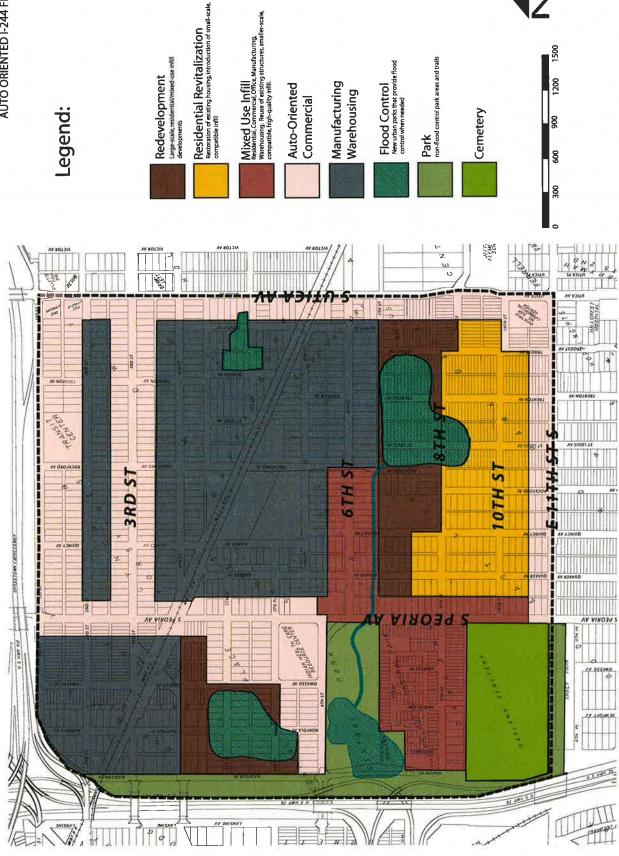
The Plan area for Residential Revitalization is too small. There is more revitalization than is called for in the redevelopment area. More traditional housing types are being discouraged, while there is too much unattainable high-density residential housing.

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.

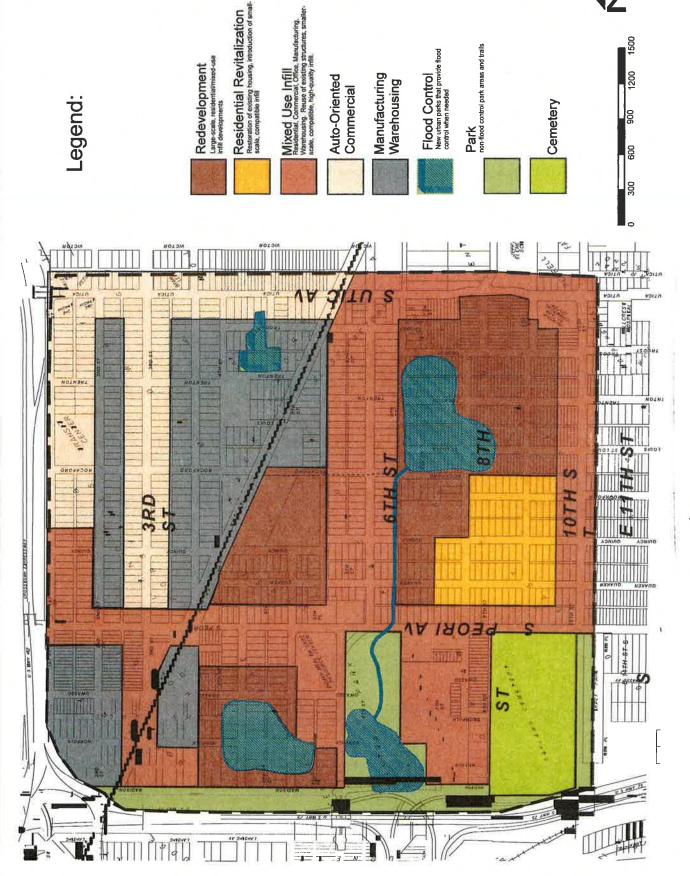
Thanks,

Susan Miller, AICP | Director, Land Development Services

19.16



Z



The 6<sup>th</sup> Street Infill Plan Existing Map (for reference)