

February 27, 2013

Tulsa Metropolitan Area
Planning Commission
c/o INCOG
Williams Tower II
2 West 2nd Street, Suite 800
Tulsa, OK 74103

Re: Form Based Code and Regulating Plan for the Pearl District

Honorable Chairman and Commissioners:

I am submitting this letter on behalf of the businesses in the Pearl District, of which many are Chamber members. As Tulsa's premier business organization, the Tulsa Regional Chamber represents over 3,100 businesses throughout the Tulsa region, and works to promote a climate at the local, state, and federal level which is conducive to growth and economic opportunity for area residents and businesses. As an organization, we are committed to seeing Tulsa move forward through the revitalization of our urban core as well as through the continued development of our region as a whole.

The purpose of this letter is to voice our support for re-evaluating and amending the Form Based Code (FBC). Over the past year, at the request of our members, we have been present at numerous public hearings and meetings relating to the proposed Regulating Plan for the Pearl District and the continued implementation of the FBC. At each of these meetings, the businesses of the Pearl District have voiced their concern over the impact of the overly-prescriptive nature of the FBC, the lack of input gathered from the business community when the 6th Street Infill Plan and subsequent code were developed, and the implications these regulations will have on current operations and expansion plans. Many of these businesses have been operating in the Pearl District for decades, and they all play an instrumental role and have a vested interest in continuing the revitalization of this area.

Based upon our participation in these meetings and a review of the 6th Street Infill Plan, Form Based Code, and the various proposed Regulating Plans for the Pearl District, we encourage the Planning Commission, INCOG staff, and City of Tulsa staff to evaluate and amend the following portions of the FBC.

1. **Building height requirements** – *Chapter 4, Section 407.B, Urban general building form standards, Building Height, specifies that property designated by this frontage type shall be at least 2 stories in height.*

While the purpose of this height requirement is to encourage increased density and provide enhanced urban living options, it is our opinion that the minimum height requirement – spread across such a broad area – is detrimental to business growth and development and, in many areas in the Pearl District, is counter to the current urban vernacular; in fact, this requirement alone would place countless properties in non-conformance. We believe that the goals of redevelopment and revitalization can be accomplished in the Pearl District without this minimum height requirement, and that opportunities should be explored to incentivize rather than require building up.

2. **Maximum floor plate allowance** – *Chapter 4, Section 407.B, Urban general building form standards, Frontage Widths, specifies that no building may exceed 120 feet of continuous building frontage.*

As it stands, the FBC would prohibit one of the Pearl District’s most valuable resources, the Indian Health Care Resource Center, from expanding as planned. By limiting the maximum floor plate allowance to 15,000 square feet, the FBC would prohibit the Resource Center from creating a cohesive campus that meets the needs of their users. Efforts should be made to find a solution which would allow the Resource Center and similar developments to be built without relying upon significant variances from the code.

3. **Parking** – *Chapter 6, Parking Standards, outlines parking regulations which permit developments to provide no parking and prohibit parking lots as principal uses.*

As identified in the 6th Street Infill Plan, “many retail buildings [in the plan area] are not viable because they lack sufficient parking” (page 48, item 11.4.2.5). However, Chapter 6 of the FBC only perpetuates this problem by allowing properties to develop without the provision of parking and by limiting options for surface parking. While achieving an area where residents and visitors primarily utilize public transportation is a worthy long-term goal, it is undeniable that such behavioral changes will take time, and that, in the meantime, visitors to the Pearl District will undoubtedly be traveling by automobile. As such, we would suggest providing opportunities within the code which will provide viable parking solutions until such time as public transit is more widely utilized or public parking facilities are able to be constructed.

These three areas are by no means an exhaustive list of the issues we see with the current FBC, but represent what we believe to be the largest barriers to business development in the Pearl District. In general, we feel a re-examination of the FBC provides an opportunity to evaluate if there are opportunities to accomplish the goals of the FBC – revitalizing the Pearl District by creating areas which are pedestrian friendly and encourage more urbanized living – through a code which is less prescriptive and far shorter in length.

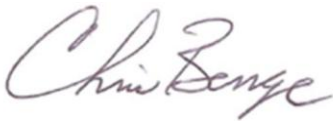


TULSA REGIONAL CHAMBER

In addition to speaking to needed amendments to the FBC, we would also request that the Planning Commission consider the proposed amendment to the 6th Street Infill Plan. As it stands, the Plan contains a variety of mapping errors which have complicated the implementation of a regulating plan for the area and provide uncertainty to businesses on the edges of the Plan as to how the Plan will be interpreted. At a minimum, these mapping errors must be corrected. On a larger scale, consideration should be given to needed changes to subarea designations in the Plan. In particular, we believe proposals to re-designate industrial properties so they fall within the manufacturing warehousing subarea, and to re-designate the south portion of Utica Avenue as auto-oriented commercial, merit review by the Commission and staff.

We thank you for your time and look forward to participating in continued discussions regarding the Pearl District and the Form Based Code. We strongly believe that the businesses of the Pearl District are committed to maintaining the economic vitality of the area and to developing a plan which will lead to yet another vibrant downtown neighborhood.

Sincerely,



Chris Bengel

Senior Vice President of Government Affairs
Tulsa Regional Chamber

Attachment: Tulsa Regional Chamber Members in the Pearl District

Tulsa Regional Chamber Members – Pearl District

Cowen Construction

Hesselbein Tire

Hillcrest Federal Credit Union

Hillcrest Healthcare System

Indian Health Care Resource Center

Mac's Electric Supply

Mapleview Associates, Inc.

McNally Printing

Midwest Marble

Nameplates, Inc.

O'Brien Auto Performance

Oklahoma Central Credit Union

Pediatric Dental Group

QuikTrip Corp.

The Center for Individuals with Physical Challenges