



Carson -Wilson -Rigney -Forrester - Shoemaker
American Legion Post 1
"The Oldest Post in America"

Rick Alfaro
Commander

February 27, 2013

James D. Baker
1st Vice Commander

Tulsa Metropolitan Area Planning Commission
Two West 2nd Street, Suite 800
Tulsa, OK 74103-4236

Pat McCaffrey
2nd Vice Commander

Re: Pearl District Business & Property Owners Association; Pearl District Form Based Code plan

Curtis Hughes
3rd Vice Commander

Dear Commissioners:

John Ward
Adjutant

I am writing as Judge Advocate of American Legion, Carson-Wilson-Rigney-Forrester-Shoemaker, Post 1 ("American Legion Post 1"), located at 1120 East 8th Street here in Tulsa. Many of you will recall that the American Legion was and is in the "pilot area" for the Pearl District rezoning effort.

Laurie Nidiffer
Finance Officer

Bill Leach
Sergeant-at-Arms

Chartered by Congress in 1919, The American Legion is a nonprofit, community service veterans' organization with nearly three million members worldwide from veterans of any conflict from World War I to the present. Tulsa's Post 1 is the oldest American Legion Post in America and has roughly 1,600 members, including our Tulsa units of the Sons of the American Legion and the American Legion Auxiliary

Bill Story
Chaplain

Executive Board

From the beginning of the Pearl District zoning discussions, we questioned why our Post property, which has been in place and in use for more than three generations, was being included in the proposed zoning area.

Ralph Brown
Gordon Folsom
Vanessa Shackelford
Christian Bauman
Jim Wills
John Irby
Jim Erb
Laurie Nidiffer

As we explained in public information meetings, meetings of your Commission and meetings of the Tulsa City Council, American Legion Post 1 is a unique property with one unique, important and unchanging mission, to serve American war veterans and their families.

Our property has been built and updated over the decades to facilitate and support our mission. Our building is a large, one-story structure. Many of our veteran members and their families are slightly or greatly disabled and would not be well served by the type of multiple story facility required by the Pearl District FBC. We have and utilize a very large parking lot to

1120 East Eight Street, Tulsa, Oklahoma 74120
Office: 918-584-4274 or 918-584-4275 FAX: 918-584-4423
Lobby: 918-584-8112 Club Room 918-587-3938 tulsapost1@sbcglobal.net www.tulsapost1.com

February 27, 2013

Page 2

accommodate our veteran members from throughout the Tulsa area and Legion visitors from across the state of Oklahoma. Our members and guests depend on ample parking and easy building access.

While the current Pearl District FBC requires new structures which are no doubt lovely and “pedestrian friendly”, they are neither friendly nor suitable for the mission and use of American Legion Post 1. That is why we early and consistently asked for our property to be excluded from the Pearl District Form Based zoning plan and area.

When it became clear that American Legion Post 1 and its neighbors, The American Lung Association, the original Family & Childrens Services building and the Oak Lawn Cemetery would not be “carved out” of the Pearl District pilot area, we shifted our efforts to seeking a provision in the code that would not require compliance with the new FBC in the event of rebuilding due to a casualty loss. While we are grateful for those changes to the code, we still believe we are incorrectly and inappropriately included in the Pearl District FBC.

We have joined the Pearl District Business & Property Owners Association because we found that our concerns about the FBC and its proposed use throughout a large area of the historic Pearl District were and are shared by scores of other business and property owners in the area sought to be included in the Pearl District zoning plan.

We are convinced that the FBC is far too restrictive and, for American Legion Post 1, is unnecessary, inappropriate and damaging to our decades-long service to veterans and their families. While we understand the Pearl District zoning process has been on-going for more than ten (10) years, we suggest that a major reason for the delay and a major part of the problem is that the code is flawed and in many instances unnecessary.

We respectfully ask this Commission to 1) allow American Legion Post 1 and businesses in existing FBC Pilot area option to zone themselves out; 2) deny FBC (42b) expansion, 3) rewrite the FBC as a sustainable code, similar to a Chicago-style code; and 4) amend the Comprehensive Plan.

American Legion Post 1 would very much like to stop expending time and resources in fighting this form based code and concentrate its efforts on serving veterans and their families. We hope the Commission understands and agrees.

If you or your staff, have questions about American Legion Post 1’s positions in this matter, please contact the undersigned at (918) 591-5316, (918) 694-9316 or sddodd@dnda.com.

Sincerely,


Doug Dodd
Judge Advocate

February 26, 2013

To: Tulsa Metro Area Planning Commission
Two West 2nd Street, Suite 800
Tulsa, OK 74103-4236

From: Calvin Vogt

Subject: Pearl District Form Based Code

I have been a long time property owner in this area and am concerned by the changes and restrictions that the expanded Form Based Code would force upon the property owners in this district.

I have owned property on 2nd and 3rd Street just West of Peoria for over 40 years. I purchased a company called Southern Specialties and the building they occupied on the Southwest corner of Peoria and 2nd street in 1970. Over the next 20 years I acquired additional adjoining properties to the West and several on 3rd street backing up to the 2nd Street property. These lots contained dilapidated houses which I removed. In 2005 I sold the property on 2nd Street and the building now houses the Teletul Canal 51 TV station. I continue to own the 4 lots on 3rd Street. I am also one of the owners of the Skinner Brothers company and its property on 5th Place.

I was not that aware of the extent of the restrictions and limitations that the Formed Based Code would impose on current property owners in that area until I attended the three workshops conducted by TMAPC. I am grateful that we property owners were advised by mail of their planned schedule. In the process I was able to become acquainted with others and learn more of the specifics and details of the Form Based Code. I feel it is much to micro detailed and in complete opposition to many longtime business and property owners in the area that have contributed to continual improvements that would now be hindered by the restrictions imposed.

This area is made up of many small business and property owners. It is only thru these joint work sessions that we could share our concerns and make our voices heard. I would appreciate your listening to us as a group instead of trying to just pacify a few.

Sincerely,

Calvin Vogt
President/Owner Southern Properties LTD

17.10

**CEDAR CANYON RANCH, L.L.C.
1630 S. BOSTON AVENUE
TULSA, OKLAHOMA 74119**

February 15, 2013

Tulsa Metro Area Planning Commission
Two West 2nd Street, Suite 800
Tulsa, OK 74103-4236
Attn: Josh Walker, Chairman

Re: Pearl Form Base Code/Comprehensive Plan

Dear Mr. Walker:

Cedar Canyon Ranch, L.L.C. is a member of the Pearl District Business & Property Owners Association. Cedar Canyon Ranch joined the Pearl District Business & Property Owners Association after finding difficulty being heard as an individual property owner. Over the last several months, we have organized and capitalized our association, posted our website, studied the Form Base Code and worked intimately with our membership to understand each other's needs and determine what is best for our plan area. However rewarding it is to be a part of the organization, the time and resources spent due to the constant resistant of the planning staff, has distracted me from my primary business and gone on far too long.

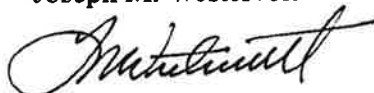
In order to allow our organization the opportunity to move our plan area forward and to allow all of its members to have sufficient time to focus on their businesses, please deny FBC (Title 42B) expansion and direct staff to work with the stakeholders to rewrite the FBC (similar to the Chicago style code).

Additionally, support the businesses in the existing FBC Pilot area, with the option to zone their properties out of the FBC Pilot area with individual zoning applications.

Last but not least, please set a date for a public hearing to hear and recommend for approval, our comprehensive plan amendment as submitted.

Sincerely,

Joseph M. Westervelt



Managing Member
Cedar Canyon Ranch, L.L.C.

hillcrest HealthCare System

February 20, 2013

Tulsa Metro Area Planning Commission
Two West 2nd Street, Suite 800
Tulsa, OK 74103-4236

Commissioners;

Hillcrest Medical Center (HMC) has been serving our community for 95 years. What began as a four-room hospital to care for patients of the 1918 influenza epidemic has grown into one of the region's largest and most respected healthcare organizations.

Nearly 3,000 employees work on the HMC Campus, located at 1120 South Utica. In 2011, we provided inpatient care for over 24,000 patients, welcomed 3,600 newborns, treated nearly 50,000 patients in our emergency room and paid more than \$10M in sales and property taxes.

We are proud to be a part of midtown Tulsa. From relationships with our local neighborhood associations and businesses to the investment of the Utica Midtown North small area plan, we are actively engaged in creating a successful and vibrant community for the residents and businesses that call it home.

Hillcrest joined the Pearl Business Association to unify with other businesses in the area who share our concerns regarding the Pearl District Form Based Code.

Our initial concern was in regards to the form based code being applied to the south side of 11th Street, South Utica Avenue and South Peoria Avenue. The Pearl District Form Based Code being applied to these areas could affect our ability to develop the Hillcrest campus while hampering heavy traffic in the area – specifically medical response vehicles traveling from I-244 to both Hillcrest Medical Center and St. John Hospital.

We want to be part of a good plan for the betterment of our community as a whole. We ask that you deny expansion of this Form Based Code (42b). We ask that you review and amend the Comprehensive Plan as proposed by our organization. And, we ask you consider writing a more sustainable code that will serve the area well for many years to come.

We hope to see the Pearl District develop into a safe and highly sought after neighborhood recognized for diverse and thriving businesses and attractive housing for all income levels. This will not be possible without businesses owners and investors choosing the Pearl District for their projects. As the code is written today, we believe it will deter developers from choosing the area. If you have any doubt that the code will be viewed as a deterrent to development, please consider the 40 successful businesses represented by the Pearl Business Association. We represent national corporations, family-owned businesses, non-profit organizations, health systems, retail establishments and investors who do not support the current Pearl District Form Based Code and believe it will have negative effects on growth in the area.

Sincerely,



Kevin Gross, Chief Executive Officer
Hillcrest HealthCare System

February 25, 2013

Tulsa Metropolitan Area Planning Commission
Two West 2nd Street, Suite 800
Tulsa, Oklahoma 74103-4236

Dear Commissioners:

Indian Health Care Resource Center of Tulsa, Inc., (IHCRC), is a 501(c)(3) nonprofit, comprehensive health care facility, governed by a local volunteer Board of Trustees. IHCRC has been committed to improving the health status of Indian people living in the Tulsa metro area since 1976. Our urban Indian clinic provides medical, dental, optometry, pharmacy, mental health, and substance abuse treatment. Members of any federally recognized tribe and their children under the age of 18 are eligible to receive care. With a staff of more than 135 employees, IHCRC serves over 10,000 patients per month from over 160 federally recognized Indian tribes and nations.

When IHCRC purchased the old Longfellow School property for our original 27,000 SF building at our current location, we were told by many that we were "not welcome in the Pearl District." Fourteen years, over \$12 million invested, and a recent 25,000 SF expansion, there is no denying that IHCRC has been a catalyst for development of and a cornerstone in the Pearl District.

IHCRC joined the Pearl District Business and Property Owners Association (the "Association" (www.pearlbusinessassociation.com)) when it became apparent our single voice, and those of our neighbors, was not being heard. We have done as you have asked by becoming organized and educated. We have studied the form-based code in depth, discussed with our architect and firmly believe that this code would be detrimental, not just to us, but to the majority of the business and property owners in the Pearl District. We and others in our organization have spent countless hours and dollars researching, speaking, attending meetings, and making known our concerns. It is time for you to let all of us to get back to business.

In the last five (5) years, in addition to IHCRC, there have been significant investments in this area, by large and small enterprises alike, such as QuikTrip, the Pearl Dental Clinic, Oklahoma Central Credit Union, the Center for Individuals with Physical Disabilities, and El Ranch Grande, that would not be permitted by the FBC.

Additionally, those that share a very extreme view of our neighborhood have even gone so far as to base their opposition to our development and many of the other projects based on The 6th Street Infill Plan. Clearly, if the 6th Street Plan can be used to oppose developments such as ours, QuikTrip, the Pearl Dental Clinic and the like, the 6th Street Plan does not need to be tweaked, as some suggest; it needs to be amended!

We are asking you to:

1. Deny the Form Based Code (42b) expansion

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Sac and Fox)

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Goldie Phillips
(Comanche)


Bobby Jones
(Cherokee)

David D. Moon, D.O.
(Chectaw)


2. Rewrite the Form Based Code as a sustainable, more simplistic code, similar to a Chicago-style code
3. Allow IHCRC and other businesses in the existing FBC Pilot to zone out of FBC
4. Amend the Comprehensive Plan as requested by the members of the Association.

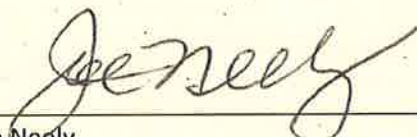
Please let me know if I may provide additional information or if you would like to tour our facility so you may see first-hand what IHCRC has done and is doing for the Pearl District. I can be reached at cskeeter@ihcrc.org or 918-382-1201.

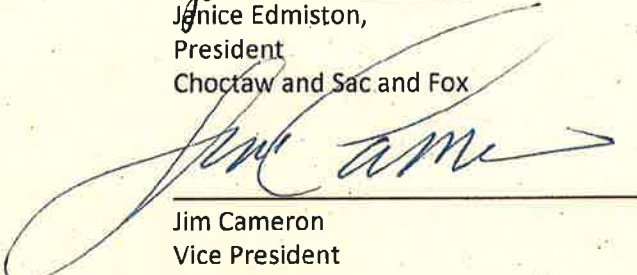
Best regards,

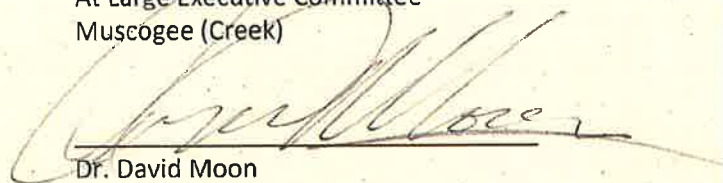

 Carmelita Skeeter
 Chief Executive Officer
 Citizen Nation Potawatomi

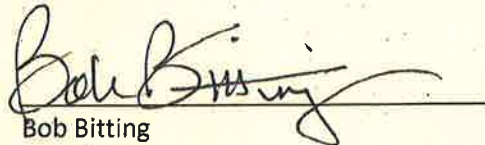
Board of Trustees



 Janice Edmiston,
 President
 Choctaw and Sac and Fox

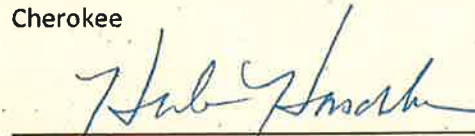

 Joe Neely
 At Large Executive Committee
 Muscogee (Creek)

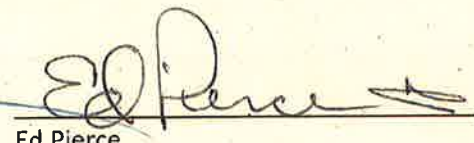

 Jim Cameron
 Vice President
 Cherokee

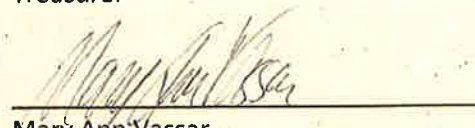

 Dr. David Moon
 Choctaw

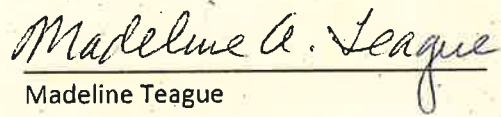

 Bob Bitting
 Secretary
 Cherokee


 Goldie Phillips
 Comanche


 Herb Haschke
 Treasurer


 Ed Pierce
 Citizens Nation Potawatomi


 Mary Ann Vassar
 Cherokee


 Madeline Teague
 Cherokee

02/19/13

Tulsa Metro Area Planning Commission
Two West 2nd Street, Suite 800
Tulsa, OK 74103-4236

Dear TMAPC members,

I am the owner of Johnson Body Shop located at 1701 East 7th St. My business was started in 1958 by my great uncle, Bud Johnson, a child of the great depression and a young man who looked at Tulsa as a place to start a business, earn a living, and make a better life for his family. His decades of hard work and perseverance made him a true American success story.

With our more than fifty years of operation along the 6th street corridor between Lewis and Utica we have seen the good times, the bad times, and what appears to be the rebirth of the area. Different plans have had our business included in the Pearl District and others have not. However, regardless of our inclusion in the district, the success or failure of the Pearl will likely have a significant impact upon us.

I was contacted approximately 6 months ago by Brooke Hamilton, a local business owner, who invited me to attend a meeting of a newly formed organization the "Pearl District Business & Property Owners Association" (www.pearlbusinessassociation.com). Upon meeting and discussing with my neighbors it seemed apparent that while the existing 6th Street Infill Plan had appealing features to residents, it could potentially put rather strict controls on industrial areas which are the heart of a live here, work here, play here area.

Its my opinion that the core of the issues with the Pearl District lye within the 6th Street Infill Plan. The Pearl District Business & Property Owners Association have proposed some amendments to the plan that will ease the impact on industrial areas, and help transition from the the climate of today to a high density area in the future, where that may apply.

"If you don't have time to do it right, when will you have time to do it again?" That is an expression I have always taken to heart. I think its very applicable to the Pearl District today. Lets fix the plan and help ensure our future.

Regards,



Jason Wall

Johnson Body Shop

1701 East 7th St

Tulsa OK, 74104

Max Tankersley

1312 East 26th Street
Tulsa OK 74114

February 12, 2013

Tulsa Metro Area Planning Commission
Two West 2nd Street, Suite 800
Tulsa, OK 74103-4236

To whom it may concern:

For many years, I have been an active Real Estate Broker, Appraiser and Investor within the Pearl District. I am a member of the American Legion and VFW, which have a combined membership of approximately 1,600 veterans. Memberships of both organizations were opposed to and requested exclusion from the Form-Based Code (FBC) Pilot Area.

In the fall of 2012, the TMAPC VOTED AGAINST adoption of the FBC; many of us thought the matter had ended. Fortunately, some of the property and business owners anticipated further action by FBC proponents. As a result the Pearl District Business & Property Owners Association (PDB&POA) formed. I became a member of the newly formed association to assure the Pearl District has a more inclusive and less restrictive development strategy.

I am active in the PDB&POA and supportive of most of their concerns. Personally, I prefer abandonment of the proposed FBC. I deem the plan overreaching, not clearly defined and too complex to administer. Use of existing zoning and a friendlier redevelopment policy is more realistic for the Pearl District. Adoption of the 6th Street Infill Plan" and amending the "Comprehensive Plan," would encourage new construction and further redevelopment.

Redevelopment continues in spite of, and in some cases because of, the proposed FBC. I learned in a recent meeting with an officer of the Central Credit Union, located at 515 South Peoria, the fact they expedited construction of additional drive up banking lanes in fear of adoption of the proposed FBC. The proposed zoning change would have expressly prevented the Credit Union from adding new lanes using the design of their choice.

The more I learn about the proposed FBC the greater my opposition becomes. At the last public meeting, those present reviewed a list of over 40 concerns identified by the PDB&POA and other interested parties. If you think about it, that many concerns alone provide a strong argument for rejecting this flawed and unworkable plan.

I believe damage has occurred to the American Legion and VFW by adoption of the Pilot Area FBC. Damage has also occurred to the Indian Health Care Resource Center (which treats 10,000 patients per month). They have invested 12 million dollars in their facility with plans to double their footprint. Expansion plans are in jeopardy without reversal of the FBC zoning.

For many members of the PDB&POA the opportunity cost to continue opposing the proponents for adoption of the FBC has become a burden. I respectfully ask the TMAPC for a vote to DENY adoption of the Formed Based Code.


Max Tankersley



PRINTING + PRODUCT IDENTIFICATION

1.800.858.2651 • 918.584.2651 • Fax 918.582.0086
325 S Quincy, Tulsa OK 74120 • www.nameplatesusa.com

February 27, 2013

**Tulsa Metropolitan Area Planning Commission
Two West 2nd ST., Suite 800
Tulsa, OK 74103-4236**

To All who is Concerned,

I am the president of Nameplates, Inc. a third generation woman owned company located at 325 South Quincy. My grandmother Marjorie B. Conley started Nameplates Inc. in 1973, our company is celebrating its 40-year anniversary in 2013, for which I am extremely proud. We manufacture industrial nameplates and decals for Aerospace, transportation, oil and gas, and OEM manufacturers. Quincy Square LLC owns the 12 parcels of property/ buildings we occupy in the Pearl. As Nameplates Inc. has continued to grow throughout the years we add a building, then another and then another. The acquisition of the next building/property becomes more and more important as we continue to expand.

My mother and I were informed about 18 months ago that the rules were about to change regarding zoning in our area. She and I were surprised to hear the negative affects this would place upon our multigenerational thriving business. In 2010, we attended a Pearl Association meeting and were told we did not need to be there because this did not affect our business by a member of INCOG staff. It has always been my intention to see our business continue to grow in the pearl for another 40 years. This is why the Pearl Business and Property Owners Association was formed.

This association was formed to "encourage housing of various sizes, styles, and affordability, while creating new business opportunities and preserving established business, industry and trades in the area; and to further protect the investments made by property owners and businesses in our district." It is important that the existing businesses in the area are able to continue to grow as they have done in the past. Which means adding to their buildings when one comes available or building an appropriate structure for the use. It is important for everyone in our area to be a part of a good plan, not just cut of a bad one. The FBC needs to be simplified, it is far too restrictive.

Please take a moment to look at our website www.pearlbusinessassociation.com. Each of our members has issues with the current FBC before you. It is most disturbing that with over 900 jobs represented and over 90 million dollars of tax revenue the members of the association are not being taken seriously. Over the past 18 months, my mother and I have attended a majority of the TMAPC meetings. We have witnessed TMAPC pass various requests with approval or disapproval. In any other instance, such backlash of bad policy would not have been allowed to move forward with this much resistance from the stakeholders in the area.



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1.800.858.2651 • 918.584.2651 • Fax 918.582.0086
325 S Quincy, Tulsa OK 74120 • www.nameplatesusa.com

**Please let us be a part of a good plan and be included in the creation of that plan. Please help us.
PLEASE:**

- 1. Deny the FBC (42b) expansion.**
- 2. Allow business in the existing FBC Pilot area the option of zoning themselves out.**
- 3. Amend the Comprehensive plan.**
- 4. Rewrite the FBC as a sustainable code.**

Sincerely

**Brooke Hamilton
Nameplates, Inc.**

**Claudia Hamilton
Nameplates Inc. / Quincy Square LLC**

Tulsa Metro Area Planning Commission
Two West 2nd Street, Suite 800
Tulsa, OK 74103-4236

To Whom It May Concern,

Oklahoma Central Credit Union joined the Pearl District Business and Property Owner's Association in an effort to continue doing business now and into the future at our current branch located at 515 S. Peoria Ave Tulsa, OK. Our credit union charter was awarded in 1941 to serve consumers in need of a fair loan or deposit rate. Today we strive to do the same at any of our 10 locations across the Metro area. Our branch at 5th & Peoria has served those living and working in and around the neighborhood for over 30 years and continues to be one of the most active branches for the credit union.

Recently, we began expanding our drive-up lanes from two to four and we will be adding a drive-up ATM. The remodel was much needed because of the increased traffic of our membership wanting to do business at the branch. This branch is primarily used by members whom work for companies affiliated with the credit union located nearby, downtown and North of the branch. None of the members working for these companies could do business with Oklahoma Central Credit Union without the ability to drive to the branch and park close by or utilize the Drive-up convenience lanes. Oklahoma Central Credit Union is not in favor of the vast restrictions of Form Based Code. If the need arises to expand the branch or remodel it in the future, the requirements to abide by the new code will cost the credit union and its 33,000 members money and the convenience of doing business at the branch located at 515 S. Peoria Ave.

We are asking you to deny the FBC (42b) expansion and rewrite the FBC as a sustainable code. In addition we ask that you amend the Comprehensive Plan.

Thank you,



Steve McNabb
SVP/ Chief Business Development Officer
Oklahoma Central Credit Union

Charles R. Keithline, DDS

Feb. 19, 2013

Tulsa Metro Area Planning Commission
Two West 2nd Street, Suite 800
Tulsa, OK 74103-4236

Dear Sirs,

Over the last 18 months, I've spent many hours learning about Form Based Zoning, the 6th Street Infill Plan and the Pearl District. My wife, Nancy has attended many, many TMAPC hearings and testified at several on our behalf.

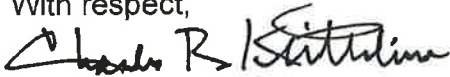
I have spoken with many other business owners in the area who are concerned about the effect of the proposed zoning change on our area and specifically on our businesses. As individuals we feel discounted and have had our concerns minimized. As a result, we formed the Pearl District Business and Property Owners Association in an effort to make our collective voices heard.

I'm writing to urge you to consider the following:

- Amend the Comprehensive Plan
- Please deny FBC (42b) expansion
- Rewrite the FBC as a sustainable code, less prescriptive, perhaps similar to that adopted by the City of Chicago
- Allow businesses in the FBC "pilot area" an option out of the current FBC if they so desire.

This issue has taken up a great deal of time away from our business. I am hopeful a resolution is possible so we can all return to concentrating on growing our businesses, not protecting them.

With respect,



Charles R. Keithline, DDS
Pediatric Dental Group, LLC,
Pearl District Dentistry,
Utica Imaging, LLC,
Keithline Holding, LLC



17.20



February 27, 2013

Tulsa Metro Area Planning Commission
Two West 2nd Street, Suite 800
Tulsa, OK 74103-4236

RE: Comments on the Pearl District Form Based Code

Dear TMAPC Members,

QuikTrip store #90 has been a constant in the neighborhood now dubbed the "Pearl District" since late 1981 being situated on the northwest corner of 11th and Utica the entire 31+ year period. Our desire to ensure our facilities continually look new and fresh has not only resulted in countless remodels during this time period but also includes two complete scrape and rebuilds. We believe this proves our investment in the neighborhood and sends the very clear message that we want to be here.

QuikTrip is proud to be a member of the Pearl District Business Owners Association and applauds the effort of this group in working with City Staff to bring forth concerns and solutions to the proposed Form Based Code expansion. To this end we urge you to give serious consideration to those recommendations presented by the Association and deny the FBC (42b) expansion, replacing it with a much simpler, sustainable code similar to a Chicago style code.

We appreciate the countless hours spent by City Staff and the Planning Commission in listening to our ideas, tweaking the plan and looking for the best solution for all parties affected. It cannot be said that you have not given great effort to the cause.

Sincerely,

A handwritten signature in black ink that reads "Pam Friggel".

Pam Friggel
Real Estate Manager

Runamuk Land Company

February 22, 2013

Tulsa Metro Area Planning Commission
Two West 2nd Street, Suite 800
Tulsa, OK 74103-4236

To Whom It May Concern:

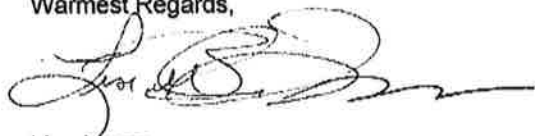
This letter is in regards to the expansion of the FBC in the Pearl District. Our property is located in the Pearl District at 1650 East 8th Street, Tulsa Oklahoma and we are excited about establishing a new business in the neighborhood. As all members of the Pearl District Business and Property Owners Association, we are also eager to see this neighborhood transform into a vital business and residential area. Perhaps all of us can agree on the desired future state of a revitalized Pearl District, however, the consequences of the restrictive nature of the present FBC will result in a lack of investment in the neighborhood, continuing its decline.

As a founding member of the Pearl District Business and Property Owners Association, I shared concerns that other members of the business community had about the FBC. Primarily, there was no fact based or data based knowledge of the impact on our businesses and there was a general disregard for our concerns. The pilot project, noted as a measure of success for this effort, was absent of any sampling of the industries in the neighborhood and therefore lacked any educated understanding of the true business an financial impacts on these organizations.

Our vision is a revitalized Pearl District. Our theory is that creating an environment for investment is critical to the sustained success of these efforts. With this in mind, we request that you deny FBC (42b) expansion, that you rewrite the FBC as sustainable code, similar to the Chicago-style code, that you allow businesses in existing FBC Pilot area the option to zone themselves out of the plan and finally, and equally important we ask that you amend the Comprehensive Plan.

Please reference our website at www.pearlbusinessassociation.com for a better understanding of our community and our vision for the Pearl District.

Warmest Regards,



Lise Inman
Runamuk Land Company

Holliman, Langholz & Runnels, P.C.

Attorneys

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February 11, 2013

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TMAPC and INCOG Staff

Re: **Pearl District Information Gathering Sessions**

This letter is written on behalf of the citizens of Tulsa, the owners and occupants of the Pearl District, and, in particular, Skinner Bros Company, Inc. (5th Place and Quaker) to state the most obvious absolutely ***fatal feature of the entire Form Based Code***, as it is presently drafted and adopted for our municipally owned cemetery and nearby victims.

In its most essential feature, the entire FBC is simply a Macro Development plan as might be required of a developer following a rezoning approval—as a condition to the approval of the resulting Plat. In the latter case, the owner/developer of a tract of land puts forth **his plan for the use of his property** and those who chose to buy/lease/build on that tract. The Plan will reflect **those elements deemed suitable, necessary, attractive, economic, etc. for his particular use**. Of course, it will be vetted and probably modified by the Staff before it is approved as the final program, but it all starts with **what fits the Owner's intended use**.

The fatal defect of the FBC is that it presumes to know and legislate a uniformity of design, appearance, placement, and many, many other facets of ownership, use, construction, etc. to be adhered to by all within the areal extent of the Code's blanket.

That Macro plan ignores the individuality of different owners' needs and desires for their properties, economics, existing uses and future intentions, desiring to force massive areas of "legal non-conforming uses" into a community more appropriate for densely populated cities that enjoy mass transit and, to some extent, a car-less society. Even then, the ridiculous degree of uniformity in size of floor plate, height of construction, specification of construction materials, absence of parking provision, etc., etc. would condemn this FBC even in the most suitable areas for this kind of lifestyle in Boston or New York.

In short, it is not a question of "to what portions of Tulsa should this Code be made applicable?" but rather, "How can we create a plan that is suitable to consider at all?" If the debate is solely "Where do we **impose the Macro plan and ignore the wishes of the property owners** for the use of their property?" we are wasting our time and resources.

The presently proposed plan should be scrapped, or, at the most, made applicable only to those portions of the City of Tulsa lying between 6th Street and 8th Street, Peoria and the IDL. All other areas should be removed and allowed to develop as their owners see fit.

The alternative is to start over and develop a Code provision for application to a few small areas of town where it fits with the historic uses and existing building stock—and then only make it binding **when/as/and if approved by the owners proposed to be burdened by the new rules in a vote by them after full disclosure of all the benefits and costs**.

Yours very truly,

Holliman, Langholz & Runnels, P.C.

By



Gail R. Runnels

17.23



"Making Friends Through Service"

SHERRELL PAINT & BODY

537 South Peoria
Tulsa, Oklahoma 74120
Phone: 918-582-3763
Fax: 918-582-4428

February 18, 2013

Tulsa Metro Area Planning Commission
Two West 2nd Street, Suite 800
Tulsa, Ok 74103-4236

I joined this association, because I am very concerned about the area we are located in called, Pearl District.

Our business is a family owned and operated auto body repair shop. My father & mother started this shop in 1959 together they ran and operated this shop in this area.

They stayed in this same area through good times and bad, the good times were in the 60's & early 70's when the corner of 6th & Peoria was a busy corner where almost everybody had to drive past our shop to go down town to go shopping. So we were seen and were happy and very busy.

The mid to late 70's through the mid 90's we stayed busy but the area was not looking good, There were street walkers that walked up and down Peoria in front of our shop, there were times that we had vehicles stolen, broken into and vandalized.

The shop was also broken into several times. We had thought about moving to another location in the "better part of town" but we made a decision to stay in our present location.

I will have to say when the old school building was torn down and the Indian Health Care Center was built. It was like a God send to this part of town.

When we had our body shop building constructed, it was built according to city code.

We have been a good tax revenue source for the city of Tulsa for over 50 years.

The way the f b c is worded our building is a non-conforming structure. I am not non-conforming now, and I would like the f b c to be written as a sustainable code, similar to Chicago style codes are. The F B C is too restrictive, and will harm existing business on this area. The type of business we have is in no way a pedestrian type of business, our customers drive there crashed vehicle to us, or it is towed to us. We actually need more parking than work space in the shop.

www.pearlbusinessassociation.com have been asking that the Comprehensive plan to be amended for months and months with no response.

In a very hectic business, I now find myself not only fighting for more business, as we all these days, but now am having to worry and fight about the F B C and how it might negatively affect me, when I should be working on more important things. I also deny FBC (42) expansion.

The reason I am is because FBC is too restrictive and it should not apply to my type of business.

My opinion is that the FBC pilot area should opt to zone them selves out and leave the rest of us alone. I will go as far as to say don't come up Peoria from the corner of 6th to the corner of 4th. Those buildings and businesses will never look like the ones on 6th going east. FBC is great for them but not for Sherrell paint & body and all business around us including the Indian Health Care, JClay Automotive.

Vic Sherrell

A handwritten signature in black ink, appearing to read "Vic Sherrell", written over a horizontal line.

Vic Sherrell-V/P
Sherrell Paint & Body



February 19, 2013

Tulsa Metro Area Planning Commission
2 West 2nd Street, Suite 800
Tulsa, OK 74103-4236

Commissioners,

I want to first identify myself as a member of the Board of Adjustment. I am the owner of Southern Sheet Metal Works Inc. We have been in business for 109 years and have been at our current location for over 65 years. We currently own just over 60% of the block located on Peoria between first and Second Street. Our business complies with the current zoning codes and city regulations. We are a metal fabrication shop for commercial duct work, industrial fabrication of metal products. We have a large amount of semi-truck traffic in our alley as well as pick-up truck activity for picking up or dropping off material.

We joined the Pearl District Association to have a united voice to the TMAPC. This zoning change would be potentially devastating to us and many of our neighborhood businesses. This Form Base Code is very restrictive and unfair to the people who would like to keep their business in Tulsa and not be forced to relocate to the suburbs.

At the very least, please take a sincere hard look and evaluate changing the code or let us opt out of the F.B.C. at our discretion due to it is not ingenious to our property values. With this new line drawn some of our business properties would be in the F.B.C. and some of our property would be out, making it very restrictive for our company. Victor Welding Supply sits on the east side of Peoria and has a high activity of trucks to run their business. Just south of Victor sits a car lot that would not comply with the changes as well.

Please consider denying this F.B.C. expansion or allow the Pearl District Members and occupants to opt out for it would be the right thing for the businesses.

Thank you for your kind consideration,

Michael L. Tidwell

President
Southern Sheet Metal Works Inc.





Superior Linen Service, Inc.

SINCERE SERVICE OF A QUALITY PRODUCT

February 15, 2013

To: Tulsa Metro Area Planning Commission
Two West 2nd Street, Suite 800
Tulsa, OK 74103-4236

From: Douglas R. Waldman

Subject: Comments on the Pearl District Form Based Codes

I would strongly recommend to the members of the Planning Commission that the Form Based Code expansion proposal for the Pearl District be denied.

Before I explain the reasons I feel the expansion should be denied, I would first however like to thank the staff at the planning department who have been very helpful explaining the code to me over the last several months. Members of the staff, such as Theron Warlick, have taken quite a bit of time to walk through the code with me, including a long visit to our facility. This has helped me understand the code better, and form an opinion based on the facts of the code, and not just the uncertainty or fear of it.

While I am not against the goals and vision of the code, as the saying goes, "The Devil is in the Details", and it is these specifics and details that cause my concerns. I believe that they will actually hurt and slow down the very development that the vision of the code is meant to create. There are too many limitations that will hurt existing businesses, and prevent many new businesses from relocating into the Pearl. While some of the individual features of the codes would help bring development, as a whole there are too many features that will prevent growth.

There are several features that concern me, but my primary concerns are the two-story requirement and inability to add parking. While a single story with extra height is certainly needed for many manufacturing facilities, there are many desirable non-industrial businesses that would want a high single story, but would be excluded by the code. Examples would be a restaurant that wants a high ceiling industrial look, a playhouse or theater that needs a large stage, a brewery or bakery that needs the height for the large tanks used, etc. I don't think we would want to do anything to prevent these types of business from choosing the Pearl.

The limitation on parking is of grave concern to me as well as many others. One thing I like about the code is that a small store can open without having to build their own parking. This is great for a small place that may only have a few visitors at a time. But anything larger, such as a restaurant that seats 50+ customers cannot simply rely on "what is available" on the street. They would have to be able to

DOUGLAS R. WALDMAN

PRESIDENT

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provide for parking to ensure they can service their customers, without taking all the available parking from everyone else in the area. I also can't imagine people who may want to reside in the area would move there if they never know if they can get a parking spot next to their apartment or townhouse. Yet the code restricts and prevents those who want to provide this parking from doing so, even in a way that could be aesthetically pleasing.

While most of my concerns are for the Pearl as a whole, and are not concerns about my own business, some of them are. Although the most recent version of the proposal excludes many of the existing commercial and industrial areas, it still would impact some of our property. Superior Linen Service is a 3rd Generation family owned business which has been located in Tulsa since 1954. We supply textile rental services to over 3000 healthcare and hospitality businesses in a 4 state area. Over 500 of those customers are located within in the City of Tulsa, including many of the major hospitals, multiple healthcare clinics and hundreds of local restaurants. We employ over 120 individuals at our location in the Pearl District, one of several of our locations in the area.

Our facility in the Pearl District, which has been used as an industrial laundry even before we acquired it, is very similar to both a manufacturing facility, and a distribution center. As such, I have a large fleet of commercial vehicles, including tractor trailers and large straight trucks, which much enter and park at our facility multiple times. We need to be in an area that can accommodate this traffic.

The side streets in the area are not all that wide. When cars are parked on each side, there is almost no room to maneuver, especially for large busses and tractor trailers which are quite common in that area. Our company actively encourages our staff to commute by bicycle and many of them do, including myself. Heavy use of on street parking actually makes the bicycle commuting more dangerous for us as there is less room for bicycles and increases the possibility of accidents.

Like the other existing business owners in the Pearl, I have spent a lot of time researching, discussing, and attending meetings about this code. This has taken up quite a lot of time away from my business. I have joined the Pearl District Business Association which has been very helpful to me in providing a strong voice for myself and the other area businesses and combining some of our efforts. I would like to thank the other members of the Pearl District Business Association for their efforts.

In summary, while I respect the desire of the Form Based Codes, I do not agree that they should be expanded. I also think that it is negatively impacting some of the business that are currently under the codes. A much simpler, sustainable code could be generated that would do much more for the city.

Sincerely,

2/15/2013

X 

Douglas R. Waldman
President, Superior Linen Service, Inc.

17.28



2012-2013 Board of Directors

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Lori A. Long, MHR, CFRE
Executive Director

February 18, 2013

Tulsa Metro Area Planning Commission
Two West Second Street, Ste 800
Tulsa, OK 74103-4236

To Whom It May Concern:

It is my pleasure to represent *The Center for Individuals with Physical Challenges* as a member of the Pearl District Business and Property Owner Association. We recently joined the Association in an effort to be more educated and informed about matters concerning our neighborhood and fellow businesses, including other non-profit entities of which several of our Center Members rely on for services. Since joining the Association, it has become apparent that there is way too much time being spent on the matters at hand, time that SHOULD NOT be spent this way when we all have businesses to run. Rather, we as business and property owners desperately need to get back to OUR business and for me that means getting back to the focus of serving our Center Members, leading my 15 employees and 50+ volunteers and managing a \$1.2 million organization that is changing lives. It is evident that if Form-Based Code were to be simplified, we in fact COULD get back to the business at hand, rather than having to monitor the work of others to ensure we are being looked out for.

The Center for Individuals with Physical Challenges is a non-profit agency in Tulsa that has been in existence for over 55 years. The Center, as we are commonly known, is a community recreation center serving over 1,000 individuals with a variety of mobility, sensory and dexterity challenges. We also serve a large population of individuals that are at a high risk of developing a life-changing physical challenge – those with diabetes, arthritis, hypertension, obesity and heart disease. We offer them affordable opportunities for physical fitness, leisure and recreational interests, adaptive sports, wellness and health education and a social network with a support system.

The Association is simply asking for the following:

- ❖ Deny Form-Based Code (42b) expansion
- ❖ Rewrite the Form-Based Code as a sustainable code, similar to a Chicago-style code
- ❖ Allow businesses in existing Form-Based Code Pilot Area the option to zone themselves out
- ❖ Amend the Comprehensive Plan

We thank you for the attention to this matter and ask that our website be referred to if needed:

www.pearlbusinessassociation.com

If I personally can be of any further assistance, please do not hesitate to contact me at (918) 794-4509 or llong@tulsacenter.org.

Sincerely,

Lori A. Long, MHR, CFRE
Executive Director



Partner Agency

17-29



SOUTHWEST

United Industries, Inc.

422 S. St. Louis / Tulsa, OK 74120
Phone 918-587-4161 / Fax 918-582-6158
www.swunited.com

February 26, 2013

Tulsa Metro Area Planning Commission
2 West 2nd Street, Suite 800
Tulsa, OK 74103-4236

Dear TMAPC Members,

Southwest United was established in 1953. We own property between Trenton and Rockford Avenues and 4th and 5th Streets that include over 14 buildings. Southwest is in the aerospace metal processing business and employs over 300 people working multiple shifts at this location. Southwest also owns processing facilities in Oklahoma City, California, two locations in Ontario Canada and one in Mexico.

Southwest is in compliance with the current city zoning regulations as well as in good standing with the surrounding residents. I oppose additional zoning regulation that will make it more difficult and expensive to expand the facility or modify an existing structure. As proposed, the Form Based Code will do exactly that. It will make building expansion and/or modification more expensive and less productive. If the Form Based Code as proposed is adopted, I will be motivated to locate new processes or expansion at one of our other facilities.

Please feel free to contact me if you have any questions or would like to discuss in person.

Very best regards,

A handwritten signature in black ink, appearing to read 'Willard A. Emery'.

Willard A. Emery
President

Cc: Mayor Dewey Bartlett