

**TMAPC Work Session**  
**February 20, 2013**  
***The 6<sup>th</sup> Street Infill Plan Amendment Request***

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**A. Item for consideration:** Initiation of *The 6<sup>th</sup> Street Infill Plan* amendment request.

On February 1, 2013, the Pearl District Businesses and Property Owners, Inc., submitted an application for an amendment to *The 6<sup>th</sup> Street Infill Plan* (see attached). According to "*Policies and Procedures and Code of Ethics of the Tulsa Metropolitan Area Planning Commission*," such requests must be presented to the TMAPC within 30 days of receipt at which time the TMAPC will determine whether to initiate the requested amendment.

This report serves as an overview of the amendment request and preliminary staff responses to the 8 requested items in the application, providing the TMAPC initial assistance in their review 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 11<sup>th</sup> Street South, South Peoria Avenue north of 6<sup>th</sup> 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).*

**Staff Response:** There are some inconsistencies in the maps that may warrant amending, namely the sub area maps do not always correspond with the land use map. However, the proposed change from *Mixed Use Infill* to *Auto-Oriented Commercial* on portions of north Peoria and 11<sup>th</sup> Street is a substantial deviation from the vision of the plan, which promotes pedestrian orientation and compact redevelopment in these areas. Since this represents such a significant change, a plan update would be necessary to adequately evaluate this amendment.

- **Request 2** – *Amend the Plan and the Map so that all industrial zoned properties (IL and IM) be planned within the Industrial Subarea (Manufacturing Warehousing).*

**Staff Response:** The development of comprehensive plans takes into account existing zoning designations. However, the Plan may reflect a different vision for the future than what is represented by the present zoning designation or land use. Modifying the plan to reflect the existing uses does not accomplish the goal of establishing a new vision for the area.

Additional study on this topic may be warranted to determine if the *Manufacturing Warehousing* area within the Plan and on the map should be different today than it was 8 years ago when the Plan was adopted.

- **Request 3** – *Amend the 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.*

**Staff Response:** The text of the Plan is inconsistent with the boundary, so this change would be warranted. Properties east of the center line of South Utica Avenue and south of the center line of East 11th Street South were not a primary focus during the drafting of the Plan.

- **Request 4** – *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 in the planned area. Until such time as 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:** Enhanced public transportation in the form of Bus Rapid Transit system on Peoria is planned and is seeking funding through the City of Tulsa’s 2015-2019 Capital Improvement Plan. Parking in this area has been one of the primary topics of discussion in the recent form-based code workshops; therefore, there may be recommendations regarding parking changes in the form-based code that come out of this process.

- **Request 5** – *Work force housing is a vital component of the plan area and should be encouraged rather than eliminated.*

**Staff Response:** The Plan does not call for eliminating workforce housing, rather eliminating blight in the area. The 6<sup>th</sup> Street Infill Plan, page 63, “16.5.1.1 Goals for Neighborhood Commercial Corridors Subarea,” Goal 16.5.1.1.3 states “Removal of blight through restoration or replacement.”

In addition, on page 61, under “16.4.1.1 Goals for Restoration Subarea,” there are multiple goals to encourage the preservation of existing housing, a diversity of housing stock and “fixer upper” opportunities for those who want to purchase reasonably priced housing in this area. Also, page 80, 16.11.8 recommends that discussions begin on employer assisted housing opportunities in the area.

- **Request 6** – *Amend the Plan to allow street closures to continue to be allowed in order to permit larger scale developments and expansions, as well as controlled access.*

**Staff Response:** The Plan does not prohibit street closures or controlled access. Instead, it speaks to the negative effects of past street closures, including increased traffic on open streets. The Form-Based Code (Title 42B) does prohibit closures. That regulation is already in place and amending the Plan will not affect the adopted zoning code. This change would require a code amendment, presented to the TMAPC with a recommendation being forwarded to the legislative body for final action.

**Request 7** – *A form based code may not be appropriate in all of the plan area. Especially, a form based code that wastes land, limits and restricts parking, limits the size of building floor plates, on the one hand restricts building height along arterial streets and on the other require such buildings to be at least two (2) stories in height, permits buildings without any or even adequate parking, fails to recognize existing land uses, requires street walls and fails to recognize the importance of the automobile in the success and vitality of the Planned Area. Recommendation: Consider adopting an abbreviated and streamlined version of a form based code with concepts similar to those recently adopted City of Chicago for use along certain arterial streets. Such concepts would allow buildings to be build back from the street with pedestrian-oriented features such as street walls and landscaping.*

**Staff Response:** This is a request to re-examine some of the details in the existing form-based code, not a change to *The 6<sup>th</sup> Street Infill Plan*. Per TMAPC direction, INCOG/TMAPC staff and City of Tulsa Planning staff have held three recent public meetings to gain a better understanding of issues to present back to the Planning Commission. This process could result in changes to the existing form-based code.

- **Request 8** – *For such other amendments as are necessary to recognize and encourage work-force housing, places of worship, existing businesses, as well as contemporary businesses and the recent development activities that add to the diversity, prosperity and well-being of the plan area by providing housing, places of worship, parks, employment, commercial activity and services in the plan area in general.*

**Staff Response:** This is a very broad request and would require a plan update to fully re-evaluate all of these factors in the Plan.

- C. **Conclusion:** *The 6<sup>th</sup> Street Infill Plan* was adopted by the TMAPC in November, 2005 and, therefore, has been in place for almost 8 years. Given that length of time and the magnitude of some of the changes in this request, a small area plan update would be necessary if the TMAPC chose to initiate this proposal in its entirety. A small area plan update process would need to follow the process set forth in the 2010 Tulsa Comprehensive Plan, which would include significant public involvement.

It should be noted that since the adoption of *The 6<sup>th</sup> Street Infill Plan*, there has been new activity in the area, namely: 1) Many new property owners have chosen to invest in the Pearl District based on the vision stated in the Plan; and 2) City of Tulsa is currently pursuing capital investment strategies in the Pearl District to implement the Plan.

There are some portions of this request that could be accomplished on a shorter term basis if the TMAPC wishes to give that direction. The next section provides several options for TMAPC consideration.

**D. Potential Options for TMAPC Discussion**

1. Initiate *The 6<sup>th</sup> Street Infill Plan* amendment request as presented, recognizing that a full small area planning process as defined in the 2010 Tulsa Comprehensive Plan would be the appropriate method.
2. Initiate any or all of the following requests from the petitioner's application: a) Request 1 - by cleaning up amendments to maps; b) Request 3 - by amending the 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; and c) Request 7 - consider adopting an abbreviated and streamlined version of a form-based code.
3. Not initiate *The 6<sup>th</sup> Street Infill Plan* amendment request as presented.