

TULSA METROPOLITAN AREA PLANNING COMMISSION

SPECIAL MEETING - PLANiTULSA

Wednesday, April 28, 2010, 1:45 p.m.

Room 411, City Council Meeting Room

One Technology Center – 175 E. 2nd Street, 2nd Floor

Members Present	Members Absent	Staff Present	Others Present
Cantrell	Carnes	Alberty	Boulden, Legal
Dix		Bates	Bolen/Consult
Leighty		Fernandez	Warlick/COT
Liotta		Huntsinger	Schultz/COT
Marshall		Matthews	Lou Reynolds
McArtor		Sansone	Bob Sober
Midget			Richard Boone
Shivel			NBH Rep.
Walker			
Wright			

The notice and agenda of said meeting were posted in the Reception Area of the INCOG offices on Thursday, April 22, 2010 at 10:22 a.m., posted in the Office of the City Clerk, as well as in the Office of the County Clerk.

After declaring a quorum present, Chair Cantrell called the meeting to order at 1:45 p.m.

REPORTS:

Ms. Cantrell stated that she welcomes all of the interested parties attending today's meeting, but the Planning Commission will not be taking public comments at this meeting. She encouraged interested parties to come back to the public hearing that has been rescheduled for June 15, at 4:00 p.m. She assured the interested parties that their letters have been received and all of the comments are being logged in. She encouraged the comments to continue and all will be considered.

I.

A. Room 411 for PLANiTULSA Special Session

II. Outstanding Chapter Discussions

A. Housing Chapter

Where do we want to see townhouses, cottage homes, & similar developments? PLANITULSA Consolidated Discussion Log, Page 69-72, (Items 60-63); PLANITULSA Draft, Housing Section – Single-Family Homes on Smaller Lots, Townhomes, Page 6, 8 and 11.

Discussion: Ms. Cantrell stated that she brought this issue up. She has read through the suggested changes and likes the suggestions. She suggested that "...or areas of transition" be added to the underlined language proposed by consultants. Mr. Marshall recommended putting townhomes in another category and out of single-family status. Ms. Cantrell stated that she believes that the consultant is suggesting something similar to that. They are not closing the door to townhouses in single-family neighborhoods, but recognizing that it may not be appropriate in every single-family neighborhood.

Action: TMAPC Action; 10 members present:

On **MOTION** of **CANTRELL**, TMAPC voted **10-0-0** (Cantrell, Dix, Leighty, Liotta, Marshall, McArtor, Midget, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes "absent") to **ADOPT** the changes suggested by the consultant from the Consolidated Discussion Log, Page 69-72, (Items 60-63); PLANITULSA Draft, Housing Section – Single-Family Homes on Smaller Lots, Townhomes, Page 6, 8 and 11, subject to adding ".or areas of transition" to underlined wording for Housing Chapter, Page 11, Policy 1.1, located on Page 71 of the consolidated comment log.

B. Parks & Open Spaces

Does the plan deal with flood plains sufficiently? PLANITULSA Consolidated Table of Discussion, item 65; Parks, Open Space and Environment.

Discussion: The Planning Commissioners felt that this is already restrictive and no changes are needed.

Action: TMAPC Action; 10 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **10-0-0** (Cantrell, Dix, Leighty, Liotta, Marshall, McArtor, Midget, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes "absent") to retain the current language proposed.

III. Map Issues Review

The following clean-up and discussion items were raised by during the public comment process, by property owners, other stakeholders, staff and consultants.

A. Map Consent Log

- Items held-over from previous session (items #1-11) and
- INCOG/COT staff "housekeeping" map edits (items #12-17)
 - Staff will present additional map exhibits to assist TMAPC in reviewing these proposed changes:
 - Stability & Growth map exhibit
 - Plan Map exhibits

B. Short Presentation by Glen Bolen, Fregonese Associates, on Infill

Mr. Bolen presented a PowerPoint presentation regarding maps and summarized how the maps were developed and the amount of time the consultant, City of Tulsa staff and INCOG staff spent reviewing the maps parcel-by-parcel, making recommendations and fine-tuning the maps.

Ms. Cantrell stated that she will take the discussion before the map consent log.

C. Map Discussion Log/Specific Map Amendment requests

- Staff will present additional map exhibits at the meeting to assist TMAPC in reviewing these proposed changes

Discussion: Ms. Cantrell stated that she wants to make it clear that as the Planning Commission goes through the maps, there are some that staff is recommending that are mostly cleanup. The maps that are for discussion are for the Planning Commission's decision and discussion and nobody is directing it one way or the other. Ms. Cantrell explained that she doesn't want any assumptions that somehow staff is trying to push the Planning Commission one way or the other. The Riverview area will be discussed along with the other maps today and the Planning Commission did receive a letter from the Tulsa Preservation Commission regarding this area. Ms. Cantrell suggested that the Planning Commission begin by addressing properties that have either National Register status or Historic Preservation zoning and whether it is appropriate to keep them in areas of stability or put them in areas of growth. Mr. Leighty requested for someone to explain the difference between Historic Preservation and something that is on the National Registry. Ms. Cantrell stated that the National Register is something that is done at the Federal level. It is a non-regulatory status that is primarily a "status". If one is on the National Register it means that they have met the criteria of the Department of Interior to be classified as being on the National Register and it does not create any property restrictions whatsoever. Historical Preservation zoning is administered through the Zoning Code overseen in part by the Tulsa Preservation Commission (TPC) and is a process where neighborhoods actually seek out to have restrictive

zoning placed on their property. It is a complicated procedure to obtain and it is subject to display of substantial support. The TPC will not participate without 60% of neighborhood support. Ms. Cantrell concluded that the Historical Preservation zoning is an actual zoning category, whereas the National Register is not. In the City of Tulsa, all of the HP zoned property has the National Register status, but not all of the National Registered neighborhoods have the HP zoning because they have chosen not to seek the zoning. If the neighborhood doesn't want the HP zoning it will not be imposed upon them. Ms. Cantrell stated that there is a difference between a district that has been registered as a National Register and a district that has HP zoning as opposed to a specific building that has that status (example: Boston Avenue Methodist Church is listed individually as being on the National Register). Some houses themselves may not qualify to be on the National Register individually, but as a whole their neighborhood may have been recognized due to contributing structures. Ms. Cantrell explained the three-step process necessary to obtain the National Register status.

Mr. Leighty asked how the areas of growth and stability were chosen for the maps. Mr. Bolen stated that the mapping was done by the interpretation of the consultant, staff review, development community, individual property owners and residents. Mr. Leighty stated that he would be supportive of maintaining the areas of stability because of the request from the Preservation Commission. Personally, he sees areas that are in some of these Historic Registry districts that he believes should be in areas of growth. They are transition neighborhoods and there are some assets present that are definitely worth preserving and ones that are not worth preserving. Having spent over 20 years in the real estate business and worked in some of those areas and neighborhoods, it begs the question of why have they not performed better over the years, particularly since infill has grown in Tulsa? Mr. Leighty listed areas where reinvestment is needed and he can't see how keeping the areas in an area of stability will do anything to bring the kind of investment into that neighborhood that is needed to make it a more desirable place to live. There are some real challenges in these areas because the homes were built around the turn of the century and it is a challenge to renovate the homes. Ms. Wright stated that it is not really for the Planning Commission to decide whether the homes are renovated. People nurse them along because they love the old neighborhoods and want to be there, but one doesn't see an increase in values that are consistent with the neighborhoods around them that are growing. He concluded that he tends to support keeping these areas in stability for right now and encourage the neighborhoods to seek or come up with a small area plan for their neighborhood that would go through the process of identifying what historic resources are worth saving. Mr. Leighty said that by stating that these areas will remain in areas of stability will probably discourage some people from investing in there.

Ms. Cantrell stated that she doesn't disagree with Mr. Leighty, but she believes the Planning Commission has to keep in mind that just because something is in

an area of stability, that doesn't mean that it is frozen in time and nothing will change. The map can be changed whenever needed or once year. This is not saying that one can't tear down a house, but the question being addressed is when a neighborhood is put in an area of growth, it is saying that there will be some sort of denser, higher-intensity development (example: townhomes, commercial development, etc.). If too many houses are lost, then they lose their National Register status. Ms. Cantrell stated that she personally agrees with Mr. Leighty that if the neighborhoods are going to be put in an area of growth, then they should be done so through a small area plan. The goal is to write a city plan with generic general principles that already have a list of concepts to determine whether something is in an area of stability. There is nothing more appropriate to put on there than the National Register status or HP zoning to be something considered as being a part of areas of stability. The whole point of having HP zoning and National Register status is to protect those areas. Swan Lake and Yorktown neighborhoods are currently the epitome of a type of neighborhood that we are trying to encourage in PLANiTULSA. There is density, and a diverse group of housing, walkable features with amenities to walk to. The HP zoning has given people reassurance that the neighborhood will remain stable. Ms. Cantrell stated that she is opposed to having a single developer or somebody change what was agreed to in 1994 when the HP zoning was put in place. Ms. Cantrell agreed that Riverview needs a small area workshop and it is not very well planned at this point.

Mr. Walker questioned the lines drawn on the maps along Wheeling. Ms. Wright interjected, stating that she thinks she can perhaps summarize something she has heard from both Ms. Cantrell and Mr. Leighty and maybe what Mr. Walker is tapping into. These are areas that would be perfect for small area plan and it is beyond the Planning Commission's purview right now to hassle over one block, this block, that block, when in fact if it is within an HP area, the TMAPC can call for stability and when and if the time comes for change to happen, then it would necessitate a small area plan with various stakeholders at the table. Mr. Walker stated that to finish his question, he would like to preserve the HP, but he would like to allow a mechanism for St. Johns Hospital to grow. Ms. Cantrell stated that if everyone is in agreement it could be stated that "property within the areas that have HP zoning would be kept in areas of stability with a recommendation that they be a high priority for a small area workshop to address any specific growth issues and if whatever they work out and bring back to the Planning Commission would be dealt with". Mr. Marshall stated that he doesn't agree with the small area plan and this is just what he was afraid would happen in small areas. The Planning Commission should have set a limit and not consider a small area plan unless there were a minimum of 50 property owners. This wouldn't pay for itself in small areas. If the City of Tulsa does the small area plan, the citizens wouldn't get their money back as quickly. This would tie up other existing small area plans that are more important and he would be against the small area plan. The Planning Commission should only consider whether property should be in areas of growth or areas of stability. He does agree that there was a deal made with

the Preservation Commission and it should be honored. Mr. Midget stated that he thought Mr. Walker was trying to find a way to strike a balance between the hospital's needs and the neighborhood need. The Planning Commission made a commitment to leave the boundary line as it is. This is a good example of where there is a need for a small area plan because if it is already HP zoned, that means there were at least 60% of the residents stating that they wanted HP zoning. Now if someone comes in and states they are going to change it, they can't. It wouldn't matter if it is only six houses in the HP area, it would be necessary to have the residents back at the table to discuss the plan that will affect their area and what better way to do so than with a small area plan. Mr. Marshall stated that it should be handled with zoning. Ms. Cantrell stated that she believes St. John's Hospital was very good about coming to the table back in 1981 and even though it may be a small area it is quite a big impact between the medical industry and a neighborhood of 300 to 400 people. The need for these two contributors to come together is very critical. Ms. Wright stated that nothing may happen for 50 years and she recommended leaving the HP designation where it is. When things merit that it change, then it will be reviewed at that time. The new plan will be reviewed every five years and there will be a better feel on what is happening and nothing is set in stone. Ms. Wright stated that this deal was made and it should be honored. Mr. Marshall stated that the HP districts need to be looked out for and also the hospitals need to be able to expand, which it states in the plan.

Ms. Cantrell stated that it sounds as if there is a consensus that for anything that is zoned as HP should remain in the areas of stability. If that motion was made it would resolve issues before the Planning Commission today.

Ms Wright moved to keep all HP zoned areas in areas of stability. Mr. Walker asked how that would limit the hospital's growth. Ms. Cantrell stated that technically it does not because right now it is zoned HP and it wouldn't do any more than it is presently. Today if the hospital wanted to rezone the lots, it would be subject to the HP zoning. Ms. Wright stated that they would need to come back to the table. Ms. Cantrell stated that the hospital would either have to redevelop according to the guidelines of the Yorktown Historic District or they would have to seek a rezoning and go through the zoning process. Mr. McArtor stated that the doesn't believe the Planning Commission should spend so much time on this because it doesn't mean that a property can't change if it is in an area of stability. The bigger problem the hospital will have is not that it is in area of stability or an area of growth, but that it is in a historical preservation district. Mr. McArtor commented that he has seen the Plan used by developers and by neighborhoods as an axe to grind and that will continue to happen. Areas of stability and areas of growth will be used for one side or another to argue this point or argue that point.

Mr. Leighty proposed that the maps indicate the HP districts with a specific line to identify them.

Ms. Cantrell stated that if HP zoned areas were in areas of growth, she believes that would be misleading that somebody who buys a property thinking that it is an area of growth and can do what they want only to realize they can't because of the HP zoning.

Mr. Boulden stated that he doesn't want the Planning Commission to adopt zoning in the Comprehensive Plan. Perhaps it would be best to show areas of stability with historic significance designated with certain color of line or something of that nature, but he advised against tying it to zoning because then it would be getting regulatory mixed in with the guidance. He also advised against referencing specific HP zoning in the Comprehensive Plan. Mr. Boulden clarified he didn't want the Planning Commission to tie specific zoning to a general policy, but it can be because it is historic, but not because it is HP-zoned.

Mr. Dix stated that he is still struggling with how this will be used. He has heard people say that if a zoning case ever gets to Court, the first thing the Court will do is ask what the Comprehensive Plan states. Ms. Cantrell stated that they do, but it doesn't mean that one has to follow the Comprehensive Plan. Mr. McArtor stated that the Court probably would look at the Comprehensive Plan, but he believes that it is the zoning that really matters. Mr. Boulden stated that he doesn't know if the Court will look at the Comprehensive Plan. The Court is going to defer to the legislative body that did the zoning. Unless it was arbitrary and capricious, the Court will not touch it. Ms. Cantrell stated that there is much discussion about transition areas and borders being transition areas. Right now there isn't anything, even with HP zoning, that would prevent someone coming in and developing some of these areas, but they would have to meet the HP guidelines. There has never been an instance in Tulsa where the HP zoning line was redrawn and she is not saying that it can't, but she believes people bought their property with a lot of confidence of where the line would stay. She doesn't see where having an area of transition would make any difference and a line has to be drawn somewhere. No matter what, everyone has to deal with the zoning first. Mr. Midget stated that the City has made a promise to people living in HP districts and those boundaries should remain.

Mr. Shivel expressed concerns that this might possibly be circumventing the Planning Commission's responsibility to lead the Comprehensive Plan update. Mr. Midget stated that he doesn't believe that is happening.

Mr. Walker asked if this is passed and St. John's Hospital's growth pattern is east of Xanthus and if they want to grow they would have to come before the Planning Commission with a zoning change. Ms. Cantrell stated that they would have to do that regardless of the Comprehensive Plan update. Mr. McArtor stated that he believes what Mr. Walker is concerned about is that if the HP area is kept in areas of stability, it would be used as a policy prohibition subsequent in later TMAPC meetings when the hospital attempts to grow. There will be people who

will take the map and say it shouldn't be done because it is in an area of stability. Mr. McArtor further stated that he is satisfied that the hospital's bigger problem will be the zoning and not the Comprehensive Plan. Mr. Boulden stated that to change the Comprehensive Plan, the applicant doesn't just come before the Planning Commission; they also have to go before the City Council. Mr. Boulden further stated that he doesn't want anyone to get the idea that it is all rested with the Planning Commission. To change the HP zoning would require going through the Preservation Commission, TMAPC and the City Council. Zoning is the big hurdle for anyone wanting to grow. Ms. Cantrell stated that if the HP district is kept in the area of stability today, they are in no worse situation than they were yesterday. Both the zoning and the current Comprehensive Plan draw the current boundary. Mr. McArtor asked Mr. Boulden if he sees this as being conceptually inconsistent for the Planning Commission to take an HP zoned area and make it an area of transition or an area of growth. Mr. Boulden stated that he believes it would be inconsistent to make it an area of growth and the only way it is going to grow is to get more historic.

Action: TMAPC Action; 10 members present:

On **MOTION** of **WRIGHT**, TMAPC voted **7-3-0** (Cantrell, Leighty, Marshall, McArtor, Midget, Shivel, Wright "aye"; Dix, Liotta, Walker "nays"; none "abstaining"; Carnes "absent") to **APPROVE** Proposed Map Changes – Discussion Log Items, April 28, 2010, Items #1, 2 and 3, Agenda Item III. C, that properties with HP overlay zoning should remain in areas of stability.

Ms. Cantrell indicated that the above motion will take care of Items 1, 2, and 3.

Mr. Warlick suggested that there be a motion for outside of the HP zoning overlay.

Mr. Walker out at 3:06 p.m.

Action: TMAPC Action; 9 members present:

On **MOTION** of **CANTRELL**, TMAPC voted **9-0-0** (Cantrell, Dix, Leighty, Liotta, Marshall, McArtor, Midget, Shivel, Wright "aye"; no "nays"; none "abstaining"; Carnes, Walker "absent") to **APPROVE** Proposed Map Changes – Discussion Log Items, April 28, 2010, Item #1, Victor Avenue, to move the properties that are outside of the HP district to areas of growth.

Action: TMAPC Action; 9 members present:

On **MOTION** of **CANTRELL**, TMAPC voted **9-0-0** (Cantrell, Dix, Leighty, Liotta, Marshall, McArtor, Midget, Shivel, Wright "aye"; no "nays"; none "abstaining"; Carnes, Walker "absent") to **APPROVE** Proposed Map Changes – Discussion Log Items, April 28, 2010, Item #2, St. John's, to move the properties that are outside of the HP district be moved to areas of growth.

Mr. Midget out at 3:07 p.m.

Action: TMAPC Action; 8 members present:

On **MOTION** of **MCARTOR**, TMAPC voted **7-1-0** (Cantrell, Dix, Leighty, Liotta, Marshall, McArtor, Shivel "aye"; Wright "nays"; none "abstaining"; Carnes, Midget, Walker "absent") to **APPROVE** Proposed Map Changes – Discussion Log Items, April 28, 2010, Item #4, Lewis Avenue Study, (properties on the east side of Lewis) to move the properties that are outside of the HP district be moved to areas of growth.

Mr. Walker in at 3:10 p.m.

Item 5, SG Brookside:

Discussion: Mr. Warlick explained the current existing land use. Mr. Warlick stated that this is already in the Brookside Small Area Plan and this would be one way to have the updated plan reflect it. One of the options is to defer and have the committee take it up in their plan. Mr. Marshall stated that he has been involved in the Brookside Plan for 20 years and he has never heard of transitions. Mr. Marshall submitted the Brookside Infill Development Design Recommendation from the original Brookside Plan. He described the transition area that was originally believed to best suited for apartments, townhouses, etc. He believes that the Planning Commission should leave the plan alone right now and let the Brookside group update their plan. Mr. Marshall felt that the PLANITULSA proposal went too deep into the neighborhood.

Mr. Marshall moved to leave the stability change map as it stands and this would not eliminate the existing transition areas from the Brookside Plan, but would simply leave this issue to be resolved thoroughly when the Brookside Small Area Plan is updated.

Mr. Dix stated that he was involved with the purchase of the Camelot property and he strongly suggests that the land be squared off to help solve the parking problems along Peoria, which the Brookside Plan has created.

Mr. Leighty stated that he doesn't see why this should be deferred if it is already a part of the Brookside Plan. Mr. Warlick stated that there is a transition line reflected in the plan and the motion is to keep the transition area. Ms. Wright stated that there is an active group meeting on this and it should be left alone. Mr. Warlick stated that at this time it is not in the process of being updated, but it is in the process of being implemented and changes are always possible.

Action: TMAPC Action; 9 members present:

On **MOTION** of **MARSHALL**, TMAPC voted **7-2-0** (Cantrell, Leighty, Liotta, Marshall, McArtor, Shivel, Wright "aye"; Dix, Walker "nays"; none "abstaining"; Carnes, Midget, "absent") to **APPROVE** Option 2 of the Proposed Map Changes

– Discussion Log Items, April 28, 2010, Item #5, SG Brookside and do not change the Stability/Change map. This would not eliminate the existing “transition areas” from the Brookside Plan, it would simply leave this issue to be resolved thoroughly when the Brookside small area plan is updated.

Item #6, SG Riverside Drive

Discussion: Mr. Marshall stated that he believes this is exactly where a small area plan should be done. Ms. Cantrell stated that if this does move into an area of growth she would want to see a small area plan since it is an established neighborhood. Ms. Wright expressed concerns for the adjacent neighborhoods and suggested a small area plan be present before any development is allowed. Ms. Cantrell stated that it can't be a condition but strongly suggested.

Ms. Cantrell moved to approve this area of growth and strongly suggests a small area plan be in place prior to any land use map changes.

Ms. Wright stated that people live there and now we are saying that the area will be an area of growth and developers will come in here. She doesn't believe it is appropriate for the Planning Commission to make those changes. Mr. Leighty stated that he knows of people who live in the subject area and they are desperate for somebody to help them. He would bet that more than 50% of the properties are not owner/occupied. Ms. Cantrell stated that there are other areas in the plan that put single-family homes in areas of growth and the Planning Commission has to find some locations that are not only affordable and appropriate, but desirable and marketable. This is one of those areas and it doesn't mean that the homeowners have to move out and lose their homes, but it is an area that looks good for growth and City Council should look at that. Mr. Leighty stated that he believes this would help increase the value of the properties by putting it in an area of growth.

Action: **TMAPC Action; 9 members present:**

On **MOTION** of **CANTRELL**, TMAPC voted **8-1-0** (Cantrell, Dix, Leighty, Liotta, Marshall, McArtor, Shivel, Walker "aye"; Wright "nay"; none "abstaining"; Carnes, Midget, "absent") to **APPROVE** Option 1, the Proposed Map Changes – Discussion Log Items, April 28, 2010, Item #6, SG Riverside Drive, change the property from areas of stability to areas of growth with the strong suggestion that prior to any land use map changes that a small area plan be made for the subject area.

Item #7, Sunset Sunrise Terrace

Discussion: Ms. Cantrell stated that she is uncomfortable with this proposal. This comes from one developer who thinks this is appropriate and there hasn't been any real push to develop this. If this is truly desirable, perhaps it should be revisited in two years. Ms. Cantrell commented that she drove through the subject area and it appears to be a stable neighborhood. Mr. Warlick stated that schools are going to increase in enrollment and therefore it is appropriate to move them into areas of growth. Ms. Wright stated that she has a question about this and now is the time to say it. Lanier School is locked down and will not grow any larger than its current footprint. This is a small neighborhood school and will not change its land use. Mr. Liotta stated that schools do change their land use. Mr. Leighty asked Ms. Wright how she would know whether the school is going to change or not. Everything at Tulsa Public Schools is under review right now so it would be impossible to say they will remain as is. Ms. Cantrell stated that all of the schools in the City of Tulsa will be changing from areas of stability to areas of growth. Ms. Cantrell stated that she is concerned about the area of growth going onto Indianapolis because there are single-family homes that are owner/occupied. She believes that if this is to be done it should be while sitting at a table with the homeowners to create a small area plan. The one lot off of 21st and Harvard should be moved to area of growth due to the homeowner's wishes to sell it for commercial use in the future. Mr. Wright stated that a developer came forward and requested that this be on the agenda. Mr. Warlick stated that Ms. Wright is correct, that developers came forward and indicated that there are several corridors that would likely be future growth; one was Riverside, South Harvard to 51st Street and this item lies within South Harvard Corridor, which is one of the areas that should be up for discussion.

Action: **TMAPC Action; 9 members present:**

On **MOTION** of **MARSHALL**, TMAPC voted **8-1-0** (Cantrell, Dix, Leighty, Liotta, Marshall, McArtor, Shivel, Wright "aye"; Walker "nay"; none "abstaining"; Carnes, Midget "absent") to **APPROVE** changing the stability map for, the Proposed Map Changes – Discussion Log Items, April 28, 2010, Item 7, Sunrise Terrace for the one lot at 21st and Gary, the church property at 17th and Harvard, and the Lanier School to be in an area of growth; remaining properties are to remain in an area of stability.

Mr. Liotta out at 3:38 p.m.

Ms. Wright out at 3:39 p.m.

Item #8, SG South Harvard Avenue

Discussion: Mr. Warlick explained the subject area and the current uses. Mr. McArtor stated that he isn't sure why this should be approved when the Planning Commission wouldn't approve the other Harvard Corridor. Ms. Cantrell suggested that this item be handled in more than one motion.

Action: TMAPC Action; 7 members present:

On **MOTION** of **MARSHALL**, TMAPC voted **7-0-0** (Cantrell, Dix, Leighty, Marshall, McArtor, Shivel, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Midget, Wright "absent") to **APPROVE** changing the stability map for, the Proposed Map Changes – Discussion Log Items, April 28, 2010, Item #8, SG South Harvard Avenue to be areas of growth that is consistent with the existing PUD at the southeast corner of 41st Street and Harvard and west of Jamestown Avenue, minus the two properties fronting Jamestown, which remain in areas of stability.

Action: TMAPC Action; 7 members present:

On **MOTION** of **DIX**, TMAPC voted **3-4-0** (Dix, Marshall, McArtor, "aye"; Cantrell, Leighty, Shivel, Walker "nays"; none "abstaining"; Carnes, Liotta, Midget, Wright "absent") to **APPROVE** changing the stability map for, the Proposed Map Changes – Discussion Log Items, April 28, 2010, Item #8, SG South Harvard Avenue, properties on the west side of Indianapolis from 38th Street to 39th Street to be in areas of growth; remainder of the properties north of 41st Street should remain in areas of stability.

MOTION FAILED.

Action: TMAPC Action; 7 members present:

On **MOTION** of **CANTRELL**, TMAPC voted **6-1-0** (Cantrell, Dix, Leighty, McArtor, Shivel, Walker, "aye"; Marshall "nay"; none "abstaining"; Carnes, Liotta, Midget, Wright "absent") to **APPROVE** changing the stability map for, the Proposed Map Changes – Discussion Log Items, April 28, 2010, Item #8, SG South Harvard Avenue remainder of the properties north of 41st and Harvard and remain in areas of stability and encourage a small area plan before changing to areas of growth.

Action: TMAPC Action; 7 members present:

On **MOTION** of **CANTRELL**, TMAPC voted **7-0-0** (Cantrell, Dix, Leighty, Marshall, McArtor, Shivel, Walker, "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Midget, Wright "absent") to **APPROVE** changing the stability map for, the Proposed Map Changes – Discussion Log Items, April 28, 2010, Item #8, SG South Harvard Avenue for the two properties South of 41st and Harvard should be in areas of growth and the remainder should stay in areas of stability.

Ms. Wright in at 3:55 p.m.

Item #9, LU North of Cherry Street

Discussion: Mr. Warlick explained the difference between a "neighborhood center" and "downtown neighborhood".

Action: TMAPC Action; 8 members present:

On **MOTION** of **WALKER**, TMAPC voted **8-0-0** (Cantrell, Dix, Leighty, Marshall, McArtor, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Midget "absent") to **APPROVE** changing the stability map for the Proposed Map Changes – Discussion Log Items, April 28, 2010, Item #9, the proposed change from "Neighborhood Center" to Downtown Neighborhood" as recommended.

Item #10, SG – HP District Stability

This item was addressed earlier.

Item #11, SG 42nd and Peoria Avenue

Discussion: Mr. Warlick stated that there is a pending concept for the southeast corner of 41st and Peoria. He suggested that possibly the Planning Commission should address this once they see the final development concepts.

Action: TMAPC Action; 8 members present:

On **MOTION** of **WRIGHT**, TMAPC voted **7-1-0** (Cantrell, Dix, Leighty, Marshall, McArtor, Shivel, Wright "aye"; Walker "nay"; none "abstaining"; Carnes, Liotta, Midget "absent") to **APPROVE** changing the stability map for, the Proposed Map Changes – Discussion Log Items, April 28, 2010, Item # 11, SG 42nd and Peoria Avenue, Option No. 2, properties remain in an area of stability.

Proposed Map Changes – Discussion Items Addendum

TPC1 SG National Register Districts:

Discussion: Ms. Cantrell stated that the areas in Yorktown, Swan Lake and Maple Ridge have been acted on. The item to discuss would be the two lots at 21st Street west of the bike path and several lots within Riverview and a lot in Tracy Park and White City. Mr. Warlick stated that the Preservation Commission

has requested this item. The Planning Commission has already resolved what to do within HP districts. This is request is for the properties within a National Register District. The areas in red on the map are currently in areas of growth and are also on the National Register. Ms. Cantrell reminded the Planning Commission that the properties within HP districts are already in areas of stability. Ms. Wright requested that Mr. Bob Sober, Chairman of TPC, describe the properties. Mr. Sober described the properties and requested that they all be changed to an area of stability. He agreed that the TPC should take a look at each HP district and National Register district and come back with a suggestion of what really should be included within an area of stability and an area of growth. Ms. Cantrell stated that she has thought all along that Riverview is probably one of the prime areas for a small area plan. She would be comfortable with putting the National Register properties in areas of stability and highly recommend that the TPC go through the districts and revisit the properties.

Mr. Boulden questioned the meaning behind areas of stability and areas of growth. Ms. Cantrell stated that her understanding is that areas of growth means that it is either going to change significantly (land use) or it is going to have a higher density of population. Mr. Boulden questioned if the subject properties are being labeled areas of stability because they are historic or for the land use. Mr. Bolen stated that these are supposed to be guiding documents to help make decisions and not supposed to be individual parcel-to-parcel regulatory components because it is visibly not what it is. The growth areas are really to help one direct resources and where to take time to do a plan and decide how to size the sites properly and what are the right land uses for the subject area. How does one get the right transportation in the subject area and have an orderly progression of growth that makes economic sense and help to encourage the economy? In cases where there is a lot of infill it gets tricky. The hospital districts may need small area plans because there are some conflicting uses. Trying to get one of the major employment sectors to prosper and also keep the neighborhood strong and healthy is where a small area plan is a good tool. There are historic structures in downtowns, which are prime growth areas and he doesn't believe that the Planning Commission should think of them as community-exclusive because they are historic. Mr. Leighty stated that he personally believes that those areas, particularly what is called Riverview, north of Riverside Drive, west of Denver and over to the River down to 11th Street, really represents one of the greatest opportunities for redevelopment, infill development in the City of Tulsa. The other established neighborhoods are in areas of stability and people want to keep them that way. If these properties are in an area of growth, then one is speaking toward getting all of the resources together to figure out the best way to redevelop. Mr. Leighty indicated that he would support keeping them in an area of stability because he wants to support the Preservation Commission. Leaving these properties in areas of stability will not stimulate money for the subject areas for new growth. As quickly as possible there should be a plan for the area to capitalize on that area.

Action: TMAPC Action; 8 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **8-0-0** (Cantrell, Dix, Leighty, Marshall, McArtor, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Midget "absent") to **APPROVE** Proposed Map Changes – Discussion Items Addendum, #TPC1 SG National Register Districts, Option 2 (do not change the Stability Change map) and to recommend the TPC evaluate the Historic Register areas and identify properties that would be suitable for redevelopment and revitalization.

Blair Mansion:

Discussion: Ms. Cantrell stated that part of this proposal has to do with lining up Riverside. Mr. Warlick stated that there have been many development concepts proposed, but none taken forward at this time. The green in front of the Blair Mansion and the mansion itself would essentially develop to the south of the green just over the trail. Some of the proposals are also looking at developing in the tree line. Ms. Cantrell stated that she would support this and she knows it goes against what the TPC has requested, but given that the land use plan preserves the house and the green space, she is comfortable with that. Mr. Leighty stated that he would like to accommodate Mr. Kaiser.

Action: TMAPC Action; 8 members present:

On **MOTION** of **CANTRELL**, TMAPC voted **7-1-0** (Cantrell, Dix, Leighty, Marshall, McArtor, Shivel, Walker "aye"; Wright "nay"; none "abstaining"; Carnes, Liotta, Midget "absent") to **APPROVE** Land Use Map LU #157, support the area of growth for the suggested area for the Blair Mansion, subject to the land use map as provided on LU #157.

Eagle Sanctuary:

Discussion: Ms. Wright moved to approve the Eagle Sanctuary. Ms. Huntsinger asked for a clarification of what the approval is for. Ms. Cantrell stated that it was to move it to open space and stability.

Action: TMAPC Action; 8 members present:

On **MOTION** of **WRIGHT**, TMAPC voted **8-0-0** (Cantrell, Dix, Leighty, Marshall, McArtor, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Midget "absent") to **APPROVE** moving the #Eagle1 SG & LU to Option 1, from growth to stability and open space.

Mr. Warlick stated that when the Planning Commission gets into the consent items there are four things that haven't been discussed today that undo some of the actions taken today. In response, Ms. Cantrell stated that any consent items that conflict with previous motions should not be changed.

Action: TMAPC Action; 8 members present:

On **MOTION** of **CANTRELL**, TMAPC voted **8-0-0** (Cantrell, Dix, Leighty, Marshall, McArtor, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Midget "absent") consent items: apart from those items that conflict with previous motions, it is moved that all other suggested changes be made

Mr. Boulden stated that for the record, the Blair Mansion vote without dimensions and knowing how far wide or deep it goes, he believes that dimensions should be provided. He doesn't know how anyone could tell what that was.

Ms. Cantrell moved that prior to the redrafting of the maps the consultant attempt to come up with some specific dimensions.

Action: TMAPC Action; 8 members present:

On **MOTION** of **CANTRELL**, TMAPC voted **8-0-0** (Cantrell, Dix, Leighty, Marshall, McArtor, Shivel, Walker, Wright "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Midget "absent") that in the process of rewriting the land use plan for the Blair Mansion property that the specific property lines be defined.

IV. Additional Issues

Any discussion issues that Commissioners believe have not been addressed or need to be further discussed.

Ms. Cantrell stated that the consultant will rewrite and incorporate all the changes, then send to the Planning Commission for review. The public hearing will be reopened on June 15, 2010 and at that time the Planning Commission can revisit any issues that are remaining or anything missed.

Ms. Wright out at 4:35 p.m.

V. Additional Text Items

B. Proposed Medical District Language

Discussion: Mr. Bolen explained the additional language added to these issues. Ms. Cantrell stated that she would be comfortable with this proposal provided that it did incorporate more than the health care industry. If one singles out one industry, it looks like others are being ignored. Anything that is a campus type of business has land use implications and therefore it make sense. Mr. Bolen

asked if this could include churches. Mr. Bolen stated that it could because there are a lot of faith providers conducting schools, sports, play areas, etc.

Action: TMAPC Action; 7 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **7-0-0** (Cantrell, Dix, Leighty, Marshall, McArtor, Shivel, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Midget, Wright "absent") to add the language in italics from pages 41, 42 and 43 of Agenda Item V. B. that has been presented with expanding it to other institutions beyond just medical.

- A. Education piece rewrite (*Our Vision for Tulsa*), Consent Log Item #3 (3/26/2010)

Discussion: None.

Action: TMAPC Action; 7 members present:

On **MOTION** of **LEIGHTY**, TMAPC voted **7-0-0** (Cantrell, Dix, Leighty, Marshall, McArtor, Shivel, Walker "aye"; no "nays"; none "abstaining"; Carnes, Liotta, Midget, Wright "absent") to **APPROVE** the Education piece rewrite as presented.

VI. Next steps discussion:

- A. Team incorporates changes into final draft, including maps
- B. Final text and maps posted on website
- C. Anticipated dates for next actions

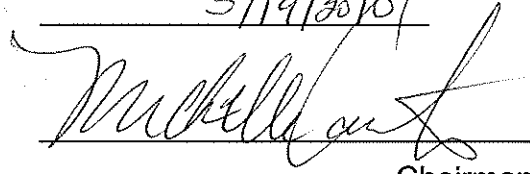
Ms. Cantrell stated that the Planning Commission will not meet again on PLANiTULSA again until June 15, 2010.

Mr. Leighty stated that when the Planning Commission receives all of the amended documents and maps that they should be publicized as quickly as possible and hopefully by June 1, 2010.

There being no further business, the Chair declared the meeting adjourned at 4:41 p.m.

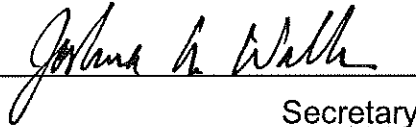
Date Approved:

5/19/2010



Chairman

ATTEST:



Secretary