

Case: Phoenix at 36N - Request for Authorization of Accelerated Release of Building Permits (Related to Phoenix at 36N Preliminary Plat)

Hearing Date: October 4, 2023

Case Report Prepared by:

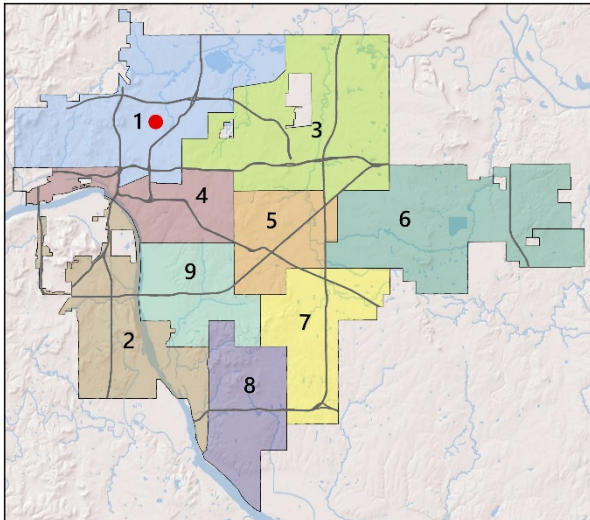
Nathan Foster

Owner and Applicant Information:

Applicant: Mark Capron, Wallace Design

Owner: Housing Authority of the City of Tulsa

Location Map:
 (shown with City Council districts)



Applicant Proposal:

Request for Authorization of Accelerated Release of Building Permits

1 lot, 1 block, on 3.62 ± acres

Location: Southeast corner of East 36th Street North and North Peoria Avenue

Zoning: MX1-U-U

Staff Recommendation:

Staff recommends **approval** of the request to authorize accelerated release of building permits

City Council District: 1

Councilor Name: Vanessa Hall-Harper

County Commission District: 1

Commissioner Name: Stan Sallee

ACCELERATED RELEASE OF BUILDING PERMIT

Phoenix at 36N - (CD 1)

Southeast corner of East 36th Street North and North Peoria Avenue

The applicant has requested that the Planning Commission authorize the City of Tulsa to issue building permits prior to the filing of a final plat. The *Subdivision & Development Regulations* require the approval of a preliminary plat prior to authorization for an accelerated release of building permits.

This project is being managed by the Tulsa Housing Authority in partnership with the City of Tulsa and the U.S. Department of Housing and Urban Development along with other private partners. The site was awarded a federal CHOICE neighborhood grant through HUD that seeks to revitalize areas through the creation of affordable, walkable, and safe neighborhoods. The project is also receiving low-income housing tax credits. The required infrastructure projects will be coordinated and installed by the City of Tulsa.

The associated grant and awarded tax credits with this project require construction to begin on a specific timeline where delays could create issues. The applicant has requested to defer the requirement for the plat to be filed to the certificate of occupancy to prevent delays on building permits.

The attached email from Jeff Hall, Vice President of The Housing Authority of the City of Tulsa, provides further details on the financing and timelines.

The Technical Advisory Committee met on Thursday, September 21, 2023, and no objections were raised to the authorization of an accelerated release of building permits.

If approved, this authorization only removes the requirement that the final plat be filed prior to building permits being issued. All other codes and requirements of the City of Tulsa remain in place.

Staff recommend **approval** of the accelerated release of a building permit. Approval of the Phoenix at 36N preliminary plat is required.

From: [Jeff Hall](#)
To: [Foster, Nathan](#)
Cc: [Mark Capron](#)
Subject: Phoenix at 36N - Preliminary Plat with Request for Accelerated Release
Date: Thursday, September 21, 2023 4:00:14 PM

Nathan,

Thank you for providing me the opportunity to provide supplemental information with our application for preliminary plat. As stated in that application, we seek approval to waive bonding requirements and for the accelerated release of permits.

Phoenix at 36N is the first of seven phases of the redevelopment of the former Comanche Park public housing property, to be called 36N. In 2022, in partnership with the City of Tulsa as co-applicant, Tulsa Housing Authority applied for and was awarded a \$50M HUD Choice Neighborhoods grant to replace the 271 severely distressed units at Comanche Park with 545 mixed-income apartments in a variety of building types. Within the 545 new units, 271 units will be subsidized and held for first right to return for the former Comanche Park residents. Due to the need to completely redevelopment the associated public infrastructure necessary to make this development a reality, the City of Tulsa, as a component of the Choice Neighborhoods applications, committed funding for infrastructure improvements, to be completed as CIP contracts associated with each phase. The Choice Grant does stipulate that all 545 units must be built by September 2028.

For Phoenix at 36N, and ultimately for all phases, our request for accelerated release of permits is driven by our two primary financing tools for the development, both of which are heavily utilized for all seven phases – Choice Neighborhoods Grant Funding and Federal Low Income Housing Tax Credits (issued by the Oklahoma Housing and Finance Agency). The Choice Grant, in order to remain in compliance with the \$50M funding, requires we initiate construction on the initial phase of development within 15 months of grant award, or no later than March 2024. Furthermore, the Low-Income Housing Tax Credits set aside for Phoenix at 36N require the entire phase to be placed in service by the end of 2025. For subsequent phases, the Low-Income Housing Tax Credits mandate that we are applying for those credits every January and June and initiating construction within 9 months of that application. To meet that no later than construction start date, and comply with the placed in-service date requirements, we must submit for building permits no later than November 2023 for Phoenix at 36N. With the related infrastructure work being carried out via CIP and a separate City-procured contract, while we are working in close coordination with Engineering Services, it does present considerable timing constraints to ensure all design is in place and the final plat is recorded in advance of our necessary timeline for building permits.

The THA team is incredibly appreciative of the Commission for granting a similar request at River West, where even in 2023 the ability to receive permits and initiate construction prior to final plat was paramount in meeting our federal timing requirements. It cannot be understated that the success of that development, and similarly the need for this development, is tied to our ability to initiate construction, with permits, while the final plat process finalizes.

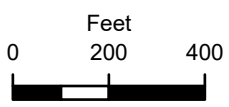
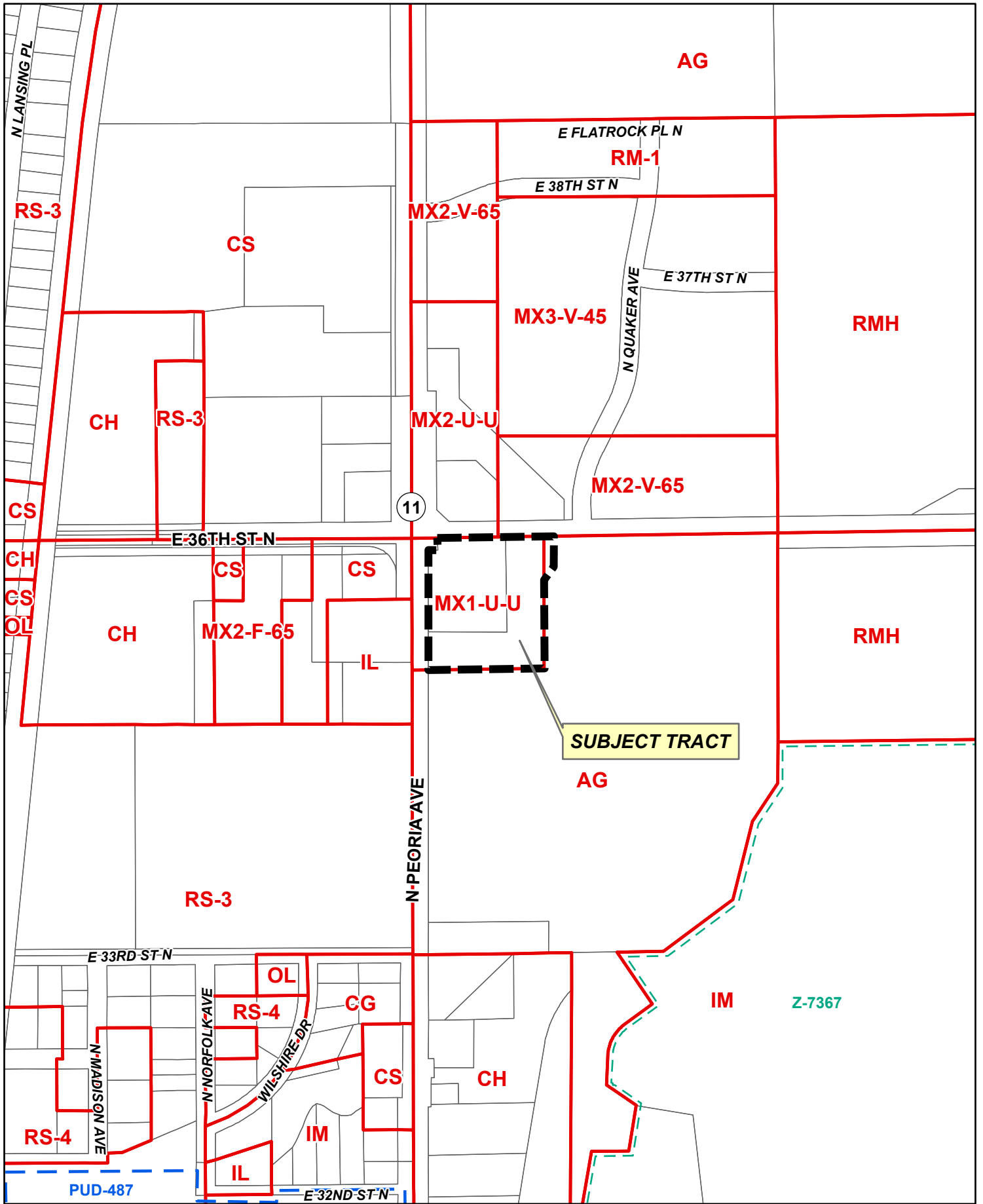
Please don't hesitate to let me know of any questions. If recommended for the October 4th meeting

agenda, I will be in attendance to assist with any further comments or rationale for our request.

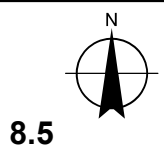
Jeff

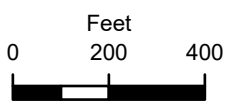
Jeffery D. Hall
Vice President, Development Services
The Housing Authority of the City of Tulsa
415 E Independence
Tulsa, OK 74106
Email: Jeff.Hall@tulsahousing.org
Office: 918-581-5911
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Phoenix at 36N



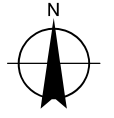


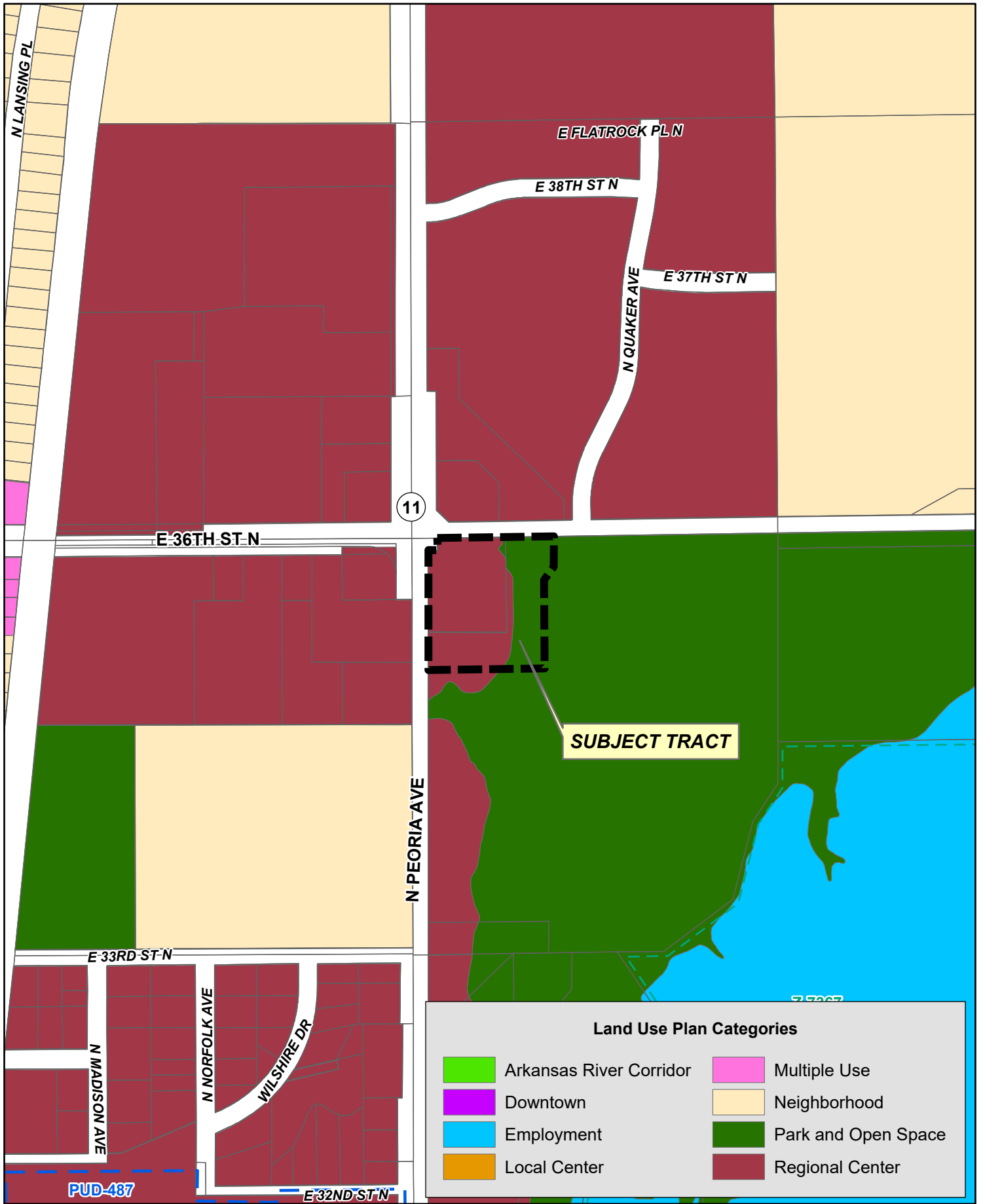
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Phoenix at 36N

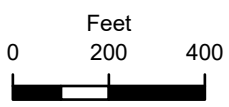
Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2021

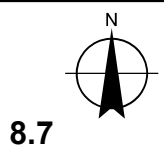




Land Use Plan Categories			
	Arkansas River Corridor		Multiple Use
	Downtown		Neighborhood
	Employment		Park and Open Space
	Local Center		Regional Center



Phoenix at 36N



CONCEPTUAL IMPROVEMENTS PLAN

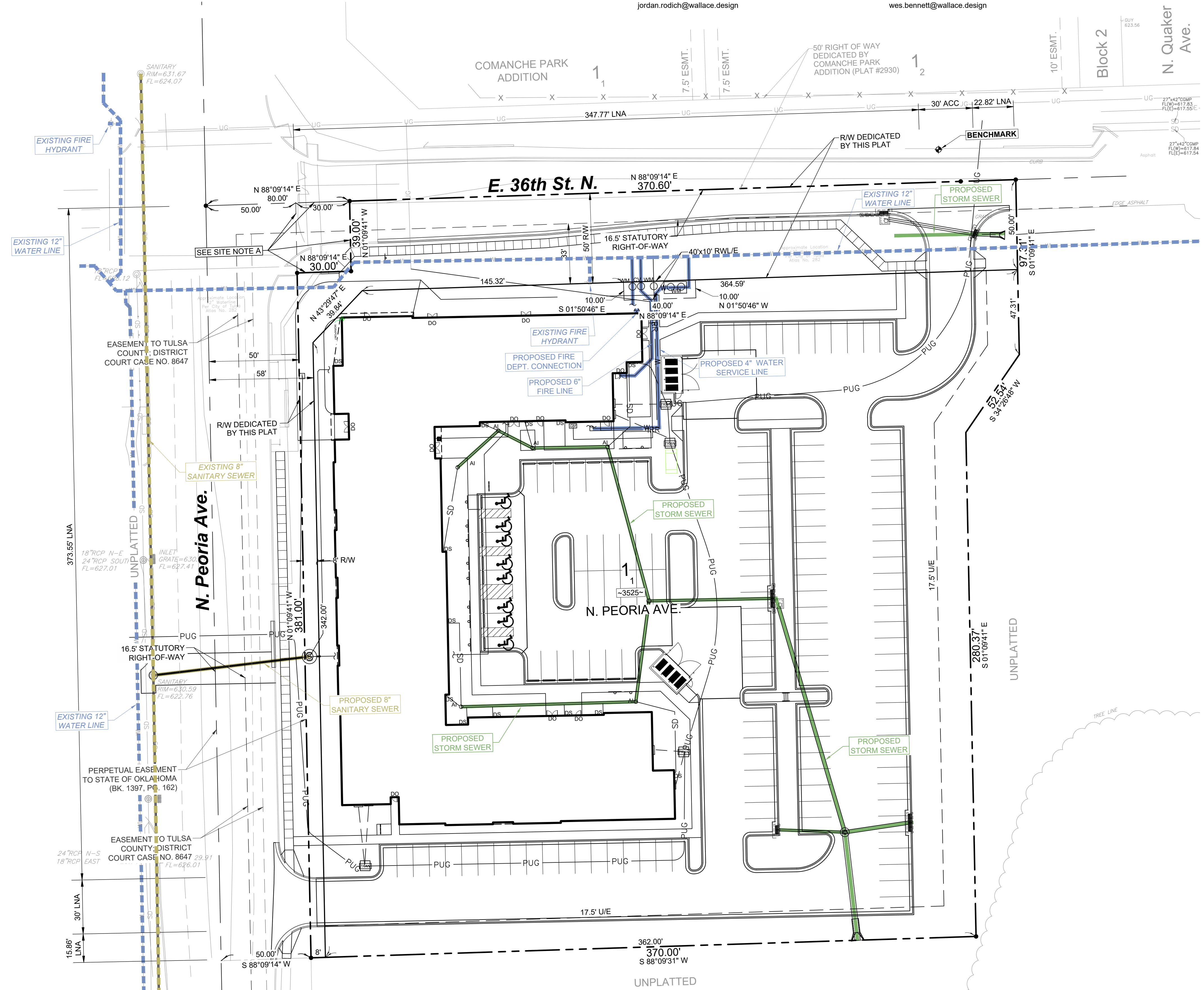
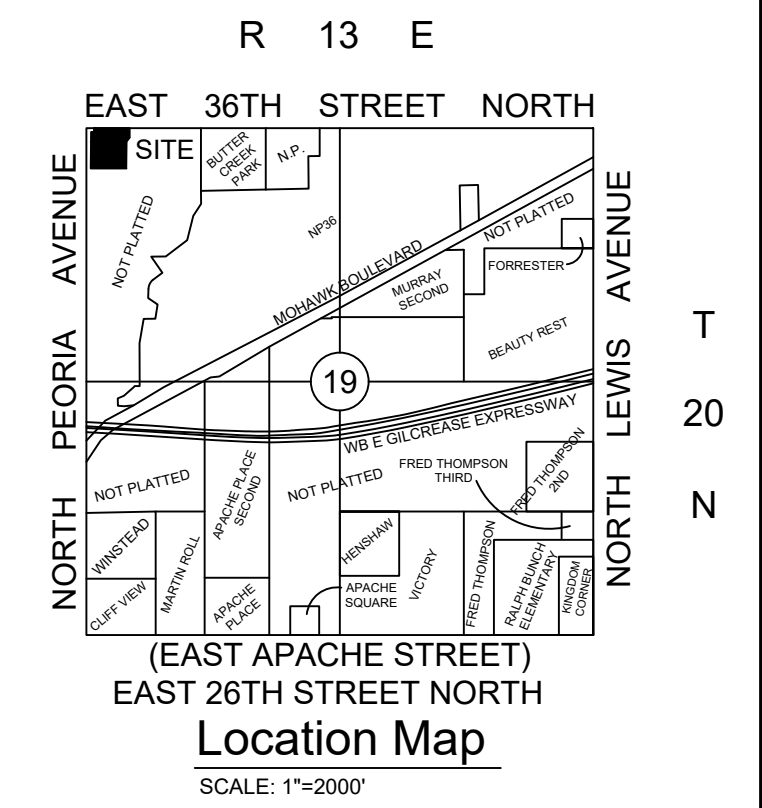
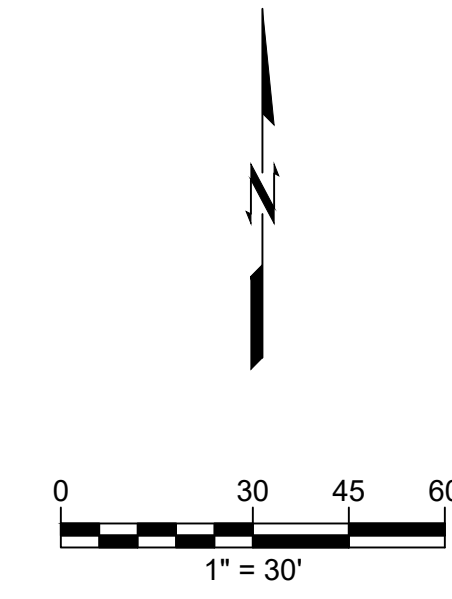
PHOENIX AT 36N-PHASE I

PART OF GOVERNMENT LOT 1 OF SECTION NINETEEN (19), TOWNSHIP TWENTY (20) NORTH, RANGE THIRTEEN (13) EAST OF THE INDIAN BASE AND MERIDIAN, CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA

OWNER:
Housing Authority of the City of Tulsa
415 West Independence Street
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ATTN: CITY CLERK, SUITE 206
PHONE: (918) 581-5722

ENGINEER:
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OK CA NO. 1460, EXPIRES 6/30/2025
JORDAN RODICH P.E.
jordan.rodich@wallace.design

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R. WESLEY BENNETT, PLS 1562
wes.bennett@wallace.design



- LEGEND**
- ACC = ACCESS
 - LNA = LIMITS OF NO ACCESS
 - RW = RIGHT-OF-WAY
 - UE = UTILITY EASEMENT
 - RWLE = RESTRICTED WATER LINE EASEMENT
-
- EXISTING WATER
 - PROPOSED WATER
 - EXISTING SANITARY SEWER
 - PROPOSED SANITARY SEWER
 - PROPOSED STORM SEWER

\\civil-server\projects\2340001 Comanche Park CIP\Drawings\PRODUCTION\Phase 1\2340001 Preliminary Plat.dwg PLOT:9/7/23 ORIG SIZE:24"x36"