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**TULSA DEVELOPMENT AUTHORITY  
STAFF REPORT**

**MEETING DATE:** November 3, 2016  
**TO:** CHAIRMAN & BOARD MEMBERS  
**FROM:** O.C. Walker  
**SUBJECT:** Approval and Adoption of the Kendall-Whittier Sector Plan  
**LOCATION:** North – Dawson Road  
South – East 11<sup>th</sup> Street South  
East – Harvard Avenue  
West – Utica Avenue

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**Background:**

<b>Redeveloper:</b>	<b>Tulsa Development Authority</b>
<b>Owner:</b>	<b>Tulsa Development Authority</b>
<b>Location:</b>	<b>North – Dawson Road</b> <b>South – East 11<sup>th</sup> Street South</b> <b>East – Harvard Avenue</b> <b>West – Utica Avenue</b>
<b>Size of Tract:</b>	<b>N/A</b>
<b>Zoning:</b>	<b>N/A</b>
<b>Development Area:</b>	<b>Kendall -Whittier Sector Plan</b>
<b>Fair Market Value</b>	<b>N/A</b>
<b>Executive Director:</b>	<b>O.C. Walker</b>

**Relevant Info:** This is a request for the Tulsa Development Authority (TDA) Board of Commissioners to consider approving a Resolution adopting the Kendall-Whitter Sector Plan prepared by Houseal Lavigne Associates, in accordance with TDA's Policies and Procedures. Section 14.2 regarding the Approval Process, TDA followed the policy as illustrated:

- Prior to consideration, the Plan was submitted to the Tulsa Metropolitan Area Planning Commission (TMAPC) on for determination of conformity with the Tulsa Comprehensive Plan (PlaniTulsa) and submission by TMAPC of a written recommendation within 60 days of receipt of the Plan.
- Written recommendation was received from TMAPC
- Public notices regarding the date, time and place of the public meetings were published in the Tulsa World, and posting of notice signs in the affected areas, each having a display area of 9 sq. ft. for a period of 15 successive days, including the day of the hearing, outlining the nature and scope of the proposed Plan.
- After public notice, Tulsa City Council held two public hearings

- Adoption of a Resolution by the City Council that the area in question is blighted and appropriate for an urban renewal/sector plan project.

The time line of events for approval was as follows:

- Tulsa Metropolitan Area Planning Commission (TMAPC) – September 7, 2016
  - o (TMAPC voted 8-0-0)
- First Public Hearing, Tulsa City Council (TCC) – October 12, 2016
- Second Public Hearing, Tulsa City Council – October 26, 2016
  - o (TCC voted 9-0-0)

**Attachments:** Kendall-Whitter Sector Plan  
Tulsa Development Authority – Policies and Procedures, Section 14.

**Recommendation:** Staff recommends the TDA Board of Commissioners approve this request as presented.

**Reviewed By:** O.C. Walker

**TULSA DEVELOPMENT AUTHORITY  
POLICIES AND PROCEDURES**

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**14. Urban Renewal/Redevelopment Plans**

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**14.1 THE PLAN**

An urban renewal or redevelopment plan (Plan), used interchangeably in Okla. Statutes, is an officially adopted plan, conforming to the Tulsa Comprehensive Plan, for an area determined by the City Council to be blighted and appropriate for an Urban Renewal project. A Plan shall be sufficiently complete to indicate proposed land acquisition (acquisition of any unimproved properties shall be specifically identified), demolition, site improvements, rehabilitation and redevelopment, as well as, zoning and land use changes, development densities, building requirements and the relationship to local objectives respecting land use, traffic, utilities, etc. The Plan will also indicate how the proposed activities will be financed and a plan for the relocation of families and businesses to be displaced. Specific legal requirements may be found in Title 11, O.S., Sections 38-101 et seq.

**14.2 PREPARATION AND APPROVAL PROCESS**

A. TDA may cause a Plan to be prepared or a Plan may be prepared by another public or private entity, for approval by the City Council. Typically, TDA prepares and/or approves a Plan and recommends its adoption by the City Council.

B. Prior to consideration of a Plan by the City Council, it shall first be submitted to the ~~Tulsa Metropolitan Area Planning Commission (TMAPC)~~ for determination of conformity with the Tulsa Comprehensive Plan and submission by TMAPC of a written recommendation within 60 days of receipt of the Plan. Absent such recommendation by TMAPC, the Council may make its own conformity determination.

C. Subsequent to a finding as provided for in 14.2 B. hereof, and adoption of a resolution by the City Council (not necessarily in this order) that the area in question is blighted and appropriate for an urban renewal project, the Council shall hold a public hearing on the proposed Plan and project, after public notice published at least one time not less than 15 days prior to the date of such hearing in a newspaper of general circulation; and by the posting of not less than five public notice signs in the affected area, each having a display area of nine square feet for a period of 15 successive days, including the day of the hearing. The publication and signs shall generally outline the nature and scope of the proposed Plan and project. Following

the hearing the Council may approve the Plan upon finding that: there exists a feasible method for the relocation of families and businesses to be displaced; the Plan provides for a feasible method of financing project activities; and the Plan will afford maximum opportunity, consistent with the sound needs of the City for the rehabilitation or redevelopment of the area by private enterprise.

#### 14.3 CHANGES OR MODIFICATION OF PLAN

If TDA determines that it is desirable that a Plan be changed or modified and if such change is determined to be in conformance with the Comprehensive Plan of the City, as in the case of the initial approval, the City Council may approve any proposed changes or modifications. Prior to approval the Council shall first determine if what is proposed is a significant deviation from the existing Plan or is merely technical or clarification. If the Council determines the change to be significant it shall hold a public hearing as required of the original adoption of the Plan. If the Council finds the change(s) are not significant, it may approve same without holding of public hearing.

#### 14.4 MINOR ADJUSTMENT/VARIANCES

Most Plans provide that TDA may make minor adjustments, including variances of the building and land-use controls and restrictions contained in the Plan, but not land use, when it determines that literal enforcement would cause undue difficulty or hardship in the redevelopment or rehabilitation of properties within the project area.