

THE TULSA

VOICE

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PHOTO BY MORGAN WELCH
GRAPHICS PROVIDED BY INCOG

NATURAL BEAUTY

TULSANS MAKE THE CASE
TO PROTECT TURKEY MOUNTAIN

BY MOLLY BULLOCK

IN CASE YOU MISSED IT, competing plans for three outlet malls have been announced in the Tulsa area this past year. The one that's raised the most ire is Simon Property Group's proposed 800,000-square-foot development near the intersection of 61st Street and Highway 75 on Turkey Mountain's topography. Opposition to the mall has grown steadily since the August announcement, which ultimately gave rise to the Tulsa Urban Wilderness Coalition. The resistance has reached a clear and eloquent critical mass, a decided ripening that's accelerated over the past few months. Simon has twice requested additional time to prepare for its meeting with the Planning Commission, which is now expected to take place June 17.

After meeting with Simon representatives when they submitted an initial plan in February, the Tulsa Urban Wilderness Coalition voiced concerns that Simon had rushed its plans in order to stay competitive with the other developers and had failed to adequately safeguard the remaining green space and address infrastructure and drainage needs. Simon's initial submittal to INCOG (the Indian Nations Council of Governments) included plans to build a retaining wall/fill area up to 70 feet high and replace the two-lane 61st Street bridge with one up to six lanes wide (see Preliminary Site Plan).

The Southwest Tulsa Chamber of Commerce and Riverfield Country Day School hosted a public forum March 12, and District 2 Councilor Jeannie Cue held a forum for area residents

March 16. At the District 2 meeting, residents voiced grave concerns about infrastructure, overwhelming traffic and prolonged road construction. They also questioned the wisdom of selecting Turkey Mountain for the mall when other areas of Tulsa are more in need of development. The impacts of the massive proposed retaining wall and increased pollution were also discussed. The most depressing moment at the March 16 meeting was when Clay Bird, director of the Mayor's Office of Economic Development, responded thusly to a woman's question about the project's economic sensibility:

“
**I look around here, and I mean,
 you ladies all look really nice.
 I would think that you'd probably like
 shopping at a Simon Premium Outlet.**
 ”

About 300 people showed up to the public meeting Councilor Cue held March 17 at the Southern Hills Marriott. A second room was opened to accommodate the crowd, who for a full two hours overwhelmingly voiced pointed concerns about the development. The only

representative of Simon, Tulsa attorney Lou Reynolds, left after the first hour but gave some insight into why Simon postponed its March 18 hearing with the Planning Commission.

“One of the things that we've learned is there are lots of people that have lots of questions, and they're questions that take some level of skill to answer,” Reynolds said. “... And I visited with them, and I told them I thought it was premature for this matter to go to the Planning Commission with the questions that we had to date and the, if you will, the lack of answers and concrete information that I'd seen about the project.”

Reynolds named the 61st street bridge widening, the concerns of the neighboring West-side YMCA and storm water as issues Simon is trying to address.

With Simon being only distantly and minimally engaged in the public discussion, Clay Bird is taking most of the heat. His job is to attract and expand businesses with a primary focus on retail. After all, a massive portion of Tulsa's operating budget is funded by sales tax—a fact Bird has hammered in with what could only be described as admirable indefatigability.

FIVE KEY CONCERNS with the development crystallized at the March 17 meeting. We'll start with two from a commenter who at one point received a full 30 seconds of applause.



1

Simon doesn't have Tulsa's best interests in mind.

Kaye Price represents the West of River Tenants and Homeowners (W.O.R.T.H.) and lobbied for nearby Tulsa Hills' tax increment financing (TIF) district. Price said Simon—the owner of Woodland Hills Mall—was fiercely opposed to that development.

“Simon Properties stated that we would cannibalize them, as did Promenade,” Price said. “Both malls were vehemently against Tulsa Hills' development. ... Simon now wants to jump on a successful bandwagon. ... They screamed and hollered and belled about not letting Tulsa Hills have a tax increment financing district, and now they want one in the very location? *How dare they?*”

Price's next point has been on many of our minds since August.

2

Right development, wrong location.

“East Tulsa is dying,” she said. “They very badly need this. If Simon has the best interests of the citizens and the city of Tulsa in mind, and if they're such wonderful neighbors with deep pockets like you keep talking about, then let them put this with a TIF—because the figure I've heard is \$30 million. That is \$30 million that the citizens of Tulsa will pay for. I for one can't justify paying \$30 million for infrastructure and then allowing this company to come in and destroy this beautiful mountain that all of us don't want destroyed. And for what purpose? We don't need this catalyst. We already had it, it's called Tulsa Hills and The Walk. So Simon, how dare you come back to my area and tell me that now you want onboard. ... And then you asked us to foot the \$30 million bill for the infrastructure? No. Take it to east Tulsa. The infrastructure is there.

If there's not enough infrastructure for you to build it there, then you can get a small TIF for what you need. But building six-lane bridges? I don't know how you're going to bring that down to a two-lane county road. It's the right thing in the wrong place. Put this somewhere else.”

Bird said he's committed to securing at least one outlet mall development within the city limits (one of the three is proposed in Catoosa).

“My job is to try to work with both of them and try to make each project work if at all possible, and that's what I intend to do,” he said. “I mean, ‘How dare Simon come in?’ Well, I *want* Simon here. I want Simon. I want them to bring those stores here, I want you all to go out and spend money there, buy lots of new shirts, new dresses, ... because that's going to put more cops on the street, it's going to help fix the streets, it's going to do all of that.”

Bird said the proposed development is far enough away from what he considers to be Turkey Mountain that the mall wouldn't really affect the wilderness area. Though he conceded that the mall traffic would squeeze an area widely known to be under-equipped for its existing traffic counts, he said—repeatedly and to vocal disapproval from the crowd—he hopes to find a solution that serves both Simon and Turkey Mountain. Bird even suggested the development might somehow be good for Turkey Mountain.

“Why not put up a parking structure and include that?” he said. “... And maybe it's a parking structure with a rock climbing wall, ... and guys, I'm *not* the bad guy here, I'm trying to—no I'm not the bad guy. Dude, I'm not the bad guy. But if we don't try to come up with something that will work for everyone—that could be a win-win—then I don't know what to do beyond that, other than we just tell them, just go on down the road, we don't want it here. [loud cheering and applause] ... If that's really what most people want, and if that's the way the City Council feels, that's the way that it'll be resolved. This is a public process.”

3

It's a quality of life issue.

Longtime Turkey Mountain visitor Kirk Wester, who attended the meeting with his daughter, said there's more than one road to sales tax revenue, and some take Tulsa in the wrong direction.

“Turkey Mountain is designated as a wilderness,” Wester said. “A wilderness means that it's a separation from development, society. ... It's a unique place that you can go within just a few minutes and not be around all of that. ... Where does the issue of quality of life—and what we value as a quality of life—play into all this? I'd argue that the availability of retail sales is not the only driver of sales tax revenue, that one driver of sales tax revenue is the fact that you enjoy your city, you get out in your city, that you're not sitting on your couch all day watching TV.”

“Our city is finally making that turn.”

Bird agreed that quality of life is important but reiterated his desire that Tulsans approach this proposal with an attitude of trying to make it work. Councilor Cue responded that quality of life is a top priority for Council members and encouraged Tulsans to communicate with their representatives about issues that affect their quality of life.

4

The plan conflicts with what we know about smart, sustainable growth.

Colin Tawney, government affairs coordinator for the Tulsa Urban Wilderness Coalition, acknowledged the need to respect the rights of private property owners but asked the city to weigh the costs of developing green space over redeveloping areas that have fallen into disrepair. Tawney said the collateral infrastructure and maintenance needs of a new development would largely undercut the alleged sales tax benefits.

“When you bring a development like this in and you've got a highway corridor that's already overtaxed, ... that's going to contribute to the need to widen highway 75. We have a very dangerous road corridor from Highway 75 down to 71st that people cut through daily that will be used more. So eventually that's probably going to require—to mitigate traffic safety issues—a widening, leveling, that kind of thing. How many millions in infrastructure do we spend to support this project, which nominally might bring in \$4-6 million a year in new sales tax revenue, if that? ... What is the real sales tax benefit? Because there's plenty of national information now that's coming about that suburban development is actually robbing communities of important assets because of the cost of sprawl—the cost of improving all the extra infrastructure that's not accounted for and then maintaining it; the additional fire and police presence we'd have, because parking lot crime does follow a development that has 1,800 to 2,000 parking spots. ... And then you also have to deal with mitigating the trash. Is that back on the developer, or should that become a public problem when it wasn't a public plan? So these are the things, in terms of smart and sustainable, that I don't think anybody's really hearing about. If anybody could possibly amplify on that—what the national trends are, versus what we seem to be doing that's a little bit different? Rather than redeveloping, we're still crunching down wilderness and having to come up with new infrastructure costs.”

Bird didn't expound much on sustainable growth but said he agrees with many of those sentiments. He also highlighted the city's continued efforts to redevelop downtown. But Bird essentially said that the proposed property is a good spot for development because it's an undeveloped property within city limits that's near Tulsa Hills and Highway 75.

Around this time—halfway through the meeting—Reynolds left. Cue said there would be another public meeting “as soon as we can get Simon here to actually speak.”



READERS VOTED TURKEY MOUNTAIN THE BEST PLACE TO FEEL LIKE YOU'RE NOT IN TULSA, BEST PLACE TO HIKE AND BEST SUBURBAN OASIS IN THE VOICE'S 2015 BEST OF TULSA AWARDS

Green space supports public health.

Steve Schneider, an area representative of the International Mountain Bicycling Association, said it's critical to preserve green space and mindfully manage natural recreation areas. He stressed the city's "responsibility to invest in wellness and a healthier lifestyle for the Tulsa taxpayers" and challenged Simon to "settle up" with the landowner and look elsewhere for a mall site. Schneider also asked the city to undertake purchasing the land, to much applause.

"All across the south and mid-west, we are dealing with hypertension, obesity, diabetes and the like," Schneider said. "Destroying natural areas, especially green space already in use, will not encourage a healthier lifestyle. And we all know a healthier lifestyle lessens the chance of health issues we face, including less sick days at work, less strain on insurance costs, and the list goes on and on and on. So there is more to this story than the obvious conservation issues. ... The *only* true green space in Tulsa right now is Turkey Mountain. That's it. ... Find some fundraising efforts. You have a lot of people in this room that will be glad to do that. ... Raise the funds, secure this prized piece of land, keep it green and invest in the health, wellness and future of this community."

The question of purchasing the property has arisen numerous times over these months, and Cue has emphasized the city's lack of funds for the purchase. Tawney indicated at the March 17 meeting that he was working on raising funds or finding a buyer for the property.

SIMON'S PUBLIC MEETING

with the Planning Commission is

anticipated to be June 17 at 1:30 p.m.

in the Tulsa City Council Chamber,

175 E. 2nd St., 2nd Level.

Unless a larger space is selected, the meeting is likely to exceed capacity. Show up early, and whether or not you can make it, send your comments and concerns to Susan Miller, smiller@incog.org, or Dwayne Wilkerson, dwickerson@incog.org. Follow the agenda and view submitted materials at TMAPC.org

WHEN ASKED DIRECTLY ABOUT HER

position on the mall, Cue initially defaulted to what for months has been her stock response—that we all need more specific information on the project before she can take a position. Eventually, her response found its way to something more substantial.

"I think Simon knew if we had to vote next week, we could not approve this project, it would have had to go," she said. "... I was hoping they would be there last night (at the March 16

meeting for District 2 residents) or tonight. ... I'm not even sure if they're going to build that mall at this point. ... We can't build something just to build it. There has to be responsibility. ... The people that live in my district know, when they come out and tell me they don't want something—and the majority tells me—my vote on the council is always no. Whether it's an apartment complex that I've been told by a lot of people we could never stop, and we did—

or whatever it is. But we have to have all the facts, everyone in this room needs all the facts before we make a decision."

Perhaps we do need more "facts," but this much is clear: The course of this development is shifting materially before our eyes because people are showing up and giving a shit about preserving precious green space, improving our collective health, keeping brilliant young people in Tulsa and making it a place that supports us all. ♡

RE-ZONING: A PUBLIC PROCESS

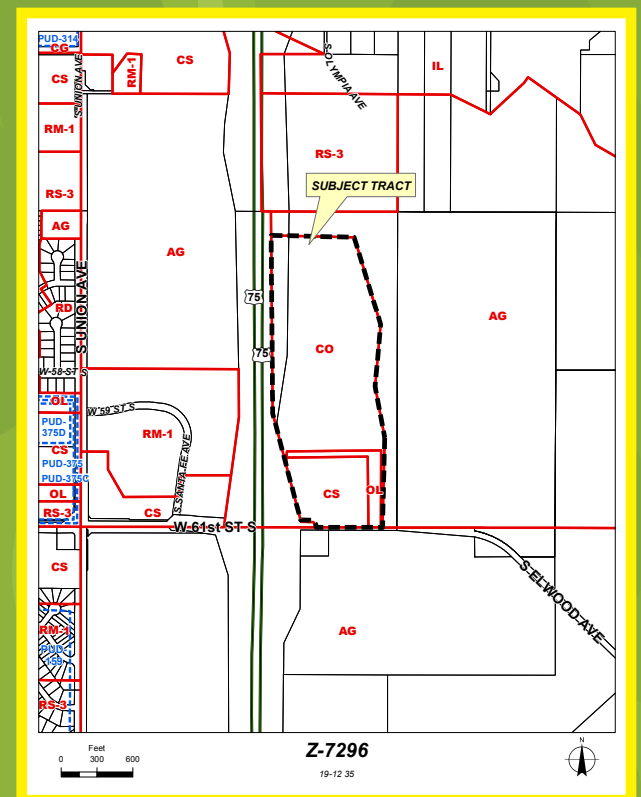
As the property is currently zoned, more than 1 million square feet of development potential could be realized now, without any public involvement. If the site's existing zoning was a good fit for the mall, Simon would go straight into the permitting process. The only reason Tulsans get a say in the proposed development is because re-zoning requests require a public hearing process.

Most of the property is currently zoned Corridor. One part of it is zoned Commercial Shopping, and a small strip is zoned Office Light. The east and north borders of the property are zoned Agriculture (see Zoning Map).

According to Lou Reynolds, the Tulsa attorney representing Simon, the Agriculture districts will remain as such, but Simon is seeking Corridor zoning for the site's Office Light and Commercial Shopping districts. Corridor is a customizable zoning district developed through a site-specific public hearing process. Depending on the circumstances, a Corridor district can be limited to only a few uses or a wider range of uses.

INCOG, a regional planning organization, oversees zoning for the city of Tulsa and unincorporated Tulsa County. INCOG also provides the primary staff to the Tulsa Metropolitan Area Planning Commission, a recommending body comprised of 11 citizen volunteers. When existing zoning doesn't suit landowners' needs, they go to INCOG for professional planning advice and assistance. INCOG then takes submissions before the Planning Commission and offers a recommendation for or against approval. Simon's initial submittal (see Preliminary Site Plan on p. 19) to INCOG has been the subject of in-depth public discussion. Simon is still working on a final submittal to INCOG and pushed its March 18 public meeting with the Planning Commission back to June 17.

"That meeting is the first time that you as the public has the opportunity to stand up and weigh in on that



decision making process," INCOG Land Development Manager Susan Miller said at the public meeting March 17. "So the Planning Commission considers our recommendation as professional planning staff ... as well as every other comment that is presented to them in the meeting. ... We don't live on the street, and we don't see what happens in your neighborhood. And those are things that they need to hear from you."

If the Planning Commission rejects the proposal, Simon must file an appeal before it can go before City Council (the plan will get to City Council either way; a rejection only necessitates this extra step on the applicant's end). If the Planning Commission recommends approval, the proposal goes before City Council and a second public hearing. In Simon's case, the latter hearing will likely take place three to four weeks after the former due to the expected turnout at the Planning Commission meeting June 17. If City Council approves the plan, the ordinance becomes effective about a month later.