



CITY OF  
**BROKEN ARROW**  
*Where opportunity lives*

## Request to Appear Before the City Council

(Please submit one form for each agenda item)

Date of Meeting: January 23, 2020

Name: Debbie Gresh Day Time Phone: 918-706-8541

Address: 3920 West Union Street City: BA State: OK

Zip: 74011 E-mail Address: \_\_\_\_\_

**Agenda Item Number/Letter** BAZ-2046 (i.e.; 9B, 11C, etc.)

\_\_\_\_ I wish to speak **IN FAVOR** of this item.

\_\_\_\_ I wish to speak **IN OPPOSITION** to this item.

\_\_\_\_ I do not wish to speak; however, please record my \_\_\_\_ SUPPORT  OPPOSITION

**Citizen's Opportunity to Speak:** This item is available to citizens to speak on any subject not on the agenda, but related to City business or services. However, by state law, no action may be taken on this topic at this meeting. It can be studied for a future report or action.

Topic of Discussion: See attached letter

\_\_\_\_  
Supporting Materials: \_\_\_\_\_

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Return this form to the City Clerk prior to the beginning of the meeting.

According to Broken Arrow's zoning ordinances dated February 1, 2008 thru February 9, 2018, Section 6.4 Step 8 Approval Criteria states as follows:

The City Council may approve re-zonings, and the Planning Commission may recommend approval, if the rezoning meets **all of** the following criteria:

- a. The rezoning will promote the public health, safety, and general welfare;
- b. The rezoning is consistent with the comprehensive plan and the purposes of this Ordinance;
- c. The rezoning is consistent with the stated purpose of the proposed zoning district;
- d. The rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract; and
- e. Future uses on the subject tract will be compatible in scale with uses on other properties in the vicinity of the subject tract.

The ordinance states that the rezoning must **meet all not part** of the following criteria. The application does not meet this criteria and must be denied for the following reasons:

All property that is in the vicinity of the applicant's subject tract is zoned either RS-2, RS-3, AG or AG-R. According to the plats of Shadow Trails, all homes are RS-3 on a larger lot size. Surrounding the Applicant's tract of land, are some homes with acreage, zoned AG-R. Thus, this application should be denied because it does not meet section E of the Broken Arrow zoning ordinances as quoted above.

In addition, there are no homes in the square mile of the Applicant's property which are zoned RS-4. According to Broken Arrow's own book of zoning there are no homes which are zoned RS-4 off of east 121<sup>st</sup> street from Elm to Garnett -- in fact, most are either RS-3 with large lot sizes or RS-2. If it is Broken Arrow's vision to have comparable and like homes, this application should be denied because it does not meet section E of the Broken Arrow zoning ordinances.

The City of Broken Arrow has spent a lot of money on improvements to Hailey Creek. With its walking trails, the park is now a big draw and people relocating to Broken Arrow will be looking at east 121<sup>st</sup> street. What is Broken Arrow's vision of what it wants to see around this park area all the

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way to Warren Theater. This is a growth area for Broken Arrow. How does Broken Arrow want to present itself to persons entering Broken Arrow? This can be either favorable or not. Does Broken Arrow wish to see consistency and conformity and desirability or a hoge pog?

In addition, east 121<sup>st</sup> is a gateway from the Creek Turnpike off of south 129<sup>th</sup> with beautiful RS-3 and RS-2 homes. If, this is Broken Arrow's vision of this area then the application should be denied because it violates B and C of the ordinance which states that "the rezoning is consistent with the comprehensive plan and the purposes of this Ordinance and 'the rezoning is consistent with the stated purpose of the proposed zoning district." The applicant's plan is a mixture of RS-3 and RS-4 homes which is inconsistent in and of itself.

Again, as stated by the ordinances, "the Development Services Department shall investigate and recommend the most appropriate zoning classification for consideration by the City Council. The determination of the most appropriate recommendation shall be that classification having the least density, but allowing the primary use to be a lawful and conforming use by right.

Rick Dodson will soon be starting phase 3 which will add approximately 115 homes to the area. In the one square mile there are also approximately 312 landowners and other acreage homes. If you add all this up there will be 624 homes in the near future. Adding Capital Homes will increase the number to roughly 801 homes causing both traffic, safety, and drainage issues in this area. This is also in violation of section A which states that "The rezoning will promote the public health, safety, and general welfare.",

The city of Broken Arrow prides itself on the quality of living but the City is not planning to 4 lane either south 129<sup>th</sup> or Garnett. In addition, on 141<sup>st</sup> street we have a sand and gravel business which runs 50 to 100 trucks per day and a church off of south 129<sup>th</sup> and a Bixby school which is on east 131<sup>st</sup>. Again in violation of section A.

In conclusion, our good neighbors to the west, Bixby and Jenks, have enacted ordinances which do not have any RS-4 homes. In fact Bixby has

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recently banned RS-4 zoning. I am sure that Broken Arrow wants their city to be just as desirable and uphold the high standards of Bixby and Jenks. Therefore, I respectfully request, that the Board uphold its current ruling to deny Capital Homes application.

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