



May 31, 2018

To: Broken Arrow Development Services

Subject: Appeal of Planning Commission Disapproval of BAZ-2000 Angus Acres Perimeter Rezoning From A-R-1 Residential to ON Office Neighborhood, dated May 24, 2018.

Before listing my arguments supporting my appeal of the Planning Commission's decision on BAZ-2000, I must say that I was very much surprised and disappointed with their decision, especially in light of Development Services' report recommending approval of BAZ-2000. BAZ-2000 fits all the necessary requirements for Office Neighborhood zoning, yet certain members of the Commission were apparently swayed by several baseless objections at the meeting, some of which were from persons not in the immediate neighborhood.

My arguments for appealing the disapproval of BAZ-2000 will be brought forward under the subjects of Safety, Traffic, and Investment.

Safety

Several years ago, an automobile hit my house on the 23rd St. side. It struck my daughter's bedroom and drove her furniture through a inside partition wall. Luckily, she was in another part of the house at the time and was not injured. But, as a result of the accident, I built a barrier of short telephone poles and connecting cables on the front of my property to avoid any further damage to my house and persons inside. Since that time, my barrier has been struck by automobiles at least five times at all times of the day and night. Unfortunately, because of the future five-laning of 23rd st., I was required to sell 35 ft. of my side yard and my barrier will be removed from the new right-of-way. In the settlement, ODOT and Broken Arrow refused to construct a metal guard rail next to the road to replace the safety of my barrier. I heard a comment from someone at the meeting.. "why didn't he just sell his house to ODOT instead of the 35 ft." I

would have, if I had been offered enough for my 2000 ft. house and one acre lot so that I could buy a comparable house. But, ODOT's offer was well below what it would take to buy a comparable home in the Broken Arrow area.

There are two houses on 23rd st. that will continue to face dangerous accidents and safety issues on their properties in the future. Mine and Shirley Ketcher's at 2001 Archdale St. Shirley's house has been narrowly missed by cars several times in the past. Her trees have been hit and destroyed or damaged. It is not safe to mow the grass next to 23rd St. at either house because of the cars speeding by, and never knowing if they are going to leave the road and hit you.

One person at the Planning Commission meeting voiced the objection that office buildings on the perimeter of Angus Acres would endanger school children walking on the neighborhood streets. One of the conditions for Office Neighborhood zoning is that access to the businesses must be from arterial streets, which is the case from 23rd St. and Kenosha. This requirement would avoid any unsafe conditions in the neighborhood for school children, that are not already associated with 23rd St. and Kenosha.

Traffic

Can anyone truthfully say that a few office buildings built on 23rd St. and on Kenosha will create more traffic?? Anyone who lives on the perimeter of Angus Acres knows that there is already maximum traffic and noise on both streets, which should increase further with the widening of 23rd. St. Just sit on the front porch of one of the individual's houses and you will find that you must raise your voice to be heard above the noise of continuous traffic. And regarding commercial activity, in case you aren't aware....commercial activity at 23rd St. and Kenosha is already well established and zoned, and will certainly result in increased traffic and noise, when the commercially zoned land behind Atwoods and across 23rd. St. are developed after completion of the road widening. When the property behind Atwoods and beside What-A-Burger was graded and access

built from Kenosha, I was told that an access from 23rd St. would be in line with Archdale St. I would presume that to regulate traffic into the new commercial area west of 23rd St., a traffic light would need to be installed at 23rd St. and Archdale St. In summary, I can see no reason why increased traffic flow would be a consideration in disapproval of our Office Neighborhood zoning application.

Investment

Because of the five-lane road widening of 23rd St. between Kenosha and Houston, houses and properties on 23rd St. will be virtually unmarketable at acceptable residential prices. In addition to the road being closer to our homes, a trail for jogging and bicycling is planned within a few feet of our homes. Again, in the right-of-way settlement, ODOT and Broken Arrow refused to fence us off from the trail, further devaluing our homes. The appropriate question now would be...Who would be interested in buying a house and living near so many undesirable conditions? I can think of no one except possibly a person who would buy the house as a rental property. Speaking of rentals, a large number of homes in Angus Acres are already rental homes and I believe it will become more common in the future. The Angus Acres addition was built in 1957/58 and many of the homes are in disrepair because of age, original owners moving away or dying, and becoming rental properties. One person objecting to the zoning application at the Planning Commission meeting, cited the reason for his objection as being loss of investment value of his three houses on Archdale St. I seriously doubt that any significant devaluation would occur to 60 year old houses because of nearby office buildings. This person and others were of the opinion that they would be hurt financially by the zoning change, yet they were unconcerned with those of us on 23rd St. taking a much greater loss. The Planning Commission at the beginning of the meeting stated that they were in sympathy with those facing financial loss, but couldn't use it as a consideration in their ruling. I sincerely hope that City Council members can consider financial loss as it is one of the driving

forces behind our zoning application.

As a side note..one of the persons objecting at the meeting, said that "Mr. Stacey was President of the Angus Acres I and II Homeowners Association (during the Eastside Development Times) and is now just looking out for himself instead of being concerned about the whole addition". Of course, his remark had nothing to do with investment, but was a personal affront to me because I was the person who stepped up to protect our addition from a road dividing our addition and taking out three or four homes. I attended numerous City Council meetings for Angus Acres residents to protect their interests. It is apparent that no one in the addition, not involved in the zoning change, is now concerned with the problems of a few of us on 23rd. St. Which is why, the applicants for the zoning change must pursue their own interests to a satisfactory conclusion. The applicants living on Angus Drive and backing on Kenosha, do not have the investment problems of those on 23rd. St., however all of them comply fully with Office Neighborhood requirements and are compatible with the zoning change. Three of the six houses on Angus Dr. are rentals and all six owners are very willing to sell their properties commercially for investment purposes.

I sincerely hope that our arguments expressed in this letter will be sufficient to win appeal of our zoning application. We look forward to review of our appeal at a future City Council meeting and appreciate the opportunity to do so.

Respectfully,



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