



Fact Sheet

File #: 15-362, Version: 1

**Broken Arrow City Council
09-01-2015**

**To: Mayor and City Council Members
From: Development Services Department
Title:**

Consideration, discussion and possible action regarding BACP 146 (Comprehensive Plan Change), Elm Ridge Crossing II, 19.64 acres, Level 2 to Level 3, one-quarter mile south of Omaha Street, east of Elm Place

Background:

BACP 146 is a request to change the Comprehensive Plan designation on 19.64 acres from Level 2 (Urban Residential) to Level 3 (Transition Area). The unplatted property is located one-quarter mile south of Omaha Street, east of Elm Place, south of Centennial Middle School and Country Lane Elementary School. The change in the Comprehensive Plan is being requested because the applicant is interested in developing, in two phases, an apartment project with up to 320 multi-family dwelling units (first phase 300 apartment units on 14.68 acres, a density of 20.43 dwelling units per acre). Multifamily zoning is in accordance with the Comprehensive Plan only in Level 3.

On June 25, 2015, at the request of the applicant, the Planning Commission continued BACP 146 to the July 23, 2015, Planning Commission meeting to give the applicant an opportunity to meet with the surrounding property owners and address issues raised by Staff.

The Planning Commission held a public hearing on August 13, 2015. There were approximately 85 people present to hear this case. Ten citizens spoke against this proposal, and two persons spoke in favor. There are petitions submitted with approximately 200 plus signatures, opposing BACP-146. There were approximately 25 letters submitted to the Planning Commission in opposition of this case. Staff has received numerous calls from surrounding property owners opposing this proposal.

After a lengthy two hour-plus hearing, the Planning Commission recommended approval of BACP-146, pursuant to Staff recommendations. This was accomplished by way of a 3-1 vote wherein the Commission emphasized implementation of the development through the Planned Unit Development (PUD) process, and subject to the property being platted.

The following recommendation, by Staff, was presented to the Planning Commission on August 13, 2013, and was subsequently approved:

BACP 146 is a request to modify the Broken Arrow Comprehensive Plan. The first paragraph of the Comprehensive Plan states, "Communities prepare comprehensive plans for many of the same reasons we each prepare individual retirement plans. In order to reach a desired quality of life at some defined point in our future, we must make decisions, investments and commitments today that will benefit us for years to come. For

a community, these planning decisions center on identifying solution to current problems and creating new opportunities to meet anticipated future needs. Quite simple, a comprehensive planning process offers the opportunity to discuss, direct, manage, and manifest change.”

The Comprehensive Plan was based on the use of the LUIS (Land Use Intensity System) model. This model is based on the concept that certain lands uses have similarities in intensity of use and are compatible, while other land uses have a different level of intensity and may not be compatible. The premise of the model is that Level 4 (Commercial/Employment Nodes) uses are to occur at arterial street intersections and be wrapped by Level 3 (Transition) uses. The Level 3 serves as a transition between the Level 4 uses and Level 2 (Urban Residential) uses.

BACP 146 is requesting to change 19.46 acres from Level 2 to Level 3. The abutting property to the north is identified as Level 4 and Public/Semi-Public (Broken Arrow Public Schools). To the south is Level 3; while to the east is Level 2, which is undeveloped. Further east is also Level 2, which contains the Country Lane Estates neighborhood. The west boundary is next to Elm Avenue. West of Elm Avenue is Level 2.

The question that must be decided by the Planning Commission, is this the appropriate location for Level 3. In Staff’s opinion, the Level 3 being requested with BACP 146 is in accordance with the goals, objectives, and policies of the Comprehensive Plan. It is an extension of the Level 3 area to the south, and as recommended in the Comprehensive Plan serves as a buffer between the Level 4 uses to the north and the Level 2 uses to the east and further south.

The draft PUD submitted with BACP 146, while not a completed document, is a key element associated with the request to modify the Comprehensive Plan. Therefore, based on the goals, objectives, and policies of the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that BACP 146 be approved, subject to the property being platted and a PUD being submitted that is similar in context to the draft PUD submitted. Further refinement of the PUD, however, can continue to occur.

Details of this case are described in the attached staff report dated, August 13, 2015, presented to the Planning Commission. Also attached to this item are a significant number of documents, correspondence, opposition forms, photographs, and summaries of concerns submitted by opponents of this project. Many of the concerns expressed by opponents involve existing public infrastructure, including roadways and stormwater appurtenances. Staff recently became aware of proposed improvements to Albany Street (51st Street South) by Tulsa County and the Oklahoma Department of Transportation. Staff would appreciate the opportunity to further research these proposed improvements, as well as obtain meaningful input from the Broken Arrow Public Schools regarding roadway improvements proposed by the Developer that would assist in alleviating traffic problems in this particular location. For that reason, Staff recommends that this item be tabled until the next regularly scheduled meeting of September 15, 2015.

Cost: \$0

Prepared By: Farhad Daroga

Reviewed By: Development Services Department
Legal Department

Assistant City Manager

Approved By: Russell M. Gale, Acting City Manager

Attachments:

- 1- August 13, 2015 Planning Commission Fact Sheet, BACP 146
- 2- Case map, BACP 146
- 3- Aerial photo
- 4- Draft PUD submitted August 4, 2015
- 5- Proposed building elevation
- 6- Table- Multi-Family Housing Units North of BA Expressway
- 7- Drawing- Multi-Family Housing Locations North of BA Expressway
- 8- Case Map, BACP 96
- 9- Case Map, 121
- 10- Request from Applicant to move meeting to July 23, 2015
- 11- Invitation to Neighborhood Meeting, provided by Applicant
- 12- Jennifer and Bill Day Letter, Received June 8, 2015
- 13- Darin D. Swinney Letter, Received June 15, 2015
- 14- Anne Cunningham Email, Received June 22, 2015
- 15- Gary Wright Letter, Received, June 22, 2015
- 16- Joyce Summers Letter, Received June 25, 2015
- 17- Blake and Samantha Palmason Email, Received June 28, 2015
- 18- 25 Letters of Opposition to BACP 146, Received July 16, 2015
- 19- Stephen Gurney letter, received July 20, 2015
- 20- Sylvia Cicco Letter, received July 22, 2015
- 21- Bill Day Traffic Concerns, received July 23, 2015
- 22- 30 Page Signature Petition. Rec'd July 16, 2015
- 23- July 17, 2015, email from Tracy Long requesting continuance
- 24- Dotson letter in support of BACP 146, Received July 20, 2015
- 25- Picture from Centennial Middle School looking south
- 26- LUIS Model
- 27- Signed opposition forms (10) submitted during 8/13/15 meeting
- 28- Flooding presentation by Darin Swinney presented during 8/13/15
- 29- "The Case for Multifamily..." presented by Joani Dotson 8/13/15
- 30- "Overcoming Opposition..." presented by Joani Dotson 8/13/15
- 31- 9 page handout presented by Erin Duin during 8/13/15 P.C. meeting
- 32- Traffic Congestion presented by Bill & Jennifer Day during 8/13/15
- 33- TEC letter submitted to the Planning Commission 8/13/15

Recommendation:

Table BACP 146 until the next regularly scheduled City Council Meeting.

FKD:kjf