		City of Broken Arrow Meeting Agenda Planning Commission Chairperson Ricky Jones Vice Chair Lee Whelpley Member Fred Dorrell Member Mark Jones Member Pablo Aguirre	City of Broken Arrov Council Chambers 220 S 1st Street Broken Arrow OK 74012		
Thu	rsday, February		<b>Council Chambers</b>		
1. Ca	all To Order				
2. R	oll Call				
<b>3.</b> O	ld Business				
4. Co	onsideration of Co	onsent Agenda			
A.	<u>19-197</u>	Approval of Planning Commission meeting minutes of Ja	anuary 24, 2019		
	Attachments:	01 24 2019 Planning Commission Minutes.docx			
B.	<u>19-194</u>	Approval of (Lot Split) BAL-2046, Oak Creek South Phase II Amended, Lots 12 & 13, Block 3, 0.42 acres, one-half mile north of Washington Street (91st Street), one-quarter mile east of 23rd Street (County Line Road), north of the Union Pacific Railroad			
	<u>Attachments:</u>	2-CASE MAP 3-Aerial 4-Lot Split Exhibit 5-Oak Creek South Phase II Amended Plat and Covenan	<u>ıts</u>		
C.	<u>19-233</u>	Approve (Change of Access) CA 19-101, New Heart Fel Snead, 15.53 acres, A-1/SP-172A and R-2, east of 23rd S Line Road/193rd E. Avenue), one-half mile north of Flor Street)	Street (County		
	<u>Attachments:</u>	2-CASE MAP.CA19-101 3-CHANGE OF ACCESS EXHIBIT.CA 19-101 4-AERIAL.CA19-101 5-NEW HEART FELLOWSHIP CHURCH PLAT 6-LOT SPLIT EXHIBIT AND LEGAL DESCRIPTION 7-JANUARY 14, 2019 LETTER FROM NEW HEART			

## 5. Consideration of Items Removed from Consent Agenda

- 6. Public Hearings
- A. <u>19-235</u> Public hearing, consideration, and possible action regarding (Planned Unit Development) PUD-286, Fire Station No. 3, 3.03 acres, 1 lot, A-1 to CG, one-half mile south of Florence Street, west of 23rd Street, north of the Creek Turnpike

Attachments:2-PUD-286 CASE MAP3-PUD-286 Aerial4-Proposed PUD Development Standards5-Exhibit A of the proposed PUD6-Conceptual Site Plan7-Comprehensive Plan

## 7. Appeals

- 8. General Commission Business
- 9. Remarks, Inquiries and Comments by Planning Commission and Staff (No Action)

## 10. Adjournment

**NOTICE:** 

1. ALL MATTERS UNDER "CONSENT" ARE CONSIDERED BY THE PLANNING **COMMISSION TO BE ROUTINE** AND WILL BE ENACTED BY ONE MOTION. HOWEVER, ANY CONSENT ITEM CAN **BE REMOVED FOR DISCUSSION, UPON REQUEST.** 2. IF YOU HAVE A DISABILITY AND NEED ACCOMMODATION IN ORDER TO PARTICIPATE IN THE MEETING, PLEASE CONTACT THE DEVELOPMENT SERVICES DEPARTMENT AT 918-259-8412, **TO MAKE ARRANGEMENTS.** 3. EXHIBITS, PETITIONS, PICTURES, ETC. PRESENTED TO THE PLANNING **COMMISSION MAY BE RECEIVED** AND DEPOSITED IN CASE FILES TO BE MAINTAINED AT BROKEN ARROW CITY HALL. 4. RINGING/SOUND ON ALL CELL PHONES AND PAGERS MUST BE TURNED OFF **DURING THE PLANNING COMMISSION MEETING.** \_\_\_\_\_, \_\_\_\_\_ at \_\_\_\_\_ am/pm. POSTED on \_\_\_\_\_

**City Clerk** 



## **Request for Action**

## File #: 19-197, Version: 1

## Broken Arrow Planning Commission 02-14-2019

To: From: Title:	Chairman and Commission Members Development Services Department Approval of Planning Commission meeting minutes of January 24, 2019
Background:	Minutes recorded for the Broken Arrow Planning Commission meeting.
Attachments:	Minutes of January 24, 2019
Recommendation:	Approve minutes of Planning Commission meeting held January 24, 2019.
<b>Reviewed By:</b>	Larry R. Curtis
Approved By:	Michael W. Skates



## **City of Broken Arrow**

## Minutes Planning Commission

City Hall 220 S 1st Street Broken Arrow OK 74012

	Chairperson Ricky Jones Vice Chairperson Lee Whelpley Commission Member Fred Dorrell Commission Member Mark Jones Commission Member Pablo Aguirre			
Thursday, January 24, 2019Time 5:00 p.m.Council Chambers				
<ol> <li>Call to Order Chairperson Ricky Jones called the meeting to order at approximately 5:00 p.m.</li> <li>Roll Call Present: 3 - Pablo Aguirre, Mark Jones, Ricky Jones</li> </ol>				
Absent: 2 - 3. Old Business	Fred Dorrell, Lee Whelpley There was no Old Business.			
4. Consideration	of Consent Agenda Staff Planner Amanda Yamaguchi presented the Consent A	Agenda.		
A. 19-146 B. 19-120	Approval of Planning Commission meeting minutes of Approval of PT18-101, Conditional Final Plat, The Wo acres, 28 Lots, A-1 to PUD-265 and RS-2, north and we Jasper Street (131 <sup>st</sup> Street) and 23rd Street (County Lin Ms. Yamaguchi indicated the applicant was in agreement w	ods of Jasper Estates, 27.97 est of the northwest corner of ne Road)		
C. 19-161	Approval of PT18-109, Conditional Final Plat, Boston Heights, a replat of Lot One, Block Two Arrow Acres, 2.10 acres, 7 Lots, A-1 to RS-2, one-half mile east of Elm Place (161 <sup>st</sup> E Avenue), one-quarter mile south of Washington Street (91 <sup>st</sup> Street) Ms. Yamaguchi indicated the applicant was in agreement with the Staff report.			
D. 19-117	<b>Approval of PT18-111, Conditional Final Plat, Dollar G</b> <b>1.88 acres, 1 Lot, A-CH to CG/PUD-283 via BAZ-2015,</b> <b>corner of Aspen Avenue (145<sup>th</sup> E Avenue) and Omaha S</b> Ms. Yamaguchi indicated the applicant was in agreement v	, located west of the southwest Street (51 <sup>st</sup> Street)		
E. 19-162	Approve CA19-100, Beehive Homes, 2.60 acres, R-2/SP (91 <sup>st</sup> Street), one third mile east of Olive Avenue (129 <sup>th</sup> I Ms. Yamaguchi indicated the applicant was in agreement v	E Avenue)		
	Chairperson Ricky Jones explained the Consent Agenda of nature, and was approved in its entirety with a single moti- was to be removed for discussion. He asked if there were Consent Agenda; there were none.	on and a single vote, unless an item		
Aye: 3 -	MOTION: A motion was made by Pablo Aguirre, seconde <b>Move to approve the Consent Agenda</b> The motion carried by the following vote: Pablo Aguirre, Mark Jones, Ricky Jones	ed by Mark Jones.		
	Chairperson Jones stated Item 4B, Item 4C, and Item 4D February 19, 2019 at 6:30 p.m. He explained if any inc			

#### 5. Consideration of Items Removed from Consent Agenda

form in advance.

No Items were removed from the Consent Agenda. No action was needed or taken.

these Items, said individual was required to fill out a Request to Appear before City Council

## 6. Public Hearings

A. 19-119 Public hearing, consideration, and possible action regarding PUD-273A (Planned Unit Development), a major amendment to PUD-273, Redbud Ranch, 18.49 acres, A-RM to PUD 273/RM, located north of Albany Street (61<sup>st</sup> Street), east of 23rd Street (County Line Road/193<sup>rd</sup> E. Avenue)

Senior Planner Brent Murphy reported PUD-273A was a request for a major amendment to PUD-273. He indicated the property had been platted as Lot 2, Block 1, of County Line

Center, but had been platted in Wagoner County and did not meet City of Broken Arrow Subdivision Regulations. He stated the property was zoned A-RM in Wagoner County prior to being annexed into Broken Arrow in 2001, at which time it was zoned R5 (multifamily). He reported in 2008 the Zoning Ordinance was updated and the R5 district became RM. He stated in March 2016 City Council conditionally approved PUD-273 and BAZ-1995, a rezoning request for the 11 acres on the north half of the property from A-RM to RM, subject to the property being replatted. He reported in December 2017 City Council conditionally approved BAZ-1989, a rezoning request for the south 7.5 acres from A-RM to RM, again subject to the property being platted. He noted the property associated with BAZ-1989 had never been developed; the applicant was in the process of acquiring the property and wished to develop a multifamily project, encompassing a total of 18.5 acres. He explained the boundaries of PUD-273 were being expanded which made this a major amendment. He stated the Staff Report included an analysis of the Zoning Ordinance requirements and the modifications requested. He explained current zoning allowed 366 units on the property and the PUD requested a reduction to 325 units; in addition, the zoning ordinance required 20% brick or stone to used on the exterior of the buildings, and as a part of the PUD, on the sides closest to and visible from the streets, 65% brick or stone would be utilized. He reported there would be one point of access to County Line Road, one point of access to Albany Street, as well as an emergency access point through the abutting property to the north. He stated the property was shown in the Comprehensive Plan as Level 3, and the development proposed with PUD-273A was considered to be in compliance with the Comprehensive Plan. He stated based on the Comprehensive Plan, location of the property, the previous rezoning approvals, and the surrounding land uses, Staff recommended PUD-273A be approved as submitted, subject to the property being replatted in accordance to the City of Broken Arrow Subdivision Regulations.

Chairperson Jones asked if he understood correctly; the RM zoning was already approved and the PUD further restricted what would be allowed during development. Mr. Murphy responded in the affirmative; the zoning was approved as RM.

The applicant, Mr. Mike Case stated his address was 4200 E. Skelly Drive, Ste. 800, Tulsa OK. He stated PUD-273A was a request to include the 7.5 acres immediately south in the development of Redbud Ranch and reduced the unit count to approximately 309 units. He explained the inclusion of the 7.5 acres to the south allowed better accessibility via two entry points, reduced potential traffic counts on County Line Road, and allowed better access for emergency vehicles. He stated this added parcel of land also enabled the project to be redesigned with smaller upscale 7 and 11 unit buildings, as well as 40 townhomes with garages. He stated this was not a low income subsidized property. He listed the intended property amenities.

Chairperson Jones opened the Public Hearing for Item 6A. He asked if any present wished to speak regarding Item 6A. Seeing none, he closed the Public Hearing.

Plan Development Manager Larry Curtis stated he had received phone calls regarding this project with questions concerning water detention and other development standards. He noted water detention and development standards would be addressed as part of the engineering process. Chairperson Jones concurred.

MOTION: A motion was made by Mark Jones, seconded by Pablo Aguirre. **Move to approve Item 6A per Staff recommendation** The motion carried by the following vote:

Aye: 3 - Pablo Aguirre, Mark Jones, Ricky Jones

Chairperson Jones stated Item 6A would go before City Council on February 19, 2019 at 6:30 p.m. He explained if any individual desired to speak regarding Item 6A, said individual was required to fill out a Request to Appear before City Council form in advance.

## 7. Appeals

There were no Appeals.

## 8. General Commission Business

There was no General Commission Business.

## 9. Remarks, Inquiries and Comments by Planning Commission and Staff (No Action)

Special Project Manager Farhad Daroga reported he sent an email to the Planning Commission inviting the Planning Commission Members to attend the Comprehensive Plan Steering Committee Meeting, Wednesday, February 6, 2019, at 6:00 p.m. at the Central Park Community Center. He indicated the final Comprehensive Plan Steering Committee Meeting would be held March 7, 2019. He noted the email included a link to the Comprehensive Plan Final Draft Document. Chairperson Jones asked Mr. Daroga to resend the email to him. Mr. Daroga agreed to resend the email. He noted there would be a Comprehensive Plan Public

Hearing in March 2019 and a National HOA Meeting in February 2019.

Mr. Curtis reminded Planning Commission the Annual HOA Event would be held on February 16, 2019 from 10:00 a.m. until 1:00 p.m. He briefly described the HOA Event.

Mr. Daroga stated the Oklahoma Municipal League was hosting Planning Commission Workshops throughout the State; the next Workshop would be in March 2019, in Collinsville.

## 10. Adjournment

The meeting adjourned at approximately 5:18 p.m.

MOTION: A motion was made by Pablo Aguirre, seconded by Mark Jones. **Move to adjourn** The motion carried by the following vote: Pablo Aguirre, Mark Jones, Ricky Jones

Mayor

Aye:

3 -

City Clerk



## **Request for Action**

## File #: 19-194, Version: 1

<b>Broken Arrow Planning Commission</b>			
	02-14-2019		
To:	Chairman and Commission Members		
From:	Development Services Department		
Title:	Approval of (Lot Split) BAL-2046, Oak Creek South Phase II		
	Amended, Lots 12 & 13, Block 3, 0.42 acres, one-half mile north of		
	Washington Street (91st Street), one-quarter mile east of 23rd Street		
	(County Line Road), north of the Union Pacific Railroad		
Background:			
Applicant:	Rausch Coleman Homes of Tulsa, LLC		
Owner:	Rausch Coleman Homes of Tulsa, LLC		
Developer:	Rausch Coleman Homes of Tulsa, LLC		
Surveyor:	Crafton Tull		
Location:	One-half mile north of Washington Street (91st Street), one-quarter mile east of 23rd		
	Street (County Line Road), north of the Union Pacific Railroad		
Size of Tract	0.42 total acres		
Number of Lots:	2		
<b>Present Zoning:</b>	R-1 to RS-3 via BAZ-1960		
Comp Plan:	Level 2 (Urban Residential)		

Lot split request BAL-2046 involves Lots 12 and 13, Block 3, Oak Creek South Phase II Amended. Lot 12 consists of 0.19 acres and Lot 13 consists of 0.23 acres for a total of 0.42 acres. This property is located approximately one-half mile north of Washington Street (91st Street), one-quarter mile east of 23rd Street (County Line Road), north of the Union Pacific Railroad. RS-3 zoning was approved by the City Council with BAZ-1960 on September 6, 2016. The plat for Oak Creek South Phase II Amended was recorded in Wagoner County on April 18, 2018.

Applicant is requesting adjust the lot lines on Lots 12 & 13 for the purpose of providing more buildable area for Lot 12. An approximately 0.07 acre piece of Lot 13 is proposed to be attached to Lot 12, giving Lot 12 a total of 0.26 acres and Lot 13 a total of 0.16 acres. The 0.07-acre tract being transferred to Lot 12 shall be permanently tied to Lot 12 through the filed deed. All lots meet the frontage and size requirements of the RS-3 zoning district.

According to FEMA maps, none of this property is located within the 100-year floodplain. Oklahoma Natural Gas (ONG), Public Service Company of Oklahoma (PSO), Cox Communications, and Windstream have indicated that they do not have any problems with the proposed lot split.

## Attachments:Case map<br/>Aerial<br/>Lot Split Survey<br/>Oak Creek South Phase II Amended Plat and Covenants

## **Recommendation:**

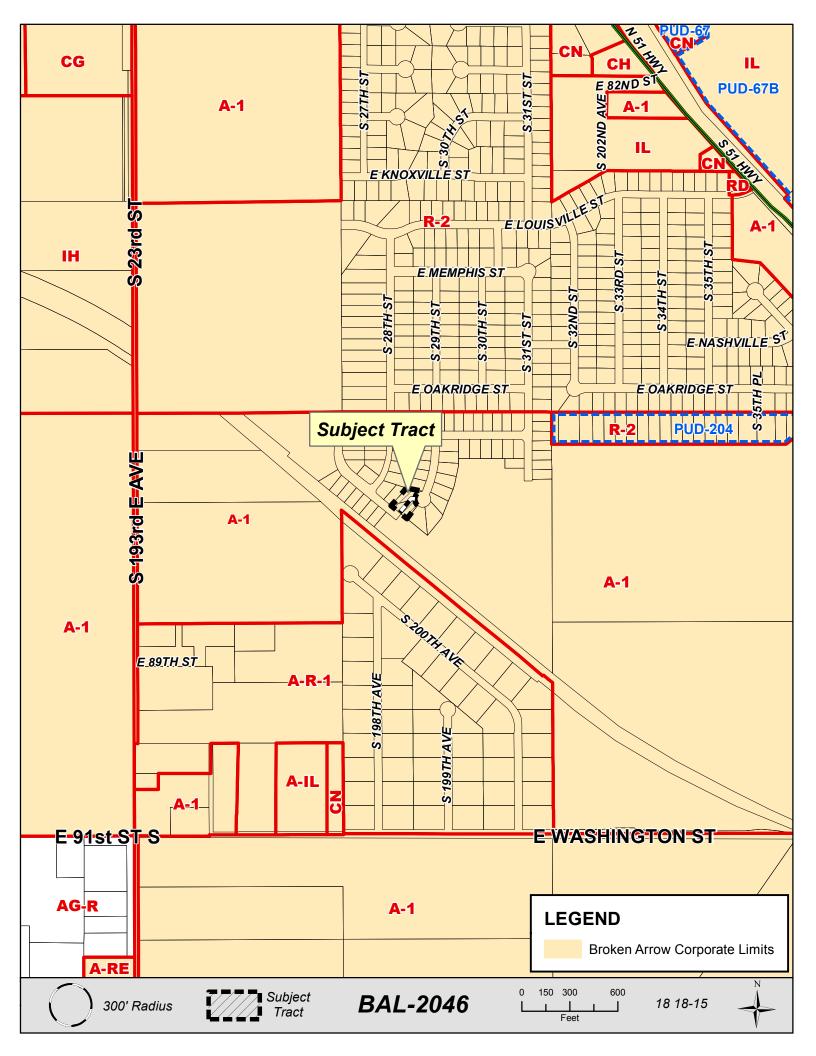
Staff recommends BAL-2046 be approved, subject to the following:

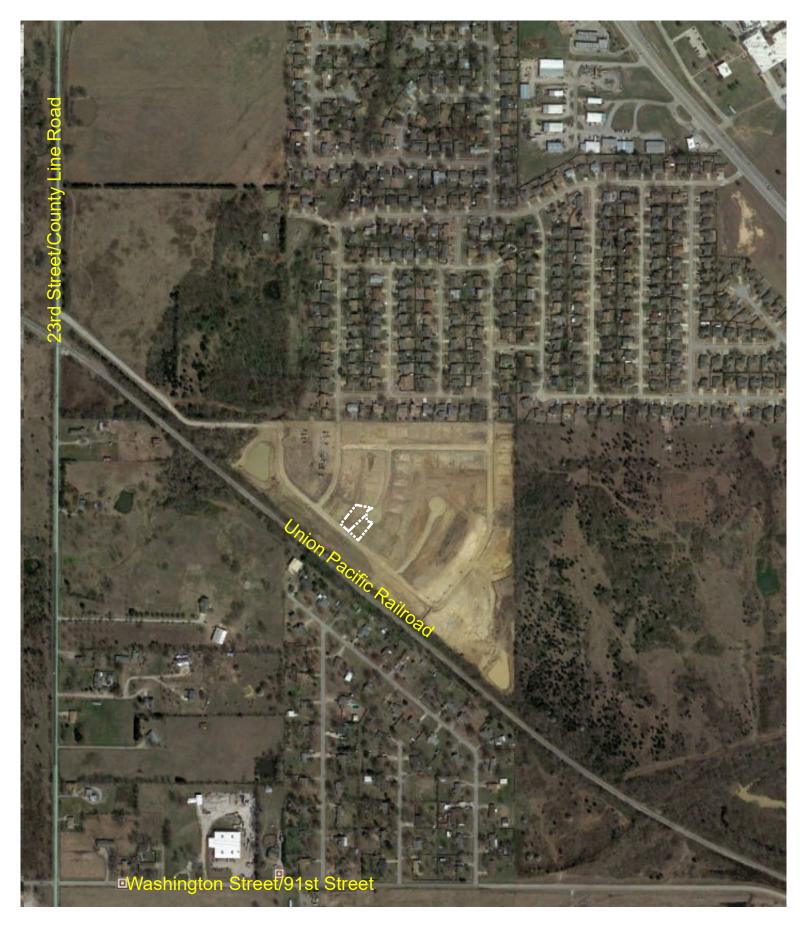
- 1. The warranty deeds for each parcel being brought to the Plan Development Division to be stamped prior to being recorded in Wagoner County.
- 2. Lot 12 and the 0.07-acre parcel shall be permanently tied together, and it shall be acknowledged and stated in the warranty deed that the property cannot be divided without receiving lot split approval from the Planning Commission.

Reviewed By: Larry R. Curtis

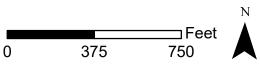
## Approved By: Michael W. Skates

ALY





BAL-2046 Oak Creek South Phase II Amended Lots 12 & 13, Block 3



#### OWNER'S CERTIFICATE

#### KNOW ALL MEN BY THESE PRESENTS:

THAT LOT LINE ADJUSTMENT OF LOTS 12 & 13, BLOCK 3, DAK CREEK SOUTH PHASE []] AND RAUSCH COLEMAN HOMES OF TULSA, LLC, HEREINAFTER COLECTIVELY REFERRED TO AS THE "OWNER/DEVELOPER", ARE THE OWNERS OF THE FOLLOWING DESCRIBED REAL ESTATE STLUATED\_IN THE CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKI AHOMA TO-WIT:

LOT 12 AND LOT 13 OF BLOCK 3 OF OAK CREEK SOUTH PHASE II, A SUBDIVISION IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 18 NORTH, RANGE 15 EAST OF THE INDIAN WARDIAN, WAGGNER COUNTY, OKLAHDMA. ACCORDING TO THE RECORD PLAT THEREOF RECORDED IN WAGGNER, COUNTY ACCORD BOOK 2425 AT PAGE 0755 AND DESIGNATED AS DOCUMENT NUMBER 2018-4602.

THE OWNER/DEVELOPER HAS CAUSED THE ABOVE DESCRIBED LANDS TO BE SURVEYED, STAKED, PLATTED AND SUBDIVIDED INTO LOTIS) AND BLOCKISI, IN CONFORMITY WITH THE ACCOMPANYING PLAT, AND HAS DESIGNATED THE SUBDIVISION AS "LOT LINE AJUSTIENT OF LOTIST 12 & 13, BLOCK 3, OAK CREEK SOUTH PHASE II", A SUBDIVISION IN THE CITY OF BROKEN ARROW, WAGONER COUNTY, OKLAHOMA.

THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE UTILITY THE OWNER/DEVELOPER DOES HEREBY DEDICATE FOR PUBLIC USE THE UTILITY EASEMENTS AS DEPICITED ON THE ACCOMPANYING PLAT AS "U/E" OR "UTILITY EASEMENT; FOR THE SEVERAL PURPOSES OF CONSTRUCTING, MAINTAINING, OPERATING, REPAIRING, REPLACING, AND/OR REMOVING ANY AND ALL PUBLIC UTILITIES, INCLUDING STORM SEWERS, SANITARY SEWERS, TELEPHONE AND ON AD ALL PUBLIC UTILITIES, INCLUDING FOWER LINES, AND TRANSFORMERS, GAS LINES, WATER LINES AND CABLE TELEVISION LINES, TOGETHER WITH ALL ITITINGS, INCLUDING THE POLES, WIRES, CONDUITS, PIPES, VALVES, METERS AND EQUIPMENT FOR EACH OF SUCH FACILITIES AND CARDE TELEVISION POWERTS. MORE THERE AND THE THE RIGHT OF ONE SHORES AND CORES TO AD UPON THE UTILITY EASEMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE OWNER DEVELOPED PEREPORES PEREPORES THE RIGHT TO CONSTRUCT MAINTAIN. PHOTILEWINGC STRUCTURE STATUS AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE UTILITY EASIMENTS FOR THE USES AND PURPOSES AFORESAID, PROVIDED HOWEVER, THE UMNER/DEVELOPER HEREBY RESERVES THE RIGHT TO CONSTRUCT, MAINTAIN, OPERATE, LAY AND RE-LAY WATER LINES AND SEWRE LINES, TOEFTHER WITH THE RIGHT OF INGRESS AND EORESS FOR SLICH CONSTRUCTION, MAINTENNACE, OPERATION, LAYING AND RE-LAYING OVER, ACROSS AND ALONG RALL OF THE UTILITY EASEMENTS DEPICIED ON THE PLAT, FOR THE PURPOSE OF FURNISHING WATER AND/OR SEWER SERVICES TO THE AREA INCLUDED IN THE PLAT. THE OWNER/DEVLOPER HEREIN INPOSES A RESTRUCTIVE COVENANT, WHICH COVENANT SHALL BE BINDING ON EACH LOT OWNER AND SHALL BE ENFORCEABLE BY THE CITY OF BROKEN ARROW, OKALMOMA, AND BY THE SUPPLIED ON THE ACCOMPANYING PLAT NO BUILDING, STRUCTURE OR OTHER AROVE OR BELOW GROUDD OBSTRUCTION SHALL BE PLACED, ERECTED, INSTALLED OR MAINTAINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO PROHIBIT DRIVES, PARKING AREAS, CLUBBIG AND LANDSCEMING THAT DO NOT CONSTITUTE AND OSSTRUCTURE, AND KAINTINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO ROHABING ANTINED, PROVIDED HOWEVER, NOTHING HEREIN SHALL BE DEEMED TO ROHABIT DRIVES, PARKING AREAS, CURBING AND LANDSCEMING THAT DO NOT CONSTITUTE AND BSTRUCTION. IN WITNESS WHEREOF, RAUSCH COLEMAN HOMES OF TULSA, AN OKLAHOMA ALMITED LIABILITY COMPANY, HAS EXECUTED THIS INSTRUMENT ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_\_

BY TITLE.

STATE OF OKLAHOMA

COUNTY OF

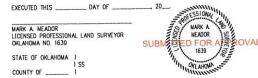
ON THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20\_\_\_ BEFORE ME, A NOTARY PUBLIC WTHIN AND FOR THE AFGRESAID COUNTY AND STATE, DULY COMMISSIONED AND ACTING, APPEARED \_\_\_\_\_\_\_ TO ME PERSONALLY WELL KNOWN AS, OR PROVEN TO BE, THE PERSON WHOSE NAME APPEARS UPON THE WITHIN AND FOREGOING DOCUMENT ON COLOR DATA LIFE FOR MILE THE COLOR OF DATABASE OF COLORAD DE, INE PERSUN WHOSE NAME APPEARS UPON THE WITHIN AND FORECOINC DOCUMENT AND STATED THAT HE/SHE WAS THE \_\_\_\_\_\_ OF RAUSCH COLEMAN HOMES OF TULSA, AN ORLAHOMA LIMITED LIABILITY COMPANY, AND WAS DULY AUTHORIZED TO EXECUTE THE FORECOING CONVEYANCE FOR AND ON ITS BEHALF, AND HE/SHE RESPECTIVELY ACKNOWLEDGED TO ME THAT HE/SHE HAD EXECUTED AND SET FORTH, AND I DO SO CERTIFY.

CIVEN LINDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN

NOTARY PUBLIC MY COMMISSION EXPIRES:

#### CERTIFICATE OF SURVEY

I, MARK ALAN MEADOR, A LICENSED PROFESSIONAL LAND SURVEYOR, IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT I HAVE CAREFULLY AND ACCURATELY SURVEYED, SUBDIVIDED, AND PLATTED THE TRACT OF LAND DESCRIBED ABOVE, AND THAT THE ACCOMPANYING PLAT DESIGNATED HEREIN AS 'LOT LINE ADJUSTNENT OF LOTS 12 & 13, BLOCK 3, OAC OREEK SOUTH PHASE II', A SUBDIVISION IN THE CITY OF BROKEN ARROW, WAGONER COUNTY, STATE OF OKLAHOMA, IS A TRUE REPRESENTATION OF THE SURVEY MAGE ON THE GROUND USING GENERALY ACCEPTED FRACTICES AND MEETS OR EXCEEDS THE OKLAHOMA MINIMUM STANDARDS FOR THE PRACTICE OF LAND SURVEYING.

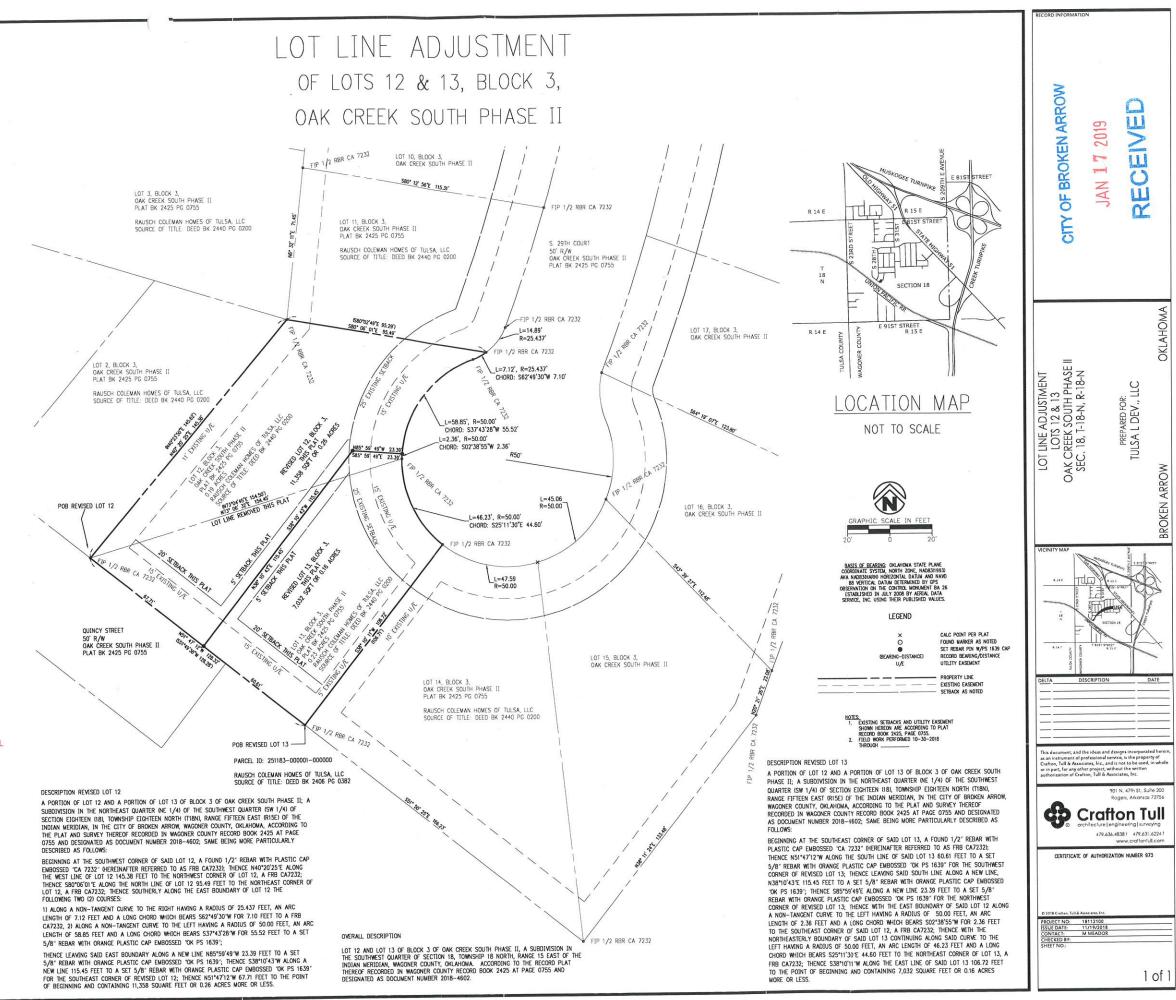


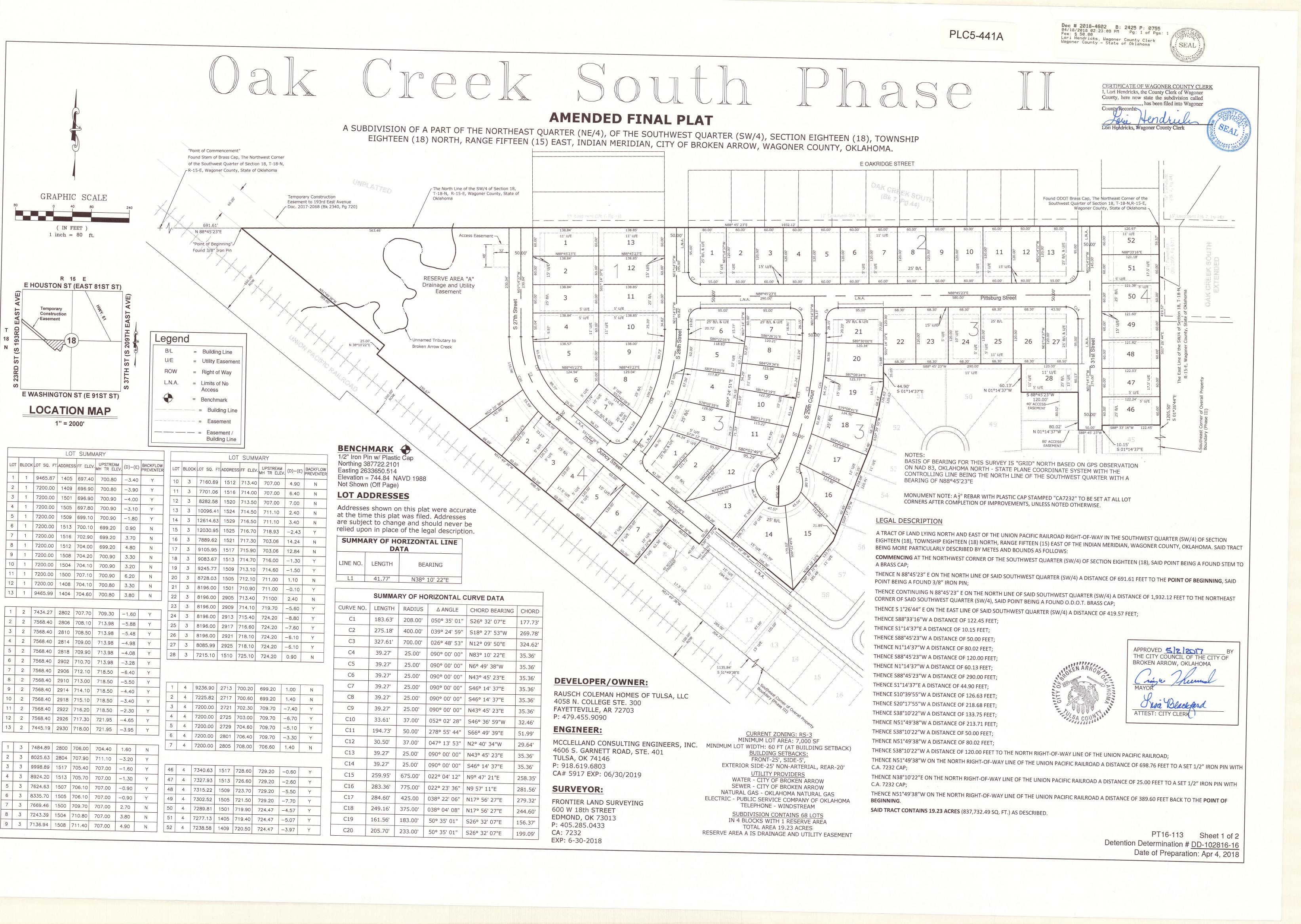
BEFORE ME, THE UNDERSIGNED, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, ON THIS \_\_\_\_\_\_ DAY IF \_\_\_\_ 20\_\_ PERSONALLY APPEARED MARK ALAN MEADOR, TO ME NNOWN TO BE THE IDENTICAL PERSON WHO SUBSCRIBED HIS NAME AS REGISTERED LAND SURVEYOR TO THE FOREGOING CERTIFICATE SA HIS FREE AND VOLUNTARY ACT AND DEED FOR THE USES AND PURPOSES THEREIN SET FORTH.

GIVEN UNDER MY HAND AND SEAL THE DAY AND YEAR LAST ABOVE WRITTEN



MY COMMISSION EXPIRES: \_\_\_\_







## **Request for Action**

## File #: 19-233, Version: 1

## Broken Arrow Planning Commission 02-14-2019

To: From: Title:	Chairman and Commission Members Development Services Department	
	Approve (Change of Access) CA 19-101, New Heart Fellowship Church - Snead, 15.53 acres, A-1/SP-172A and R-2, east of 23rd Street (County Line Road/193rd E. Avenue), one-half mile north of Florence Street (111th Street)	
<b>Background:</b>		
<b>Applicants:</b>	Ben Calmer with New Heart Fellowship Church and Mark Snead	
<b>Owners:</b>	New Heart Fellowship Church and Mark Snead	
<b>Developers:</b>	New Heart Fellowship Church, Mark Snead, and David Allen	
Location:	East of 23rd Street, one-half mile north of Florence Street	
Size of Tract	15.53 acres	
Number of Lots:	2	
<b>Present Zoning:</b>	A-1/SP-172A and R-2	
Comp Plan:	Public/Semi-Public, Level 2, and Greenway/Floodplain	

CA 19-101 involves property that has been platted as New Heart Fellowship Church. The property is located east of 23<sup>rd</sup> Street (County Line Road/193<sup>rd</sup> E. Avenue), one-half mile north of Florence Street (111<sup>th</sup> Street). When the New Heart Fellowship Church property was platted, it showed four points of access to 23<sup>rd</sup> Street. With CA 19-101, applicants are requesting that the north access point be enlarged from 60 feet in width to 80 feet in width. In addition, they are requesting that the centerline of the south access point be shifted 95 feet to the south and that the width of the access point be increased from 60 feet to 70 feet. No changes are being requested to the other two points of access.

Four previous cases (BAZ-1934, BAZ-1935, BAL-1072, and BAL-1074) are connected to this request for a change of access. On May 5, 2015, the Broken Arrow City Council approved BAZ-1934 and BAZ-1935 to change the zoning on these parcels, which were on the north and south end of the New Heart Fellowship property, from A-1 to R-2. The rezoning was done in conjunction with two lot split requests, BAL-1072 and BAL-1074. Both of these lot split requests were conditionally approved by the Planning Commission on May 14, 2015. It was the intent of the Church to convey the north part of the property associated with BAZ-1935 and BAL-1974 to Mark Snead and to trade the south part of the property associated with BAZ-1934 and BAL-1972 to David Allen in exchange for some property owned by Mr. Allen. The property associated with BAZ-1935 and BAL-1974 was conveyed to Mark Snead in 2015. The land exchange between New Heart Fellowship Church and David Allen, however, has not occurred.

A site plan for New Heart Fellowship Church was submitted to and conditionally approved by the Planning

## File #: 19-233, Version: 1

Commission on December 2, 2004. One of the conditions associated with the approval of the site plan was that a sidewalk be constructed along 23rd Street. The revised site plan that was submitted to and approved by Staff in 2005 showed a sidewalk along 23rd Street. The sidewalk, however, was not constructed. The plat for New Heart Fellowship was recorded in Wagoner County on June 24, 2005.

One of the conditions associated with the approval of both BAL-1072 and BAL-1074 was that the sidewalk along 23rd Street would be constructed (within three years) in accordance with the Subdivision Regulations, 5 feet in width and one foot from the property line in the street right-of-way, for all the property platted as New Heart Fellowship Church. In a letter dated May 14, 2015, that was submitted to the City of Broken Arrow, the Church acknowledged that the sidewalk would be constructed within three years from the date of the letter. On November 14, 2018, Staff visited the site and observed that the sidewalk still had not been constructed. On this same day, a letter was sent to the pastor for New Heart Fellowship requesting an update on the status for getting the sidewalk installed.

On January 10, 2019, Staff met with members of New Heart Fellowship Church. The Church acknowledged that they will be constructing a five foot wide sidewalk along all of the Church's property along 23rd Street (County Line Road). On January 17, 2019, Staff received a letter from the Pastor with New Heart Fellowship requesting that the Church be allowed to construct the sidewalk in three phases over the next three years. The first phase, which would be completed by December 31, 2019, would be constructed between the Church's two drives. The second phase, which would be from the north drive to the property shared with Mark Snead, would be completed by December 31, 2020. The last phase, which would be from the south entry drive to the south property line that will become David Allen's property, will be completed by December 31, 2021. Prior to construction, New Heart Fellowship Church will submit drawings showing the location of the sidewalk along with handicap access ramps. The sidewalk will be constructed to City of Broken Arrow standards. Mr. Snead will be responsible for the portion of the sidewalk across his property, and Mr. Allen will be responsible for the portion of the sidewalk that will be crossing his future property.

It is Mr. Snead's desire to build two single-family residential units on his property. Before this can be done, the property associated with BAL-1074 will need to be combined with another parcel owned by Mr. Snead and then redivided. The property Mr. Snead owns that was associated with BAZ-1935 and BAL-1074 has direct access to 23rd Street. The width of the property along 23<sup>rd</sup> Street that is owned by Mr. Snead coincides with the 80-foot wide change of access being requested.

On February 5, 2019, the City Council approved BAZ-2022 to change the zoning on 64.27 acres owned by Mark Snead and David Allen from A-1 to R-2 and FD. BAZ-2022 was approved as recommended by Planning Commission and Staff. Platting was waived, provided all the conditions associated with BAZ-1934, BAZ-1935, BAL-1072, and BAL-1074 are fulfilled. For Mr. Snead's property, this means that he needs to construct the sidewalk across the portion of his property that was associated with BAZ-1935 and BAL-1074. New Heart Fellowship Church has acknowledged they will construct the sidewalk over their property in three phases over the next three years. As noted in their January 14, 2019, letter, construction of the sidewalk on the New Heart Fellowship Church property shall be completed by December 31, 2021. For Mr. Allen, he will be responsible for constructing the sidewalk over the property he is in the process of obtaining. No Certificate of Occupancy will be issued for Mark Snead or David Allen until the installation of the sidewalks are complete on each of their properties.

One of the conditions associated with BAL-1072 was that a request for a change of access to 23<sup>rd</sup> be submitted to and approved by the Planning Commission. The change of access submitted with CA19-101 fulfills this requirement. The width of the access point is being enlarged to 70 feet, which coincides with the width of lot

## File #: 19-233, Version: 1

split approved with BAL-1072.

Attachments:	Case map	
	Access Change Exhibit	
	Aerial photo	
	New Heart Fellowship Church plat	
	Lot split exhibit and legal description for BAL-1072 and BAL-1074	
	January 14, 2019, letter from New Heart Fellowship Church	

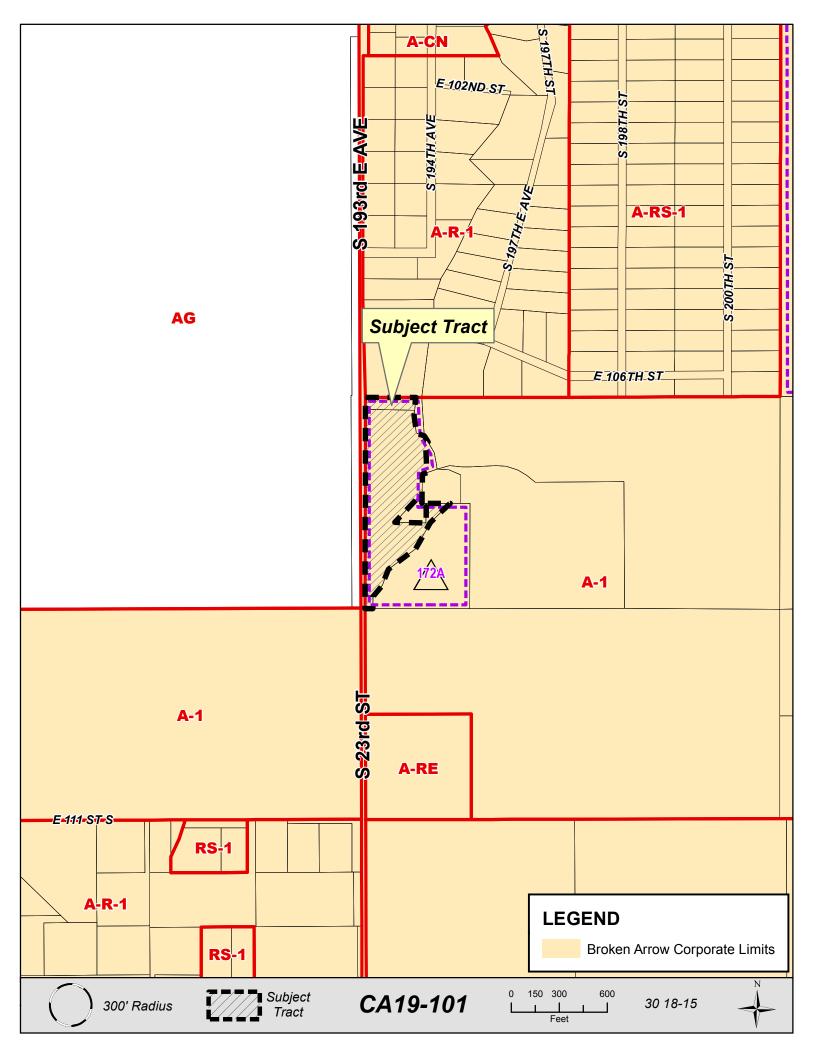
## **Recommendation:**

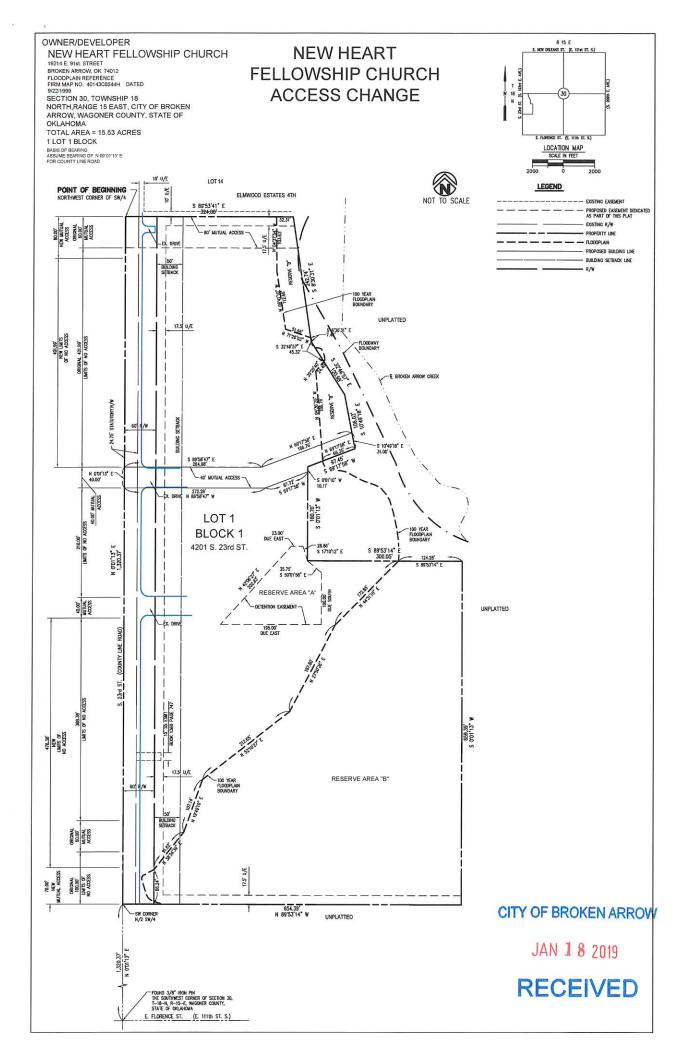
Staff recommends CA19-101 be approved as requested, subject to the fulfillment of the conditions associated with BAZ-1934, BAZ-1935, BAL-1072, and BAL-1074. The sidewalks across the north 80 feet of the property and the south 70 feet of the property shall be completed prior to any Certificates of Occupancy being issued. As noted in their January 14, 2019, letter, construction of the sidewalk on the remainder of the New Heart Fellowship Church property shall be completed by December 31, 2021. Applicant shall record the change of access documentation in Wagoner County and provide a digital copy to the City of Broken Arrow after filing.

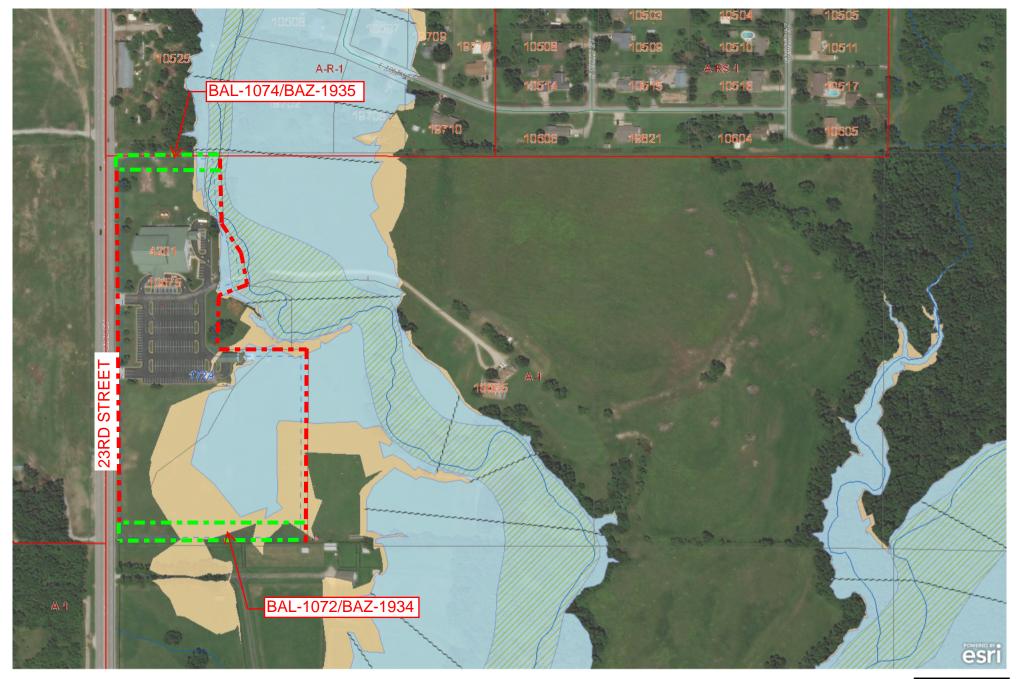
Reviewed By: Larry R. Curtis

Approved By: Michael W. Skates

BDM

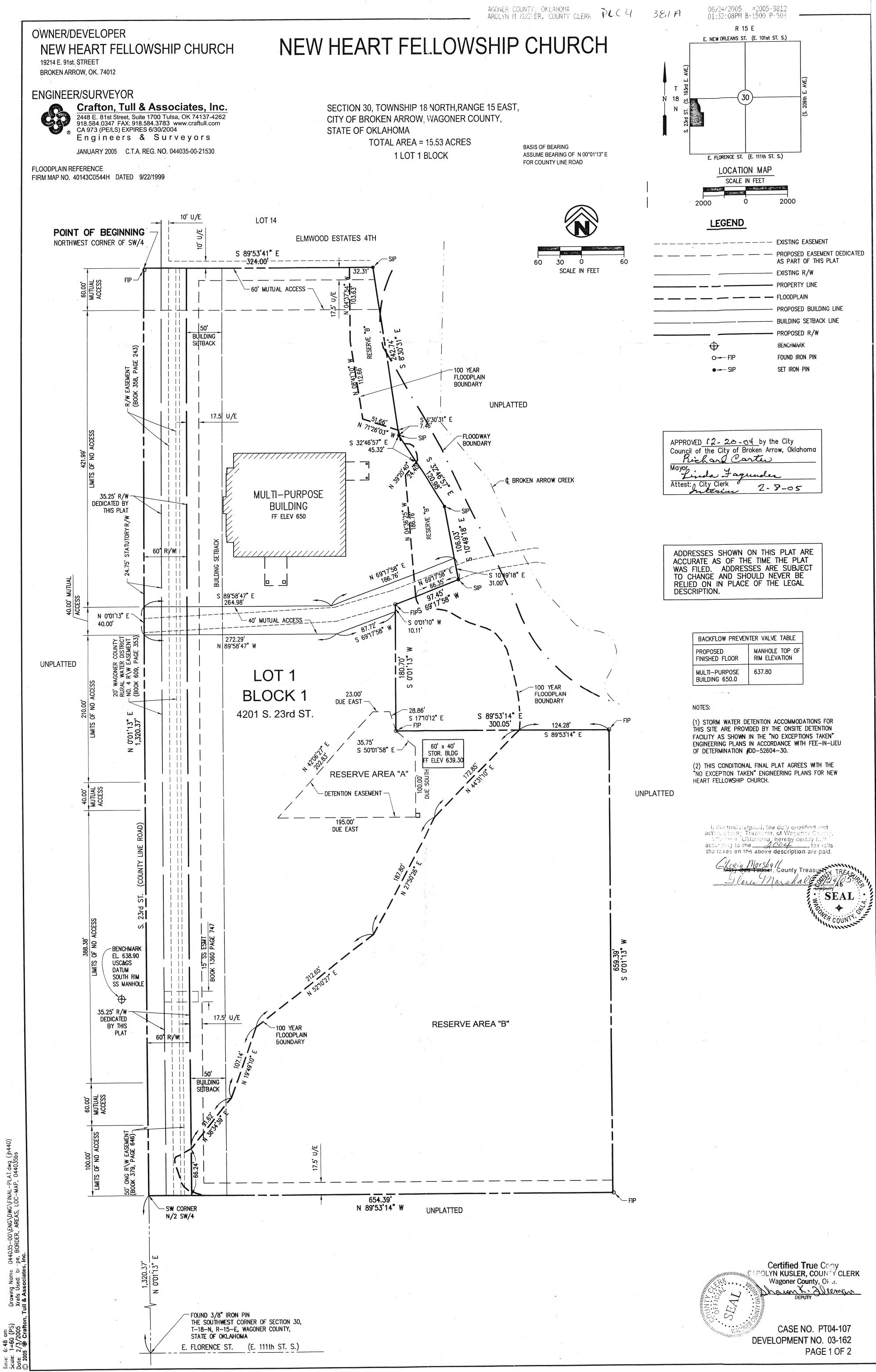




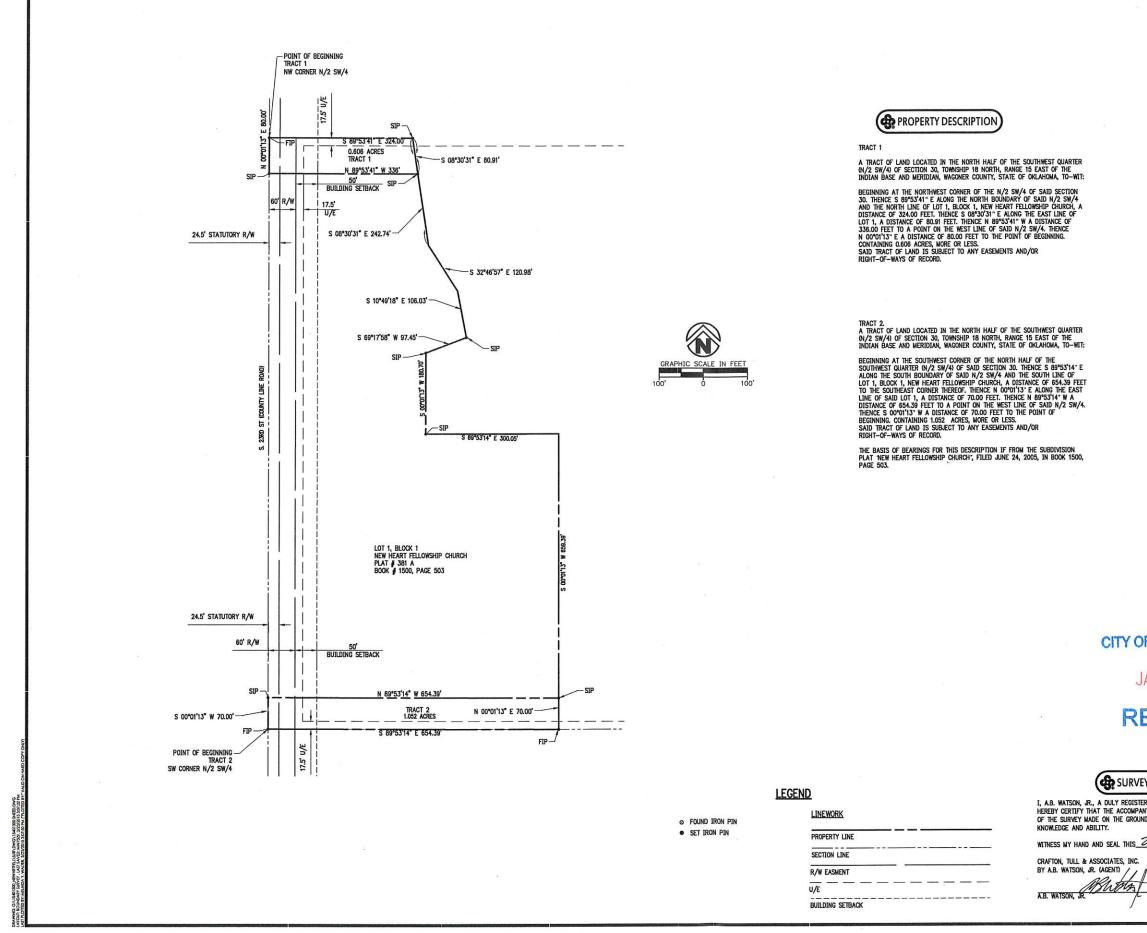


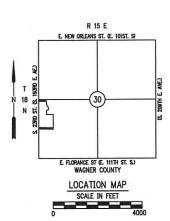
400 ft





EX36





## **CITY OF BROKEN ARROW**

JAN 18 2019



## SURVEYOR'S CERTIFICATE

I, A.B. WATSON, JR., A DULY REGISTERED LAND SURVEYOR IN THE STATE OF OKLAHOMA, DO HEREBY CERTIFY THAT THE ACCOMPANYING PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY MADE ON THE GROUND, UNDER MY SUPERVISION, TO THE BEST OF MY

WITNESS MY HAND AND SEAL THIS 23 PAY OF March, 2015.

PLS 1057

DATE OF SURVEY: FEBRUARY 27.2015

220 E. 8th Street Tulsa, Oklahoma 741 19 Crafton Tull 918.584.0347 t 918.584.3783 f CERTIFICATE OF AUTHORIZATION: CA 973 (PE/LS) EXPIRES 6/30/2016 BOUNDARY SURVEY PART OF THE N/2 NW/4 SECTION 30 TOWNSHIP 18 RANGE 15 NEW HEART FELLOWSHIP CHURCH CONTACT PERSON: TOM LAWSON 10675 S. 193RD E AVE BROKEN ARROW, OK. 74104 ent, and the ideas and desi his document, and for of professional service Crafton, Tull & Associates, inc., and is r or in part, for any other project, withou authorization of Crafton, Tull & Associ ates, Inc., and is not to A. B. Watson Jr. Ls 1057 3/23/10 1ABC BOUNDARY SURVEY C-101

January 14, 2019



## BROKEN ARROW, OK

Michael Skates Director of Development Services City of Broken Arrow 230 S. First Street Broken Arrow, Oklahoma 74013

Dear Michael,

Following the meeting between you and Brent Murphy for the City, and Tom Lawson and Randall Marrs for New Heart, this letter will memorialize the steps New Heart Church agrees to undertake concerning the required sidewalk along 23rd Street.

Specifically, New Heart Church will construct a five-foot wide sidewalk along New Heart's west property line fronting 23rd Street in accordance with the City of Broken Arrow standards.

The construction will be divided into three sections as follows:

**North Section** - From New Heart's north property line with Mark Snead to New Heart's existing north entry.

Middle Section - Between New Heart's north and south entries.

South Section - From New Heart's south entry to its south property line with David Allen.

In order to give Mark Snead and David Allen time to finalize their entrances, New Heart agrees to complete its sidewalk construction under the following schedule:

Middle Section - Completed before December 31, 2019 North Section - Completed before December 31, 2020 South Section - Completed before December 31, 2021

Prior to construction, New Heart will submit drawings showing the location of the sidewalk included the required handicap ramps.

Tom, Randall and I want to thank you and Brent for giving New Heart the flexibility to complete this work in three sections. We look forward to working with you as we implement this sidewalk project.

Regards,

Cahn

Ben Calmer Senior Pastor New Heart Church



## **Request for Action**

## File #: 19-235, Version: 1

	Broken Arrow Planning Commission
	02-14-2019
To: From: Title:	Chairman and Commission Members Development Services Department
	Public hearing, consideration, and possible action regarding (Planned Unit Development) PUD-286, Fire Station No. 3, 3.03 acres, 1 lot, A-1 to CG, one-half mile south of Florence Street, west of 23 <sup>rd</sup> Street, north of the Creek Turnpike
Background:	
Applicant:	Alex Mills, City of Broken Arrow, Engineering & Construction
Owner:	Storybook Properties
<b>Developer:</b>	City of Broken Arrow
Engineer:	City of Broken Arrow
Location:	One-half mile north of Jasper Street and west of 23rd Street
Size of Tract	3.0331 acres
Number of Lots:	1
<b>Present Zoning:</b>	AG/CG
Comp Plan:	Level 6 (Regional Employment)

PUD-286 is a request to modify the zoning code for the CG zoning district to reduce the building setback requirements. The property is located one-half mile south of Florence Street, west of 23<sup>rd</sup> Street and north of the Creek Turnpike. The City of Broken Arrow will be purchasing the property with the intention of constructing a new fire station.

Currently, the property is used for agricultural purposes. The lot is currently undeveloped. Applicant intends to plat the property if their rezoning request is approved. On September 4, 2018 the Broken Arrow City Council approved BAZ-2011, a zoning change from A-1 to CG for the development of a fire station. During the development of the site plan it was discovered that due to a blue-line creek that the building would need to be adjusted to fit on the property. Because of the new adjustment, the building setback lines are needing to be reduce. This is the only modification being requested.

	Current	Proposed
Front:	50 ft	30 ft
Side Abutting Same District:	0 ft	0 ft
Side Abutting Non-Residential District:	30 ft	30 ft
Side Abutting Residential or A-1 District:	50 ft	30 ft

## File #: 19-235, Version: 1

Rear:

#### 50 ft

30 ft

## SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

The surrounding properties contain the following uses, along with the following development guide and zoning designations:

Location	Development Guide	Zoning	Land Use
North	Level 2	A-1	Agricultural
East	Level 1	RS-1 & A-R-1	Single Family Residential
South	Level 6	A-1	Agricultural
West	Level 6	A-1	Agricultural

According to FEMA maps, none of the property is located in a 100-year floodplain area.

The property is designated as Level 6 in the Comprehensive Plan. CG zoning is identified as being in conformance with the Comprehensive Plan in Level 6. The property associated with PUD-286 is proposed to be developed as a public safety facility which is allowed in the CG district.

6 Case Map
6 Aerial Photo
d PUD Development Standards
A of the Proposed PUD
ual Site Plan
hensive Plan

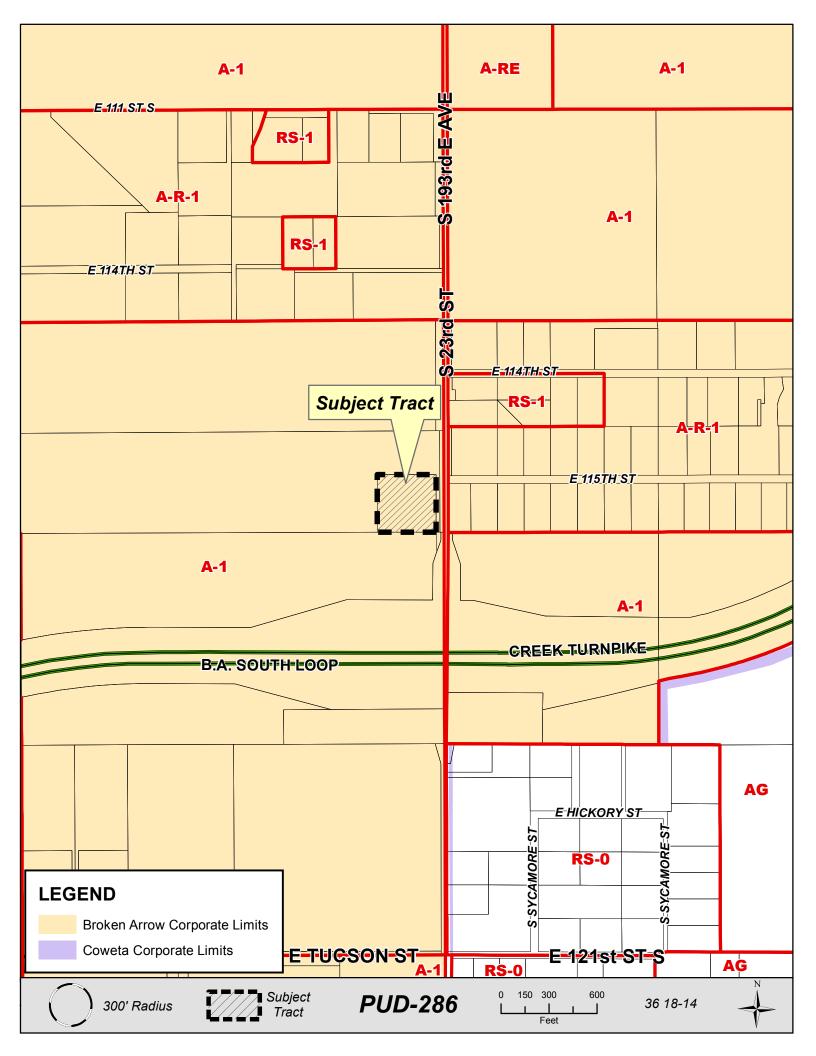
## **Recommendation:**

Based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD-286 be approved, subject to the property being platted.

**Reviewed and Approved By:** 

Michael W. Skates

LRC





PUD-286 Fire Station No. 3 Feet 0 600 1,200



## PUD-286 Fire Station #3 City of Broken Arrow

## **Development Concept**

The property is located one-half mile south of Florence Street, west of 23rd Street and north of the Creek Turnpike. The property was approved for rezoning through BAZ-2011 from A-1 to CG by the Broken Arrow City Council on September 4, 2018.

In order for future development of the property for a fire station and to protect the stream and future drainage on the property, a PUD is necessary for the proposed development.

The property associated with this development consists of one lot.

## **Legal Description**

A tract of land that is part of the South Half of the South Half of the Northeast Quarter (S2, S2, NE4), of Section Thirty-Six (36), Township Eighteen North (T18N), Range Fourteen East (R14E) of the Indian Meridian, Tulsa County, Oklahoma, more particularly described as follows; Point of Beginning on the South line of the Northeast Quarter a distance of 50.00 feet from the East Quarter Corner of Section 36; Thence along the South line of the Northeast Quarter of Section 36, S88°40'37"W a distance of 367.00 feet; Thence on a line parallel to the East line of the Northeast Quarter of Section 36, N01°23'31"W a distance of 360.00 feet; Thence on a line parallel to the South line of the Northeast Quarter of Section 36, N88°40'37"E a distance of 367.00 feet; Thence on a line parallel to the East line of the Northeast Quarter of Section 36, N88°40'37"E a distance of 367.00 feet; Thence on a line parallel to the East line of the Northeast Quarter of Section 36, N88°40'37"E a distance of 367.00 feet; Thence on a line parallel to the East line of the Northeast Quarter of Section 36, N88°40'37"E a distance of 367.00 feet; Thence on a line parallel to the East line of the Northeast Quarter of Section 36, N88°40'37"E a distance of 367.00 feet; Thence on a line parallel to the East line of the Northeast Quarter of Section 36, S01°23'31"E a distance of 360.00' feet to the Point of Beginning.

## **Development Area A**

Development Area "A" shall be developed in accordance with the Broken Arrow Zoning Ordinance and the use and development regulations of the CG District, except as follows:

LAND AREA:	3.03 Ac. (131,986.80 Sq/Ft)		
EXISTING ZONING:	A-1/CG		
PROPOSED ZONING:	CG		
PERMITTED USES:			
• Those permitted by right in the CG zoning district			
MINIMUM LOT AREA:	130,680 SF		
MINIMUM LOT FRONTAGE:	200 feet		
MAXIMUM BUILDING HEIGHT:	35 feet		
MINIMUM BUILDING SETBACKS:			
Front:	30 feet		
Rear:	30 feet		
Side abutting property same diarist district:	0 feet		
Side abutting property in non-residential district:	30 feet		
Side or rear abutting property in residential or A-1 district:	30 feet		
STREET RIGTH-OF-WAY DEDICATION:	60 feet		

#### MINIMUM LANDSCAPED AREA:

Shall be developed in accordance with the Broken Arrow Zoning Ordinance and the use and development regulations of the CG District.

#### SCREENING / BUFFERING:

Shall be developed in accordance with the Broken Arrow Zoning Ordinance and the use and development regulations of the CG District.

#### LIGHTING:

Shall be developed in accordance with the Broken Arrow Zoning Ordinance and the use and development regulations of the CG District.

## **OFF-STREET PARKING:**

Shall be developed in accordance with the Broken Arrow Zoning Ordinance and the use and development regulations of the CG District.

#### SIGNAGE:

Shall be developed in accordance with the Broken Arrow Zoning Ordinance and the use and development regulations of the CG District.

#### SOLID WASTE DISPOSAL:

Shall be developed in accordance with the Broken Arrow Zoning Ordinance and the use and development regulations of the CG District.

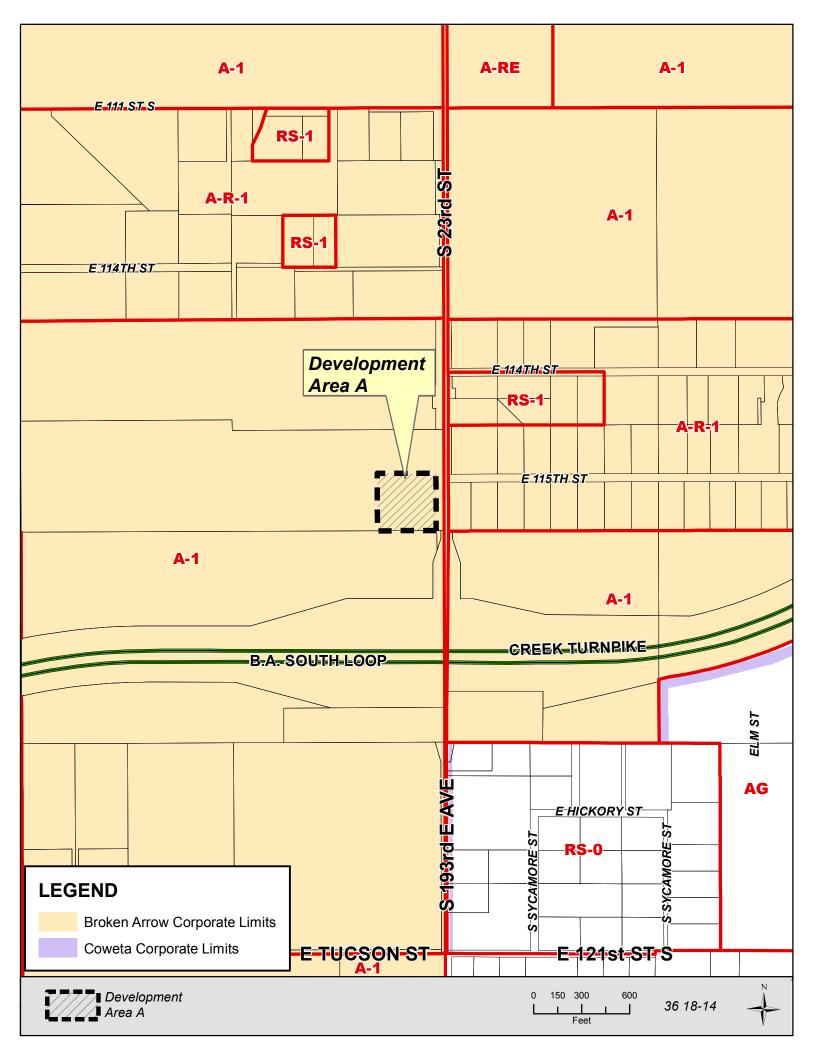
#### OTHER BULK AND AREA REQUIREMENTS:

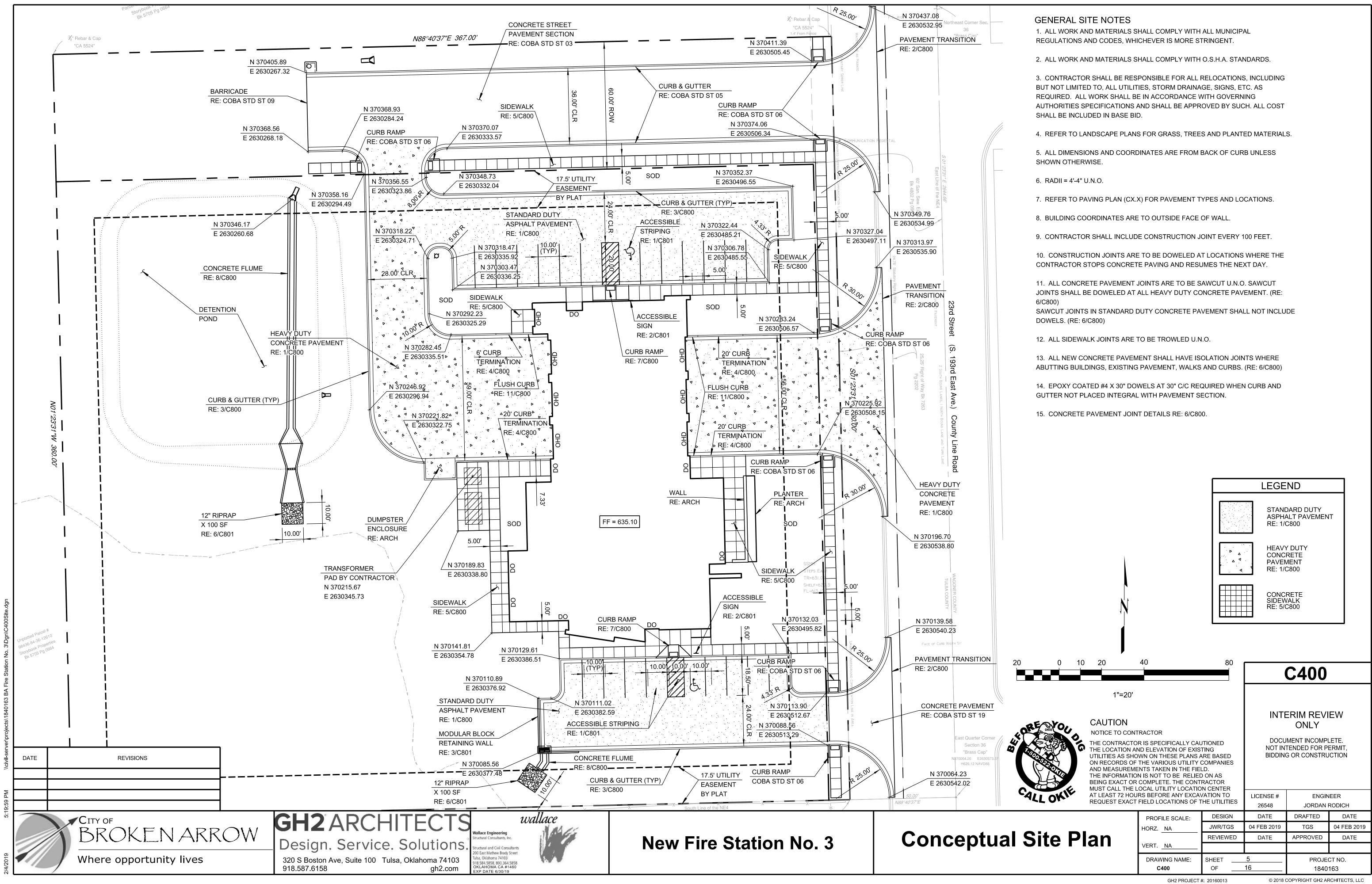
Shall be developed in accordance with the Broken Arrow Zoning Ordinance and the use and development regulations of the CG District.

## ALL OTHER REQUIRMENTS:

Shall be developed in accordance with the Broken Arrow Zoning Ordinance and the use and development regulations of the CG District.

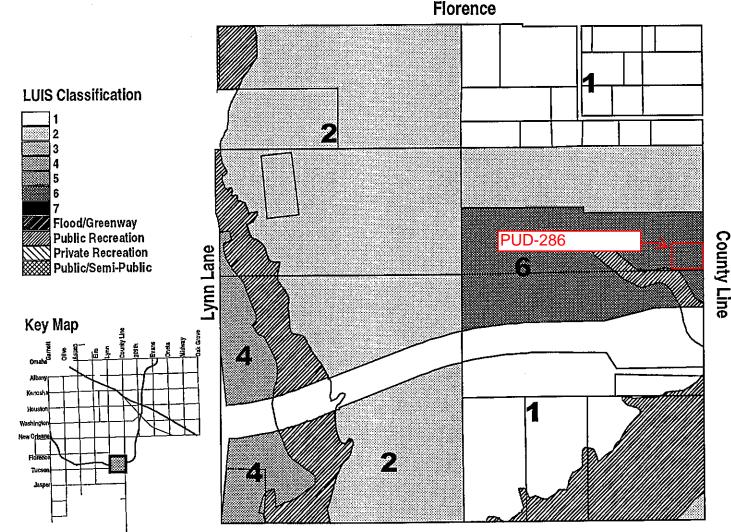
# **Exhibit** A





## Florence/County Line/Tucson/Lynn Lane (Section 36-18-14)

A Level 6 designation is proposed for tracts north of the proposed South Loop along County Line in anticipation of future interchange at the South Loop. This is to encourage economic development in Broken Arrow. Level 4 designations are proposed for tracts west and south of the floodplain based on the LUIS model, adjacent industrial uses and the proposed South Loop. Level 2 designations are proposed for remaining tracts in the northeast, southwest and northwest quarter sections that lie north of the proposed South Loop and are not in the floodplain. A Level 1 designation is given the north half the northeast quarter and the south half of the southeast quarter to reflect the intensity of existing development and based on the likelihood that this area will not development at more intense levels than those allowed by Level 1 in the future.



Tucson