



City of Broken Arrow

Fact Sheet

File #: 1 Version: 1

**Broken Arrow Planning Commission
05-07-2019**

To: Chairman and Commission Members
From: Development Services Department
Title: Public hearing, consideration, and possible action regarding PUD-2019 and BAZ-3018, Green Acre Tract, 157.84 acres, 7 Lots, A-1 to IL/PUD-2019, southwest corner of Orlando Drive and Evergreen Terrace.

Background:

Applicant: Architect Joe
Owner: Owner Man
Developer: John McElhenney
Engineer: Engineering R' Us, LLC
Location: Southwest corner of Orlando Drive and Evergreen Terrace
Size of Tract 157.84 acres (PUD-2017); 80 acres (BAZ-2753)
Number of Lots: 7 proposed
Present Zoning: A-1 (Agricultural) to IL (Industrial Light)
Comp Plan: Level 6 (Regional Employment/Commercial) via BACP-357

Planned Unit Development (PUD)-2017 (157.84 acres) and BAZ-2753 (80 acres) involve undeveloped and unplatted land located on the southwest corner of Orlando Drive and Evergreen Terrace. Applicant is proposing to change the zoning on 80 acres of this property from A-1 (Agricultural) to IL (Industrial Light) and include the entire 157+/- acres in PUD-2017.

BACP-357, a request to change the Comprehensive Plan designation on 77 acres (associated with this PUD and rezoning request) from Level 3 to Level 6, was approved by the City Council February 7th, 2017, subject to platting and a PUD submitted that is similar in context to the draft PUD submitted with BACP-357. A portion of the north part of the property associated with BACP-357 was rezoned to CH (Commercial Heavy) via, BAZ-32 that was approved by the City Council on September 5, 2006, subject to platting. The property associated with BAZ-32 was never platted; therefore, the zoning remains A-1.

21.81 acres (of the 77 acres within BACP-357) was previously designated as Level 6 via BACP-101, approved by City Council in March 2010. This request to change the zoning from A-1 to IL is considered to be in conformance with the comprehensive plan when done in conjunction with a PUD. A draft PUD was submitted with BACP-101 for informational purposes. Comments and input, from the City Council and Staff, have been incorporated and formally submitted as PUD-2017.

According to the applicant, about halfway between Orlando Drive and the southern boundary of the property associated with PUD-2017 and BAZ-2753, is the location of a former landfill, leased by the City of Broken Arrow. In addition, this area was used for strip coal mining operations in the 1910s, and later in the 1930s. Environmental impacts to the site and adjacent properties, as a result of the past strip mining operations, include elevated metals concentration in both on and adjacent off-site soils. After mining operations were terminated, the property was utilized as a landfill by the City of Broken Arrow. The landfill was first permitted as a hazardous waste disposal site in February 1940. By June 1940, the landfill permit was converted to a sanitary landfill solid waste disposal site. The landfill was closed on September 15, 1948. According to the applicant, the landfilled area was capped with four to five feet of clay and silty loam with grass and gravel. The waste material that was deposited is generally five to six feet in thickness and ranges to 11.5 feet in the northwest area of the landfill. This area, as well as the entire site, is regulated by the Department of Environmental Quality (DEQ) and will require approval from DEQ before any development activities occur on the site. These requirements are addressed in PUD-2017.

PUD-2017 is for 157.84 acres and divides the property into seven tracts (Tracts A through G). A cul-de-sac type street is proposed to be constructed in a north/south direction through the center of the property. Tract A, which is located on the southeast corner of Orlando Drive and the proposed street, will be developed in accordance with the development regulations of the CH district except that a 20-foot wide landscape area will be provided along Orlando Drive and freestanding signs will be the same as those on the Ted's Horse Trailers property to the west.

Tracts C and F, which are near the center of the property, will be developed in accordance with the development regulations of the IL district except as follows:

- Approval from DEQ is required prior to any development occurring on the property.
- Permitted uses are limited to: Mini-Storage, RV Storage, Storage Yard, Office/Warehouse, Warehouse, Utility Facility (Minor), General Industrial Service, and Light Assembly.

Tracts D and E, which are at the south end of the property, along with Tract G, which is located immediately south of Ted's Horse Trailers, will be developed in accordance with the development regulations of the IL district except as follows:

- Permitted uses are limited to: Mini-Storage, RV Storage, Storage Yard, Office/Warehouse, Warehouse, Utility Facility (Minor), General Industrial Service, and Light Assembly.
- A 30-foot wide landscape buffer will be provided along the south and east boundaries of Tracts D and E. Within this landscape buffer at least one tree per 25 lineal feet will be provided and at least half of the trees will be evergreen.

Tract B, which is the environmentally sensitive parcel next to Orlando Drive, is regulated by DEQ and will require DEQ approval for any development activity on the property. This area will be left in its native state. Fencing and signage requirements have been added to PUD-2017, as per City Council comments on the draft PUD submitted with BACP-357.

As requested by city residents, a meeting with the applicant, city staff, and representatives from DEQ (Department of Environmental Quality) was held on January 22nd 2017. Questions and concerns from residents, and the City Council raised during the comprehensive plan change (BACP-357) process were discussed and incorporated into the design of the site and PUD-357. The applicant will speak to these concerns during the April 23rd Planning Commission meeting.

SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

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

Location	Development Guide	Zoning	Land Use
North	Level 6	IH (Heavy Industrial) and A-1	Construction Company and Undeveloped
East	Levels 2 and 3	A-1	Undeveloped
South	Levels 2 and 3	A-1	Undeveloped
West	Level 4	A-1	Shooting Range

Attachments: Aerial photo
 Comprehensive Plan
 Draft PUD
 Conceptual Site Plan
 Existing Fence Exhibit

Recommendation:

The IL zoning being contemplated by the applicant is in accordance with the Comprehensive Plan in Level 6, provided it is done as part of a PUD. Based on the Comprehensive Plan, location of the property, the environment issues associated with the property, and the surrounding land uses, Staff recommends that PUD-2019 and BAZ-3018 be approved to change the zoning on the property to IL and PUD-2017, subject to the property being platted.

Reviewed and Approved By: **Taylor Eudey**

