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March 13, 2019

VIA EMAIL ONLY: mhackett@brokenarrowok.gov

Broken Arrow Planning Commission

Attn: McKenzie Hackett

220 S First Street

Broken Arrow, OK 74012

Re: Comments to notice of intent to acquire school site and construct school building; approximate location is one-half mile north New Orleans Street, one-half mile west Evans Road; Permit No. SP-292 (the "School")

Dear Ms. Hackett:

Thank you for allowing Union Pacific Railroad Company ("UP") the opportunity to submit the following comments regarding the above-referenced School. UP is a Delaware corporation that owns and operates a common carrier railroad network in the western half of the United States, including the State of Oklahoma. UP's rail network is vital to the economic health of Oklahoma and the nation as a whole and its rail service to customers in Oklahoma is crucial to the future success and growth of those customers.

The proposed School location is adjacent to UP's property and railroad operations. Any land planning decisions should consider that train volumes near the School area may increase in the future. UP also asks that the City and the applicant keep in mind that this is an active rail corridor and nearby land uses should be compatible with this continuing rail use.

Trespassing

Approval of the School will likely increase pedestrian traffic and trespassing onto the railroad right-of-way. UP strongly recommends that the developer and the City evaluate such impacts and set forth appropriate mitigation measures. If the School is approved, we request that the City require the School developer to install vandal resistant fencing at least 8 feet or taller (without impairing visibility), pavement markings and "no trespassing" signs designed to prevent individuals from trespassing onto the railroad tracks. All pedestrians and cyclists should be directed to use designated pedestrian rail crossings by utilizing appropriate signage and paths. Buffers and setbacks should also be required adjacent to the right-of-way.

Increased Traffic Impact

Rail crossing safety is critical to the public and to UP. Any increase in traffic from the School may render inadequate the current safety devices in place on the nearby at-grade crossings. Additionally, an increase of pedestrian and vehicular traffic may conflict with train operations causing trains to proceed more slowly through the City, and/or make more frequent emergency stops, which would make rail service less effective and efficient. Should this School be approved, the School developer and the City should examine any increase in vehicular and pedestrian traffic and the impacts on the nearby at-grade road crossings to see what additional mitigation measures should be included in the development plans.

Noise and Vibration Impact

UP's 24-hour rail operations generate the noise and vibration one would expect from an active railway. Any increase in pedestrian and vehicular traffic over and around at-grade crossings may result in additional horn use by railroad employees. As a mitigation measure, the developer should disclose to the general public, including residents of the proposed development, the daytime and nighttime noise levels naturally occurring with rail service, including sounding horns at vehicle crossings where required, as well as the pre-existing and predictably-occurring vibration. These disclosures should note that train volume may increase in the future. The School's development plans should also include appropriate mitigation measures, such as construction of sound barrier walls or landscape buffers, and/or use of sound-proofing materials and techniques.

Drainage and School Construction

UP requests the City ensure that the drainage plan relating to the School does not shift storm water drainage toward UP property and infrastructure. Any runoff onto UP's property may cause damage to its facilities resulting in a potential public safety issue. If the School is approved, we ask that the City require the applicant to mitigate all safety risks and the impacts of the railroad's 24-hour operations during the construction of the School, including contacting UP to arrange for flaggers for work performed within twenty-five feet (25') of the nearest track.

At-Grade Rail Crossing and Sight Line Safety

The safety of UP's employees, customers, adjoining land owners, and the communities we operate through is our top priority. At-grade rail crossings are areas where railroad operations and the public come into close contact. Appropriate modifications to the street and warning devices on any nearby rail crossings may need to be included as part of the development plans. Development at the School location may result in poor sight lines for vehicular traffic approaching the at-grade crossings. Should this project be approved, UP requests that an onsite meeting with the Oklahoma Department of Transportation, and any other appropriate parties, be scheduled to discuss potential impact and possible upgrades to mitigate any safety risks resulting from reduced visibility. UP also recommends the educational material available through Operation Lifesaver, a nationwide non-profit public information program dealing with safety at railway crossings. Their website, www.oli.org, has age appropriate educational material available for the public.

UP appreciates the developer and the City giving due consideration to the above concerns, as this proposed School may result in impacts to land use and public safety. Please give notice to UP of all future hearings and other matters with respect to the School as follows:

Stephanie Tingley – Real Estate Property Manager
Union Pacific Railroad Company
1400 Douglas Street - STOP 1690 Omaha, NE 68179
(402) 544-0946
satingle@up.com

Please do not hesitate to contact Rick Harris if you have any questions or concerns.

Sincerely,



Madeline E. Roebke
Senior General Counsel
Union Pacific Railroad Company

cc: Stephanie Tingley
Brandon Morris