

R4 and R-3, now converted to CG, RD, and RS-3), subject to platting.

In 2010, a Comprehensive Plan amendment (BACP-105) reallocated the areas of Level 2, 3 and 4 on this site and it converted 11.38 acres of Level 6 (Regional Employment/Commercial) and 9.18 acres of Public Recreation to 20.56 acres of Level 3 (Transition Area) on a site located north of the Broken Arrow Expressway and east of Aspen Avenue. In doing so, the higher-density ‘villas’ (apartments) use was transferred from the northern area of Battle Creek to the area along the Broken Arrow Expressway. This amendment also increased the area for executive home sites from 28.43 acres to 59.51 acres. The approval was subject to the property being platted and required an amendment to PUD-94. With this approval, the density for the property at Aspen Avenue and Dearborn Street was decreased. A major amendment to the Battle Creek Planned Unit Development (PUD-94Q) was also approved in 2010. The remaining Level 3 area along Dearborn Street was amended for patio homes, and the area designated for single-family homes was increased. Additional details on these amendments are included in the attached Planning Commission staff report.

With BACP-170, applicant requests approval to modify the configuration of the areas of Levels 2, 3 and 4 due to the topography of the site and the location of existing ponds and blue line streams. In conjunction with BACP-170, applicant has submitted a draft major amendment to PUD-94 and PUD-94Q (PUD-94W). The forthcoming PUD amendment and plat will address any required right-of-way and utility easement dedications. All major utilities are available in other phases of the Battle Creek subdivision and will need to be extended to serve this area. The topography slopes downhill to the north posing a challenge to serve this area of the site; thus, a sewer lift station will likely be needed to serve this area.

The following analysis of housing types in the Battle Creek PUD includes only those housing types associated with this area near Aspen Avenue and Dearborn Street. As proposed, the executive home site area will have a density of 3.8 dwelling units per acre, and the patio home area will have a density of 8.5 dwelling units per acre (compared to villas with 16.5 dwelling units/acre). Staff has determined that density is decreased in this location with the overall increase in single-family units.

Proposed Residential Density with PUD-94V Major Amendment				
Land Use Area	Current Area	Proposed Area	Number of Units	Dwelling Units per acre (DU/acre)
Executive Home Sites (Level 2)	59.53 acres	62.17 gross acres 49.95 net acres	175	3.80
Patio Homes (Level 3)	5.83 acres	8.61 gross acres 5.87 net acres	44	8.52
Commercial (Level 4)	9.99 acres	4.50 gross acres 2.92 net acres		
Open Space/Park		13.32 gross acres		
		Total proposed housing units	219	3.92 DU/acre (Average)

SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

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

Location	Comprehensive Plan	Zoning	Land Use
North	City of Tulsa	CS, RM-2, RS-3	Dearborn Street, Single-family residential and vacant land beyond
East	City of Tulsa	AG	Undeveloped land
South	Level 2	R-3/PUD-94	Single-family residential
West	City of Tulsa	AG	Aspen Avenue, Vacant land beyond

BACP-170 was reviewed by the Planning Commission on September 24, 2020. Several people spoke during the Public Hearing portion, and several other written comments were read into the record for the proposed change in the Comprehensive Plan. One person was in support of the proposal, some were undecided, and several were in opposition. Concerns included property values, traffic, existing low water pressure in the vicinity, loss of wildlife habitat, wetlands, proposed lot sizes, and the size and quality of proposed homes (see attached citizen comments). After reviewing the information presented in the Staff report and hearing the public comment, the Planning Commission recommended approval (5-0) of BACP-170 as per Staff recommendation.

Staff had recommended that BACP-170 be approved subject to the following:

1. Approval of the rezoning of the property from “Annexed” zoning designations to those that are in conformance with the current Zoning Ordinance, and approval of a major amendment to PUD-94 and PUD-94Q.
2. The property shall be platted in accordance with the Land Subdivision Code and the Engineering Design Criteria Manual including the dedication of required rights-of-way and utility easements.

Cost: \$0

Funding Source: None

Requested By: Larry R. Curtis, Director of Community Development

Approved By: City Manager’s Office

Attachments: Published Planning Commission Staff report
Case Map
Aerial
Proposed Comprehensive Plan Exhibit
Draft PUD Amendment
Conceptual Site Plan
Approved PUD-94
Approved PUD-94Q
Citizen Comments

Recommendation:

Approve BACP-170 as recommended by Planning Commission and Staff.