



# City of Broken Arrow

## Legislation Details (With Text)

<b>File #:</b>	20-518	<b>Name:</b>	
<b>Type:</b>	General Business	<b>Status:</b>	Agenda Ready
<b>File created:</b>	5/12/2020	<b>In control:</b>	Broken Arrow City Council
<b>On agenda:</b>	5/19/2020	<b>Final action:</b>	
<b>Title:</b>	Consideration, and possible action regarding PUD-304 (Planned Unit Development) and BAZ-2049 (Rezoning), Park Place, 80.00 acres, A-1 to PUD-304/RS-3, located one-quarter mile north of Kenosha Street (71st Street), east of 79th Street (257th E. Avenue/Midway Road)		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. 01-PUBLISHED PC STAFF REPORT.05-14-2020, 2. 02-CASE MAP.PUD 304 & PUD 2049, 3. 03-AERIAL.PUD 304 & BAZ 2049, 4. 04-COMPREHENSIVE PLAN, 5. 05-PUD-304 DESIGN STATEMENT.03-03-2020 & 03-10-2020, 6. 06-FEBRUARY 2, 2016 CITY COUNCIL MINUTES, 7. 07-TRAFFIC STUDY SUBMITTED BY APPLICANT, 8. 08-DRAINAGE ANALYSIS SUBMITTED BY APPLICANT, 9. 09-MAY 7, 2020, EMAIL FROM DON JENKINS, 10. 10-PICTURE 01 FROM DON JENKINS, 11. 10-PICTURE 02 FROM DON JENKINS, 12. 10-PICTURE 03 FROM DON JENKINS, 13. 10-PICTURE 04 FROM DON JENKINS, 14. 10-PICTURE 05 FROM DON JENKINS, 15. 10-PICTURE 1765 FROM DON JENKINS, 16. 10-PICTURE 1766 FROM DON JENKINS		

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

### Broken Arrow City Council Meeting of: 05-19-2020

**Title:**

**Consideration, and possible action regarding PUD-304 (Planned Unit Development) and BAZ-2049 (Rezoning), Park Place, 80.00 acres, A-1 to PUD-304/RS-3, located one-quarter mile north of Kenosha Street (71st Street), east of 79th Street (257th E. Avenue/Midway Road)**

#### Background:

Planned Unit Development (PUD)-304 involves an 80.00- acre parcel located one-quarter mile north of Kenosha Street (71st Street), east of 79th Street (257th E. Avenue/Midway Road). In conjunction with PUD-304, applicant has submitted BAZ-2049, a request to change the underlying zoning from A-1 (Agricultural) to RS-3 (Single-Family Residential). The property is undeveloped and has not been platted.

Due to Public Notice requirements, this item was continued from the May 7, 2020, Planning Commission meeting to the May 14, 2020, Planning Commission meeting. Zoning notice signs were placed correctly on the property prior to the May 14, 2020, Planning Commission meeting in accordance with the Zoning Ordinance.

On September 1, 2015, the City Council reviewed BAZ-1941, a request to change the zoning on this same property from A-1 to RS-3. This request was continued to November 9, 2015. At the November 9, 2015, meeting, the applicant requested that BAZ-1941 be continued without reference to a specific date. On

December 29, 2015, Staff received a letter from the applicant asking to have BAZ-1941 placed on the February 2, 2016, City Council agenda. A draft preliminary plat was submitted that showed 231 single-family detached residential lots. The City Council reviewed and denied (2-2 vote with one abstain) the request to change the zoning on the property from A-1 to RS-3. The City Council expressed concerns about storm water runoff, traffic along Midway Road and the narrowness of the road, the capacity of the lift stations associated with the sanitary sewer system, and this being the first RS-3 zoning in the area. The City Council's decision was appealed to District Court. The court upheld the decision by the City Council.

One of the comments made during the February 2, 2016, City Council meeting was a desire to have a PUD accompany the rezoning request. With PUD-304, applicant is proposing to develop in four phases over the next five years a single-family detached residential subdivision with up to 259 housing units. Of the 259 lots, at least 79 of the lots will be RS-2 type lots with a minimum lot width of 70 feet and a minimum lot size of 8,000 square feet. The conceptual site plan shows all 31 lots abutting the south boundary next to the Ridgeway Heights addition to be of the RS-2 standards.

A detailed traffic study, prepared by Peters & Associates for the applicant, is included with this Staff report. According to this report, which is dated December 10, 2019, approximately 2,464 vehicle trips (combined in and out) per average weekday are projected to be generated by the proposed single-family development. The report states, "the overall LOS (Level of Service) for traffic signal control study intersection of E. 71<sup>st</sup> Street and Midway Road is expected to operate at what calculates as an acceptable LOS "B" or better during projected conditions for the AM and PM peak hours." The Kenosha Street/Midway Road intersection, according to the traffic study, presently operates as a LOS "A". The study goes on to say, "Additionally, all vehicle movements at the traffic signal controlled intersection and the "Stop" sign controlled new site street intersections are expected to operate at what calculates as an acceptable LOS "B" or better for these projected traffic conditions for the AM and PM peak hours."

According to FEMA maps, none of the property is located within a 100-year floodplain. However, there is a blue line drainage swale that passes through the property. Park Place, the proposed name of the subdivision, will have three reserve areas that will be developed as neighborhood amenities, including entry monument, sidewalks, fencing along Midway Road, detention areas, and a private park. Storm water detention will be provided in accordance with the City of Broken Arrow requirements. The storm water detention will be designed to accommodate this subdivision, as well as, the Ridgeway Heights addition to the south. The Ridgeway Heights subdivision, which was developed in Wagoner County prior to being annexed into Broken Arrow, did not provide any storm water detention. A Property Owners Association will be established to provide for the maintenance and up keep of the reserve areas and the fence along Midway Road.

Landscaping exceeds the requirements of the Broken Arrow Zoning Ordinance. Instead of one tree per 50 feet of frontage along the arterial street, PUD-304 proposes to have one tree per 30 feet of frontage along Midway Road and where reserve areas abut interior streets. In addition, there will be one tree per lot. All the trees will be large species type trees and will be at least two-inches in caliper at the time of installation.

PUD-304 is proposed to be developed in accordance with the Zoning Ordinance and the use and development regulations of the RS-3 district except as summarized in the Staff report presented to the Planning Commission.

According to Section 6.4 of the Zoning Ordinance, the PUD provisions are established for one (1) or more of the following purposes:

1. To permit and encourage innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate

properties.

2. To permit greater flexibility within the development to best utilize the physical features of the particular site in exchange for greater public benefits than would otherwise be achieved through development under this Ordinance.
3. To encourage the provision and preservation of meaningful open space.
4. To encourage integrated and unified design and function of the various uses comprising the planned unit development.
5. To encourage a more productive use of land consistent with the public objectives and standards of accessibility, safety, infrastructure and land use compatibility.

In Staff's opinion, as noted in the following analysis, PUD-304 satisfies all the conditions associated with Section 6.4.A of the Zoning Ordinance. (1) With PUD-304, the number of dwelling units has been limited to 259 instead of the 410 that would be allowed with straight RS-3 zoning. In addition, all the lots adjacent to the Ridgeway Heights addition to the south will have a lot width of 70 feet and a minimum lot size of 8,000 square feet. With the requirements contained in the design statement, there is appropriate limitation on the character and intensity of use helping to assure compatibility with adjoining and proximate properties. (2) As part of PUD-304, approximately 15 acres have been left as open space, thereby preserving the blue line stream that passes through the property. In addition, a 10-foot wide landscape reserve area is being provided adjacent to Midway Road. As a result, PUD-304 attempts to best utilize the physical features of the site in exchange for greater public benefits than would be achieved through just the regulations of the Zoning Ordinance. (3) PUD-304 preserves approximately 15 acres of open space and provides a 10-foot wide landscape reserve along Midway Road, thereby preserving meaningful open space. (4) PUD-304 proposes to have up to 259 dwelling units on 80 acres. Of the 259 units, 79 will have a lot size of at least 8,000 square feet and a minimum lot width of 70 feet. In addition, 31 of the 79 lots will be adjacent to the south boundary next to the Ridgeway Heights addition, thereby providing an integrated and unified design. (5) Sidewalks will be provided throughout the neighborhood in accordance with the Subdivision Regulations making the neighborhood accessible. The design statement acknowledges that the developer will be responsible for constructing the sidewalk along Midway Road and in the reserve areas that abut one of the interior streets. Regarding safety, approximately 1,300 linear feet of roadway improvements are proposed to be constructed by the developer along Midway Road. These improvements include grading the existing ditches on the east side of Midway Road to provide a five-foot wide shoulder next to the roadway and an improved ditch design with three to one slope. In addition, right-hand turn lanes (deceleration lanes) will be constructed at each of the three entrances from Midway Road. Infrastructure improvements include upgrading an existing 8-inch sanitary sewer line along Midway Road to a 10-inch line. Also, the existing lift station downstream from PUD-304 and Ridgeway Heights will be upgraded by the developer to provide adequate capacity. According to the design statement for PUD-304, "Additional upgrades may also be made at the direction of the City to provide sewer capacity of further development in the area. Sanitary sewer service for the Project will meet the engineering design criteria for the City, as well as for the off-site improvements between the Project and off-site lift station as are necessary to serve the Project."

According to FEMA maps, none of the property is located in a 100-year floodplain area. There is a blue line stream that crosses the property. The Corps of Engineers will need to review and approve any proposed disruption to this stream. A Phase 1 Drainage Report prepared by Crafton Tull for the applicant is included with this Staff report. According to this report, which has a submittal date of April 24, 2020, "Improvements as outlined in this report and depicted on the design drawings will not endanger life or have negative impacts on adjacent or downstream property or watersheds."

The property associated with PUD-304 and BAZ-2048 is designated as Level 2 in the Comprehensive Plan. RS -3 (single-family residential) zoning is considered to be in conformance with the Comprehensive Plan in Level 2.

PUD-304 and BAZ-2049 were reviewed by the Planning Commission on May 14, 2020. One comment was provided to the Planning Commission during the Public Hearing expressing opposition to the rezoning request. The email expressed concerns about flooding problems in the area. Pictures were provided with the email and shared with the Planning Commission.

Staff had noted to the Planning Commission that PUD-304 addressed several unique conditions associated with the property and provided additional amenities than what is required with just conventional zoning. A blue line stream that passes through the property will be placed in an open space reserve. Storm water runoff from the Ridgeway Heights addition to the south will be collected and detained on-site along with the increase in runoff from the proposed addition. Right turn lanes will be provided on Midway Road at the three points of access to the subdivision. The existing ditches on the east side of Midway Road will be graded to provide a five-foot wide shoulder next to the roadway and an improved ditch design with three to one slope. The existing 8-inch sanitary sewer line along Midway Road will be upgraded to a 10-inch line. Also, the existing lift station downstream from PUD-304 and Ridgeway Heights will be upgraded by the developer to provide adequate capacity. Extensive landscaping will be installed in conjunction with the development of this property.

Based upon the Comprehensive Plan, the location of the property, the unique conditions associated with the property that were being addressed through the PUD, and the surrounding land uses, Staff had recommended that PUD-304 and BAZ-2049 be approved, subject to the property being platted. After reviewing the information presented in the Staff report, information provided by the applicant, and the public comment information provided, the Planning Commission recommended approval (5-0) of PUD-304 and BAZ-2049 as per Staff recommendation.

**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 photo  
Comp Plan  
Design Statement for PUD-304  
February 2, 2016, City Council minutes  
Traffic study submitted by applicant  
Drainage analysis submitted by applicant  
Email from Don Jenkins  
Pictures from Don Jenkins

**Recommendation:**

Approve PUD-304 and BAZ-2049 as per Planning Commission and Staff recommendation.