



City of Broken Arrow

Request for Action

File #: 17-2057, **Version:** 1

Broken Arrow Planning Commission
04-27-2017

To: Chairman and Commission Members
From: Development Services Department
Title: Public hearing, consideration, and possible action regarding PUD 260, Aspen Crossing, 49.52 acres, RS-3, RD & CG/PUD 260, northeast corner of Jasper Street and Aspen Avenue

Background:

Applicant: Tim Terral, TEP
Owner: Capital Homes Residential Group, LLC
Developer: Capital Homes Residential Group, LLC
Engineer: TEP
Location: Northeast corner of Jasper Street and Aspen Avenue
Size of Tract 49.52 acres
Number of Lots: 262 proposed
Present Zoning: A-1, R-2 & A-R-2
Proposed Zoning: RS-3, RD & CG/PUD 260
Comp Plan: Levels 2, 3, and Greenway/Floodplain

Planned Unit Development (PUD) 260 involve 49.52 acres of undeveloped and unplatted property located on the northeast corner of Jasper Street and Aspen Avenue. Approximately 262 single family attached and detached residential units are proposed in conjunction with this PUD request. The east part of the property is located within 100-year floodplain of Aspen Creek. The 100-year floodplain will be left as open space.

The residential portion of the project site was originally approved by the Broken Arrow City Council on December 3, 2007 as PUD 183 and BAZ 1789 subject to the property being platted. A subsequent major amendment, PUD 183A, was approved on March 23, 2010. Since this property was never platted, PUD 183 and PUD 183A have expired. BAZ 1789, the request to rezone the property from A-1, R-2 and A-R-2 to RS-3 does not expire, but has not been changed by ordinance due to the property remaining unplatted. The property was annexed into Broken Arrow City Limits on May 21, 2001 with Ordinance 2361.

PUD 260 is essentially the same as the previously approved PUD 183, with the exception of an additional 5-acre parcel on the corner of Jasper Street and Aspen Avenue. BAZ 1793, a request to rezone this 5-acre parcel from A-1 to CG was approved by the City Council on January 22, 2008, subject to the property being platted. The property remains unplatted.

Portions of Tracts 1 and 2 are currently platted as Lot 1, Block 8 of Southtowne Estates. Covenant restrictions for this parcel are in conflict with the development proposed by PUD 260.

PUD 260 SUMMARY

PUD 260 divides the property into three development areas, Tract 1, 2, & 3.

Tract 1, which will be for single-family detached residential units, will be developed in accordance with RS-3 development regulations except as follows:

- Minimum lot frontage reduced from 60 feet to 52 feet.
- Minimum lot size reduced from 7,000 square feet to 5,600 square feet.
- Rear yard setback reduced from 20 feet to 15 feet.
- Side, Corner Lots reduced from 25 feet to 15 feet/20 feet on side loaded garages.

Tract 2, which will be developed as small lot single family attached private gated community, will be developed in accordance with RS-3 development regulations except as follows:

- Minimum lot frontage reduced from 60 feet to 25 feet.
- Minimum lot size reduced from 7,000 square feet to 2,500 square feet.
- Front building setback reduced from 25 feet to 20-feet.
- Rear building set back reduced from 20 feet to 10 feet.
- Side yard (single-family attached) reduced from 5/5 feet to 0 feet (internal) and 5 feet (end unit).
- Side yard (single-family detached) has the option to be reduced from 5/5 feet to 0/10 feet.
- Minimum building separation for single-family attached until is 10 feet.
- Side, Corner Lots reduced from 25 feet to 15 feet.

Tract 3, which will be developed for commercial use, will be developed in accordance with the CG development regulations except as follows:

- Maximum building height reduced from 'none' to 35 feet.

The conceptual site plan shows one point of access to Jasper Street and two points of access to Aspen Avenue for the residential areas. No residential lot will have direct access to either Jasper Street or Aspen Avenue.

As proposed in PUD 260, Tract 1 can have 157 units and Tract 2 can have 105 units, for 262 total units and an overall density of 5.88 dwelling units per acre. According to Section 4.1.E.1 of the zoning ordinance, the maximum number of dwelling units allowed with the underlying zoning is 262 $((30.66 \times 43,560 / 8,500) + (13.86 \times 43,560 / 5,750) = 262)$. Therefore, PUD 260 is in accordance with the density requirements of the zoning ordinance.

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-R-1	Large Lot Single-Family
East	Level 2	R-2	Southtowne Estates and large lot single family residential
South	Levels 2, 3 & 4 and Greenway/ Floodplain	CN, RM & R-2	Convenience store, Crown Imperial II, and Indian Spring Estates
West	Levels 2 & 3 and Greenway/ Floodplain	A-1, A-RE & RM	Large Lot Single-Family and undeveloped

According to the FEMA maps, the east part of the property is located in a 100-year floodplain area of Aspen Creek. This area will be left as open space, which is in accordance with the Comprehensive Plan.

The property is designated as Levels 2, 3, and Greenway/Floodplain in the Comprehensive Plan. RS-3 zoning is considered to be in accordance with Comprehensive Plan in Level 2 and possible in Level 3. According to the Comprehensive Plan, RS-3 zoning is in accordance with the Comprehensive Plan when it is an extension of an adjacent RS-2 or RS-3 district and would not preclude access to a potential higher intensity use from an arterial street. The portion of the property located in Level 3 abuts Jasper Street on the south and will be adjacent to RS-3 on the north. Therefore, the development regulations proposed with PUD 260 are in accordance with the Comprehensive Plan.

Attachments: Case map
Aerial photo
Comprehensive Plan
PUD 260 design statement
Conceptual Site plan and exhibits
Southtowne Estates recorded plat

Recommendation:

Based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD 260 be approved, subject to the following:

1. Property being platted.
2. The residential portion of the property that is located outside the 100-year floodplain shall be designated as RS-3, the commercial area shall be designated CN, and the portion of the property that is located inside the 100-year floodplain shall be designated as FD.
3. Lot 1, Block 8 of Southtowne Estates, which has been included in PUD 260, shall be removed from that plat or the covenants and restrictions of the plat shall be modified to allow this lot to be included within PUD 260.

Reviewed by: Larry R. Curtis
Approved by: Michael Skates

LRC: ALY