



City of Broken Arrow

Request for Action

File #: 19-105, Version: 1

**Broken Arrow City Council
Meeting of: 01-15-2019**

To: Mayor and City Council Members
From: Development Services Department
Title:

Consideration, discussion, and possible approval of BAZ-2017, International Christian Assembly of Tulsa, 5.12 acres, R-1 to ON and the abrogation of a portion of SP 74 and SP 74A, north of Houston Street (81st Street), one-half mile east of Garnett Road (113th East Avenue)

Background:

BAZ-2017 is a request to change the zoning designation on a 5.12-acre parcel from R-1 (Single-Family Residential)/Specific Use Permits 74 and 74A to ON (Office Neighborhood) on property located north of Houston Street (81st Street), one-half mile east of Garnett Road (113th E. Avenue). The property is platted as part of Lot 1, Block 1 of Forest Hills Health Care Center. International Christian Assembly of Tulsa Inc. is proposing to build a new church on the property. In the Zoning Ordinance, churches are classified as “Places of Assembly”. Places of Assembly is a permitted use in the ON district.

In 1992, the City Council approved SP-74 on 16.6 acres for a 120 bed nursing home. SP-74 was approved subject to the property being platted. In 1993, 9.3 acres of the property was platted as “The Gardens”. Forest Hills Health Care Center, which contained 102 beds, was constructed on the property. SP-74A, a request to expand SP-74 by 2.67 acres, was approved by the City Council on March 3, 1997, subject to the property being replatted. The plat for Forest Creek Hills Health Care Center was recorded in Tulsa County on July 31, 1997. With SP-74A, applicant was proposing to add 175 assisted living units. While some grading work started, these units were not constructed. On September 27, 2001, the Planning Commission approved BAL-800 that split Lot 1, Block 1 of Forest Hills Health Care Center into two lots, Tract A and Tract B. BAZ-2017 is associated with Tract B of BAL-800.

According to FEMA maps, no part of the property is located within a 100-year floodplain. The Forest Hills Health Care Center plat notes that the floodplain boundaries were modified by a LOMR-F approval dated June 1997 from the Federal Emergency Management Agency, Case No. 97-06-331A.

The Future Development Guide of the Comprehensive Plan shows the site to be designated as a Level 3. The ON zoning being requested is considered to be in accordance with the Comprehensive Plan in Level 3.

The Planning Commission, in their meeting of December 20, 2018, concurred with Staff and recommended approval (4-0 vote) of BAZ-2017 and that platting be waived. During the Public Hearing segment, one person representing the abutting church to the east spoke regarding the request to rezone. He shared with the Planning Commission issues they had experienced with sanitary sewer and stormwater on their property and obtaining easements from the abutting property owner. The Planning Commission and Staff acknowledged that these items would be examined during the site plan review process.

Cost: \$0

Prepared By: Brent Murphy, AICP, Senior Planner

Reviewed By: Development Services Department
Legal Department
Assistant City Manager, Operations

Approved By: Michael L. Spurgeon, City Manager

Attachments: Planning Commission Fact Sheet
Case map
Aerial photo
Comprehensive Plan
Forest Hills Health Care Center Plat
SP-74A Conceptual Site Plan
LOMR Letter From Federal Emergency Management Agency
BAL-800 Lot Split Exhibit

Recommendation:

Approve BAZ-2017 as recommended by Planning Commission and Staff.

BDM