



City of Broken Arrow

Request for Action

File #: 18-1308, Version: 1

**Broken Arrow Planning Commission
12-06-2018**

To: Chairman and Commission Members
From: Development Services Department
Title:

Public hearing, consideration, and possible action regarding BAZ-2016, Builder's Unlimited, Inc., 2.98 acres, IL and A-IL to IL, one-quarter mile north of New Orleans Street, one-quarter mile west of Evans Road

Background:

Applicant: Steven B. Wright, Builder's Unlimited, Inc.
Owner: Steven B. Wright
Developer: Steven B. Wright, Builder's Unlimited, Inc.
Surveyor: Tom A. Haynes, White Surveying Company
Location: One-quarter mile north of New Orleans Street, one-quarter mile west of Evans Road
Size of Tract 2.98 acres
Number of Lots: 1
Present Zoning: IL and A-IL
Proposed Zoning: IL
Comp Plan: Level 6 (Regional Employment/Commercial)

BAZ-2016 is a request to change the zoning designation on a 2.98-acre parcel from IL (Industrial Light) and A-IL (Annexed Industrial Light) to IL (Industrial Light). The unplatted, vacant property is located one-quarter mile north of New Orleans Street, one-quarter mile west of Evans Road. Builder's Unlimited, a general contracting firm, plans to build a new facility on the property.

The A-IL transitional zoning was assigned to the property when it was annexed into the City of Broken Arrow with Ordinance No. 1748 on December 21, 1992. Applicant is interested in constructing new structures on the property. According to Section 1.4.6 of the Zoning Ordinance, no expansion may occur on the site until it is brought into compliance with all applicable zoning requirements.

BAZ-2016 is located in an area referred to as the "Arrow East Industrial Park". The property has not been platted. A "Certificate of Survey" for the entire 40-acre parcel has been filed in Wagoner County. The division of property, however, has occurred through lot splits. The property has not been platted in accordance with the City of Broken Arrow standards.

In 2000, the City of Broken Arrow extended sanitary sewer service to this industrial park through an assessment district. An 8-inch sanitary sewer line is located along 219th E. Avenue, the road that provides access to this

property. The area where the A-IL zoning is located used to be the sanitary sewer lagoon for the industrial park. Applicant is aware of this previous use.

The primary means of access to this industrial park is from State Highway 51 to the north. From State Highway 51, a single road passes over the MKT railroad track that connects with 219th E. Avenue and 96th St. Secondary access is available to the property from Events Park to the west.

When this property was annexed into the City of Broken Arrow, the City took over an unpaved road and subsequently the road has been paved and maintained by the City. Similarly, sanitary sewer was also extended to this area.

There have been six other rezoning requests (BAZ-1353, BAZ-1388, BAZ-1424, BAZ-1639, BAZ-1716, and BAZ-1882) in this industrial park. All of these zoning applications, which requested the zoning be changed from AI-1 to I-1, were approved and platting was waived. However, there was a requirement as part of the site plan approval that the adequacy of water supply for fire protection be verified by the Fire Marshal and the Development Services Department. Water to the industrial park is supplied by Rural Water District #4. A fire hydrant has been added to the south end of the industrial park since the first rezoning request occurred.

According to FEMA maps no part of the property is located within a 100-year floodplain.

Surrounding land uses and zoning classifications include the following:

North:	IL	Industrial
East:	AG (Wagoner County)	Undeveloped
South:	IL	Undeveloped
West:	IL	Industrial

The Future Development Guide of the Comprehensive Plan shows the site to be designated as a Level 6. The IL zoning district is a possible use when the site abuts an industrial park. The unplatted site is surrounded on the north, south, and west by industrial uses.

Attachments: Case map
Aerial photo
Comprehensive Plan
Conceptual site plan
Conceptual building elevation
Property survey

Recommendation:

Based on the transitional A-IL zoning category granted by the City Council on December 21, 1992, the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that BAZ-2016 be approved. The Zoning Ordinance requires all land that is rezoned to be platted. It further states, “Provided, that the City Council may waive the platting requirement in those instances wherein nothing would be accomplished through enforcement of the platting requirement, such as in those instances in which the land is included within the existing plat of record which adequately provides for the public feature, or where these public features have been previously provided by other instruments.”

Through lot splits, the 40-acre parcel has been divided into 12 different parcels. Requiring each of the parcels in this industrial park to plat their individual lots could become confusing and accomplish little. Therefore,

Staff recommends that platting be waived. However, as part of the site plan review process, Staff will recommend fire protection be approved by the Fire Marshal and Development Services Department prior to any building permit being issued. This was the same recommendation on the previous six rezoning requests in this industrial park.

Reviewed by: Larry Curtis

Approved by: Michael Skates

BDM