



City of Broken Arrow

Fact Sheet

File #: 18-194, Version: 1

Broken Arrow Planning Commission

02-08-2018

To: Chairman and Commission Members

From: Development Services Department

Title:

Public hearing, consideration, and possible action regarding PUD-274 (Planned Unit Development) and BAZ-1996 (Rezoning), Doc's Container Storage, 0.40 acres, A-1 to PUD-274/IL, located one-half mile north of Houston Street, one-quarter mile east of 23rd Street, on Old Highway 51

Background:

Applicant: Robert D. Sanders, Sanders Engineering, Inc.

Owner: William D. Pruitt and/or Denise J. Pruitt

Developer: William D. Pruitt and/or Denise J. Pruitt

Engineer: Sanders Engineering, Inc.

Location: One-half mile north of Houston Street, one-quarter mile east of 23rd Street, on Old Highway 51

Size of Tract 0.40 acres

Present Zoning: A-1

Proposed Zoning: PUD-274/IL

Comp Plan: Level 6

Planned Unit Development (PUD) 274 and BAZ-1996 involve a 0.40 acre parcel located one-half mile north of Houston Street, one-quarter mile east of 23rd Street, on Old Highway 51. Applicant is requesting that the zoning on the property be changed from A-1 to PUD-274/IL. The property was annexed into the City Limits of Broken Arrow on October 6, 1986, with Ordinance 1427.

Storage containers, which are being used for mini-storage, were placed on the site in 2014 without any knowledge or approval by the City of Broken Arrow. According to the applicant, he made a telephone call to the City of Broken Arrow and talked to someone, does not remember who, and was told it was okay to place the storage containers on the property. The property is presently zoned A-1, which does not allow mini-storage.

The property was platted in 1953 as Lot 1, Block 2, Couch Addition. This plat was recorded in Wagoner County prior to being in the City Limits of Broken Arrow. Therefore, the property has not been developed to City of Broken Arrow standards. A site plan was never submitted to or approved by the City of Broken Arrow. The current use of the property was discovered by City Staff when an inquiry was made by someone else who wanted to develop something similar. Upon discovering the existing use, the property owner was contacted by

Code Enforcement on August 29, 2017, notifying them that they needed to come into compliance with the Zoning Ordinance. Staff met with the applicant on September 19, 2017, and advised what needed to be submitted. With PUD-274 and BAZ-1996, applicant is proceeding with the process to bring the property into compliance.

With PUD-274, applicant is proposing to develop the property in accordance with the City of Broken Arrow Zoning Ordinance and the use and development regulations of the IL district with the following exceptions:

- Building coverage limited to 75% instead of no limitation.
- Building height reduced from 50 feet to 30 feet.
- Front building setback reduced from 50 feet to 17.5 feet, and the rear building setback reduced from 30 feet to five feet.
- Permitted uses limited to metal container storage.
- Landscape edge along the north boundary next to the Muskogee Turnpike reduced from 10 feet to 5 feet. In this landscaped edge, at least one medium to large evergreen tree will be planted per 25 lineal feet instead of one tree per 50 lineal feet. Landscaping along Old Highway 51 will be provided in accordance with the Zoning Ordinance.
- Irrigation can occur with water bags instead with an underground system or drip hoses.
- Opaque screening, including the use of opaque slats, will be provided along the north boundary next to the Muskogee Turnpike.
- No outdoor storage is permitted.

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	Muskogee Turnpike and Level 3	A-1	Muskogee Turnpike and undeveloped
East	Muskogee Turnpike and Level 3	A-1	Muskogee Turnpike and undeveloped
South	Level 6	A-1	Outdoor equipment sales and service
West	Level 6 via BACP-141	A-1 to PUD-231/BAZ-1942	Proposed plumbing business

None of the property is located in a 100-year floodplain area.

The property associated with PUD-274 and BAZ-1996 is shown in the Comprehensive Plan as Level 6. The IL zoning requested with BAZ-1996 is considered to be in compliance with the Comprehensive Plan in Level 6 when submitted with a PUD.

An existing off-premise advertising sign is located on the property next to the Muskogee Turnpike. According to aerial photographs, this sign has been located on the site since at least 1995. Off-premise advertising signs are not permitted by the Zoning Ordinance, but the existing sign is allowed to remain as a legal nonconforming structure. According to Section 8.1.A of the Zoning Ordinance, “While nonconformities may continue, this chapter (i.e. Chapter 8) is intended to achieve their eventual elimination, in order to preserve the integrity of this Ordinance and the character of the City.” In similar PUD’s that contain off-premise advertising signs, Staff has recommended and the Planning Commission and City Council have concurred that the existing leases on the off-premise advertising signs shall not be renewed or extended.

Attachments: Case map
Aerial photo
Comprehensive Plan
PUD-274 design statement and conceptual site plan
Couch Addition recorded plat
Section 8.1.A of the Zoning Ordinance
Pictures of the site looking northeast

Recommendation:

Based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD-274 and BAZ-1996 be approved subject to the property being replatted in accordance with the City of Broken Arrow Subdivision Regulations along with the following being added to Section IX of the design statement for PUD-274 and the revised design statement being resubmitted by February 13, 2018:

1. In addition, as per Section 8.1.A of the Zoning Ordinance, the lease associated with this sign shall not be extended or renewed, and the sign shall be removed within six months of the current lease expiring.

Reviewed By: Larry R. Curtis

Approved By: Michael W. Skates

BDM