



# City of Broken Arrow

## Fact Sheet

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**File #: 16-516, Version: 1**

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### Broken Arrow Planning Commission

05-26-2016

**To: Chairman and Commission Members**

**From: Development Services Department**

**Title:**

**Public hearing, consideration, and possible action regarding BAZ 1957 and SP 276, BA Ice House/Light & Power Refurbishment, 0.14 acres, R-3 to DM and a Specific Use Permit request for micro food and beverage production, southeast corner of Cedar Avenue and Dallas Street**

**Background:**

**Applicant:** Austin J.L. Ferguson

**Owner:** James A. Farris III

**Developer:** Austin J.L. Ferguson

**Engineer:** NA

**Location:** Southeast corner of Cedar Avenue and Dallas Street

**Size of Tract** 0.14 acres

**Number of Lots:** 1

**Present Zoning:** R-3

**Proposed Zoning:** DM

**Comp Plan:** Level 5 (Downtown Area) (BACP 152)

BAZ 1957 is a request to change the zoning designation on a 0.14-acre triangular shaped tract from R-3 (Single Family Residential) to DM (Downtown Mixed Use Core). The property is located on the southeast corner of Cedar Avenue and Dallas Street. There is an existing building on the site that historically has been used in the past as an ice house and housed the first electric generation facility, operated by P.S.O. to provide light and power for the original Township of Broken Arrow. More recently the building has been used by a heat and air condition servicing company and other businesses. The property has been platted as part of the Original Town of Broken Arrow.

In conjunction with BAZ 1957, applicant has also submitted SP 276, a request for micro food and beverage production. Applicant is interested in remodeling the building and using it for a micro- brewery. The Zoning Ordinance is in the process of being modified to allow micro food and beverage production in the DM district with a Specific Use Permit. The first reading of the request to modify the Zoning Ordinance will be heard by the City Council on May 17, 2016, with the Ordinance scheduled to be adopted on June 6, 2016.

With their Specific Use Permit application, applicant has provided information in accordance with the proposed requirements of the Zoning Ordinance regarding micro food and beverage production, which is included with this report. They plan to return the building to its original form and use approximately 2,800 square feet of the 4,600 square foot building. Current State laws do not presently allow the beer brewed on-site to be sold

straight to the public. Hours of operation will be from 10 am to 8 pm. If the State law is changed to allow beer sales on-site, the hours of operation will be from 10 am to 11 pm.

Truck deliveries and pick-ups are expected to be minimal. Heavy duty vehicles are expected to visit the site only one to two times a week. It is anticipated that beer will be brewed two to three times a week with an annual production of 928 barrels (A barrel is 31 gallons,  $928 \times 31 = 28,768$  gallons). With current laws, 100% of the beer sales will be through distribution. The number of employees, with current law, will be limited to the three partners. If the State law is modified to allow consumption on site, the number of employees on-site will be 8 to 9.

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	R-3	Single family residential
East	Level 5	R-3/PUD 230	Parking lot and brownstone units under construction
South	Level 2	R-3	Railroad tracks, single family residential south of the railroad tracks.
West	Level 2	R-3	Railroad tracks, single family residential west of the railroad tracks.

According to FEMA maps, none of the property is located in a 100-year floodplain area. On May 3, 2016, the City Council approved BACP 152 to change the Comprehensive Plan designation on the property from Level 2 to Level 5. The DM zoning requested with BAZ 1957 is in accordance with the Comprehensive Plan.

**Attachments:** Case map  
Aerial photo  
Information provided by applicant

**Recommendation:** Based on the Comprehensive Plan, location of the property, and the surrounding land uses, Staff recommends that BAZ 1957 and SP 276 be approved as requested. Since the property has been platted, Staff recommends that re-platting be waived

**Reviewed By:** Farhad Daroga  
**Approved By:** Michael W. Skates

FKD: BDM