



City of Broken Arrow

Request for Action

File #: 19-757, Version: 1

**Broken Arrow Planning Commission
06-27-2019**

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

Public hearing, consideration, and possible action regarding PUD-291 (Planned Unit Development), Boston Heights, 2.10 acres, A-1 (Agricultural) to PUD-291/RS-2 (BAZ-1991, Single-Family Residential), one-half mile east of Elm Place (161st E. Avenue), one-quarter mile south of Washington Street (91st Street)

Background:

Applicant: JR Donelson, JR Donelson, Inc.
Owner: CRS Sanders Investments, LLC
Developer: CRS Sanders Investments, LLC
Engineer: JR Donelson, Inc.
Location: One-half mile east of Elm Place (161st E. Avenue), one-quarter mile south of Washington Street (91st Street)
Size of Tract 2.10 acres
Present Zoning: A-1
Proposed Zoning: PUD-291/RS-2 (BAZ-1991 approved subject to platting)
Comp Plan: Level 1

Planned Unit Development (PUD)-291 involves a 2.10 acre parcel located one-half mile east of Elm Place (161st E. Avenue), one-quarter mile south of Washington Street (91st Street). The property is presently zoned A-1 (Agricultural). On January 2, 2018, the City Council approved BAZ-1991 to change the zoning on the property from A-1 to RS-2. BAZ-1991 was approved subject to the property being replatted. On February 19, 2019, the conditional final plat was approved by the City Council, subject to an attached checklist. Applicant proceeded to make the changes required by the City Council and on May 3, 2019, Staff approved the final plat.

The property had previously been platted as Lot 1, Block 2 Arrow Acres. The existing plat showed a 10-foot wide utility easement passing north/south through the center of the property. A survey on March 25, 2019, revealed that the existing sanitary sewer was not located in the existing utility easement, but was situated 32.64 feet to the east. Applicant informed Staff of the problem with the utility easement on May 6, 2019.

The discovery of the problem with the existing sanitary sewer line not being located in the existing utility easement required an adjustment to the lot line configuration. The modification to the lot lines resulted in the loss of one lot from what was shown on the Conditional Final Plat. With PUD-291, applicant is requesting that the minimum lot width be reduced from 70 feet to 65 feet to accommodate the existing sanitary sewer line.

This change allows one more lot than what was shown with the Conditional Final Plat.

According to the design statement submitted with the PUD, the property will be developed in accordance with the Broken Arrow Zoning and the development regulations associated with the RS-2 zoning district except as summarized below.

SUMMARY OF DEVIATION FROM THE BROKEN ARROW ZONING ORDINANCE

| Item | Broken Arrow Zoning Ordinance | PUD-291 Request |
|-------------------------|-------------------------------|---|
| Minimum lot width | 70 feet | 65 feet |
| Minimum lot size | 8,000 square feet | 9,500 square feet |
| Maximum Dwelling Units | 8 | 8 |
| Maximum building height | 50 feet | 35 feet or 2 stories |
| Vehicular access | No limitations | No vehicular access allowed to First Place. |

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 1 | A-1 | Large lot single family residential |
| East | Level 1 | R-1 | Large lot single family residential |
| South | Level 1 | <u>A-1</u> | Large lot single family residential |
| West | Level 1 | RS-1 | Large lot single family residential |

The property associated with PUD-291 is designated as Level 1 in the Comprehensive Plan. As was noted in the Staff report associated with BAZ-1991, RS-2 zoning is identified as “possible” in Level 1 in the Comprehensive Plan. According to the Comprehensive Plan, “A request for R-2, RS-2, or RS-3 zoning in the Level 1 may be in accordance with the Comprehensive Plan, provided the site for the rezoning request is located adjacent to an arterial street, or is part of an existing R-2, RS-2, R-3, or RS-3 area which is located adjacent to an arterial street. Due to the uses allowed in this level of intensity, areas designated as Level 1 should generally be kept free of significant vehicular traffic generators and noisy or polluting uses.” First Place, which was previously a part of Highway 51, is no longer an arterial street. Today, it functions more as a collector street between Washington Street and New Orleans Street. The abutting property to the northwest is

zoned R-2. Less than 200 feet to the south, property is zoned RD and RM with duplexes and single-family residential that has been developed to the R-3 standards. Based on the surrounding zoning classifications, the RS-2 zoning that was requested with BAZ-1991 was considered to be in conformance with the Comprehensive Plan. PUD-291, which is to be developed in accordance with the RS-2 development regulation when some slight modifications, is considered to be in accordance with the Zoning Ordinance.

None of the property is located in the 100-year floodplain. An on-site stormwater detention facility is proposed to be constructed along the west edge of the property.

According to Section 6.4 of the Zoning Ordinance:

The PUD provisions are established for one (1) or more of the following purposes:

1. To permit and encourage innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties.
2. To permit greater flexibility within the development to best utilize the physical features of the particular site in exchange for greater public benefits than would otherwise be achieved through development under this Ordinance.
3. To encourage the provision and preservation of meaningful open space.
4. To encourage integrated and unified design and function of the various uses comprising the planned unit development.
5. To encourage a more productive use of land consistent with the public objectives and standards of accessibility, safety, infra structure and land use compatibility.

In Staff's opinion, PUD-291 satisfies items 1 and 5 of Section 6.4.A of the Zoning Ordinance. While applicant is requesting to reduce the minimum lot width from 70 feet to 65 feet, they are requesting to increase the minimum lot size from 8,000 square feet to 9,500 square feet. In addition, they are requesting to reduce the allowed building height from 50 feet to 35 feet.

Water and sanitary sewer service will be provided by the City of Broken Arrow.

Attachments: Case map
Aerial photo
Comprehensive Plan
PUD-291 design statement

Recommendation:

Based upon the Comprehensive Plan, the existing zoning, the design statement and conceptual site plan submitted with PUD-291, the location of the property, and the surrounding land uses, Staff recommends that PUD-291 be approved, subject to the property being replatted. The existing utility easement that crosses the property will be required to be vacated.

Reviewed and approved by: Larry R. Curtis

BDM