



City of Broken Arrow

Request for Action

File #: 24-53, Version: 1

**Broken Arrow Planning Commission
1-11-2024**

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

Public hearing, consideration, and possible action regarding BAZ-001223-2023 (Rezoning) and SP-001224-2023 (Specific Use Permit), Christian Brothers Automotive, 1.5 acres, A-1 (Agriculture) to CG (Commercial General)/SP-001224-2023, north of the northwest corner of County Line (South 193rd East Avenue), and East Albany Street (East 61st Street)

Background:

Applicant: Jennifer Goldman
Owner: Christian Brothers Automotive
Developer: Christian Brothers Automotive
Engineer: Horrocks Engineers
Location: North of the northwest corner of County Line (South 193rd East Avenue), and East Albany Street (East 61st Street)
Size of Tract 1.5 acres
Number of Lots: 1
Present Zoning: A-1 to CG via BAZ-1643
Proposed Zoning: CG (Commercial General)/SP-000408-2022
Comp Plan: Level 4 (Commercial/Employment Nodes)

BAZ-001223-2023 and SP-001224-2023 is a request to change the zoning designation on 1.5 acres from A-1 (Agriculture) to CG (Commercial General)/SP-001224-2023. The property is located approximately north of the northwest corner of County Line (South 193rd East Avenue), and East Albany Street (East 61st Street) and is currently un-platted.

BAZ-001223-2023 is included in this application but was then found out to be a repetitive zoning request. For this reason, BAZ-001223-2023 is being withdrawn. BAZ-1643 was a request to change the zoning on this property (as well as the surrounding property, the case map is included in the packet) from A-1 (Agriculture) to CG (Commercial General). BAZ-1643 was approved by City Council on July 6th, 2004, subject to the property being platted. This property has never been platted, so the approved zoning has not gone into effect, and the zoning map was never changed.

An update to the zoning ordinance is in the final stages of being updated. In the last rendition of the zoning ordinance, which was approved by Planning Commission and City Council, property being rezoned is no

longer approved subject to platting. For this reason, staff is requesting that with this application BAZ-1643 be implemented for this site, and that platting be waived. This will facilitate a lot split on the property, which will allow for the platting and proposed development.

The applicant is intending to build an automotive repair center. Vehicle Service and Repair, Minor is permitted by right in the CG district. Vehicle Service and Repair, Major is not permitted in the CG district. Vehicle Service and Repair major is defined as:

“An establishment engaged in the major repair and maintenance of automobiles, motorcycles, trucks, vans, trailers, recreational vehicles, boats, mobile homes, or snowmobiles. Services include engine, transmission, or differential repair or replacement; body, fender, or upholstery work; and painting.”

Christian Brothers Automotive does a small amount of major automotive repair, so they have submitted SP-001224-2023, which states:

The permit holder is authorized to conduct engine work within the scope of their business operations. Major engine repairs such as replacements, shall not exceed 5% of the total business conducted on the premises. Additionally, the permit holder is not authorized to engage in the rebuilding of engines or transmissions on the premises.

Per the Zoning Ordinance, a specific use permit is the appropriate tool to allow for this use, and provide the safeguards that Christian Brothers has put in place to protect the neighbors.

SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

The surrounding properties contain the following uses, along with the following development guide and zoning designations:

Location	Comprehensive Plan	Zoning	Land Use
North	Level 4	A-1 to CG	Undeveloped Land
East	Level 4	A-CH	Undeveloped Land
South	Level 4	A-1 to CG	Undeveloped Land
West	Level 2	RS-3/PUD144	Single- Family Residential

According to Section 6.5.C.8 of the Zoning Ordinance, a Specific Use Permit can be approved only if the City Council finds that all of the following criteria have been met:

- a. The proposed use is consistent with the comprehensive plan and all applicable provisions of this Ordinance and applicable state and federal regulations;
- b. The proposed use is consistent with the purpose and intent of the zoning district in which it is located;
- c. The proposed use is consistent with any applicable Specific Use Permit standards set forth in Section 3.2, *Specific Use Permit Standards*;
- d. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
- e. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable;
- f. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development;

g. Adequate assurances of continuing maintenance have been provided.

In Staff's opinion, SP-001224-2023 is consistent with the above criteria.

According to FEMA's National Flood Hazard Layer, none of the property is located in the 100-year floodplain.

Attachments:

Case map

Aerial

Conceptual Exhibit

BAZ-1643 Staff Report

BAZ-1643 case map

Recommendation:

Staff recommends that SP-001224-2023 be approved, and that BAZ-1643 be implemented for this property, and platting be waived for this property.

Reviewed by: Amanda Yamaguchi

Approved by: Grant Rissler

HMB