



City of Broken Arrow

Request for Action

File #: 19-1514, **Version:** 1

Broken Arrow Planning Commission

12-19-2019

To: Chairman and Commission Members

From: Development Services Department

Title: Public hearing, consideration, and possible action regarding PUD-299 (Planned Unit Development), Tidal Wave, 1.23 acres, R-2 (Single-Family Residential) to CH (Commercial Heavy), south of the southeast corner of Houston Street (81st Street) and Elm Place (161st East Avenue)

Background:

Applicant: Tim Terral, TEP

Owner: Broken Arrow Public Schools

Developer: Jason Stidman

Engineer: TEP

Location: South of the southeast corner of Houston Street (81st Street) and Elm Place (161st East Avenue)

Size of Tract 1.23 acres

Present Zoning: R-2 to CH

Proposed Zoning: R-2 to CH/PUD-299

Comp Plan: Level 6 (Regional Employment/Commercial) via BACP-163

Planned Unit Development (PUD)-299 involves a 1.23-acre parcel located south of the southeast corner of Houston Street (81st Street) and Elm Place (161st East Avenue). The property is currently zoned R-2 (Single-Family Residential) to CH (Commercial Heavy). BAZ-2033, a request to change the zoning on the property from R-2 to CH was approved by the City Council on August 20, 2019, subject to the property being platted and a PUD being approved on the property.

BACP-163, a request to change the Comprehensive Plan designation on this property from Public/Semi Public to Level 6 was approved by the City Council on July 16, 2019 subject to the property being platted.

Tidal Wave is proposed to be developed in accordance with the City of Broken Arrow Zoning Ordinance and the use and development regulations of the CH district, except as summarized below.

SUMMARY OF DEVIATION FROM THE BROKEN ARROW ZONING ORDINANCE

Item	Broken Arrow Zoning Ordinance - CH District	PUD-299 Request
Minimum Lot Size	No minimum lot size	Minimum lot size is 22,500 sq. ft./0.50 acres
North Boundary Setback	A 1 story building shall be setback 50-feet from a side abutting a residential district.	The north setback abutting the R-2 district is reduced to 35-feet.
Maximum Building Height	No maximum building height	Maximum building height restricted to 35-feet.
Screening	6-8 foot perimeter fencing required where any commercial developments abuts any agricultural or residential district.	An opaque, wood screening fence of at least 6 feet in height shall be provided along the north and east boundaries of this PUD, except the west 215 feet of the north boundary.
Access	The centerline of driveways on an arterial street shall be located as far as the lot width permits from the street intersections, and at least two hundred fifty feet from the centerline of the intersecting street.	Due to the adjacent property driveways, the distance between the driveway to the north and the proposed drive will be less than the separation requirement of Section 5.3.B.3 of the Zoning Ordinance. The access point onto Elm Place shall be located on the tract immediately south of this tract and accessed through a mutual access easement as shown in the PUD exhibit.

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 (2019)	Zoning	Land Use
North	Level 6	R-2/SP-240	Head Start
East	Level 2	R-2	Single-Family Residential
South	Level 6	CH	Auto Zone
West	Level 4	CG/PUD-28A	Shopping Center

The Future Development Guide of the Comprehensive Plan was modified with BACP-163 to be designated as Level 6. The CH (Commercial Heavy) zoning being requested is considered to be in accordance with the Comprehensive Plan in Level 6.

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, infrastructure and land use compatibility.

In Staff's opinion, PUD-299 satisfies items 2 and 5 of Section 6.4.A of the Zoning Ordinance. (2) With PUD-299 the applicant proposes to exclude the west 215-feet of the north boundary from the screening requirement. This request is due to the use of the property to the north as a driveway. Although the property to the north is zoned R-2, it is not being used for and is unlikely to be developed for a residential use. (5) The building setback along the north boundary is requested to be reduced due to the width of the site however, the property to the north is being utilized as a driveway entrance to a childcare facility to the north. PUD-299 requests to move the driveway access to the development to the property to the south. This allows the distances between existing and proposed driveways to closer compliance with the zoning ordinance while providing access to this site and future development.

According to FEMA maps, none of the property is located in a 100-year floodplain area. Water and sewer to the site are available from the City of Broken Arrow.

Attachments: Case map
Aerial photo
PUD-299 design statement

Recommendation:

Based upon the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD-299 be approved subject to the property being platted.

Reviewed by: Jill Ferenc

Approved by: Larry R. Curtis

ALY