



City of Broken Arrow

Fact Sheet

File #: 16-323, Version: 1

**Broken Arrow Planning Commission
03-24-2016**

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

Public hearing, consideration, and possible action regarding BAZ 1956, Aspen Creek Marketplace, 38.40 acres, A-1 to CH, south of the Creek Turnpike, west of Aspen Avenue, and north of Tucson Street

Background:

Applicant: Joel Riggs, Super Market Developers, Inc.
Owner: Burnstein Family Investment Company, LLC and John Hausam Revocable Trust
Developer: Super Market Developers, Inc.
Engineer: Renaissance Infrastructure Consulting
Location: South of the Creek Turnpike, west of Aspen Avenue, and north of Tucson Street
Size of Tract 38.40 acres
Number of Lots: 1
Present Zoning: A-1
Comp Plan: Level 6 (Regional Employment/Commercial) and Greenway/Floodplain

BAZ 1956 is a request to change the zoning designation on a 38.40-acre undeveloped tract from A-1 (Agricultural) to CH (Commercial Heavy). The unplatted property is located south of the Creek Turnpike, west of Aspen Avenue, and north of Tucson Street. The A-1 zoning was assigned to the property when it was annexed into the City Limits on February 23, 2000, with Ordinance 2264.

Applicant is interested in developing a grocery store and other retail uses on the property. The property abuts the Creek Turnpike and there is a full directional interchange at Aspen Avenue and the Creek Turnpike. As part of the development, and in accordance with the Comprehensive Plan, a frontage road will be constructed from Aspen Avenue to the west part of the property. In addition to the connection to Aspen Avenue, there will be three points of access to Tucson Street. A preliminary plat has been submitted in conjunction with the rezoning request.

There is an existing off-premise advertising sign on the property, as well as others to the west along the Creek Turnpike. Currently, the Zoning Ordinance does not allow any freestanding signs within 1,500 feet of an off-premise advertising sign. A PUD has not been submitted with this rezoning request.

The CH (Commercial Heavy) zoning being requested permits automobiles, truck sales, and automobile

service type uses with the approval of a Specific Use Permit. While CG zoning would not allow the sale and repair of vehicles, it has not been requested. Although there is no PUD submittal with this rezoning request to limit land uses to retail sales, the applicant has mentioned that they may consider a future PUD option.

According to the FEMA maps, the west part of the property is located in the 100-year floodplain of Aspen Creek.

Surrounding land uses and zoning classifications include the following:

North:	A-1	Creek Turnpike and undeveloped
East:	RD, CN, and CG	Undeveloped
South:	RS-3/PUD 181	Spring Creek addition
West:	A-1(CH/RM/PUD 224 via BAZ 1902)	Undeveloped

The property is designated as Level 6 and Greenway/Floodplain in the Comprehensive Plan. CH zoning is identified as being in conformance with the Comprehensive Plan in Level 6. The 100-year floodplain area needs to be zoned FD (Floodplain District).

Attachments: Case map
Aerial photo
Comprehensive Plan
Proposed concept plan

Recommendation:

Based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that BAZ 1956 be approved, subject to the property being platted. The portion of the property located outside the 100-year floodplain shall be zoned CH, and the portion of the property located within the 100-year floodplain shall be zoned FD.

Reviewed By: Farhad Daroga

Approved By: Michael W. Skates

FKD: BDM