



City of Broken Arrow

Fact Sheet

File #: 16-705, Version: 1

**Broken Arrow Planning Commission
07-14-2016**

To: Chairman and Commission Members
From: Development Services Department
Title: Public hearing, consideration, and possible action regarding BACP 153, Kum & Go 837, 1.15 acres, ARS-1, Level 1 to Level 4, west of Oneta Road, north of State Highway 51

Background:

Applicant: Robert Fiebig III/Kum & Go
Owner: Denise L. Mason
Developer: Kum & Go
Engineer: Olsson Associates
Location: West of Oneta Road, north of State Highway 51
Size of Tract: 1.15 acres
Number of Lots: 1
Present Zoning: ARS-1
Comp Plan: Level 1 (Rural Residential)

BACP 153 is a request to change the Comprehensive Plan designation on a 1.15-acre tract from Level 1 to Level 4. The property, which is located west of Oneta Road, north of State Highway 51, was recently annexed into the City Limits of Broken Arrow on July 5, 2016, Ordinance 3438. At the time the property was annexed, it was assigned a zoning classification of ARS-1.

Kum & Go is in the process of acquiring the property associated with BACP 153 and is currently constructing a new convenience store immediately south of the property. With the acquisition of this property, they plan to enlarge the site to accommodate diesel fuel sales and parking for trucks. They have submitted a draft PUD and conceptual site plan with their application for BACP 153.

PUD 247, which encompasses the property immediately to the south, was approved by the City Council on February 2, 2016, subject to the property being replatted. The conditional final plat was approved by the City Council on February 16, 2016, subject to a list of conditions. Applicant has informed Staff that instead of recording the plat and then having to replat it again, they will revise the plat and will incorporate the area associated with BACP 153 if their rezoning request on the property is approved by the City Council.

The property associated with BACP 153 has been platted as Lot 9, Block 2, Prairie Dale. The covenants for Prairie Dale state, "All tracts in said addition shall be restricted to residential single-family houses, except

Tracts 11 and 12, Block 2, and Tract 8 Block 3, which shall also be subject to commercial use. Plans for any construction proposed on Tracts 11 and 12, Block 2, and Tract 8, Block 3, shall be approved by Thomas R. Stone III or someone designated by him, before construction begins.” Consequently, before commercial uses can occur on Lot 9, Block 2, the covenants will have to be modified. According to the applicant, modification of the covenants requires the approval of at least 60% of the property owners, which applicant is in the process of obtaining.

As noted in the draft PUD, applicant is proposing to incorporate PUD 247 onto the property associated with BACP 153, but with the following modifications:

- All parking spaces will be within 75 feet of a landscape area, which is the requirement when a site contains more than 2.5 acres.
- There will be two points of access to Oneta Road. The southernmost access point will align with the access point on the east side of Oneta Road, however, the centerline of the northernmost access point will be less than 250 feet from the centerline of the southernmost access point (approximately 152 feet apart, centerline to centerline).
- The width of the landscape edge along the north boundary and part of the west where it abuts a residential use is being increased from 10 feet to 20 feet.
- An 8-foot high wood fence will be constructed along the north and east boundaries of the property associated with BACP 153 and along the portion of the west boundary that is adjacent to single family residential.

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 | Wagoner County | Prairie Dale addition, single family residential |
| East | Level 1 | Wagoner County | Large lot single family residential. |
| South | Level 4 | CN (PUD 247 approved subject to platting) | Kum & Go under construction. |
| West | Level 1 | A-1 and Wagoner County | Commercial building and large lot single family residential. |

According to FEMA maps, none of the property is located in a 100-year floodplain area.

- Attachments:**
- Case map
 - Aerial photo
 - Comprehensive Plan
 - Draft PUD
 - Conceptual site plan
 - Conceptual landscape plan
 - Prairie Dale plat and covenants

Recommendation:

Based on the location of the property and the proximity to Highway 51, Staff recommends that BACP 153 be approved to change the Comprehensive Plan designation on the property from Level 1 to Level 4, subject to the property being platted, subject to the covenants being modified in accordance with State law to allow commercial use on the property, and a PUD being submitted that is similar in context to the draft PUD submitted with BACP 153.

Reviewed By: Farhad Daroga

Approved By: Michael W. Skates