City of Broken Arrow

Request for Action

File #: 24-445, **Version:** 1

Broken Arrow Planning Commission
3-28-2024

To:	**Chairman and Commission Members**
From:	**Community Development Department**
Title:	
	Public hearing, consideration, and possible action regarding BAZ-001334-2024 (Rezoning) and SP-001335-2024 (Specific Use Permit), Floral Haven Expansion, 27 acres, A-1 (Agriculture) and R-1 (Single Family Residential) to A-1 (Agriculture)/SP-001335-2024, north of West Kenosha Street (East 71st Street South), and one quarter mile west of South Olive Avenue (South 129th East Avenue)

Background:	
Applicant:	Lou Reynolds
Owner:	G-71 INC
Developer:	Floral Haven Cemetery
Engineer:	NA
Location:	North of West Kenosha Street (East 71st Street South), and one quarter mile west of South Olive Avenue (South 129th East Avenue)
Size of Tract	27 acres
Number of Lots:	1
Present Zoning:	A-1 and R-1 to A-1/SP-001335-202
Proposed Zoning:	A-1/SP-001335-2024
Comp Plan:	Level 3 (Transitional Area) and Public/Semi-Public

BAZ-001334-2024 and SP-001335-2024 is a request to change the zoning designation on 27 acres from A-1 (Agriculture) and R-1 (Single Family Residential) to A-1/SP-001335-2024. The property is located approximately north of West Kenosha Street (East 71st Street South), and one quarter mile west of South Olive Avenue (South 129th East Avenue) and is currently un-platted.

BAZ-001334-2024 is a request to rezone the southernmost 37,500 square feet of this property from R-1 (Single -Family Residential) to A-1 (Agriculture). This portion can be seen on the case map included in the agenda packet. This portion of the property was Level 2 of the Comprehensive Plan. Policy 17 of the Comprehensive Plan states that a 10% variance in gross area can be adjusted administratively. Staff decided that this allowed the property to be changed to the comprehensive plan designation Public/Semi-Public, to align with the current comprehensive plan for Floral Haven directly to the East. Rezoning to A-1 is supported by the Public/Semi-Public comprehensive plan designation.

SP-001335-2024 is a specific use permit to allow for the expansion of the Floral Haven Cemetery, which is directly to the east of the subject tract. According to the zoning ordinance, a cemetery is only allowed in the A-1 district with a specific use permit. That is why SP-001335-2024 was submitted to support a cemetery use.

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 2	IL/PUD-35	Industrial Park
East	Public/Semi-Public	A-1/SP-230	Cemetery
South	Level 3	RMH	Mobile Home
West	Level 2	R-3	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-001335-2024 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
Exhibit
Comprehensive Plan

Recommendation:

Staff recommends that BAZ-001334-2024 and SP-001335-2024 be approved subject to platting.

Reviewed by: Amanda Yamaguchi

Approved by: Rocky Henkel

HMB