



City of Broken Arrow

Request for Action

File #: 24-1625, Version: 1

**Broken Arrow Planning Commission
12-05-2024**

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

Public hearing, consideration, and possible action regarding PUD-001845-2024 (Planned Unit Development) and BAZ-001851-2024 (Rezoning), Tiger Crossing, 17.66 acres, A-1 (Agricultural) to CG (Commercial General) and CM (Community Mixed-Use), located at the northwest corner of Albany Street (61st Street) and 23rd Street (193rd E. Avenue/County Line Road)

Background:

Applicant: Deborah Palinskee
Owner: Shaun Bhow
Developer: Bhow Capital
Engineer: Sisemore and Associates
Location: Northwest corner of Albany Street (61st Street) and 23rd Street (193rd E. Avenue/County Line Road)
Size of Tract 17.66 acres
Present Zoning: A-1 (Agriculture)
Proposed Zoning: CG (Commercial General) and CM (Community Mixed-Use)/PUD-001845-2024
Comp Plan: Level 4 (Level Description)

Planned Unit Development PUD-001845-2024 and BAZ-001851-2024 involve approximately 17.66-acres, which is currently unplatted and undeveloped. The property is located at the northwest corner of Albany Street (61st Street) and 23rd Street (193rd E. Avenue/County Line Road).

A rezoning request, BAZ-001851-2024, is proposing to change the zoning on this property from A-1 (Agricultural) to CG (Commercial General) and CM (Community Mixed-Use)/PUD-001845-2024. The subject property is Comprehensive Plan Level 4, which does support both CM (Community Mixed-Use) and CG (Commercial General). As shown in Exhibit B of PUD-001845-2024 Development Area A is proposed to be 260' wide, and cover all of the frontage onto County Line, and approximately 860' of the frontage onto Albany Street. Development Area A is proposed to allow all uses permitted within the CG zoning district, with no outdoor storage. This development area is proposed to be developed as a commercial development as shown in Exhibit A "Conceptual Site Plan".

Development Area B is set generally behind the commercial along the frontage, as shown in Exhibit B. PUD-001845-2024 allows for office uses, as well as dwelling multi-family, dwelling single family attached, and accessory uses/amenities. This development area does not have a layout that is included in the conceptual site plan, as it is proposed to be developed at a future date.

Development Area C allows for all uses allowed by the CM zoning district. If this property develops as a commercial development, then it will comply with the development standards of development area A. If this property is built as a residential development, then it shall comply with the residential development standards of Development Area B. Development Area C also does not have a proposed layout included in PUD-001845-2024 and is proposed to be developed in the future.

SUMMARY OF DEVIATION FROM THE BROKEN ARROW ZONING ORDINANCE

PUD-001845-2024 is proposed to be developed in accordance with the CG and CM district of Zoning Ordinance except as specified below.

Item	Development Area A Request (CG)	Development Area B Request (CM)
<i>Min. Front Setback</i>	50 to 25	
<i>Min. Rear Setback</i>	50 to 25	North - 35' West - 20'
<i>Max. Height</i>	None to 35'	
<i>Sign</i>	One IDI sign, and one monument sign per lot	
<i>Max. Dwelling units</i>		150
<i>Landscape buffer width</i>		10' to 35' on the north
<i>Min. Masonry facade</i>		60% to 65%

ACCESS AND CIRCULATION

Access to the proposed development is provided by driveways onto both Albany Street and County Line Road. The driveway locations shown in the PUD are at their requested locations. Due to the existing platted drives on the opposite sides of the arterial streets, some of these drives are requested to not be required to meet the driveway separation requirements or off-set requirements of the zoning ordinance. The exact locations of these drives will be determined during the platting process, and a variance to the engineering design criteria will need to be approved for any locations that do not meet the separation requirements.

PROVISIONS FOR PUD APPROVAL

According to Section 6.4.A 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, infra structure and land use compatibility.

In Staff’s opinion, PUD-001845-2024 satisfies items 2 and 4, as this PUD is written to have a unified design for development area A, while leaving flexibility for Development Areas B and C.

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	Levels 2 and 4	RS-3 and CG	Single-Family Subdivision and Commercial
East	Level 4	A-CH and CH	Undeveloped and Convenience Store
South	Public/Semi-Public	A-1/SP-224 and SP-234	Broken Arrow High School
West	Level 4	CG	Scuba Savvy

The subject property is designated as Level 4 (Commercial/Employment Nodes) in the Comprehensive Plan. A Comprehensive Plan change from Level 2 to Level 4 was approved by City Council on July 14, 2024. CG and CM zoning are considered to be in accordance with the Comprehensive Plan in Level 4.

According to the FEMA Maps, none of this property is located in the 100 year floodplain. Water and sanitary sewer service are available from the City of Broken Arrow.

- Attachments:**
- Case map
 - Aerial photo
 - Comprehensive Plan Map
 - PUD-001845-2024 Design Statement

Recommendation:

Based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD-001845-2024 and BAZ-001851-2024 be approved, subject to the property being platted.

Reviewed By: **Amanda Yamaguchi**

Approved By: **Rocky Henkel**