



City of Broken Arrow

Request for Action

File #: 24-1460, **Version:** 1

Broken Arrow Planning Commission
10-24-2024

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

Public hearing, consideration, and possible action regarding SP-001773-2024, Ziggi's Coffee, 1 acre, request for a Specific Use Permit for a Drive Through Coffee Shop, south of the southeast corner of East Albany Street (61st Street) and County Line Road (North 23rd Street)

Background:

Applicant: Justin DeBruin (Wallace)
Owner: Forum Properties LLC
Developer: Ziggi's Coffee
Architect: NA

Location: South of the southeast corner of East Albany Street (61st Street) and County Line Road (North 23rd Street)

Size of Tract: 1 acre
Number of Lots: 1
Present Zoning: CN (Commercial Neighborhood)
Comp Plan: Level 4 (Commercial/Employment Nodes)

SP-001773-2024 is a request for a Specific Use Permit for a "Restaurant with drive-thru" on property located South of the southeast corner of East Albany Street and County Line Road. The property has been platted as part of Lot 1 Block 1 of Quail Hollow and is zoned CN (Commercial Neighborhood).

The applicant is proposing a drive-thru coffee shop for this location. A drive-thru coffee shop fits within the use category of "Restaurant with drive-thru", which is only allowed in CN with a Specific Use Permit. A conceptual site plan has been included, which shows the proposed layout of the coffee shop, which is proposed to be built within all regulations of the zoning ordinance.

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 4	CN	Restaurant
East	Level 3	RM	Multi-Family
South	Level 4	CN	Undeveloped
West	Public/Semi-Public	A-1 / SP - 234	High School

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-001773-2024 is consistent with the above criteria.

Attachments: Case map
Aerial photo
Conceptual Site Plan

Recommendation:

Based on the Comprehensive Plan, the surrounding land uses, the location of the property, and requirements of the Zoning Ordinance, Staff recommends SP-001773-2024 be approved.

Reviewed By: Amanda Yamaguchi

Approved By: Rocky Henkel

HMB