



City of Broken Arrow

Fact Sheet

File #: 16-708, 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 PUD 250, Sonic Drive In on Elm Place, 0.73 acres, CG/PUD 3, west of Elm Place, north of the northwest corner of New Orleans Street and Elm Place

Background:

Applicant: Andrew A. Shank, Eller & Detrich

Owner: First National Bank of Broken Arrow

Developer: Sonic Drive-In

Engineer: Cedar Creek

Location: North of the northwest corner of New Orleans Street and Elm Place

Size of Tract 0.73 acres

Number of Lots: 1

Present Zoning: CG/PUD 3

Comp Plan: Level 4

Planned Unit Development (PUD) 250 involves 0.73 acres located north of the northwest corner of New Orleans Street and Elm Place. The property, which is zoned CG and is a part of PUD 3, has been platted as a part of Lot 5, Block 1 of Vandever Acres Office Park. The property was split into its current configuration with BAL 333 that was approved by the Planning Commission on January 22, 1981.

First National Bank has had a branch bank on this property. Sonic is interested in purchasing the property, removing the existing buildings, and constructing a new drive-in restaurant on the property.

PUD 3 was approved by the City Council on January 17, 1977, with an underlying zoning of O-2 (Planned Office Park District). Limited information exists in the files regarding PUD 3. Based on the conceptual site plan submitted with PUD 3, it appears the previous development was going to be primarily for office buildings, and the PUD was done to reduce the minimum lot size requirements. In 2008, when the Zoning Ordinance was updated, all the O-2 zoning classifications were changed to CG (Commercial General). Therefore, the underlying zoning on this property was changed to CG. While a drive-in restaurant is a permitted use in the current CG district, PUD 3 appeared to be established for primarily office type uses. Consequently, Staff has advised, and the applicant has agreed, to submit a new PUD application.

The design statement submitted for PUD 250 notes that the uses in the PUD are those permitted as a matter of right or by Specific Use Permit in the CG, Commercial General District, along with customary and/or accessory uses and other uses incidental thereto. A drive-in is a permitted use in the CG district.

PUD 250 will be developed in accordance with the Zoning Ordinance and the use and development regulations of the CG district except as follows:

- Minimum lot width is reduced from 200 feet to 165 feet.
- Minimum front building setback line reduced from 50 feet to 40 feet. Building setback on other boundaries increased from 0 feet to 10 feet.
- Freestanding signs limited to 12 feet in height and can contain no more than 100 square feet. The sign, which can include an electronic message center/digital display, will be located at least five feet from the property line. The pole on the sign will be covered.
- The existing points of access to Elm Place, which are not in compliance with the current Zoning Ordinance, will remain.

The property has been platted as a part of Lot 5, Block 1 of Vandever Acres Office Park since September 1977. When the property was platted, only 50 feet of right-of-way was dedicated along Elm Place and no utility easement was provided. Elm Place is designated as a primary arterial street in the Comprehensive Plan, which according to current Subdivision Regulations require 60 feet of right-of-way and a 17.5-foot wide utility easement. According to the plat, mutual access is permitted to and from all lots in Vandever Acres Office Park.

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	CG/PUD 3	Office
East	Level 3	R-1/SP 3 and 51	Church
South	Level 4	CG/PUD 17	Shopping Center
West	Level 4	CG/PUD 3	Undeveloped

The property is not located in a 100-year floodplain area.

The property is designated as Level 4 in the Comprehensive Plan. The Commercial General (CG) uses proposed with PUD 250 are considered to be in compliance with the Comprehensive Plan in Level 4.

- Attachments:**
- Case map
 - Aerial photo
 - Comprehensive Plan
 - PUD 250 design statement and conceptual site plan
 - Google Earth pictures
 - PUD 3 Conceptual Site Plan
 - PUD 3 Staff report and covenants
 - Vandever Acres Office Park

Letter from property owner to the west

Recommendation:

Based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD 250 be approved as submitted, with the following conditions: 1. Provide an 8-foot-tall screening fence on the north property line 2. All canopy structures to be outside any utility easements. Staff can recommend that replatting be waived provided 10 feet of additional right-of-way is dedicated by separate instrument along Elm Place along with a 17.5-foot wide utility easement.

Reviewed By: Farhad Daroga

Approved By: Michael W. Skates

FKD: BDM