



City of Broken Arrow

Request for Action

File #: 19-1111, **Version:** 1

Broken Arrow Planning Commission

09-26-2019

To: Chairman and Commission Members

From: Development Services Department

Title:

Public hearing, consideration, and possible action regarding BACP-164 (Comprehensive Plan Change), Level 2 to Level 5, Cody D. Callaway Parking Lot, 0.16 acres, R-3 (Single-Family Residential) and SP-137 (Specific Use Permit), east of the northeast corner of First Street and Detroit Street at 212 East Detroit Street

Background:

Applicant: Cody Callaway

Owner: Cody Callaway

Developer: Cody Callaway

Engineer: Not Applicable

Location: East of the northeast of First Street and Detroit Street at 212 E. Detroit Street

Size of Tract 0.16 acres

Number of Lots: 2 (each lot 25' x 140')

Present Zoning: R-3 (Single-Family Residential) and SP 137

Comp Plan: Level 2 (Urban Residential)

BACP 164 is a request to change the Comprehensive Plan designation from Level 2 to Level 5 on 0.16 acres located east of the northeast corner of First Street and Detroit Street at 212 E. Detroit Street. The property, which is vacant, has been platted as Lots 16 and 17 of Block 17, Original Town of Broken Arrow and is presently zoned R-3 along with a Specific Use Permit (SP 137). SP-137, which was approved by the City Council on November 15, 1999, was for a church parking lot.

Milestone, a four story building with 31,000 square feet of commercial space on the ground floor and three levels of apartments containing 90 units, is under construction to the west of this property. Applicant is proposing to develop a parking lot that will be used by the Milestone building. Applicant's concept is that the parking spaces will be covered, and the parking lot will have fencing and landscaping around it similar to the First National Bank parking lot on the southeast corner of Main Street and Broadway Avenue.

The regulations in the DROD, which became effective on January 2, 2018, contain design standards for buildings, but the number of parking spaces is based on the underlying zoning. While a parking structure is not allowed in the ON district, it is identified as a permitted use in Area 5 of the DROD.

On April 21, 2015, BACP-143, a request to change the Comprehensive Plan designation on the property on the northeast corner of First Street and Detroit Street (located immediately to the east of BACP-164) from Level 2 to Level 5, was approved by the City Council. With BACP-143, applicant had stated that he proposed to construct an office building with a residential theme. SP-137, which was for a Specific Use Permit for the Assembly of God Church on the property associated with BACP-143, was abrogated by the City Council on April 21, 2015. BAZ-1942 (a request for ON zoning) and PUD-242, which proposed a 3,600 square foot office building with a residential theme, were approved by the City Council on December 1, 2015. The zoning on the property was changed on February 16, 2016, with Ordinance 3378.

The applicant associated with BAZ-1942 was later able to obtain the north parcels next to Elgin Street. On January 19, 2016, the City Council approved BACP-148 to change the Comprehensive Plan designation on the property from Level 2 to Level 5. SP-137 that was on the property was abrogated. The intent was to build another office building with a residential theme. A request to change the zoning on the property was never submitted and as a result, the zoning remained R-3.

On June 17, 2019, the City Council approved BAZ-2028, a request to change the zoning designation on 0.72-acres from DROD Area 5 (Downtown Residential Overlay)/R-3 (Single-Family Residential), ON (Office Neighborhood), and PUD-242 (Planned Unit Development) to DROD Area 5 (Downtown Residential Overlay)/ON (Office Neighborhood). This property, which had been platted as Lots 7 - 15, Block 17, Original Town of Broken Arrow, is located on the northeast corner of Detroit Street and First Street, immediately to the west of BACP-164.

The applicant has since acquired Lots 16 and 17 of Block 17, Original Town of Broken Arrow. It is his intent to expand the proposed parking lot onto these two lots. As was done previously, he has submitted an application to amend the Comprehensive Plan. If the Comprehensive Plan modification request is approved, he will submit a request to change the zoning on the property from R-3 to ON. The existing DROD Area 5 designation on the property will remain.

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	R-3	Single-family residential
East	Level 2	R-3	Single-family residential
South	Level 2	R-3/SP-106	Parking lot
West	Level 5	PUD-242/ON (ON via BAZ 2028)	Proposed parking lot

Attachments: Case Map
Aerial Photo
Downtown Residential Overlay District Map

Recommendation:

Based upon the location of the property, the existing and surrounding land uses, and previous Comprehensive Plan and zoning modifications on the abutting property to the west, Staff recommends approval of BACP-164. In addition, Staff recommends the SP 137 designation on this property be abrogated. Since the property is already platted, Staff recommends that platting be waived.

Reviewed and approved by: Larry R. Curtis

BDM