



# City of Broken Arrow

## Request for Action

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**File #: 18-883, Version: 1**

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### Broken Arrow Planning Commission

**08-09-2018**

**To:** Chairman and Commission Members  
**From:** Development Services Department

**Title:** Public hearing, consideration, and possible action regarding PUD-175D (Planned Unit Development) and BAZ-2009 (Rezoning), Pat's Express Car Wash Broken Arrow, 1.01 acres, PUD-175/CG to PUD-175D/CH, located north of Kenosha Street, west of the Creek Turnpike

#### **Background:**

**Applicant:** Lou Reynolds - Eller & Detrich, P.C.  
**Owner:** Oklahoma Express Car Washes, LLC  
**Developer:** Oklahoma Express Car Washes, LLC  
**Architect:** Wdesign  
**Location:** North of Kenosha Street, west of the Creek Turnpike  
**Size of Tract** 1.01 acres  
**Present Zoning:** PUD-175/CG  
**Proposed Zoning:** PUD-175D/CH  
**Comp Plan:** Level 6

Planned Unit Development (PUD)-175D involves a 1.01 acre parcel located north of Kenosha Street, west of the Creek Turnpike. Applicant is requesting that the zoning on the property be changed from PUD-175/CG to PUD-175D/CH to accommodate a proposed automatic car wash. The property has been platted as Lot 2, Block 3 Northeast Crossroads.

With PUD-175D, applicant is requesting the following three modifications to PUD-175:

- Add "Car Wash" as a permitted use and delete uses permitted as a matter of right in the "O-2 Planned Office Park district.
- Modify the amount of required parking from one per employee to one per 1,250 square feet of building area.
- Modify the sign requirement from 15 feet in height and 80 square feet in size to 25 feet in height and 100 square feet of display area. In addition, the sign would be able to include an LED display area of 32 square feet.

#### **PUD-175 HISTORY**

PUD-175 was approved by the City Council on May 21, 2007, subject to the property being platted. The

property was platted as Northeast Crossroads. A Wal-Mart Super Center was constructed on Lot 1, Block 1 of Northeast Crossroads.

On December 6, 2007, the Planning Commission approved PUD-175A, a minor amendment to PUD-175. PUD-175A waived the requirements for bonds prior to the release of the Final Plat for Northeast Crossroads, but stated that no site plan would be approved nor building permit issued until all public infrastructure required to serve the property had been substantially completed. In addition, PUD-175 authorized the release and filing of the Final Plat of Northeast Crossroads.

PUD-175B, another request for a minor amendment to PUD-175, was approved by the Planning Commission on February 11, 2010, that modified the sign requirements. With PUD-175B, the height of the project identification sign in Development Area B was increased from 30 feet to 50 feet, and the size was increased from 200 square feet to 300 square feet. Similarly, in Development Area C, the height of the project identification sign was decreased from 50 feet to 30 feet, and the size of the sign was decreased from 500 feet to 200 square feet. None of these signs have been constructed.

PUD-175C, a request for a minor amendment to reduce the building setback line along 37<sup>th</sup> Street, near the intersection of 37<sup>th</sup> Street and Hillside Drive from 100 feet to 40 feet, was approved by the Planning Commission on June 12, 2014, subject to all the landscaping on Lot 1, Block 1, Northeast Crossroads being restored in accordance with the approved landscape plan. All the landscaping was restored.

On July 17, 2018, the City Council approved BACP-162 to change the Comprehensive Plan designation on the property associated with PUD-175D from Level 4 to Level 6. BACP was approved subject to a major amendment to PUD-175 to include the rezoning request for CH zoning. A draft PUD was submitted with BACP-162. The draft PUD mentioned the request for a change in zoning to permit the car wash and an adjustment to the parking requirement. However, there was not any reference to a changing the sign requirements. Wal-Mart, Murphy Oil and Gas, and a new retail shopping center that is nearing completion have all been developed in accordance with the sign regulations of PUD-175. Staff has also met with a proposed new development on the northeast corner of Kenosha Street and 209<sup>th</sup> E. Avenue and provided them with the sign requirement information associated with PUD-175.

#### 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	PUD-175/CG	Undeveloped
East	Level 4	A-1	Creek Turnpike
South	Level 4	A-1	Undeveloped
West	Level 4	PUD-175/CG	Undeveloped

According to FEMA maps, none of the property is located in a 100-year floodplain area.

**Attachments:** Case map  
Aerial photo

PUD-175D design statement  
Draft PUD submitted with BACP-162  
PUD-175 design statement

**Recommendation:**

On July 17, 2018, the City Council approved BACP-162 to change the Comprehensive Plan designation on the property from Level 4 to Level 6. A draft PUD was submitted with BACP-162. The draft PUD referenced the proposed change in permitted use for a car wash and the modification to the parking requirement, but did not mention any changes to the sign requirements. The CH zoning requested with BAZ-2009 is considered to be in accordance with the Comprehensive Plan in Level 6.

Based upon the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that BAZ-2009 and PUD-175D be approved subject to the height and size of the freestanding signs remaining as has been approved with PUD-175 (15 feet in height and a maximum size of 80 square feet). The free standing signs for Wal-Mart, Murphy Oil and Gas, and a new retail center being developed are in compliance with existing sign requirements of PUD-175.

**Reviewed By:**        **Larry R. Curtis**

**Approved By:**       **Michael W. Skates**

BDM