



# City of Broken Arrow

## Request for Action

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**File #: 19-569, Version: 1**

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### Broken Arrow Planning Commission

05-23-2019

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

**Title:** Public hearing, consideration, and possible action regarding BAZ-2028, Callaway Parking Lot, 0.72 acres, 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), on the northeast corner of Detroit Street and First Street

#### Background:

**Applicant:** Cody D. Callaway  
**Owner:** The Callaway Family Revocable Trust DTD  
**Developer:** Cody D. Callaway  
**Engineer:** NA  
**Location:** On the northeast corner of Detroit Street and First Street  
**Size of Tract** 0.72 acres  
**Number of Lots:** 9  
**Present Zoning:** DROD Area 5 (Downtown Residential Overlay)/R-3 (Single-Family Residential), ON (Office Neighborhood), and PUD-242 (Planned Unit Development)  
**Proposed Zoning:** DROD Area 5 (Downtown Residential Overlay)/ON (Office Neighborhood)  
**Comp Plan:** Level 5 (Downtown Area)

BAZ-2028 is 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). The property, which has 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.

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 immediately 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.

On April 21, 2015, BACP-143, a request to change the Comprehensive Plan designation on the property from Level 2 to Level 5, was approved by the City Council on the south part of the property associated with BAZ-

2028. 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 this property, was abrogated by the City Council on April 21, 2015, with BACP-143. 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-2028 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 of today, the zoning still remains R-3.

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. As a result, applicant has submitted a request to keep the existing Area 5 designation on the property, but change the underlying zoning from R-3 and ON/PUD-242 to ON.

Surrounding land uses and zoning classifications include the following:

North:	RM/SP 137	Undeveloped
East:	R-3	Single-family residential
South:	R-3/SP 106	Parking lot
West:	PUD-281/DM	Milestone (under construction)

The Future Development Guide of the Comprehensive Plan shows the site to be designated as a Level 5. ON is identified as “Possible” in the Comprehensive Plan. The Comprehensive Plan states, “Requests for zoning districts designated “possible” may be in accordance with the Comprehensive Plan if such development is undertaken according to a planned unit development and such development addressing the need to avoid height impact, if any, on single family detached dwelling that may adjoin the development.” The proposed parking will be an at grade facility, therefore, there will be no height impacts.

**Attachments:** Case map for BAZ-2028  
Aerial photo  
Case maps for Comprehensive Plan changes BACP-143 and BACP-148  
Conceptual parking lot layout and associated information  
Letter from the applicant  
Survey information

**Recommendation:**

The ON zoning requested with BAZ-2028 is to allow the property to be used as a parking lot, which is permitted in Area 5 of the DROD. Therefore, based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that BAZ-2028 be approved. Since the property has already been platted, Staff recommends that platting be waived. As per the Zoning Ordinance, a site plan for the parking lot shall be submitted to and approved by Staff prior to the parking lot being constructed. The parking lot shall be screened and landscaped in accordance with the Zoning Ordinance.

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**Reviewed and approved by: Larry R. Curtis**

BDM