



Council Agenda Item No. _____
Council Memo
Council Meeting of OCT 05 1992

TO: Mayor and Council
FROM: John Vinson, City Manager
SUBJECT:

BAZ 1152 and PUD 74, Aspen Square

Applicant: John Nick Rogers, Jr. (Engineer), for
Charles Palmer and R. C. Roberts (owners)
Location: Lot 2, Block 1, I.D.C. Center II,
Northeast corner of Washington (91st) and
Aspen (145th)
Size of Tract: BAZ 1152 = 2.41 acres, PUD 74 = 8.353 ac.
Present Zoning/Use: C-3, Shopping Center
Proposed Zoning/Use: C-5, PUD 74, Shopping Center and Mini
Storage

DEVELOPMENT CHRONOLOGY OF ASPEN SQUARE SHOPPING CENTER:

1. Zoning: C-3 zoning approved on northeast corner of Aspen (145th) and Washington (91st). 10.987 acres (gross), BAZ 299, November 1971.
2. Platting: I.D.C. Center II, 2 lots, 10.987 acres, December 1979.
3. Lot Split: BAL 350, creating separate lots for grocery store and pharmacy lot (old Med-X). Approved November 19, 1981.
4. Site Plan: (1) Aspen Square Shopping Center, 53,100 sq. ft., 10.987 acres, November 1981.
5. Site Plan: (2) Expansion of Aspen Square Shopping Center, 0.5165 acres, January 1983.
6. BOA Variance: BOA 362, use variance requesting Sonic Drive-In Restaurant, a C-2 use, in the C-3 zoning. Variance conditionally approved October 13, 1986. Sonic decided not to build at this location.
7. Lot Split: BAL 597, splitting Lots 1 and 2 of I.D.C. Center II into 5 separate lots, with 2 separate property owners. Approved February 25, 1988. Currently, the entire shopping center, except the grocery store and Texaco, are in one ownership.
8. Rezone 2.41 acres (193' X 545') from C-3 to C-5 (BAZ 1152) and PUD 74, for mini-storage. August, September 1992.

Council Action: Approved: ☐ Denied: ☐ Tabled: ☐ Vote: _____

BACKGROUND:

Zoning application BAZ 1152 is to rezone 2.41 acres (193' X 545.03') at the north end of the Aspen Square Shopping Center from C-3 to C-5. A lot split, BAL 597, was approved on February 25, 1988, for a lot of 176' X 545.03' = 2.2 acres (smaller than proposed lot), though this lot is in the same ownership as the property to the south.

The C-5 zoning application has been submitted with Planned Unit Development, PUD 74, for a mini-storage development at the north end of this shopping center. However, the PUD covers all of the 8.3 acre Aspen Square. The mini-storage tract is adjacent to the Stacy Lynn 5th addition, zoned R-3. Aspen Square is developed to C-2 standards, though it is zoned C-3, and land to the west is zoned C-5, part of which is developed as the All American Fitness Center.

The unpaved, vacant area at the north end of this shopping center has 176' frontage on Aspen (145th). All approved access locations (curb cuts) have been used for the existing Aspen Square Shopping Center and no new curb cuts are proposed. The PUD application encompasses the entire shopping center, less the Texaco Service Station on the northeast corner of Aspen and Washington.

This shopping center property was zoned C-3 in November 1971 (BAZ 299) and platted in December 1979. C-3 zoning is non-conforming, since the maximum lot size in that zoning is 2.49 acres. The entire shopping center currently is approximately 8.353 acres. This is one of the reasons for the PUD application on the entire property.

There have been some protests (from Stacy Lynn Addition) to this application. The protestants have asked for more buffering and larger setbacks. The applicants had a meeting with surrounding residents on Tuesday, August 25, 1992, to try to answer their concerns and explain the proposal.

The Broken Arrow Planning Commission reviewed this application in their meeting of August 27, 1992 and continued it, since the applicants had an incomplete proposal and were uncertain about the details of their proposed mini-storage project. The Planning Commission again considered this application in their meeting of September 24, 1992, and conditionally recommended approval. In each of these meetings, several residents from the Stacy Lynn addition were present to observe this application. A few of the surrounding residential property owners have shown mixed reaction to this project. The general consensus is favorable towards the land use, i.e. mini-storage. However, the concerns have been about screening fences, setbacks, buffering, lighting, security and noise, etc.

PUD ANALYSIS:

The PUD application has been made for the following reasons:

1. C-5 zoning abutting a residential neighborhood.
2. Aspen Square Shopping Center is in a non-conforming zoning status. It is 8.353 acres and in C-3 district (maximum size 2.5 acres).
3. Mini-storage will have access from existing curb cuts and the shopping center and no new curb cuts are proposed.
4. Shopping center (less grocery store and Texaco) is in one unified ownership.
5. Proposed setbacks (north and east) are less than C-5 zoning requirements.

The original PUD submittals show four phases of the proposed mini-storage project. The mini-storage project will occupy the north 193' of this property.

The revised site plan proposes a 50' building setback from Aspen Ave., a 25' building setback from the north (Stacy Lynn 5th Addition), and a 35' setback from the east. The proposal also shows the mini-storage buildings to open to the south, into the shopping center without screening or fencing.

RECOMMENDATION:

C-5 zoning would normally not be a desired zoning classification adjacent to an existing single family, residential neighborhood. However, based on the submitted PUD, for development of a mini-storage facility and the PUD conditions, the Planning Commission and staff recommend approval of C-5 zoning contingent to PUD 74.

Of all possible commercial uses which could be placed in a shopping center, within C-3 or C-5 zoning, mini-storages are one of the more benign uses. This use does not generate excessive traffic, nor does it generate much activity after dark. It will also be a one-story high project. Therefore, from a use standpoint adjacent to a residential neighborhood, the proposed mini-storage facility may be a desirable land use alternative. However, mini-storages do have some disadvantages, such as esthetics, lack of job/tax generation, large amounts of storm water generation, etc. Planning Commission and staff recommend approval of BAZ 1152 and PUD 74, as shown on the revised site plan and as follows:

1. North setback to be minimum 25' from the north property line. The north 15' of this property is an utility easement and shall not have any structures, except for a screening fence. It is recommended that the south 10' of this 25' setback be used for landscaping and planting of trees, shrubbery, etc. There shall be no outdoor storage, nor vehicular access within this 25' landscaped buffer area.

2. A minimum 6' high, new privacy/opaque fence, to be placed on the entire north and east perimeter of the mini-storage project. This new fence will replace the existing (residential) fences and built in coordination and agreement with the surrounding property owners.
3. A minimum 6' high privacy/opaque fence on the west perimeter of this property, shall be placed 20' east of the property line along Aspen Ave. This privacy fence will be approved through a detailed site plan, prior to the building permit issuance.
4. All mini-storage structures shall be maximum one-story in height and shall not exceed an overall height of about 24', (height to be determined).
5. Site grading, site design and surface work for this project shall have to be reviewed for storm water flow/grading purposes and approved by city staff prior to building permit. Retaining walls may be necessary, on the east and northeast sides of the mini-storage project, to avoid erosion problems.
6. A minimum 5' wide concrete sidewalk shall be placed along Aspen Ave.
7. No new curb cuts (access) shall be approved for this entire PUD.
8. Proposed sign for the mini-storage project is a monument sign, not to exceed 7' in height and shall be placed minimum 80' from the center line of Aspen Ave.
9. Outdoor lighting, for security purposes, shall be installed at the north end of the mini-storage project. Light fixtures should not be higher than the buildings and should be directed away from the residences. (This item was requested by neighbors and agreed by the developer).

SUGGESTED MOTION:

Move to approve BAZ 1152, approving C-5 zoning on the north end of this shopping center and PUD 74 for the entire Aspen Square Shopping Center, as requested, with all the above listed (9) conditions.

Sincerely,

John T. Vinson
City Manager