



# City of Broken Arrow

## Legislation Details (With Text)

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<b>Type:</b>	Old Business	<b>Status:</b>	Agenda Ready
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<b>On agenda:</b>	1/12/2017	<b>Final action:</b>	
<b>Title:</b>	Public hearing, consideration, and possible action regarding PUD 254 and BAZ 1968 and the partial abrogation of SP 257, QuikTrip, 2.77 acres, CN and CG/SP 257 to CN/PUD 254, northeast corner of Kenosha Street and 23rd Street		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. 1-DEC 1 2016 FACT SHEET.pdf, 2. 2-DEC 15 2016 FACT SHEET.pdf, 3. 3-CASE MAP.PUD-254.pdf, 4. 4-CASE MAP.BAZ-1968.pdf, 5. 5-AERIAL.PUD 254 & BAZ 1968.pdf, 6. 6-PUD 254.11-14-2016.pdf, 7. 7-PUD 254 EXHIBITS.pdf, 8. 8-AMENDED PLAT WAGONER COUNTY LINE PLAZA.pdf, 9. 9-TIGER PLAZA.pdf		

Date	Ver.	Action By	Action	Result
1/12/2017	1	Planning Commission		

### Broken Arrow Planning Commission 01-12-2017

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

**Title:** Public hearing, consideration, and possible action regarding PUD 254 and BAZ 1968 and the partial abrogation of SP 257, QuikTrip, 2.77 acres, CN and CG/SP 257 to CN/PUD 254, northeast corner of Kenosha Street and 23rd Street

#### Background:

**Applicant:** Carly Goodnight, QuikTrip  
**Owner:** Life Covenant Church Inc. and Jane E. Hawkins Trust  
**Developer:** QuikTrip  
**Engineer:** AAB Engineering, LLC  
**Location:** Northeast corner of Kenosha Street and 23rd Street  
**Size of Tract** 2.77 acres  
**Number of Lots:** 2  
**Present Zoning:** CN and CG/SP 257  
**Comp Plan:** Level 4

Planned Unit Development (PUD) 254 involves 2.77 acres located on the northeast corner of Kenosha Street and 23<sup>rd</sup> Street. In conjunction with PUD 254, BAZ 1968, a request to rezone 0.60 acres from CG/SP 257 to

CN, has also been submitted. SP 257, which was approved by the City Council on August 2, 2011, consisted of 5.82 acres for LifeChurch.tv. BAZ 1968 contains 0.60 acres associated with SP 257. On December 1, 2016, the Planning Commission continued this item to the December 15, 2016 meeting because the application had not been signed by the property owners. On December 15, 2016, the Planning Commission continued this item, once again, to the January 12, 2017, meeting because the application had not been signed by the property owners. As of this Staff report, the application has still not been signed by the property owners.

QuikTrip is proposing to completely clear the site and build a new building on the property. The new store will be similar to the one nearing completion on the northwest corner of Hillside Drive and 9<sup>th</sup> Street. While the property will be used by one tenant, there are two property owners. The north tract, the area associated with BAZ 1968, is presently owned by Life Covenant Church, Inc. The Church is in the process of selling this 0.60 acres to QuikTrip corporation. The rest of the property is under the ownership of Jane E. Hawkins Trust.

The building proposed to be constructed on the property is larger than the existing store. In addition, the number of gasoline pump stations is proposed to be increased from eight to ten. The existing underground tanks will be removed and relocated to the west side of the property. The tanks are shown to be located in the utility easement along 23<sup>rd</sup> Street.

The property associated with PUD 254 consists of two separate plats, “Amended Plat Wagoner County Line” and a portion of Tiger Plaza. When these plats were recorded, additional right-of-way was provided to meet the Subdivision Regulation requirement at that time of 70 feet from the section line with an additional 17.5-foot utility easement. Today, the Subdivision Regulations require 65 feet of right-of-way from the section line along with a utility easement of 22.5 feet in width. As noted in the PUD design statement, applicant will be requesting to have 5 feet of the existing right-of-way along 23<sup>rd</sup> Street and Kenosha Street vacated. Applicant is proposing to vacate the existing plats and file a new plat.

The 0.60 acres that QuikTrip is in the process of trying to obtain from Life Covenant Church, Inc. is presently zoned CG. With BAZ 1968, they are requesting to change the zoning on this portion of the property from CG to CN. In the future, Life Covenant Church, Inc. will be requesting a lot split to separate this parcel from the rest of their property. Because of contractual agreements, this parcel will remain a separate lot, and will not be joined with the property that has been platted as “Amended Plat Wagoner County Line”. In the CN district, the minimum lot frontage is 100 feet. This parcel is 86.00 feet in width. With PUD 254, applicant is requesting the minimum lot frontage be reduced from 100 feet to 86 feet.

The design statement submitted in conjunction with PUD 254, which includes both properties, is requesting several modifications to the Zoning Ordinance. The property will be developed in accordance with the City of Broken Arrow Zoning Ordinance and the use and development regulations of the CN district except as noted in the PUD. A summary of changes being requested is provided below.

REQUIREMENT	ZONING ORDINANCE	PUD 254
Minimum Lot Width	100 feet	86 feet
Building Setback	North: 0 feet; East: 30 feet; South: 50 feet; West: 50 feet; Internal: 0 feet	North: 0 feet; East: 15 feet; South: 50 feet; West: 50 feet for building, 30 feet for canopy; Internal: 0 feet

Sign height	20 feet, can be increased to 30 feet provided sign sets back 2 feet for every foot in height above 20 feet.	20 feet
Sign size	300 square feet for single user	500 square feet (Note: sign on site plan is shown to be 83.11 square feet.)
Minimum Percentage of Internal Landscape Area	20% of the PUD area	8% with right-of-way vacation; 5 % without right-of-way vacation
Minimum Width of Landscape Edge	10 feet	6.5 feet next to Kenosha Street with right-of-way vacation; 1.5 feet next to Kenosha Street without right-of-way vacation; 9.5 feet next to 23 <sup>rd</sup> Street with right-of-way vacation; 4.5 feet next to 23 <sup>rd</sup> Street without right-of-way vacation
Minimum Number of Shrubs in Landscape Edge	10 shrubs for every 50 feet of parking next to landscape edge	15 shrubs per 50 feet of frontage
Width of Landscape Islands Abutting Drives	10 feet	5 feet
Distance Parking Spaces From Landscape Islands	50 feet	No requirement
Access Drive Separation	250 feet apart, centerline to centerline on the same side of the street; 200 feet centerline to centerline from drives on the opposite side of the street.	Existing drives on Kenosha Street, which are not in compliance with the Zoning Ordinance, will remain. One drive on 23 <sup>rd</sup> Street will be closed. The other drive on 23 <sup>rd</sup> Street, which is in compliance with the Zoning Ordinance, will remain.
Parking Lot Lighting	Light poles are not allowed to be placed in the utility easement next to street right-of-way.	Light poles will be allowed to be placed in utility easements next to street right-of-way.

#### 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	CN	Restaurant
East	Level 4	CG/SP 257	Life Covenant Church
South	Level 4	CN	Bank
West	Level 6	CH	Restaurant and vacant building

The property is designated as Level 4 in the Comprehensive Plan. The CN zoning requested with BAZ 1968 is considered to be in conformance with the Comprehensive Plan in Level 4.

**Attachments:** Fact Sheets of December 1, 2016 & December 15, 2016  
Case map  
Aerial photo  
PUD 254 design statement submitted November 14, 2016  
Conceptual site plan and landscape plan for QuikTrip  
Amended Plat Wagoner County Line plat  
Tiger Plaza plat

**Recommendation:**

As of the preparation of this Staff report, the application has not been signed by any of the property owners associated with PUD 254 and BAZ 1968. Staff has informed the applicant that the application needs to be signed by both property owners before the Planning Commission can act on this request. Therefore, Staff recommends that PUD 254 and BAZ 1968 be continued until January 26, 2017, if the application is not signed by both property owners. If the application is signed by both property owners, Staff recommends approval of BAZ 1968 and PUD 254 as presented in the design statement and as shown on the conceptual site plan, subject to the property being replatted. SP 257 shall be abrogated on the portion of the property associated with BAZ 1968.

**Reviewed and approved by:**            **Michael Skates**

MWS