



City of Broken Arrow

Legislation Details (With Text)

File #: 17-2238 **Name:**
Type: Consent Item **Status:** Agenda Ready
File created: 5/17/2017 **In control:** Planning Commission
On agenda: 5/25/2017 **Final action:**
Title: Approval of PT17-103, Preliminary Plat, QuikTrip No. 0033, a Re-Subdivision of all of Lot One (1), Block One (1), Amended Plat of Wagoner County Line Plaza, and Part of Lot Two (2), Block One (1), Tiger Plaza and request for a variance to reduce the width of the utility easements, 2 lots, 1.82 acres, CN and CG/SP-257 to CN/PUD-254, northeast corner of Kenosha Street and 23rd Street

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2-CHECKLIST.QUIKTRIP 33.pdf, 2. 3-PRELIM PLAT WITH EASEMENTS SHOWN.pdf, 3. 4-PRELIM PLAT WITH NO EASEMENTS SHOWN.pdf, 4. 5-CONCEPTUAL ENGINEERING.pdf, 5. 6-SITE PLAN SUBMITTED APRIL 20, 2017.pdf, 6. 7-Recorded Plat of Wagoner County Line Plaza Amended .pdf, 7. 8-Recorded Plat of Tiger Plaza.pdf, 8. 9-SECTION 1.6 OF SUBDIVISION REGULATIONS.pdf

Date	Ver.	Action By	Action	Result
5/25/2017	1	Planning Commission		
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Broken Arrow Planning Commission 05-25-2017

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

Approval of PT17-103, Preliminary Plat, QuikTrip No. 0033, a Re-Subdivision of all of Lot One (1), Block One (1), Amended Plat of Wagoner County Line Plaza, and Part of Lot Two (2), Block One (1), Tiger Plaza and request for a variance to reduce the width of the utility easements, 2 lots, 1.82 acres, CN and CG/SP-257 to CN/PUD-254, northeast corner of Kenosha Street and 23rd Street

Background:

Applicant: Carly Goodnight/QuikTrip Corporation
Owner: Jane E. Hawkins Trust/QuikTrip Corporation
Developer: QuikTrip Corporation
Engineer: AAB Engineering, LLC
Location: Northeast corner of Kenosha Street and 23rd Street
Size of Tract: 1.82 acres
Number of Lots: 12
Present Zoning: CN and CG/SP-257
Proposed Zoning: CN/PUD-254
Comp Plan: Level 4

The preliminary plat of QuikTrip No. 0033, a Re-Subdivision of all of Lot One (1), Block One (1), Amended Plat of Wagoner County Line Plaza, and Part of Lot Two (2), Block One (1), Tiger Plaza contains 1.82 acres located on the northeast corner of Kenosha Street and 23rd Street. QuikTrip is proposing to completely clear the existing site and build a new building on the property. The new store will be similar to the one on the northwest corner of Hillside Drive and 9th Street. While the property will be used by one tenant, there are two property owners. The north tract is presently owned by Life Covenant Church, Inc. The Church is in the process of selling this 0.60 acres to QuikTrip corporation. On May 11, 2017, the Planning Commission approved BAL-2020 that split the property associated with Lot Two (2) from the Tiger Plaza plat. Lot One (1) 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.

On February 7, 2017, the City Council conditionally approved PUD-254 and BAZ-1968. PUD -254 was for the entire parcel, while BAZ-1968 was a request to rezone the area associated with Lot 2 from CG (Commercial General) to CN (Commercial Neighborhood). The portion of SP-257 that was located on Lot 2 was abrogated. PUD-254 and BAZ-1968 were approved, subject to the property being replatted.

The property associated with the QuikTrip No. 0033 preliminary plat has been platted as two separate plats, "Amended Plat Wagoner County Line" and a portion of Tiger Plaza. When these plats were recorded, 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.

Applicant is proposing to vacate the two underlying plats and record a new plat, QuikTrip No. 0033. With the new plat, they are proposing to re-dedicate 65 feet of right-of-way, which meets the current Subdivision Code requirement. As a result, five feet of existing public right-of-way will become QuikTrip property. In addition, they are proposing to reduce the utility easement from 22.5 feet to 7.0 feet along 23rd Street and to 17.5 feet along Kenosha Street. Applicant is requesting to reduce the utility easement along 23rd Street from 22.5 feet to 7.0 feet to accommodate their underground storage tanks. They have agreed to replace the existing 12-inch water line along 23rd street with a 12-inch ductile iron pipe. Staff has met with the applicant informing them that they will need to go through a process to reduce the easement requirement along 23rd Street and Kenosha. City Attorney will be meeting with the applicant attorney to discuss the process.

This property presently has two points of access to 23rd Street and two points of access to Kenosha Street. The southernmost access point to 23rd Street will be closed.

Water and sanitary sewer service to the addition will be provided by the City of Broken Arrow. FEMA maps do not show any of the property being located in the 100-year floodplain.

The Technical Advisory Committee reviewed the preliminary plat for QuikTrip No. 0033 on May 23, 2017. Cox Communication stated that they have multiple Fiber Optic and Coax Lines both Aerial and Underground Facilities located within the easements and that they are in opposition to reduce the right-of-way and utility easements running along 23rd street and East Kenosha. Cox added that they are in current conversations with QuikTrip and its attorney for possible resolution.

Attachments: Checklist

PT17-103 Preliminary plat and covenants with easements shown
PT17-103 Preliminary plat and covenants without easements shown
Conceptual Engineering
Site plan submitted April 20, 2017
Recorded Plat of Wagoner County Line Plaza Amended
Recorded Tiger Plaza plat
Section 1.6 of the Subdivision Regulations

Recommendation: Staff recommends the preliminary plat be tabled until the right-of-way and utility easements are resolved.

Reviewed By: **Larry Curtis**

Approved By: **Michael Skates**