



City of Broken Arrow

Legislation Details (With Text)

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Title: Public hearing, consideration, and possible action regarding SP-284 (Specific Use Permit for animal sales and services including an animal training school) and abrogation of BAZ 1704, My Sonrise Stables, 101.02 acres, A-1, one-quarter to one-half mile south of Jasper Street, east of Olive Avenue

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2-CASE MAP.SP 284.pdf, 2. 3-AERIAL.SP 284.pdf, 3. 4-COMPREHENSIVE PLAN.SP 284.pdf, 4. 5-DRAWING SUBMITTED BY APPLICANT.pdf, 5. 6-SEPTEMBER 10, 2016 AERIAL WITH 200 FOOT MEASUREMENTS.jpg, 6. 7-APRIL 24, 2014 AERIAL.jpg, 7. 8-JUNE 8, 2011 AERIAL.jpg, 8. 9-MARCH 28, 2010 AERIAL.jpg, 9. 10-APRIL 14, 2008 AERIAL.jpg, 10. 11-JUNE 16, 2017, LETTER TO DAVID AND MISTY YONCE.pdf, 11. 12-APPLICABLE MUNICIPAL REGULATIONS.pdf, 12. 13-WEB SITE INFORMATION ON MY SONRISESTABLES.JPG, 13. 14-WEB SITE INFORMATION ON MY SONRISESTABLES.JPG, 14. 15-CASE HISTORY MAP ASSOCIATED WITH BAZ 1704.pdf

Date	Ver.	Action By	Action	Result
8/10/2017	1	Planning Commission		

Broken Arrow Planning Commission 08-10-2017

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

Public hearing, consideration, and possible action regarding SP-284 (Specific Use Permit for animal sales and services including an animal training school) and abrogation of BAZ 1704, My Sonrise Stables, 101.02 acres, A-1, one-quarter to one-half mile south of Jasper Street, east of Olive Avenue

Background:

Applicant: James W. Rusher of Albright, Rusher & Hardcastle
Owner: Dave and Misty Yonce
Developer: Dave and Misty Yonce
Engineer: NA
Location: One-quarter to one-half mile south of Jasper Street, east of Olive Avenue
Size of Tract: 101.02 acres
Number of Lots: 1
Present Zoning: A-1 and AG (Tulsa County)
Comp Plan: Level 2

SP-284 is a request for a Specific Use Permit for animal sales and services including an animal training school. According to the application, My SonRise Stables, which operates on the property, is a training, boarding, and riding facility for horses. The property, which contains 101.02 acres is located one-quarter to one-half mile south of Jasper Street, east of Olive Avenue at 13401 S. 129th E. Avenue. While approximately 80 acres of the property is located in the City Limits of Broken Arrow and has A-1 (Agricultural) zoning, the rest of the property is located in an unincorporated area of Tulsa County and has AG zoning.

In May 2017, the City of Broken Arrow received a complaint concerning the horse stables located on the property and horse manure being deposited close to the residential subdivision to the north of the property. Upon investigating the complaint, it was discovered that commercial stable operations were occurring on the property and manure was being deposited along the north property line next to single family residential structures. A letter was sent to the property owner on June 16, 2017, directing them to come into compliance with the City of Broken Arrow regulations.

The property within the City Limits of Broken Arrow is currently zoned A-1, Agricultural, and is unplatted. Right-of-way and utility easements along Garnett Road have not been dedicated in accordance with the Subdivision Regulations. Commercial animal sales and services, including an animal training school, are not permitted on this property without a Specific Use Permit. As directed in the June 16, 2017, letter, the property owner has submitted an application for a Specific Use Permit for training, boarding, and riding facility for horses.

Previously in late 2009 or early 2010, the City of Broken Arrow received a complaint about a large barn that had recently been constructed on the property. Staff investigated the site and found at that time a large barn that was being used just by the property owner and met the requirements of the Zoning Ordinance. Since that time, the operations on the property have been expanded.

According to information provided by the applicant, the large barn is located 450 feet from the north property line, 300 feet from the west property line along Olive Avenue, and 590 feet from the south property line. In addition to the large barn for horses, there is a 7,000 square foot auxiliary barn, a 5,000 square foot hay barn, and two outdoor arenas, of which one is lighted and has sound. In addition, information from the website for SonRise Stables references a 120 foot by 70 foot indoor lighted arena. One single family house is located on the property along with a personal family facility.

In reviewing aerial photographs, the large barn, hay barn, and one of the outdoor arenas were constructed sometime between 2008 and 2010. The auxiliary barn and second outdoor arena were added between 2010 and 2011. The single family residence was under construction in 2015.

Surrounding land uses and zoning classifications include the following:

North:	A-1, R-2, and RS-3	Undeveloped and Bentley III addition
East:	R-2, RS-3, and R-1	Bentley II addition and soccer fields
South:	AG (Tulsa County)	Large lot residential
West:	RS (Tulsa County)	Single family residential

A small portion (less than an acre) on south end of the property is located in the 100-year floodplain associated with the Arkansas River. The rest of the property is located outside the 100-year floodplain. The property is designated as “Level 2” and “Greenway/Floodplain” in the Comprehensive Plan.

Access to the property occurs from Garnett Road. There is a temporary turnaround on the north end of the property that serves S. Indianwood Avenue in the Bentley III addition. At the time this temporary turnaround was installed, the property associated with Bentley III and the property associated with SP-284 were under the same ownership. This temporary turnaround facility was required by the Subdivision Regulations because the stub street associated with S. Indianwood Avenue is more than one lot in length.

On February 20, 2006, the City Council approved BAZ 1704 to change the zoning on this property from A-1 to R-3S. BAZ 1704 was approved subject to the property being platted, which has not occurred.

Attachments: Case map
Aerial photo
Comp Plan
Drawing submitted by applicant
September 10, 2016, aerial with 200 foot measurements
April 24, 2014, aerial
June 8, 2011, aerial
March 28, 2010, aerial
April 14, 2008, aerial
June 16, 2017, letter to David and Misty Yonce
Applicable municipal regulations
Website information on My SonRise Stables
Website information on My SonRise Stables
Case history map associated with BAZ 1704

Recommendation:

Based on the Comprehensive Plan, the location of the property, the history of the property, and the surrounding land uses, Staff recommends that SP-284, a request for animal sales and services including an animal training school for horses, be approved for the portion of the property located within the City Limits of the City of Broken Arrow, subject to the property being platted. Staff can recommend that platting be waived, provided right-of-way and utility easements are dedicated in accordance with the Subdivision Regulations (50 feet of right-of-way and 17.5 feet of utility easement) along Garnett Road. In addition, Staff recommends that SP-284 be approved for the portion of the property located within the City Limits of Broken Arrow subject to the following conditions:

1. No animal manure that has been collected shall be deposited within 200 feet of the perimeter boundaries. The collecting and depositing of animal manure shall be handled in accordance with the City of Broken Arrow regulations.
2. All buildings used to house horses shall be located at least 200 feet from the perimeter boundaries as referenced in the Municipal Code.
3. All arenas shall be located at least 200 feet from the perimeter of the property.
4. Building permits shall be obtained prior to the construction of any new buildings. As part of obtaining a building permit, site plans shall be submitted to and approved by the City of Broken Arrow.
5. Except for emergencies, no access shall be allowed to S. Indianwood Avenue or W. Quinton Street.

In addition, Staff recommends that BAZ 1704 that was previously approved by the City Council be abrogated.

Reviewed By: Larry R. Curtis

Approved By: Michael W. Skates

BDM