



# City of Broken Arrow

## Legislation Details (With Text)

<b>File #:</b>	18-84	<b>Name:</b>	
<b>Type:</b>	Consent Item	<b>Status:</b>	Passed
<b>File created:</b>	12/20/2017	<b>In control:</b>	Broken Arrow City Council
<b>On agenda:</b>	1/2/2018	<b>Final action:</b>	1/2/2018
<b>Title:</b>	Approval of PT05-102A, Revised Conditional Final Plat, BA Lawn & Garden, 1 lot, 2.55 acres, CH, east of Elm Place, north of Kenosha Street		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. 1-PC FACT SHEET.pdf, 2. 2-CHECKLIST.BA LAWN & GARDEN.pdf, 3. 3-REVISED CONDITIONAL FINAL PLAT FOR BA-LAWN & GARDEN.11-29-2017.pdf, 4. 4-REVISED COVENANTS. BA LAWN & GARDEN.pdf		

Date	Ver.	Action By	Action	Result
1/2/2018	1	Broken Arrow City Council	approved	Pass

### Broken Arrow City Council Meeting of: 01-02-2018

**To:** Mayor and City Council Members  
**From:** Development Services Department  
**Title:** Approval of PT05-102A, Revised Conditional Final Plat, BA Lawn & Garden, 1 lot, 2.55 acres, CH, east of Elm Place, north of Kenosha Street

#### Background:

The revised conditional final plat of BA Lawn & Garden, which contains 2.55 acres, is located east of Elm Place, north of Kenosha Street. BA Lawn & Garden is proposing to relocate their store to this site.

On August 7, 2006, the City Council approved the conditional final plat for Promise Land (PT05-102), subject to an attached checklist. Right-of-way and utility easements were dedicated in accordance with the Subdivision Regulations along Kenosha Street, however, the plat was never recorded. Previously on January 20, 2004, the City Council had also approved BAZ 1620, a request to change the zoning on the property from C-5 to C-4, subject to the property being platted. In 2008, the Zoning Ordinance was modified and the C-5 and C-4 zoning designations were combined and the zoning on the property became "CH".

BA Lawn & Garden recently acquired the property and wants to construct new buildings on the site. Prior to new buildings being constructed, the platting process needs to be completed. As a result, the applicant has submitted a revised conditional final plat, "BA Lawn & Garden".

The property will have one point of access to Kenosha Street. This existing access point does not meet the requirements of the Zoning Ordinance, however, it is considered to be "grandfathered".

When the previous property owner purchased the property, the seller left out a 15-foot wide strip along the north boundary. This created a lot split with a land locked parcel that was not submitted to or approved by the

City of Broken Arrow. This 15-foot wide strip remains unplatted and under separate ownership. As part of this conditional final plat, a 20-foot wide mutual access easement has been provided that connects the 15-foot wide strip with Kenosha Street.

Water and sanitary sewer service to the site will be provided by the City of Broken Arrow. None of the property is located within a FEMA designated 100-year floodplain area. However, there is a drainage channel along the east property line that is being placed in an overland drainage easement. The engineer needs to be able to demonstrate that the 100-year runoff on this property can be covered by the proposed drainage easement. No on-site detention is required.

The Planning Commission and Technical Advisory Committee recommend approval of the revised conditional final plat of BA Lawn & Garden subject to the attached checklist.

**Cost:** \$0

**Prepared By:** Brent Murphy, Senior Planner

**Reviewed By:** Development Services Department  
Assistant City Manager, Operations  
Legal Department

**Approved By:** Michael L. Spurgeon, City Manager

**Attachments:** Planning Commission Fact Sheet  
Checklist  
Revised conditional final plat for BA Lawn & Garden  
Revised covenants for BA Lawn & Garden

**Recommendation:**

Approve PT05-102A, revised conditional final plat for BA Lawn & Garden, as recommended by Planning Commission and Staff, subject to the attached checklist.

BDM