



people, based on the size of the lease area, the assembly use could accommodate up to 100 people. With a parking ratio of one space per four seats, the parking requirement would be 25 parking spaces. In considering the size of the lease area and the hours of operation, there is sufficient parking for this use at this retail center. A wall sign is proposed for the use. Currently, there are no uses within the commercial center that would pose a conflict for the place of assembly use.

Right-of-way along Elm Place has not been dedicated in accordance with the Subdivision Regulations and the Engineering Design Criteria Manual. The Meadow Heights Center plat was recorded in Tulsa County on October 27, 1976. When the plat was recorded, 50 feet of right-of-way was dedicated along Elm Place. Today, Elm Place is classified as a primary arterial street, which requires 60 feet of right-of-way from the section line. In addition, the Subdivision Regulations and the Engineering Design Criteria Manual require 65 feet of right-of-way within 350 feet of the intersection of two arterial streets. The southeast property corner associated with SP-290 is located 195 feet from the intersection with Houston Street. Therefore, in accordance with the Subdivision Regulations and the Engineering Design Criteria Manual, 15 feet of additional right-of-way is needed on the east property boundary for a distance of 155 feet, then transition at a 30-degree angle to a point that is located 60 feet from the section line, which will continue to the north property line. The property owner is not in agreement with dedicating additional right-of-way.

Surrounding land uses and zoning classifications include the following:

North:	CH	Medical Spa
East:	CN and CH	Elm Place, Auto Parts, Office
South:	CH	Service Station
West:	RD	Duplex Residences

The property associated with SP 290 is not located in a 100-year floodplain.

The property is designated as Level 6 in the Comprehensive Plan. The existing CH zoning is in conformance with the Comprehensive Plan in Level 6. Places of assembly are permitted in commercial zoning designations with a Specific Use Permit. SP-290 is therefore in accordance with the Comprehensive Plan and Zoning Ordinance.

**Attachments:** Case map  
Aerial  
Narrative  
Sign Design

**Recommendation:**

There are not presently any businesses that would be impacted by a church locating as proposed in the shopping center. However, there could be an impact on future development related to businesses that need or desire separation from a church. In the past, the City has allowed places of assembly to locate in commercial areas with a two-year time limit. Therefore, based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that SP-290 be approved, subject to the following conditions of approval.

1. Right-of-way and utility easements shall be dedicated along Elm Place in accordance with the City of Broken Arrow Subdivision Regulations. This will require 15 feet of additional right-of-way along Elm Place from the southeast corner of the property extending northward for 155 feet, then transition at a 30-degree angle to a point that is 60 feet from the section line, which will continue to the north property line.

2. SP-290 shall be approved for a two-year period with an expiration date of October 2, 2020.
3. The applicant shall obtain a sign permit for the wall-mounted sign.

**Reviewed By:        Larry R. Curtis**

**Approved By:        Michael W. Skates**

JMW