



City of Broken Arrow

Legislation Details (With Text)

File #: 18-1199 **Name:**
Type: Consent Item **Status:** Agenda Ready
File created: 10/9/2018 **In control:** Planning Commission
On agenda: 10/11/2018 **Final action:** 10/11/2018
Title: Approval of BAL-2038, 101st and 193rd, 51.38 acres, A-1 and A-CN, located to the north and west of the intersection of New Orleans Street and 23rd Street
Sponsors:
Indexes:
Code sections:
Attachments: 1. 2-Case Map, 2. 3-Aerial, 3. 4-Exhibits

Date	Ver.	Action By	Action	Result
10/11/2018	1	Planning Commission		

Broken Arrow Planning Commission 10-11-2018

To: Chairman and Commission Members
From: Development Services Department
Title: Approval of BAL-2038, 101st and 193rd, 51.38 acres, A-1 and A-CN, located to the north and west of intersection of New Orleans Street and 23rd Street

Background:

Applicant: Nathalie Cornett, Eller & Detrich, P.C.
Owner: Public Service Company of Oklahoma and W.O. Smith Trust
Developer: W.O. Smith Trust
Surveyor: KKT Architects, Inc.
Location: North and west of the intersection of New Orleans Street and 23rd Street
Size of Tract 51.38 acres
Number of Lots: 2
Present Zoning: A-1 and A-CN
Comp Plan: Level 2, 3, and 4

Lot split request BAL-2038 involves two tracts of land totaling 51.38-acres located to the north and west of the intersection of New Orleans Street and 23rd Street. The applicant proposes to split a 0.90-acre tract off of the 49.80-acre property owned by Public Service Company of Oklahoma (PSO) and consolidating it with property owned by W.O. Smith. With the consolidation, the 1.58-acre W.O. Smith tract will become 2.48 acres.

The PSO property is unplatted and is currently being used by an FFA (Future Farmers of America) group. The

W.O. Smith Trust property is platted as Lot 1 Block 1 of the County Line Food Mart plat recorded in Tulsa County in 1986. Right-of-way and utility easements were dedicated with the plat. Additional easements were granted along 23rd Street to Oklahoma Natural Gas (ONG) along in 1970 and to PSO in 1984. The plat will need to be amended and additional right-of-way dedicated to include the additional tract of land. The property was previously used as a convenience store. It is anticipated that with the larger corner tract, a gas station and convenience store will be built.

The W.O. Smith Trust property was annexed into Broken Arrow on December 4, 2001 (Ordinance 2398) and assigned AC-3 zoning (now converted to A-CN). This tract will need to be rezoned to CN. The tract that will be consolidated will need to be rezoned from A-1 to CN. Convenience store with gas sales is a permitted use in the CN district which is an allowed zoning designation in Level 4 of the Comprehensive Plan.

Attachments: Case map
Aerial
Exhibits

Recommendation:

Staff recommends BAL-2038 be approved, subject to the following:

1. Use of the property cannot move forward until the property is rezoned and platted to Broken Arrow standards.
2. A Quit Claim Deed or other Deed or Instrument shall be executed to accomplish the transfer of the property that is the subject of BAL-2038. Warranty deeds with adjusted legal descriptions for all parcels involved shall be brought to the Plan Development Division to be stamped prior to being recorded in Tulsa County.

Reviewed By: Larry R. Curtis

Approved By: Michael W. Skates