



# City of Broken Arrow

## Legislation Details (With Text)

|                       |   |                      |                           |
|-----------------------|---|----------------------|---------------------------|
| <b>File #:</b>        | 18-1508   | <b>Name:</b>         |                           |
| <b>Type:</b>          | Consent Item  | <b>Status:</b>       | Passed                    |
| <b>File created:</b>  | 12/11/2018  | <b>In control:</b>   | Broken Arrow City Council |
| <b>On agenda:</b>     | 1/2/2019  | <b>Final action:</b> | 1/2/2019                  |
| <b>Title:</b>         | Approval of BAZ-2016, Builder's Unlimited, Inc., 2.98 acres, IL and A-IL to IL, one-quarter mile north of New Orleans Street, one-quarter mile west of Evans Road   |                      |                           |
| <b>Sponsors:</b>      |   |                      |                           |
| <b>Indexes:</b>       |   |                      |                           |
| <b>Code sections:</b> |   |                      |                           |
| <b>Attachments:</b>   | 1. 1-PLANNING COMMISSION PUBLISHED FACT SHEET, 2. 2-CASE MAP.BAZ-2016, 3. 3-AERIAL.BAZ-2016, 4. 4-COMP PLAN, 5. 5-CONCEPTUAL SITE PLAN.BAZ-2016, 6. 6-CONCEPTUAL BUILDING ELEVATION.BAZ-2016, 7. 7-PROPERTY SURVEY.BAZ-2016 |                      |                           |

| Date     | Ver. | Action By                 | Action   | Result |
|----------|------|---------------------------|----------|--------|
| 1/2/2019 | 1    | Broken Arrow City Council | approved | Pass   |

### Broken Arrow City Council Meeting of: 01-02-2019

**To:** Mayor and City Council Members  
**From:** Development Services Department  
**Title:**

**Approval of BAZ-2016, Builder's Unlimited, Inc., 2.98 acres, IL and A-IL to IL, one-quarter mile north of New Orleans Street, one-quarter mile west of Evans Road**

#### Background:

BAZ-2016 is a request to change the zoning designation on a 2.98-acre parcel from IL (Industrial Light) and A-IL (Annexed Industrial Light) to IL (Industrial Light). The unplatted, vacant property is located one-quarter mile north of New Orleans Street, one-quarter mile west of Evans Road. Builder's Unlimited, a general contracting firm, plans to build a new facility on the property.

The A-IL transitional zoning was assigned to the property when it was annexed into the City of Broken Arrow with Ordinance No. 1748 on December 21, 1992. Applicant is interested in constructing new structures on the property. According to Section 1.4.6 of the Zoning Ordinance, no expansion may occur on the site until it is brought into compliance with all applicable zoning requirements.

BAZ-2016 is located in an area referred to as the "Arrow East Industrial Park". The property has not been platted. A "Certificate of Survey" for the entire 40-acre parcel has been filed in Wagoner County. The division of property, however, has occurred through lot splits. The property has not been platted in accordance with the City of Broken Arrow standards.

In 2000, the City of Broken Arrow extended sanitary sewer service to this industrial park through an assessment district. An 8-inch sanitary sewer line is located along 219<sup>th</sup> E. Avenue, the road that provides access to this property. The area where the A-IL zoning is located used to be the sanitary sewer lagoon for the industrial park.

Applicant is aware of this previous use.

The primary means of access to this industrial park is from State Highway 51 to the north. From State Highway 51, a single road passes over the MKT railroad track that connects with 219<sup>th</sup> E. Avenue and 96<sup>th</sup> St. Secondary access is available to the property from Events Park to the west.

When this property was annexed into the City of Broken Arrow, the City took over an unpaved road and subsequently the road has been paved and maintained by the City. Similarly, sanitary sewer was also extended to this area.

There have been six other rezoning requests (BAZ-1353, BAZ-1388, BAZ-1424, BAZ-1639, BAZ-1716, and BAZ-1882) in this industrial park. All of these zoning applications, which requested the zoning be changed from AI-1 to I-1, were approved and platting was waived. However, there was a requirement as part of the site plan approval that the adequacy of water supply for fire protection be verified by the Fire Marshal and the Development Services Department. Water to the industrial park is supplied by Rural Water District #4. A fire hydrant has been added to the south end of the industrial park since the first rezoning request occurred.

According to FEMA maps, no part of the property is located within a 100-year floodplain.

The Future Development Guide of the Comprehensive Plan shows the site to be designated as a Level 6. The IL zoning district is a possible use when the site abuts an industrial park. The unplatted site is surrounded on the north, south, and west by industrial uses.

The Planning Commission, in their meeting of December 6, 2018, concurred with Staff and recommended approval (4-0 vote) of BAZ-2016. The Planning Commission recommended that platting be waived. However, as part of the site plan review process, Planning Commission and Staff recommend fire protection be approved by the Fire Marshal and Development Services Department prior to any building permit being issued. This was the same recommendation on the previous six rezoning requests in this industrial park.

**Cost:** \$0

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

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

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

**Attachments:** Planning Commission Fact Sheet  
Case map  
Aerial photo  
Comprehensive Plan  
Conceptual site plan  
Conceptual building elevation  
Property survey

**Recommendation:**

Approve BAZ-2016 as recommended by Planning Commission and Staff.

BDM