



# City of Broken Arrow

## Legislation Details (With Text)

<b>File #:</b>	19-732	<b>Name:</b>	
<b>Type:</b>	Consent Item	<b>Status:</b>	Agenda Ready
<b>File created:</b>	6/5/2019	<b>In control:</b>	Broken Arrow City Council
<b>On agenda:</b>	6/17/2019	<b>Final action:</b>	
<b>Title:</b>	Approval of PUD-161H (Planned Unit Development, Major Amendment), Savvy Swimmers, 0.87 acres, PUD-161/CG (Commercial General), located one-eighth mile east of Olive Avenue (129th E. Avenue), north Kenosha Street (71st Street)		
<b>Sponsors:</b>			
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. 2-Planning Commission Fact Sheet, 2. 3-Case Map, 3. 4-Aerial, 4. 5-PUD-161H Development Standards, 5. 6-PUD-161 Development Standards, 6. 7-Bricktown West Extended Plat, 7. 8-Project Site Photos		
Date	Ver.	Action By	Action
			Result

### Broken Arrow City Council Meeting of: 06-17-2019

**Title:**

Approval of PUD-161H (Planned Unit Development, Major Amendment) Savvy Swimmers, 0.87 acres, PUD-161/CG (Commercial General), located one-eighth mile east of Olive Avenue (129th E. Avenue), north of Kenosha Street (71st Street)

**Background:**

Planned Unit Development (PUD)-161H involves a 0.87-acre parcel located one-eighth mile east of Olive Avenue (129<sup>th</sup> E. Avenue). According to the design statement, the project is planned as a scuba diving and swim instruction facility. The property is presently zoned PUD-161/CG (Commercial General).

When PUD-161 was approved in 2005, the property was zoned C-2 (Planned Shopping Center) which did not include Commercial Swimming Pool as a permitted use. Since that time, the Zoning Ordinance has been updated, and the C-2 zoning designation has been converted to CG (Commercial General). The current Zoning Ordinance does not include a designation for Commercial Swimming Pool but includes General Indoor Recreation, and that use is permitted in the CG zoning district. With PUD-161H, the applicant proposes to include General Indoor Recreation as a permitted use. Other amendments requested include reducing the rear setback from 50 feet to 25 feet, allowing a deviation in exterior building materials to include metal, glass and masonry, and amending the parking ratio to one space per 300 square feet.

The renderings for the Savvy Swimmers project show two driveways and a drive aisle that circles around the back of the building. The applicant states that vehicular access is needed to the rear of the building so that heavy scuba equipment can be picked up and dropped off near the storage room at the southeast corner of the building. The current Zoning Ordinance requires one parking space for every 200 square feet of floor area for general indoor recreation. The applicant is requesting that the parking ratio be amended to one space for every

300 square feet of floor area.

Other site considerations in PUD-161 include landscaping, lighting and the location and screening of a trash enclosure. Ten percent of the unpaved area is to be landscaped with one tree per 25 feet along the east boundary adjacent to residential uses. Fifty percent of the trees are to be evergreen. Lighting is not specifically addressed in PUD-161; rather, the PUD states that all other bulk requirements are to be in accordance with the Zoning Ordinance. PUD-161 requires trash enclosures to be setback not less than 25 feet from residential properties and screened with an opaque fence.

The proposed exterior building materials include metal with expanses of glass and masonry accents. The applicant requests that this deviation from the required masonry exterior be permitted. A patio is proposed at the northeast corner of the building. The proximity of this location to the residences to the east raises a concern about noise. A partial second floor is proposed for classroom use. Given the proximity to the residences to the east, second floor windows should not be included on that elevation. Both the 2005 Zoning Ordinance and the current one limit building height to 50 feet when adjacent to residential uses with a 50-foot setback. In consideration of the request for a reduced setback, a height limitation is reasonable. Given that residential uses are permitted to be 35 feet in height, a 35-foot height limit for this building would not be out of character with the surrounding uses. The renderings that are included in PUD-161H are conceptual in nature. Should this PUD major amendment be approved, scaled and detailed plans will need to demonstrate that the project meets PUD-161 and Zoning Ordinance requirements, except for the requested and approved deviations.

According to FEMA maps, none of the property is located in a 100-year floodplain area. A reserve area for stormwater drainage and detention for Bricktown West Extended is located to the northwest of this lot. Water and sanitary sewer service will be provided by the City of Broken Arrow.

In their meeting of May 23, 2019, the Planning Commission concurred with Staff and recommended approval (4-0 vote) of PUD-161H, subject to staff and the applicant working out an acceptable decibel level (dB) for music on the rear patio. Staff and the applicant researched noise levels and concurred that 60 dB is an acceptable level for music on the rear patio. One person spoke at the meeting who is a neighboring business owner to the south. The business owner was supportive of PUD-161H and requested that the applicant work with her on parking for the two businesses.

**Cost:** \$0

**Funding Source:** No requirement

**Requested By:** Larry R. Curtis, Acting Community Development Director

**Approved By:** City Manager's Office

**Attachments:** Planning Commission Fact Sheet  
Case map  
Aerial photo  
PUD-161H Development Standards  
PUD-161 Development Standards  
Bricktown West Extended Plat  
Project Site Photos

**Recommendation:**

Approve PUD-161H as recommended by Planning Commission and Staff, subject to the following conditions of approval, with modified Condition No. 3.

1. The building height shall be limited to 35 feet.
2. Second floor windows shall not be permitted on the building elevation facing the residential property to the east.
3. Activities in the patio area shall cease operation at 9:00 p.m., Sunday through Thursday, and at 10:00 p.m. on Friday and Saturday. Amplified sound shall be **limited to 60dB** in the patio area or elsewhere on the exterior of the building. (Modified by staff, based on discussion with the applicant, and at the direction of the Planning Commission.)
4. An unpaved area of at least ten feet in width shall be provided along the east boundary. In this 10-foot-wide open space area, at least one tree shall be provided for every 25 linear feet. At least 50 percent of the trees shall be evergreens.
5. The existing six-foot-high fence shall be replaced with an eight-foot-high screening fence.