



# City of Broken Arrow

## Legislation Details (With Text)

<b>File #:</b>	19-1396	<b>Name:</b>	
<b>Type:</b>	General Business	<b>Status:</b>	Agenda Ready
<b>File created:</b>	11/12/2019	<b>In control:</b>	Broken Arrow City Council
<b>On agenda:</b>	11/18/2019	<b>Final action:</b>	
<b>Title:</b>	Consideration, discussion, and possible approval of PUD-294 (Planned Unit Development) and BAZ-2036 (Rezoning), Spring Creek Plaza, 13.78 acres, CG (Commercial General) and R-2 (Single-Family Residential) to PUD-294/CH (Commercial Heavy), located south and east of the southeast corner of Tucson Street (121st Street) and Elm Place (161st East Avenue)		

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 2-CASE MAP, 2. 3-Aerial, 3. 4-PUD-294 & BAZ-2036 DESIGN STATEMENT, 4. 5-Letter of Protest from neighboring property to Planning Commission, 5. 6-Letter of Protest from neighboring property to City Council

Date	Ver.	Action By	Action	Result
11/18/2019	1	Broken Arrow City Council		

### Broken Arrow City Council Meeting of: 11-18-2019

### Title:

Consideration, discussion, and possible approval of PUD-294 (Planned Unit Development) and BAZ-2036 (Rezoning), Spring Creek Plaza, 13.78 acres, CG (Commercial General) and R-2 (Single-Family Residential) to PUD-294/CH (Commercial Heavy), located south and east of the southeast corner of Tucson Street (121st Street) and Elm Place (161st East Avenue)

### Background:

Planned Unit Development (PUD)-294 involves a 13.78-acre parcel located south and east of the southeast corner of Tucson Street (121st Street) and Elm Place (161st East Avenue). The property is presently zoned CG (Commercial General) and R-2 (Single-Family Residential). In conjunction with PUD-294, applicant has submitted BAZ-2036, a request to change the underlying zoning from CG and R-2 to CH (Commercial Heavy).

PUD-196, BAZ-1823, and SP-231 were approved by the City Council on February 17, 2009. BAZ-1823 requested to change the zoning on the property from CG and R-2 to CH. The development was proposed to have mini-storage and indoor RV storage which required a specific use permit to be approved on the property. These requests were approved subject to the property being platted but no plat was completed for the development and thus the PUD has expired.

With PUD-294, the applicant is proposing a development which contains retail, restaurant, office, indoor RV storage, and mini storage. PUD-294 is very similar in context and design with the previously approved PUD-196. The main difference being that PUD-196 proposed a street through the development, where PUD-294 designates that general area for a drainage channel. PUD-294 is also more restrictive of permitted uses in Tracts

C and D.

In the meeting of October 24, 2019, the Planning Commission recommended approval (5-0 vote) of PUD-294 and BAZ-2036 per Staff recommendation with two added requirements. The first requirement is to state in the PUD that no semi-truck parking will be allowed on Tract G. The second is to restrict windows on the east side of any two-story building on Tract E to be clearstory or opaque windows located not less than 6-feet in height from the floor of the second story.

Three residents from surrounding neighborhoods spoke in opposition to the proposed development. Residents were concerned with privacy due to second story offices overlooking backyards, reduced property values, light and noise of RV storage, and obstructed views. A letter of protest was submitted from a resident and is an attachment to this report.

**Cost:** \$0

**Funding Source:** None

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

**Approved By:** City Manager Office

**Attachments:** Case map  
Aerial photo  
PUD-294 design statement  
Letter of Protest from neighboring property owner to Planning Commission  
Letter of Protest from neighboring property owner to City Council

**Recommendation:**

Approve PUD-294 and BAZ-2036 per Staff and Planning Commission recommendation.