



# City of Broken Arrow

## Request for Action

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**File #:** 21-518, **Version:** 1

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**Broken Arrow Planning Commission**  
**04-22-2021**

**To:** Chairman and Commission Members  
**From:** Community Development Department  
**Title:** Public hearing, consideration, and possible action regarding PUD-322 (Planned Unit Development), Old Hitching Post, approximately 0.84 acres, A-1 (Agricultural) to CN (Commercial Neighborhood), northeast corner of Main Street and Washington Street (91<sup>st</sup> Street)

**Background:**

**Applicant:** Griffith Contracting  
**Owner:** John and Nancy Belding  
**Developer:** Griffith Contracting  
**Surveyor:** GEODECA Land Surveying  
**Location:** Northeast corner of Main Street and Washington Street (91st Street)  
**Size of Tract** approximately 0.84 acres  
**Number of Lots:** 1  
**Present Zoning:** A-1 (Agricultural)  
**Proposed Zoning:** A-1 (Agricultural) to CN (Commercial Neighborhood) via BAZ-2078  
**Comp Plan:** Level 6 (Regional Employment/Commercial)

PUD-322 (Planned Unit Development) is proposed for the property located at the northeast corner of Main Street and Washington Street (91st Street). BAZ-2078, a request to change the zoning designation on this approximately 0.84-acre tract from A-1 (Agricultural) to CN (Commercial Neighborhood) was approved on April 6, 2021. The City Council approved the rezoning subject to the property being platted and a PUD being submitted and approved on the property.

This property was annexed into the city limits of Broken Arrow from Tulsa County on June 4, 1984 by Ordinance No. 1234. The property has been used for commercial purposes prior to being annexed into the City of Broken Arrow and is considered a legal non-conforming use. The applicant is in the process of purchasing the property with the intention of using it for a commercial office. The change in use of the property requires that it be brought into conformance with current codes and ordinances.

The applicant proposes to develop the property in accordance with the City of Broken Arrow Zoning Ordinance and the use and development regulations of the CN district, except as summarized below.

### SUMMARY OF DEVIATION FROM THE BROKEN ARROW ZONING ORDINANCE

Item	Broken Arrow Zoning Ordinance - CN District	PUD-322 Request
Minimum Front Setback	50 feet	20 feet
Minimum Side Setbacks	30 feet from side abutting property in non-residential, residential, and agricultural districts.	9 feet from North Boundary 24 feet from East Boundary
Signs	Per the CN district requirements: 1) No sign shall be erected into or over any public right-of-way 2) Wall signs and projecting signs may utilize an aggregate display surface area of three square feet (3 sq. ft.) per linear foot of the wall on which it will be placed.	Per the DF district requirements: 1) Projecting signs may extend into the right-of-way provided there is a vertical clearance of at least eight feet above the sidewalk and the sign does not extend past the sidewalk. 2) Wall signs in the mixed-use, office, and commercial districts shall have an aggregate display area not to exceed one square foot (1') for each linear foot of the wall on which it will be placed. *All other signage requirements of the DF district are the same as in the CN district.

Landscape Edge	1) Landscape Edge Width: 10 feet minimum 2) 1 tree per 50 lineal feet of landscaped edge. 3) Where parking lots and drives abut the landscaped edge, and the landscape edge is less than thirty feet (30') in width, all developments shall provide ten (10) shrubs (three (3) gallon minimum) for every fifty lineal feet (50') of abutment to the landscaped edge. OR a berm or masonry wall may be placed within the landscaped edge in lieu of the required shrubs. The berm or masonry wall must be at least three (3) but no more than five feet (5') in height.	Per the DF district requirements: Landscaping requirement may be met by one of the following options: 1) Option 1: A perimeter landscaped strip of between three feet (3') and five feet (5') in width, built to the street right-of-way, with either ornamental fencing or masonry walls, and wheel stops or curbing in the parking lot to prevent any vehicle overhang into the landscaped area; or 2) Option 2: An ornamental fence or masonry wall without landscaping, built to the street right-of-way, provided that a planting strip with street trees is provided between the sidewalk and the adjacent public street. *All other landscaping requirements of the DF district are the same as in the CN district.
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## SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

The surrounding properties contain the following uses, along with the following development guide and zoning designations:

Location	Comprehensive Plan	Zoning	Land Use
North	Level 6	CN/PUD-321 via BAZ-2072	Under development for Senior Activity Center
East	Level 6	CH	Undeveloped
South	Level 2	A-1	Single-family homes
West	Level 6	CN/PUD-81	Commercial Strip Center

This property is designated at Level 6 (Regional Employment/Commercial) in the Comprehensive Plan. The CN (Commercial Neighborhood) zoning requested with BAZ-2078 and the provisions of PUD-322 are considered to be in accordance with the Comprehensive Plan in Level 6.

According to FEMA Maps, none of this property is located in the 100-year floodplain.

According to Section 6.4 of the Zoning Ordinance, the PUD provisions are established for one (1) or more of the following purposes:

1. To permit and encourage innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties.
2. To permit greater flexibility within the development to best utilize the physical features of the particular site in exchange for greater public benefits than would otherwise be achieved through development under this Ordinance.
3. To encourage the provision and preservation of meaningful open space.
4. To encourage integrated and unified design and function of the various uses comprising the planned unit development.
5. To encourage a more productive use of land consistent with the public objectives and standards of accessibility, safety, infrastructure and land use compatibility.

In Staff's opinion, PUD-322 satisfies all items of Section 6.4.A of the Zoning Ordinance. (1) The redevelopment of this site for an office use is compatible with the adjoining properties. (2) By reducing the required setbacks, this development will blend well with the approved Senior Citizen's Activity Center to the north. Bringing the buildings closer to the street will provide the downtown feel that is represented in the Rose District. (3) Redeveloping the site using the existing buildings will preserve the downtown feel and character of the area. (4) The provisions of PUD-322 provide for integrated design with other buildings in the area and maintain the aesthetic and functionality outlined in the Downtown Master Plan. (5) This development will serve as a gateway into the Rose District and is being upgraded to current building code, fire code, and zoning standards.

**Attachments:** Case map

Aerial

Comprehensive Plan

Design Statement

**Recommendation:**

Based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD-322 be approved, subject to the property being platted

**Reviewed by: Jill Ferenc**

**Approved by: Larry R. Curtis**

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