



City of Broken Arrow

Request for Action

File #: 17-1894, Version: 1

**Broken Arrow City Council
Meeting of: 3-7-2017**

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

**Approval of SP 278 (Specific Use Permit) R & M Music, 2.93 acres,
CH (Commercial Heavy), east of the southeast corner of Washington
Street and Elm Place between Atlanta Street and Washington Street**

Background:

SP 278 is a request for a Specific Use Permit for a new church to be located in the Washington Square Center. The property, which contains 2.93 acres, is located east of the southeast corner of Washington and Elm Place between Atlanta Street and Washington Street. The property is developed and was platted as JHM Second, a re-subdivision of Lots 6 & 7, Block 1, JHM Addition on May 11, 1977.

While the property associated with the application extends from Washington Street to Atlanta Street, applicant is proposing to use an existing tenant space located on the north half of the property near the center of the shopping center next to Washington Street as a church facility. The space provided for the church is approximately 3,500 square feet. Churches are classified as “Places of Assembly” in the Zoning Ordinance, which require a Specific Use Permit in the CH district.

Parking for the church shall be provided by the existing parking lot for the shopping center. Hours of operation of the church coincides with the hours of least traffic for the shopping center, mainly on Sundays and on Wednesday evenings.

There is an existing bar, Torchy’s, in the Washington Square Center, north of the proposed church. While churches can go in the vicinity of an existing bar, if the bar ever loses its State liquor license, it may be difficult to get a new license.

Right-of-way along Washington Street has not been dedicated in accordance with the Subdivision Regulations. The plat for JHM Addition was recorded in Tulsa County on March 23, 1978. When the plat was recorded, 50 feet of right-of-way was dedicated along Washington Street. Today, Washington Street is classified as a primary arterial street, which requires 60 feet of right-of-way from the section line. In addition, the Subdivision Regulations require 65 feet of right-of-way within 350 feet of the intersection of two arterial street. The west property line of the property associated with SP 278 is located 250 feet from the intersection with Elm Place. Therefore, in accordance with the Subdivision Regulations, 15 feet of additional right-of-way is needed on the west 100 feet of the property that will transition at a 30-degree angle to a point that is located 60 feet from the section line, which will continue to the east property line.

The Comprehensive Plan designation for this property is Level 6. CH zoning is considered to be in accordance with the Comprehensive Plan in Level 6. Places of assembly are allowed in the CH district with a Specific Use Permit.

The Planning Commission, in their meeting of February 9, 2017, reviewed SP 278 and recommended approval, as recommended by Staff.

Cost: \$0

Prepared By: Larry R. Curtis/Brent Murphy

Reviewed By: Development Services Department
Assistant City Manager - Operations
Legal Department

Approved By: Michael L. Spurgeon, City Manager

Attachments: Case map
Aerial photo
Conceptual Site Plan
JHM Second plat

Recommendation:

Approve SP 278 subject to the following conditions:

1. Right-of-Way and utility easements shall be dedicated along Washington Street in accordance with the City of Broken Arrow Subdivision Regulations.
2. The Specific Use Permit shall be for a church at the location shown on the site plan, shall be valid for a two-year period from the date of City Council approval, and any renewals after the two-year period will require a new specific use permit application to be submitted and approved by the City Council.