



# City of Broken Arrow

## Request for Action

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**File #:** 17-2062, **Version:** 1

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**Broken Arrow Planning Commission**  
**04-27-2017**

**To:** Chairman and Commission Members  
**From:** Development Services Department  
**Title:** Public hearing, consideration, and possible action regarding PUD-199A, a request for a minor amendment to PUD-199, 121 Elm, 8.91 acres, A-1 to CN/PUD-199A, south and west of the southwest corner of Elm Place and Tucson Street

**Background:**

**Applicant:** Tim Terral, Tulsa Engineering and Planning Associates  
**Owner:** Stone Horse Development, LLC  
**Developer:** Stone Horse Development, LLC  
**Engineer:** Tulsa Engineering and Planning Associates  
**Location:** South and west of the southwest corner of Elm Place and Tucson Street  
**Size of Tract** 8.91 acres  
**Number of Lots:** 1  
**Present Zoning:** A-1  
**Proposed Zoning:** CN/PUD 199A  
**Comp Plan:** Level 4

Planned Unit Development (PUD) 199A involves 8.91 acres of undeveloped and unplatted property located south and west of the southwest corner of Elm Place and Tucson Street. On April 21, 2003, the City Council conditionally approved BACP 45, a request to change the Comprehensive Plan designation on this property from Levels 3 and 4 to Level 4. BACP 45 was approved subject to the property being platted and any changes in zoning occurring through the Planned Unit Development process.

On March 17, 2009, the City Council approved BAZ 1825 to change the zoning on the property from A-1 to CN along with PUD 199. BAZ 1825 and PUD 199 were approved subject to the property being platted. The northeast corner of the property was platted as “CVS at Wilburn Square” and a CVS store was constructed on the property. With the platting of “CVS at Wilburn Square,” PUD 199 was validated across the entire property. The rest of the property, however, has remained undeveloped and unplatted.

With PUD 199A, applicant is requesting a minor amendment to PUD 199 that involves three modifications to the previously approved design statement. When PUD 199 was approved by the City Council, the design statement submitted by the applicant stated, “The Wilburn Square property is divided by an Elm Creek tributary; however, the Outline Development Plan provides for an internal bridge structure linking the east and

west development area without going onto West Tucson Street.” With PUD 199A, applicant is requesting that this statement be removed, and the internal bridge structure is no longer shown on the Outline Development Plan.

PUD 199 acknowledged that off-street parking would be provided in accordance with Chapter 5 of the Broken Arrow Zoning Ordinances for the permitted uses. According to Section 5.4.D.4 of the Zoning Ordinance, the maximum number of parking spaces is limited to 125% of the required number of parking spaces. With PUD 199A, applicant is requesting to be able to exceed the 125% standard.

The third modification being requested is that PUD 199 stated, “All facades of each building shall be made of brick masonry.” With PUD 199A, applicant is requesting that the word “brick” be deleted, but still requiring masonry on all building facades.

#### SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

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

Location	Development Guide	Zoning	Land Use
North	Level 6	CG/PUD 126	Commercial and undeveloped
East	Level 4	CN/PUD 199	Pharmacy
South	Level 3	A-1	Undeveloped
West	Level 3	A-1	Undeveloped

When PUD 199 was approved by the City Council in 2009, none of the property was identified as being in the 100-year floodplain. However, the 2017 FEMA maps that were effective September 30, 2016, now show an unnamed stream with 100-year floodplain on the property.

A preliminary plat, 121 Elm, has been submitted in conjunction with PUD 199A. Water and sanitary sewer to this development will be provided by the City of Broken Arrow. The 100-year floodplain on this property is shown to be located in Reserve A.

The property is designated as Level 4 in the Comprehensive Plan. CN zoning that was approved with BAZ 1825 and is still reflected with PUD 199A is considered to be in accordance with Comprehensive Plan in Level 4.

**Attachments:** Case map  
Aerial photo  
Comprehensive Plan  
PUD 199A design statement and development plan

#### **Recommendation:**

Based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD 199A, a request for a minor amendment to PUD 199, be approved as presented, subject to the property being platted.

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**Reviewed by: Larry Curtis**

**Approved by: Michael Skates**

BDM