



# City of Broken Arrow

## Request for Action

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**File #: 17-2408, Version: 1**

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**Broken Arrow Planning Commission  
07-27-2017**

**To:** Chairman and Commission Members  
**From:** Development Services Department  
**Title:** Public hearing, consideration, and possible action regarding PUD 94S-1 (Planned Unit Development) and BAZ 1983 (rezoning), expansion of Jim Norton Chevrolet, 4.55 acres, CG/PUD 94 to CH/PUD 94S-1 and abrogation of PUD 94-O, one-half mile south of Omaha Street, one-quarter mile east of Aspen Avenue

**Background:**

**Applicant:** Theodore A. Sack, Sack and Associates, Inc.  
**Owner:** Tahoe Properties, LLC  
**Developer:** Jim Norton Chevrolet  
**Engineer:** Sack and Associates, Inc.  
**Location:** One-half miles south of Omaha Street, one-quarter mile east of Aspen Avenue  
**Size of Tract** 4.55 acres  
**Number of Lots:** 1  
**Present Zoning:** CG/PUD 94-O  
**Proposed Zoning:** CH/PUD 94S-1  
**Comp Plan:** Level 6

Planned Unit Development (PUD) 94S-1 involves 4.55 acres located one-half mile south of Omaha Street, one-quarter mile east of Aspen Avenue. In conjunction with PUD 94S, BAZ 1983, a request to rezone the same property associated with PUD 94S-1 from CG to CH, has also been submitted.

BAZ 1895, a request to change the zoning on 10.5 acres to the west of PUD 94S-1/BAZ 1983 from CG to CH, along with PUD 94S, were approved by the City Council on September 17, 2013, subject to the property being platted. With the change in zoning, Jim Norton Chevrolet subsequently developed on the property. Jim Norton Chevrolet wants to expand 4.55 acres to the east, and as a result has submitted PUD 94S-1 and BAZ 1983.

The existing PUD 94, along with BAZ 1236, was approved by the City Council on November 16, 1995, subject to the property being platted. The property associated with PUD 94S-1 was designated as “Commercial Office” in PUD 94, for retail commercial, office, hotel and restaurant use. On November 16, 2010, the City Council approved a revised application for PUD 94-O, subject to the property being platted. In PUD 94-O, the property associated with PUD 94S-1 is designated as “Commercial” and permitted uses were identified as those permitted within a C-2 District as existing on January 31, 2008. The portion of the associated with PUD 94S-1

that is located in PUD 94-O has never been platted, therefore the zoning remains CG/PUD 94.

The development standards of PUD 94S-1, which are summarized below, are similar to those approved with PUD 94S. PUD 94S, however, remains unchanged and is not a part of PUD 94S-1.

SUMMARY OF DEVIATION FROM ZONING ORDINANCE

Item	Zoning Ordinance Requirement	PUD 94S-1 Request
Permitted Uses	Vehicle sales and service requires a Specific Use Permit	Automobile dealership allowed as a permitted use. All other uses limited to those in the CG district.
Building Setback	50 feet from street right-of-way.	50 feet from street right-of-way, however, overhead doors used for service and repair that are oriented toward a street shall have a setback of at least 150 feet.
Maximum building height	No requirement in the CH district.	Limited to two stories or 35 feet.
Exterior building materials	Masonry along street frontages	Blue and white metal wall panels similar to the other Jim Norton Chevrolet buildings.
Landscape - tree type along street frontage	Small, medium, and large trees are allowed.	Only medium or large trees allowed unless there is a conflict with overhead utility lines.
Landscape edge	10 feet in width.	Along Granger Street - 15 feet. Along Albany Drive - 15 feet. East boundary - 15 feet, with a 6-foot high fence located within 10 feet of the east boundary.

Number of trees along street frontage	One tree per 50 lineal feet.	Along Granger Street, one tree per 25 lineal feet of street frontage. Existing architectural metal fence will be continued along street frontage. Along Albany Drive, one tree per 50 lineal feet of street frontage. Along east boundary, one four-inch caliper oak tree per 25 lineal feet. Landscaping not required to be installed until property to the east is developed.
Number of shrubs along street frontage	10 shrubs per 50 lineal feet of parking abutting the landscape edge. The shrubs do not have to be evenly spaced apart.	Along Granger Street, 25 shrubs per 50 lineal feet. The shrubs shall be evenly spaced. Along Albany Drive, per the Zoning Ordinance.
Sidewalks	According to the Subdivision Regulations, sidewalks required to be five feet in width along arterial streets, but only four feet in width along other streets.	Sidewalks will be five feet in width along all street frontages.
Access	On arterial streets, access points have to be 250 feet from the centerline of any street or driveway on the same side of the street. On collector streets, access points have to be 250 feet from any intersecting street and 150 feet from any other access point.	Access points will be as per the Zoning Ordinance. No access to Granger Street or the east will be permitted. Primary access will be to Albany Drive and to the west. Only one point of access allowed to Albany Drive.

Freestanding signs will be in accordance with the Zoning Ordinance, but only one sign will be allowed. The sign, which will be located in the southwest corner of the property, can be up to 30 feet in height and contain 300 square feet.

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

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

Location	Development Guide	Zoning	Land Use
North	Level 6	CH/CG/SP 67	Church
East	Level 6	CG/PUD 94	Undeveloped
South	Level 6	CG/PUD 94	Undeveloped
West	Level 6	CH/PUD 94S	Automobile dealership

The property is designated as Level 6 in the Comprehensive Plan. CH zoning is considered to be in compliance with the Comprehensive Plan in Level 6. The CH zoning requested with BAZ 1983 along with PUD 94S-1 are considered to be in compliance with the Comprehensive Plan.

**Attachments:** Case map  
Aerial photo  
Comprehensive Plan  
PUD 94S-1 design statement

**Recommendation:**

Based upon the Comprehensive Plan, existing zoning, the location of the property, and surrounding land uses, Staff recommends that BAZ 1983 and PUD 94S-1 be approved subject to the property being platted. Staff also recommends that PUD 94-O that was previously approved on this property be abrogated.

**Reviewed by: Larry Curtis**

**Approved by: Michael Skates**

BDM