



# City of Broken Arrow

## Request for Action

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**File #:** 17-2435, **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 SP-283 (Specific Use Permit), Beehive Homes of Broken Arrow, 2.60 acres, R-2, north of West Washington Street, one-third mile east of South Olive Avenue

**Background:**

**Applicant:** Alex Whitt, Beehive Homes  
**Owner:** Beehive Land Acquisitions of Oklahoma, LLC  
**Developer:** Beehive Homes of Broken Arrow  
**Engineer:** NA  
**Location:** North of West Washington Street, one-third mile east of South Olive Avenue  
**Size of Tract** 2.60 acres  
**Number of Lots:** 2  
**Present Zoning:** R-2  
**Comp Plan:** Urban Residential and Greenway/Floodplain

SP-283 is a request for a Specific Use Permit for an assisted living facility for Beehive Homes of Oklahoma. The property is located north of Washington Street and one-third mile east of Olive Avenue.

Specific Use Permit In 1994, a Specific Use Permit (SP-90) was conditionally approved for Love, Joy and Peace, Inc. for a church and school on this project site subject to platting and other conditions including the establishment of limits of no access, utility and landscape easements, and the submission of site and landscape plans among other requirements. SP-90 expired after the platting and conditions were not completed.

In 1997, the Copper Creek Park Addition, immediately north of this project site, was approved for 24 residential lots and three reserve areas. Reserve "A" was established as a 25-foot reserve area that runs along the entire north boundary of this project site. Per the Restrictive Covenants for Copper Creek Park, prohibited activities in Reserve "A" include any activity that would be considered harmful, intrusive, or obnoxious to a single-family residential development or to the residents including parking, paving, storage, building of any type, additional overhead utility lines, lighting exceeding four feet in height, storage, and keeping of any animals. Reserve "A" was deeded to the owner of this project site in 1998 and is designated as Greenway/Floodplain in the Comprehensive Plan. Currently, there is a utility easement on Reserve "A", and there is an 8-inch sanitary sewer line within the easement.

Again in 1997, a Specific Use Permit (SP-110) was conditionally approved for Love, Joy and Peace, Inc. for a church and school on this project site subject to platting and other conditions. SP-110 expired after one year when platting and conditions were not met. In 1998, the City Council approved a conditional final plat for the Gilgal Addition that established one lot identified as Lot 1, Block 1, also subject to conditions. Having met the platting requirements, SP-110 was re-advertised and re-approved.

As shown on the Gilgal Addition Plat attachment, utility and landscape easements are recorded on the lot including 40-foot-wide landscape easements along the east and west boundaries of the site. Reserve “A” provides a buffer between this site and the residences to the north in Copper Creek Park. Limits of No Access are also established along the Washington Street frontage that limit the locations for ingress and egress. Per the Covenants set forth in the Deed of Dedication, the location of the Limits of No Access may be amended by the City of Broken Arrow Planning Commission.

With SP-283, applicant is requesting approval to develop the site with an assisted living facility. In accordance with Section 3.2.A.2 of the zoning ordinance, a Specific Use Permit is required for an assisted living facility in an R-2 zoning district, and the facility is required to abut an arterial street.

Section 4.1.2 of the zoning ordinance identifies the following setbacks and height limit for uses other than single-family detached residences in an R-2 zoning district:

|                 |         |
|-----------------|---------|
| Front:          | 40 feet |
| Side:           | 40 feet |
| Rear:           | 35 feet |
| Maximum height: | 35 feet |

As shown on the preliminary site plan, the proposed facility will meet the front and side setbacks. The size of the side setbacks are also consistent with the established utility and landscape easements on the site. While the survey identifies Reserve “A”, the site plan does not delineate the boundary for it. In discussing this, the applicant acknowledged the need to revise the site plan to reflect two parcels. Applicant will work with the project designers to revise the plan accordingly and may elect to utilize the 35-foot rear setback area of Lot 1, Block 1 for utilities, detention and parking. The proposed building is primarily a one-story building with the exception of a small second-story area for storage and a mechanical room. The building height will meet the maximum height limit of 35 feet.

No signs are proposed at this time. In accordance with Section 5.7.E.1 of the zoning ordinance, signs in residential districts are limited to 32 square feet in area and eight feet in height. Should the applicant desire to increase the size of a sign from the zoning code standards, the applicant may request an amendment to the Specific Use Permit. In accordance with Section 5.7.E.2 of the zoning code, permanent freestanding signs, which function as on-premises advertising signs and are located on lots used for institutional use such as educational, religious or charitable institution, may be increased to the standards for commercial signs through a PUD or Specific Use Permit.

Parking will be in accordance with Section 5.4.1 of the zoning ordinance. The project will meet the landscape requirements as set forth in Section 5.2 of the zoning ordinance. In keeping with the landscape easements previously established on the parcels, staff recommends that the landscape plan include vegetation to provide a buffer between the project site and the adjacent residential uses.

Surrounding land uses and zoning classifications include the following:

|        |            |                   |
|--------|------------|-------------------|
| North: | R-2        | Copper Creek Park |
| East:  | R-2        | Copper Creek      |
| South: | R-2        | Kentwood Estates  |
| West:  | R-D/PUD-18 | Woodcreek         |

None of the property associated with this Specific Use Permit is located within the 100-year floodplain. Lot 1 Block 1 is designated as Urban Residential, and Reserve “A” is designated as Greenway/Floodplain in the Comprehensive Plan. Right-of-way and utility easements have previously been dedicated along Washington Street in accordance with the subdivision regulations.

**Attachments:**

- Case map
- Aerial photo
- Copper Creek Park Plat
- Gilgal Addition Plat
- Survey
- Site Plan
- Dimension Floor Plan
- Elevations

**Recommendation:**

Based on the Comprehensive Plan, the location of the property, past history of the property, and the surrounding land uses, Staff recommends that SP-283 be approved, subject to the following conditions:

1. The rear 25 feet of the site that is known as Reserve “A” shall remain as open space.
2. The landscape plan shall include a vegetation buffer between the project site and the adjacent residential uses.

**Reviewed By:**        **Larry R. Curtis**

**Approved By:**       **Michael W. Skates**

JMW