



# City of Broken Arrow

## Request for Action

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**File #: 18-129, Version: 1**

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**Broken Arrow Planning Commission  
01-11-2018**

**To:** Chairman and Commission Members  
**From:** Development Services Department  
**Title:** Public hearing, consideration, and possible action regarding PUD-204A, a request for a major amendment to PUD-204, Creek 51 Business Park, 11.877 acres, A-1 to CG and IL/PUD-204, one-half mile south of Houston Street, west of Highway 51, and west of the Creek Turnpike

**Background:**

**Applicant:** Tanner Consulting, LLC  
**Owner:** FP Investors I, LLC  
**Developer:** FP Investors I, LLC  
**Engineer:** Tanner Consulting, LLC  
**Location:** One-half mile south of Houston Street, west of Highway 51, and west of the Creek Turnpike  
**Size of Tract:** 11.877 acres  
**Number of Lots:** 4  
**Present Zoning:** A-1 to CG and IL/PUD-204  
**Comp Plan:** Level 6

Planned Unit Development (PUD)-204A involves 11.877 acres located one-half mile south of Houston Street, west of Highway 51, and west of the Creek Turnpike.

**HISTORY OF PUD-204**

On January 19, 2010, the City Council approved BACP-107, to amend the comprehensive plan designation for the project site located west of State Highway 51 (S.H. 51) and the Creek Turnpike and north of Washington Street from Levels 2, 3 and 4 to Levels 2, 3 and 6. Approval of BACP-107 was subject to the property being developed through the Planned Unit Development process.

On October 19, 2010, the City Council approved PUD-204 and BAZ-1856 for commercial and industrial development for Jackson Mills Business Park, subject to the property being platted and to changes recommended by Staff. With this approval, the 126.88-acre site was rezoned from A-1 to R-2, CG, and IL/PUD-204 and divided the property into three (3) development areas based on use. Tract I is designated for commercial uses (along Highway 51), Tract II for light industrial uses, and Tract III for open space. Tract III is located on the north end of the property and was rezoned to R-2. The site was subject to the 2010 Zoning

Ordinance with the exceptions included in PUD-204.

On March 5, 2013, the City Council adopted Ordinance No. 3222 amending the zoning ordinance of the City of Broken Arrow, Oklahoma, approving BAZ 1856, granting R-2 and PUD 204 zoning classifications for a 7.32-acre tract to be conveyed to the owners of single-family residential lots in Oak Creek South to extend their back yards thereby creating a buffer between the residential use and the commercial and industrial uses of the business park (Oak Creek South Extended Plat, PT11-100A, and PUD-204).

This Planned Unit Development is now being referred to as Creek 51 Business Park. While the PUD document states that PUD-204 is expired, it is an active PUD in that it was vested when the R-2 portion of the site was platted and dedicated to the residential property owners in the Oak Creek South Plat. PUD-204A is a Major Amendment, and the initial phase of the development consists of four lots located along the east side of the site with two lots fronting on S.H. 51. One inconsistency between the preliminary plat (PT17-115) and PUD-204A is the dimension for the build line along S. 37<sup>th</sup> Street. The plat identifies the build line as 50 feet, and the PUD identifies it as 30 feet. Either front build line dimension is acceptable in an industrial district as long as they are consistent.

#### CHANGES REQUESTED WITH PUD-204A

REQUIREMENT	ZONING ORDINANCE	PUD-204	DRAFT PUD-204A
Land Use	Uses permitted in the CG and IL Districts.	<u>Tract I</u> - Uses permitted in CG, Uses in CG and IL may be mixed or used separately. <u>Tract II</u> - Uses permitted in IL District. <u>Tract III</u> - R-2	As permitted in the CG and IL Districts except that open air storage and sexually oriented businesses are excluded.
Maximum Floor Area	Per Section 4.1.E.c of the Zoning Ordinance	Governed by parking and open space requirements.	Not applicable
Maximum Building Coverage	None	Governed by Zoning Ordinance parking and open space requirements	As required in IL District
Building Height	None	Tract I - 35 ft or 2.5 stories Tract II - 75 ft *No buildings abutting Tract III may be higher than 50 ft	50 ft or 4 stories
Minimum Street Frontage	CG District - 200 ft IL District - 50 ft (100 feet if lot fronts arterial)	No limitation	100 ft (*Interior lots having no frontage shall be provided access to a public street by access easement.
Minimum Lot Size	CG District - None IL District - 12,000 sq ft	1 acre	No change proposed from PUD-204.
<u>Minimum Building Setbacks</u>			
From highway ROW	CG - Front - 50 ft IL - 30 feet (50 if abutting arterial)	50 ft	50 ft

Adjacent to street right-of-way	CG - Front - 50 ft	25 ft	30 ft
From remaining perimeter boundary of PUD	Per Zoning Ordinance, varies by adjacent land use	Tract I - 25 ft Tract II - 17.5 ft	0 ft *No building shall be constructed over a utility easement.
From internal boundaries	Side - same district - 0 ft Side abutting non-residential district - 30 ft Side or rear abutting residential - 50 ft for one story <u>IL District</u> - 50 ft/4 stories when abutting residential or agricultural. Otherwise, no height restriction.	0 ft provided building code requirements are met	0 ft *No building shall be constructed over a utility easement.
Rear setback	CG District - 50 ft IL District - 30 ft	Lots that abut Tract III have a 130-ft rear setback that includes a 100-ft landscape buffer.	50 ft when abutting residential zoning district.
Parking and Loading	Restaurant - 1/100 sq ft Office - 1/300 sq ft Retail - 1/300 sq ft Light manufacturing - 1/500 sq ft Office/warehouse - varies by building size	Per Zoning Ordinance except for Hotel/Motel which shall be 1.2 spaces/room plus 1 space/100 sq ft of accessory area. Parking reduction may be permitted for joint land usage	Minimum requirements for parking and loading per Zoning Ordinance. No maximum parking restrictions shall be applicable.
Exterior Building Material	Building facades facing public or private streets to be constructed of masonry materials.	Per Zoning Ordinance	Street-facing sides of buildings located within 125 feet of ROW of to be constructed of masonry materials.
Landscape and Screening Requirement	10-foot landscape edge adjacent to roadways. - Parking lots and drive aisle landscaping req. -Interior parking lot landscaping req. -Screening of refuse collection, service areas and HVAC equipment -8-ft screening fence between nonresidential and residential districts.	Per Zoning Ordinance. - Landscape edge shall be provided along all street frontages. Each lot shall have at least 10 percent open space. -Additional landscaping in buffer zone abutting residential district in Tract III.	-10 percent of lot area. Landscape edges to be provided along S.H. 51, the Creek Turnpike ROW, and proposed collector street per Zoning Ordinance. -Screening fences and landscaping required as buffer for lots abutting residential uses.

Outdoor Storage Requirements	Fully screened with a solid material wall or combination of earthen berm, fences, walls, and/or evergreen plant material.	Tract II - On lots adjacent to Creek Turnpike, outdoor storage to be screened from highway with a solid screening fence at least 6 feet in height.	No change proposed from PUD-204A.
Signage	-Max. sign area of 500 square ft for multiple users, and 300 square ft for a single user. -Integrated Development Identification (I.D.I.) signs permitted with Specific Use Permit. Not to exceed 35 ft in height, nor 300 sq ft of display area. - Freestanding signs permitted in easements with utility sign off.	I.D.I. sign permitted, Specific Use Permit not required.	Consistent with PUD-204A -One I.D.I. sign permitted by right, Specific Use Permit not required. - Freestanding signs shall have a monument base that covers support structures. -Base of ground signs shall match materials or be architecturally compatible with building on lot.
Lighting	-Lighting and photometric plan to be submitted with site plan per Section 5.6. - Maximum light pole height varies by distance to residential district but shall not exceed a maximum of 35 ft.	Per Section 5.6, Exterior Lighting, of the Zoning Ordinance	No changes proposed from PUD-204A.

### ACCESS AND CIRCULATION

PUD-204A proposes to extend 37<sup>th</sup> Street (209<sup>th</sup> Avenue) as a collector street to connect the project to E. Washington Street (91<sup>st</sup> Street). Sidewalks will be constructed along all streets by the developer or individual lot owners.

### UTILITIES AND DRAINAGE

Sanitary sewer and water lines will need to be extended to serve this project site. City of Broken Arrow sanitary sewer is within reasonable proximity to serve this site either through Oak Creek South Subdivision or Englewood Estates. Water will be provided by Wagoner county Rural Water District #4. On-site stormwater detention is planned for this development.

### 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 3	A-1 to C-2	Undeveloped
East	Level 6	A-1	State Highway 51, Creek Turnpike, and undeveloped agricultural land beyond
South	Level 6	A-1 to IL	Creek Turnpike, undeveloped industrial, M.K. & T. Railroad, and Washington Street (91 <sup>st</sup> Street) beyond
West	Level 2 and 6	R-2 and A-1 to IL	Single-family residential and undeveloped industrial

The property is designated as Level 6 in the Comprehensive Plan. IL zoning is considered to be in conformance with the Comprehensive Plan in Level 6 when it is done in conjunction with a Planned Unit Development (PUD).

According to FEMA maps, none of the property is located in a 100-year floodplain area.

**Attachments:** Case map  
Aerial photo  
PUD-204A Development Standards  
PUD-204 Conceptual Zoning and Development Standards  
Oak Creek South Extended Plat

**Recommendation:**

Based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD-204A be approved subject to the property being platted and the following modifications made to the development standards associated with PUD-204A.

1. Modify PUD-204A document to reflect that PUD-204 has not expired.
2. Amend either the front build line requirement along S. 37<sup>th</sup> Street to 50 feet or amend the front build line that is designated on the preliminary plat (PT17-115) to 30 feet.
3. Consistent with PUD-204, applicant to construct an eight-foot-high solid screening fence along the common boundary with residential development.

**Reviewed By:** Larry R. Curtis

**Approved By:** Michael W. Skates

LRC: JMW