



City of Broken Arrow

Request for Action

File #: 18-1519, Version: 1

**Broken Arrow City Council
Meeting of: 01-02-2019**

Title:

Consideration, discussion, and possible approval of PUD-17B (Planned Unit Development Major Amendment) Vandever Acres Center, 5 acres, CG, located north and west of the northwest corner of New Orleans Street and Elm Place

Background:

Planned Unit Development (PUD)-17B involves a 5-acre parcel located north and west of the northwest corner of New Orleans Street and Elm Place. With PUD-17B, applicant is proposing a major amendment to PUD-17 to allow Place of Assembly as a permitted use and to develop the property for a place of assembly and commercial uses.

On the proposed Development Area Plan, 37,500 square feet of the existing 50,000-square-foot building would be dedicated to place of assembly use, while 12,500 square feet is proposed to be remodeled for commercial use as Phase I of the development. Phase I will also include removal of the existing hut east of the existing building, rights-of-way and easement dedications and bringing the entire property into compliance with current zoning code requirements unless otherwise noted in the PUD. Phase II is proposed to include the development of a new maximum 7,000-square-foot retail building in Development Area "B" located on the southern portion of the lot along New Orleans Street.

The Planning Commission heard the request for a major amendment to PUD-17 at two public hearings. In their meeting of October 25, 2018, the Planning Commission continued PUD-17B (3-1 vote) to the December 6, 2018 meeting to allow the City's consultant, Catalyst Commercial, time to evaluate how this request would correspond with the study under way. Several people spoke on this item both for and in opposition to the request. Those in favor cited the difficulty in finding a suitable tenant for the space and the desire to have an entity in the building that is ready to use it. They further stated that multiple uses could co-exist to generate activity and draw traffic to the area, and that the façade rendering for the renovation was appealing. Those in opposition stated concerns regarding the appropriateness of the proposed use, the loss of sales tax revenue, a preference of retail or entertainment, the impact to property owners regarding new users desiring to locate within 300 feet of the proposed use, and a desire to review the report for revitalization of this commercial area before any decision is made. Staff re-notified property owners within 300 feet of the property of the new hearing date.

In their meeting of December 6, 2018, the Planning Commission recommended approval (3-1 vote) of PUD-17B per Staff recommendation. Five people spoke at the hearing in support and in opposition to the request. Those in favor stated that the leaders of the place of assembly will be good stewards of the property, and attendees will patronize local restaurants after services. The broker for the property stated that it has been marketed nationally, and there was no other interest in the property. Those opposed to the request stated that,

while not against the place of assembly, the preference is for a use that will bring foot traffic during the week. An adjacent property owner opposed to the request stated that a decision should not be made until the consultant's report is complete. Lastly, one speaker stated that even though the building is obsolete, once the retail is lost, it would not come back.

The draft report for the Elm & New Orleans Small Area Plan is approximately 90 percent complete and shows that successful revitalization of this commercial area will be incremental and must focus on a shared vision that provides a strategic framework for each phase of implementation. The plan calls for density and a mix of uses with clustering of retail, dining, entertainment, office and residential uses. Other aspects of the plan include public spaces for people to gather, connectivity between the uses and parking that is accessible to these uses. The report states that observations of the commercial areas through the course of the study have shown less than 25 percent of the total parking supply in use at any given time. The draft report supports mixed-use developments with shared parking that will provide an opportunity to reduce the required parking and create additional opportunity sites for development and an overall stronger district.

While the draft plan states that the former Hobby Lobby site is a location for future retail, it also acknowledges that with the shifting of retail formats over the last few years, there are fewer expanding big box formats making it more difficult to create or find uses for the larger existing vacant space. The place of assembly use, combined with the mix of retail and restaurant uses, fulfills the consultant's recommendation to increase density, provide a mix of uses, and bring in private investment to revitalize the building and improve the site amenities.

Cost: \$0

Funding Source: None

Requested By: Michael Skates, Development Services Director

Approved By: Michael L. Spurgeon, City Manager

Attachments: Published Planning Commission Factsheet, 10.25.2018
Published Planning Commission Factsheet, 12.06.2018
Case Map
Aerial
PUD Amendment Development Standards
Vandever Acres Center Plat
Letter from Oil Capital Real Estate Services
Email from GBR Properties
Meeting Agenda Prepared by GBR Properties
Section 37-518.3.A Able Commission excerpt
Map showing 300-foot distance from property line
Elm and New Orleans Small Area Plan 90 Percent Complete

Recommendation:

Approve PUD-17B, as recommended by the Planning Commission and Staff, subject to the following conditions of approval.

1. Additional right-of-way and utility easement shall be dedicated to meet the current Subdivision Regulations and Engineering Design Criteria Manual.

2. No building permit shall be issued until a detailed site plan has been approved by the Planning Commission as being in compliance with the provisions of PUD-17B and the Broken Arrow Zoning Ordinance.
3. Signage for the site shall meet setbacks from the section line, site triangle clearance, height and sign area requirements.
4. The existing nonconforming three-sided pole sign in the parking area at the east side of the site, as well as benches located at the pole sign base, shall be removed.
5. Parking shall meet the current requirements set forth in Section 5.4 of the Zoning Ordinance.
6. Site landscaping, including the width of landscape islands, shall be in accordance with Section 5.2 of the Zoning Ordinance.
7. Facades on the proposed new building in Development Area “B” shall be finished with masonry materials on all sides.
8. Phase I shall be completed within two (2) years of approval including the commercial uses that are permitted in the CG zoning district.
9. Phase II shall be completed within three (3) years of approval but may be extended with approval by the Planning Commission.
10. Within the PUD document, references to “PUD-17A” shall be modified to “PUD-17B.”