



City of Broken Arrow

Request for Action

File #: 19-719, Version: 1

**Broken Arrow City Council
Meeting of: 06-17-2019**

Title:

Approval of BAZ-2028, Callaway Parking Lot, 0.72 acres, DROD Area 5 (Downtown Residential Overlay)/R-3 (Single-Family Residential), ON (Office Neighborhood), and PUD-242 (Planned Unit Development) to DROD Area 5 (Downtown Residential Overlay)/ON (Office Neighborhood), on the northeast corner of Detroit Street and First Street

Background:

BAZ-2028 is a request to change the zoning designation on 0.72-acres from DROD Area 5 (Downtown Residential Overlay)/R-3 (Single-Family Residential), ON (Office Neighborhood), and PUD-242 (Planned Unit Development) to DROD Area 5 (Downtown Residential Overlay)/ON (Office Neighborhood). The property, which has been platted as Lots 7 - 15, Block 17, Original Town of Broken Arrow, is located on the northeast corner of Detroit Street and First Street.

Milestone, a four story building with 31,000 square feet of commercial space on the ground floor and three levels of apartments containing 90 units is under construction immediately to the west of this property. Applicant is proposing to develop a parking lot that will be used by the Milestone building. Applicant's concept is that the parking spaces will be covered, and the parking lot will have fencing and landscaping around it similar to the First National Bank parking lot on the southeast corner of Main Street and Broadway Avenue.

On April 21, 2015, BACP-143, a request to change the Comprehensive Plan designation on the property from Level 2 to Level 5, was approved by the City Council on the south part of the property associated with BAZ-2028. With BACP-143, applicant had stated that he proposed to construct an office building with a residential theme. SP-137, which was for a Specific Use Permit for the Assembly of God Church on this property, was abrogated by the City Council on April 21, 2015, with BACP-143. BAZ-1942 (a request for ON zoning) and PUD-242, which proposed a 3,600 square foot office building with a residential theme, were approved by the City Council on December 1, 2015. The zoning on the property was changed on February 16, 2016, with Ordinance 3378.

The applicant associated with BAZ-2028 was later able to obtain the north parcels next to Elgin Street. On January 19, 2016, the City Council approved BACP-148 to change the Comprehensive Plan designation on the property from Level 2 to Level 5. SP-137 that was on the property was abrogated. The intent was to build another office building with a residential theme. A request to change the zoning on the property was never submitted and as of today, the zoning still remains R-3.

The regulations in the DROD, which became effective on January 2, 2018, contain design standards for buildings, but the number of parking spaces is based on the underlying zoning. While a parking structure is not allowed in the ON district, it is identified as a permitted use in Area 5 of the DROD. As a result, applicant has

submitted a request to keep the existing Area 5 designation on the property, but change the underlying zoning from R-3 and ON/PUD-242 to ON.

The Future Development Guide of the Comprehensive Plan shows the site to be designated as a Level 5. ON is identified as “Possible” in the Comprehensive Plan. The Comprehensive Plan states, “Requests for zoning districts designated “possible” may be in accordance with the Comprehensive Plan if such development is undertaken according to a planned unit development and such development addressing the need to avoid height impact, if any, on single family detached dwelling that may adjoin the development.” The proposed parking will be an at grade facility, therefore, there will be no height impacts.

BAZ-2028 was reviewed by the Planning Commission on May 23, 2019. During the Public Hearing portion of the rezoning request, one person spoke acknowledging that he did not have any problems with the rezoning, but did have some questions. His questions were answered by Staff during the meeting. Staff had recommended to the Planning Commission that BAZ-2028 be approved. Since the property had already been platted, Staff recommended that platting be waived. Staff did note that as per the Zoning Ordinance, a site plan for the parking lot shall be submitted to and approved by Staff prior to the parking lot being constructed. The parking lot shall be screened and landscaped in accordance with the Zoning Ordinance. The Planning Commission recommended approval (4-0) of BAZ-2028 as per Staff recommendation.

Cost: \$0

Funding Source: None

Requested By: Larry R. Curtis, Acting Director of Development Services

Approved By: City Manager Office

Attachments: Published Planning Commission Fact Sheet
Case map
Aerial
Case maps for Comprehensive Plan changes BACP-143 and BACP-148
Conceptual parking lot layout and associated information
Letter from the applicant
Survey information

Recommendation:

Approve BAZ-2028 as recommended by Planning Commission and Staff.