



City of Broken Arrow

Request for Action

File #: 20-465, **Version:** 1

Broken Arrow Planning Commission
05-21-2020

To: Chairman and Commission Members
From: Development Services Department

Title: Public hearing, consideration, and possible action regarding PUD-305 (Planned Unit Development), Whistler Hillside, 4.81 acres, IL to PUD-305/CH, located north of the Broken Arrow Expressway, south of Hillside Drive, one-quarter mile west of 9th Street (Lynn Lane)

Background:

Applicant: Tim Terral, Tulsa Engineering and Planning
Owner: Shawn M. and Gretchen Whistler
Developer: Shawn M. and Gretchen Whistler
Engineer: Tulsa Engineering and Planning
Location: South of Hillside Drive, one-quarter mile west of 9th Street (Lynn Lane)
Size of Tract 4.81 acres
Present Zoning: IL
Proposed Zoning: PUD-305/CH via BAZ-1919
Comp Plan: Level 6

Planned Unit Development (PUD)-305 involves a 4.81-acre parcel located north of the Broken Arrow Expressway, south of Hillside Drive, one-quarter mile west of 9th Street (Lynn Lane). On August 19, 2014, BAZ-1919, a request to rezone 6.42 acres from IL (Industrial Light) to CH (Commercial Heavy), was approved by the City Council, subject to the property being platted. The property became divided by Hillside Drive, and the City of Broken Arrow obtained the area north of Hillside Drive. PUD-305 is being requested on the 4.81 acres located on the south side of Hillside Drive. A preliminary plat, "Whistler Hillside Drive Tract", was reviewed and approved by the Planning Commission on July 10, 2014, subject to an attached checklist. A conditional final plat was never submitted.

Due to Public Notice requirements, this item was continued from the May 7, 2020, Planning Commission meeting to the May 21, 2020, Planning Commission meeting. Zoning notice signs have been placed correctly on the property.

Previously in 1974, the property associated with PUD-305 was rezoned from R-1 to I-1 with BAZ-491. In 2008, the I-1 district was changed to IL as part of the update to the Zoning Ordinance.

There are two existing off-premise advertising signs on the property. According to aerial photos from Google

Earth, these signs were installed between October 2003 and November 2004.

PUD-305 is proposed to be developed in accordance with the Broken Arrow Zoning Ordinance and the use and development regulations of the CH district except as modified in the design statement. A summary comparison between what is required by the Zoning Ordinance and what is being proposed with PUD-305 is provided below.

SUMMARY OF DEVIATION FROM THE BROKEN ARROW ZONING ORDINANCE

Item	Broken Arrow Zoning Ordinance	PUD-305 Request
Minimum lot frontage	100 feet	50 feet
Maximum floor area	No requirement	104,662 square feet
Maximum floor area ratio	No requirement	0.50
Building height	No requirement	35 feet
Minimum building setbacks	From Hillside Drive - 50 feet From BA Expressway - 50 feet From east & west lot lines - 0 feet From interior lot line - 0 feet	From Hillside Drive - 50 feet From BA Expressway - 10 feet From east & west lot lines - 20 feet From interior lot line - 0 feet
Landscaping - tree requirement	Small, medium, and large trees	All trees will be medium to large trees unless there is a conflict with overhead power lines.
Signs	No off-premise advertising signs allowed. Freestanding signs adjacent to a highway can be up to 300 square feet and be up to 50 feet in height.	The two existing off-premise signs are allowed to remain. Each building is allowed one monument sign not to exceed 10 feet in height and 100 square feet in size.
Access	On collector streets, such as Hillside Drive, access points must be 150 feet apart, centerline to centerline.	No more than 2 access points are allowed to Hillside Drive, and they must be at least 200 feet apart, centerline to centerline. Shared access is allowed between any lot within the PUD.

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 6	IL	Undeveloped
East	Level 6	PUD-207/CH	Hobby Lobby

South/West	Level 3	RD/SP-28 and RM	State Highway 51, church, multifamily, and undeveloped
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The property associated with PUD-305 and BAZ-1919 is designated as Level 6 in the Comprehensive Plan. CH (Commercial Heavy) zoning is considered to be in conformance with the Comprehensive Plan in Level 6.

According to Section 6.4 of the Zoning Ordinance, the PUD provisions are established for one (1) or more of the following purposes:

1. To permit and encourage innovative land development while maintaining appropriate limitation on the character and intensity of use and assuring compatibility with adjoining and proximate properties.
2. To permit greater flexibility within the development to best utilize the physical features of the particular site in exchange for greater public benefits than would otherwise be achieved through development under this Ordinance.
3. To encourage the provision and preservation of meaningful open space.
4. To encourage integrated and unified design and function of the various uses comprising the planned unit development.
5. To encourage a more productive use of land consistent with the public objectives and standards of accessibility, safety, infra structure and land use compatibility.

In Staff's opinion, PUD-305 satisfies items 2, and 5 of Section 6.4.A of the Zoning Ordinance. (2) Development of the property associated with PUD-305 is challenging. The property is relatively narrow, has steep slopes, and has major overhead power lines passing through it. The only reductions in the Zoning Ordinance being requested is to reduce the building setback along the Broken Arrow Expressway from 50 feet to 10 feet, reduce the minimum lot width from 100 feet to 50 feet, and keep the existing off-premise advertising signs. In exchange, applicant has increased the separation between access points from 150 feet to 200 feet (centerline to centerline), limited building height to 35 feet, and has limited the freestanding signs on the property to 10 feet in height and 100 square feet. These modifications permit greater flexibility than could otherwise be achieved through the Zoning Ordinance. (5) PUD-305 allows the same land uses and sign limitations as on the adjacent properties, thereby maintaining land use compatibility. In addition, with the changes in elevation along Hillside Drive and associated impacts on visibility, increasing the separation between drives to 200 feet improves sight distance time for vehicles exiting the property.

According to FEMA maps, none of the property is located in a 100-year floodplain area. Water and sanitary sewer service will be provided by the City of Broken Arrow.

Attachments: Case map
Aerial photo
Comprehensive Plan Future Development Guide
PUD-305 design statement
PUD-305 exhibits
BAZ-1919 case map

Recommendation:

Based upon the Comprehensive Plan, previous approval of BAZ-1919, the location of the property, and the surrounding land uses, Staff recommends that PUD-305 be approved as presented, subject to the property being platted.

Reviewed by: Jill Fernec

Approved by: Larry R. Curtis

BDM