



City of Broken Arrow

**Minutes
Planning Commission**

City Hall
220 S 1st Street
Broken Arrow OK
74012

*Chairperson Robert Goranson
Vice Chair Jason Coan
Member Jaylee Klempa
Member Jonathan Townsend
Member Mindy Payne*

Thursday, September 12, 2024

Time 5:30 p.m.

Council Chambers

1. Call to Order

Chairperson Robert Goranson called the meeting to order at approximately 5:30 p.m.

2. Roll Call

Present: 5 - Mindy Payne, Jaylee Klempa, Jonathan Townsend, Jason Coan, Robert Goranson

3. Old Business

There was no Old Business.

4. Consideration of Consent Agenda

A. 24-1252 Approval of Planning Commission meeting minutes of August 8, 2024

B. 24-1214 Approval of PR-000074-2022 | PT-001686-2024, Conditional Final Plat, Creekside at Forest Ridge Phase II, approximately 21.56 acres, 53 proposed lots, A-1 to RS-3 located one-quarter mile north of Kenosha Street (71st Street), one-half mile east of Oneta Road (241st E. Avenue)

C. 24-1215 Approval of PT-001696-2024|PR-000223-2023, Conditional Final Plat for Algehazi Addition, 0.73 acres, A-1 to IL/PUD-000708-2023, approximately one-quarter mile north of Houston Street and one-quarter mile east of 23rd Street, southwest of the Broken Arrow Expressway

D. 24-1218 Approval of LOT-001649-2024 Parson Lot Split, 34.42 acres, 1 lot to 3 lots, A-1 (Agricultural), southwest of the southwest corner of Omaha Street (51st Street) and Elm Avenue (161st E. Avenue)

Chairperson Goranson asked if there were any Items to be removed from the Consent Agenda; there were none.

MOTION: A motion was made by Jason Coan, seconded by Jonathan Townsend.
Move to approve the Consent Agenda

The motion carried by the following vote:

Aye: 5 - Mindy Payne, Jaylee Klempa, Jonathan Townsend, Jason Coan, Robert Goranson

Chair Goranson indicated Items 4B and 4C would go before City Council on September 17, 2024.

5. Consideration of Items Removed from Consent Agenda

There were no Items removed from the Consent Agenda; no action was taken or required.

6. Public Hearings

A. 24-1250 Public hearing, consideration, and possible action regarding PUD-001660-2024 (Planned Unit Development) and BAZ-001703-2024 (Rezoning), Pathways Services, 8.3 acres, A-1 (Agricultural) to IL (Industrial Light), located approximately one quarter mile west of Olive Avenue (129th Avenue) and directly south of Florence Street (111th Street)

Senior Planner Joel Hensley reported Planned Unit Development-001660-2024 and zoning request BAZ-001703-2024 have been submitted in conjunction and encompass approximately 8.3-acres which was currently unplatted. He stated the applicant proposed to change the zoning from Agricultural to Industrial Light with a PUD. He indicated the property was located approximately one quarter mile west of Olive Avenue and directly south of Florence Street. He stated this request was to facilitate the development of both office and manufacturing uses. He stated PUD-001660-2024 was proposed to be developed in accordance with the IL district of Zoning Ordinance except as specified in the Staff Report. He reviewed these exceptions noting, additionally, the applicant would like to deviate from the Comprehensive Plan language which stated, "they must feature a masonry building facades" and the proposed language was "the current façade requirements." He noted the current zoning code required walls facing arterial streets and highways to be constructed of but not limited to masonry, concrete panels, glass block, glass curtain walls, EIFS, or stucco. He stated based on the conceptual site plan at least two and at most three walls would require

masonry. He stated access to the proposed development would be provided by a driveway on Florence Street. He stated there were five provisions for PUD approval according to Zoning Code and at least one was required to be met for approval; Staff believed the PUD satisfied provision 5 by providing a productive use of land and land use compatibility. He stated the subject property was designated as Level 6 (Regional Employment/Commercial) in the Comprehensive Plan; Industrial Light with a PUD was considered to be in accordance with the Comprehensive Plan in Level 6. He stated according to the FEMA Maps, none of this property was located in the 100 year floodplain. He noted water and sanitary sewer service were available from the City of Broken Arrow. He stated based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommended PUD-001660-2024 & BAZ-001703-2024 be approved, subject to the property being platted.

The applicant, Justin Debruin, with Wallace Design Collective, stated this was a Level 6 designation through the Comprehensive Plan. He stated Pathway Services had a primary use of office with an accessory light manufacturing use. He noted Pathway Services conducted inventories of street systems in various municipalities. He stated he was confident this was an appropriate fit for the area.

Chair Goranson asked how many vehicles would be on site.

Mr. Debruin stated there would be approximately 82 parking spaces.

Planning and Development Manager Amanda Yamaguchi stated once a site plan was developed, and the square footage was determined, then the number of parking spaces would be calculated. She said the PUD was conceptual in nature. She stated there would be different parking requirements based on the office space and the warehouse space.

Commissioner Jaylee Klempa asked about the applicant's interpretation of the current façade requirements as there were no renderings showing examples.

Mr. Debruin stated he was working with Staff on this. He noted any code requirement the City had would be met.

Chair Goranson stated he was unsure if "code appropriate" was the correct terminology.

Mr. Debruin noted he wrote that.

Chair Goranson suggested "in accordance with code requirements" would be more appropriate.

Ms. Yamaguchi stated this could be clarified before the City Council meeting.

Vice Chair Jason Coan stated he had concerns about the wall being an EFIS product because EFIS was not very durable for a perimeter wall. He stated he would ask for EFIS not to be an option.

Commissioner Klempa noted the wall could be masonry along the bottom of the wall and then an EFIS material higher up.

Vice Chair Coan stated weed eating would ruin the stucco as well.

Chair Goranson agreed, noting it was important for the wall to look nice as the Creek Turnpike was here.

Commissioner Mindy Payne asked if this property would still be Native American property once it was sold to a non-Native American.

Mr. Hensley responded in the negative.

Commissioner Payne stated she wanted to be sure no casino could be located on this land.

Mr. Hensley indicated no casino would be permitted on the property as it would be owned by a non-Native American and would fall under the jurisdiction of the City. He stated conversely, the City had no jurisdiction on Native American property.

Discussion ensued regarding the motion.

MOTION: A motion was made by Jason Coan, seconded by Jaylee Klempa.

Move to approve Item 6A per Staff recommendations with the stipulation that EFIS not be allowed on the lower three feet of the exterior building wall

The motion carried by the following vote:

Aye: 4 - Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson:

Abstain: 1 - Mindy Payne

Chair Goranson indicated this Item would go before City Council on October 1, 2024 at 6:30 p.m.

7. Appeals

There were no appeals.

8. General Commission Business

There was no General Commission Business.

9. Remarks, Inquiries, and Comments by Planning Commission and Staff (No Action)

Vice Chair Coan related a story about the Broken Arrow Fire Department who responded to a phone call from his daughter regarding a cat stuck in the sewer line. He noted the Fire Department responded quickly and saved the kitten. He commented on the small town feel of Broken Arrow. He thanked the Fire Department.

Chair Goranson asked for clarification on voting terminology. He noted abstain was actually considered a no vote or a negative vote.

Assistant City Attorney Graham Parker noted abstain was counted as a no vote, for example, if there was a motion to approve and there were not enough yes votes, the abstain was counted as a no and the motion would not pass. He suggested explaining this if it ever happened in front of a large audience at a Planning Commission Meeting to ensure the public understood the ramifications. He noted it helped to state a reason for an abstain vote.

Commissioner Payne explained she abstained from the vote as she was familiar with the people involved.

Commissioner Klempa noted some might think a Commissioner was abstaining just because he or she did not want to vote, so understanding why a Commissioner abstained was a good thing.

Discussion continued regarding different vote scenarios involving abstain votes and how an abstain vote would affect each vote.

Vice Chair Coan asked what would happen if a motion did not pass but the item was not denied.

Mr. Parker explained the item would have to be tabled or withdrawn.

10. Adjournment

The meeting was adjourned at approximately 5:48 p.m.

MOTION: A motion was made by Jaylee Klempa, seconded by Mindy Payne.

Move to adjourn

The motion carried by the following vote:

Aye: 5 - Mindy Payne, Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson