



City of Broken Arrow
Minutes
Planning Commission

City of Broken Arrow
Council Chambers
220 S 1st Street
Broken Arrow OK
74012

Chairperson Fred Dorrell
Vice Chair Lee Whelpley
Member Ricky Jones
Member Carlyne Isbell-Carr
Member Mark Jones

Thursday, December 15, 2016

5:00 PM

Council Chambers

AMENDED

1. Call To Order

The meeting was called to order by Chairman, Fred Dorrell at 5:00 p.m.

2. Roll Call

Present 4 - Mark Jones, Lee Whelpley, Fred Dorrell, and Ricky Jones

Absent 1 - Carlyne Isbell-Carr

3. Old Business

A. Public hearing, consideration, and possible action regarding PUD-79B, a request for a minor amendment to PUD-79, Rose Creek, 4.62 acres, PUD-79/IL, west of the northwest corner of Elm Place and Kenosha Street

Ricky Jones said his firm prepared PUD-79B and would be recusing himself from discussion. He left the Council Chambers.

Brent Murphy presented the background for item 3A, PUD-79B saying, Planned Unit Development (PUD) 79B is a request for a minor amendment to PUD 79 on 4.62 acres located north of the northwest corner of Elm Place and Kenosha Street. With PUD 79B, they are requesting to modify the signage requirements to meet the restrictions of the current City of Broken Arrow zoning ordinance.

Mr. Murphy said the proposed sign will be 20 feet in height and 30 square feet, located ten feet from the right-of-way line along Kenosha Street. He said Staff recommends PUD-79B be approved, as presented.

Fred Dorrell asked if the applicant was present and to step forward to the podium.

Erik Enyart, Tanner Consulting, 5323 S. Lewis Avenue, Tulsa, said he represents their client for this application. He said this application is for a minor amendment to the PUD

to default to the current zoning ordinance which would allow the sign to be located at the proposed location. He said they are in agreement with Staff recommendations.

Fred Dorrell opened the public hearing and asked if anyone wished to speak on Item 3A. No one responded. He closed the public hearing.

MOTION: by Lee Whelpley to approve PUD-79B, per Staff recommendations. The motion was seconded by Mark Jones.

Aye: 3 - Mark Jones, Lee Whelpley, and Fred Dorrell

Absent: 1 - Carlyne Isbell-Carr

Recused: 1 - Ricky Jones

B. Public hearing, consideration, and possible action regarding PUD 254 and BAZ 1968 and the partial abrogation of SP 257, QuikTrip, 2.77 acres, CN and CG/SP 257 to CN/PUD 254, northeast corner of Kenosha Street and 23rd Street

Ricky Jones returned to the Council Chambers

Brent Murphy said the application has not been signed by the owners and Staff recommends that this item, PUD-254 & BAZ-1968 be continued to January 12, 2017 or allow them time and hear it at the January 26th, 2017 Planning Commission meeting. He said there are two different property owners and neither one has signed the application. Mr. Murphy said Michael Skates tried contacting the applicant to see if they had a date preference and was not able to make contact. This item was continued from the last Planning Commission meeting due to no signatures and do not want to keep continuing this item.

Ricky Jones said he would prefer to continue the item to January 12, 2017, in case the applicant is able to obtain owner signatures.

MOTION: by Ricky Jones to continue PUD-254 & BAZ-1968, QuikTrip, to the January 12, 2017 Planning Commission meeting. The motion was seconded by Lee Whelpley.

Aye: 4 - Mark Jones, Lee Whelpley, Fred Dorrell, and Ricky Jones

4. Consideration of Consent Agenda

Amanda Yamaguchi, presented the background for the Consent Agenda Items.

Fred Dorrell explained the Consent Agenda process and asked if anyone wished to remove any items from the Consent Agenda for discussion. No one responded.

MOTION: by Mark Jones to approve Consent Agenda Items A through G, per Staff recommendations. The motion was seconded by Ricky Jones.

After the vote, Fred Dorrell said Item 4E, PT16-106, Conditional Final Plat, The Oaks Off Main will be heard by the City Council on January 3, 2017, at 6:30 p.m. He said Item 4F, PT16-109, Conditional Final Plat, The Shops at Broken Arrow II Amended will be heard by City Council on December 20, 2016, at 6:30 p.m.

Aye: 4 - Mark Jones, Lee Whelpley, Fred Dorrell, and Ricky Jones

- A. Approval of minutes of Planning Commission meeting held November 17, 2016**
- B. Approval of minutes of Planning Commission meeting held December 1, 2016**
- C. Consideration and possible action regarding BAL 2006, Still/Denton Property, 2.59 acres, RE, one-quarter mile west of 23rd Street, one-half mile north of New Orleans Street**
- D. Consideration and possible action regarding BAL 2007, Coggins Residential Property, 6.23 acres, R-1, one-quarter mile west of 9th Street, one-third mile south of Houston Street**
- E. Consideration, and possible action regarding PT16-106, Conditional Final Plat, The Oaks Off Main, being a re-subdivision of Lots 13 thru 24, Block 40, Broken Arrow Original Town, 0.96 acres, R-3 to DM, north of Commercial Street between Cedar Avenue and Birch Avenue**
- F. Consideration and possible action regarding PT16-109, Conditional Final Plat, The Shops at Broken Arrow II Amended, a Resubdivision of Part of Lot Four and all of Lot 8, Block 1, The Shops at Broken Arrow II, and a part of Reserve F, Amended Plat of The Park at Adam's Creek Phase I, 18.91 acres, CH, SP 223 and PUD 252, one-quarter mile east of 9th Street, north of the Broken Arrow Expressway**
- G. Consideration, and possible action regarding PT16-113, Preliminary Plat, Oak Creek South Phase II, 36.54 acres, R-1 to RS-3, one-half mile south of Houston Street, one-quarter mile east of 23rd Street, north of the M.K.&T. Railroad**

5. Consideration of Items Removed from Consent Agenda

6. Public Hearings

- A. Public hearing, consideration, and possible action regarding BACP 156, Kenosha Storage, 5.85 acres, Level 4 to Level 6, north and west of the northwest corner of Kenosha Street and Oneta Road**

Ricky Jones said his firm prepared the PUD involved with Item 6A, BACP-156 and would be a conflict of interest to hear the item therefore he would be recusing himself from the discussion. Mr. Jones left the Council Chambers.

Brent Murphy presented the background for Item 6A saying, BACP-156 is a request to change the Comprehensive Plan designation on a 5.85-acre tract from Level 4, for Commercial type activity, to Level 6 for Regional Employment. He said if BACP-156 gets approved, the applicant will submit a re-zoning request to change the zoning on this property to IL (Industrial Light), in addition to submitting a Planned Unit Development (PUD). A draft PUD has been submitted for informational purposes only and notes that permitted uses include mini-storage, self-storage, indoor boat and/or recreational vehicle storage, "trade center/office warehouse", warehousing, and wholesaling. Industrial uses that would not be allowed include all manufacturing, automotive service, motor freight terminal, recycling center, and open air storage.

Mr. Murphy said their PUD notes a proposed eight-foot high masonry wall will be constructed along the north property line. On the south side of the masonry wall will be a 30' wide landscaped area. The offices will be located on the east side of the buildings and warehousing will be on the west side. He said access to Kenosha Street and Oneta Road will be limited to one point. The access point onto Kenosha Street may not be in compliance with the Zoning Ordinance, but is something that can be addressed through the PUD process.

Brent Murphy said the property associated with BACP-156, as well as the property on the northwest corner of Kenosha Street and Oneta Road, was rezoned to CG (Commercial General) as part of BAZ-1812 that was approved by the City Council on September 16, 2008, subject to the property being platted. Since the property has not been platted, the zoning on the property has not been changed.

Mr. Murphy said IL zoning being contemplated by the applicant is in accordance with the Comprehensive Plan in Level 6, provided it is done as part of a PUD. A draft PUD has been submitted with BACP-156. Based on the Comprehensive Plan, location of the property, and the surrounding land uses, Staff recommends that BACP-156 be approved to change the Comprehensive Plan designation on the property from Level 4 to Level 6, subject to the property being platted, and a PUD being submitted that is similar in context to the draft PUD submitted. Staff does have comments on the draft PUD that they will continue to work with the applicant to address. Comments by Staff, however, do not change the overall concept portrayed in the draft PUD.

Fred Dorrell asked if the applicant was present.

Erik Enyart, Tanner Consulting, 5324 S. Lewis, Tulsa said they appreciated the guidance provided by Staff for this item. He said they are requesting this Comprehensive Plan change to allow the necessary zoning for a proposed trade center/office warehouse and self-storage. He said they are in agreement with Staff recommendations.

Fred Dorell opened the public hearing and asked if anyone wished to speak on Item 6A, BACP-156.

MaryAnn Colston, 513 N 79th Street, said she lives near this location and is concerned that approval of this application will set a precedent for other changes in this area.

Farhad Daroga said this request is primarily for the mini-storage component. They must have this Comprehensive Plan change in order to allow the level of zoning needed for a higher intensity use for the proposed storage. He said a PUD was submitted with this application will guarantee and ensure the quality of the type of you proposed. He said without the PUD other Level 6 uses could possibly go in at this location that may not necessarily be desirable. With this PUD, there are office buildings and storage buildings which will not allow the other Level 6 uses that would not be suitable for this area.

Fred Dorrell said this Comprehensive Plan changes does not set a precedent for other Comp Plan changes in the area. He said any proposed changes to the Comp Plan must be heard by the Planning Commission.

Dianne Lawson, speaking for her mother who own land to the east, across from Oneta Rd., asked what a trade center/warehouse is.

Farhad Daroga said the warehouse is the mini-storage. Michael Skates said a good example would be the northwest corner of Aspen and New Orleans.

Debra Majono, said she owns the property north of this property. She had concerns about the type of wall/fence that will be built.

Fred Dorrell said the Item before Planning Commission is the comprehensive plan change. He said when the project progresses to the PUD phase, more details will be worked out as the PUD submitted was a draft only. Michael Skates said Staff recommended masonry and they wall will be masonry. Brent Murphy said the wall is proposed to be 8 feet in height.

Fred Dorrell asked if anyone else wished to speak on this item.

Dan Simon, 24700 E. 121st Street, Real Estate Broker representing the Seller, First Priority Bank, and representing Allegiant Precast Concrete who will be the contractor building the wall. He said the wall will be an eight-foot-tall wall, poured wall with a pattern, much like the walls along the Turnpike. He said the wall will be built along the entire back side of the property and will provide a sound barrier.

Mr. Simon said this tract of land is unique and difficult tract to market because the north side of the property contains a PSO substation. He said this proposed project will build a wall to help screen it and the business will help bring tax dollars to the City of Broken

Arrow. They are seeking a tenant for the corner location which would help sale the back six acres and the contract for the front two acres which will also generate revenue for the City.

Fred Dorrell asked if anyone wished to speak on BACP-156. No one responded. He closed the public hearing. He asked the applicant if he had any follow-up who indicated he did not.

MOTION: by Lee Whelpley to approve Item 6A, BACP-156, per Staff recommendations. The motion was seconded by Mark Jones.

After the vote, Fred Dorrell said this item will be heard by City Council on January 3, 2017, at 6:30 p.m. Brent Murphy said if anyone wishes to speak at Council they must sign up prior to the meeting.

Aye: 3 - Mark Jones, Lee Whelpley, and Fred Dorrell

Recused: 1 - Ricky Jones

B. Public hearing, consideration, and possible action regarding BACP 157, Central Park, 0.21 acres, Level 4 to Level 6, south of the southwest corner of Houston Street and Elm Place

Brent Murphy said Staff received an email from the applicant advising they are withdrawing their application (for BACP-157).

Fred Dorrell asked if the item required a vote for the withdrawal. Attorney, Lesli Myers said no.

No action taken.

No action taken. Application withdrawn by Applicant.

C. Public hearing, consideration, and possible action regarding BACP 158, Roco Properties, 0.56 acres, Level 2 to Level 3, northeast corner of Cedar Avenue and Elgin Street

Brent Murphy presented the background for Item 6C saying BACP-158 is a request to change the Comprehensive Plan designation on 0.56 acres of undeveloped land from Level 2 to Level 3. The property is located on the northeast corner of Cedar Avenue and Elgin Street, is zoned R-3 and is a part of PUD-241. The property has been platted as Lots 13 - 19, Block 12 of the Original Town of Broken Arrow.

Mr. Murphy said when the PUD was approved, the applicant was contemplating four single-family detached dwelling units on the property. Instead of constructing four, the applicant is now proposing to construct seven single-family attached units on the property. According to the Zoning Ordinance, a PUD in the R-3 district is required to have 8,500 square feet per dwelling unit per gross land area. This property contains

0.80 gross acres which includes half of the adjoining street right-of-way. With that requirement, only four units are allowed on this property and the applicant proposes seven.

Brent Murphy said if BACP-158 is approved by City Council, the applicant will be submitting a request to change the zoning on the property from R-3 to DF (Downtown Fringe) along with a PUD. A draft PUD and conceptual site plan has been submitted with BACP-158 which shows the building elevations along Elgin. Five units would be facing Elgin Street, located fairly close to the street. Two additional units will be located on the interior with access from a private drive. He said there is a creek that runs along the north and east boundary with a significant change in the topography that runs from Elgin to the north which will create a challenge; however, through the PUD and platting process, Staff feel that the items can be addressed.

Mr. Murphy said the draft PUD states that the minimum lot size will be 2,300 square feet and the units will need to cover at least 65 percent of the lot. According to the draft PUD, building height will be limited to two stories or 35 feet. based on the Comprehensive Plan, the location of the property, and the surrounding land uses that are in the vicinity of this property, Staff recommends that BACP 158 be approved subject to a PUD being submitted that is similar in context to the draft PUD submitted with BACP 158. In addition, since applicant is proposing lot lines that are significantly different than what currently exists, and there are drainage and topographic concerns that need to be addressed, Staff recommends that BACP 158 be approved, subject to the property being replatted. He said this item was heard by the Downtown Advisory Board on December 13, 2016 in which they recommended approval of this application.

Fred Dorrell opened the public hearing and asked if the applicant is present.

Brooks Pitman, Pitman Poe & Associates, 1709 W. Granger Street, said they are in agreement with Staff recommendations. He said the owner met with the engineer, that did their PUD last year, regarding the creek.

Fred Dorrell said he is familiar with this area and the creek will be a challenge as there are a lot of issues when there is a big rainfall. He said this issue is his biggest hesitation and going to seven lots when there are supposed to be four.

Fred Dorrell opened the public hearing and asked if anyone wished to speak on this item. No one responded. Mr. Dorrell closed the public hearing.

Ricky Jones said these type of infill developments are good because building just one single-family house on one lot, in the older part of the downtown fringe area, can be difficult. He said it takes ingenuity and creativity on infill developments. With the higher density, drainage will be an issue; however, if issues cannot be worked out to the satisfaction of the City then they may have to modify or reduce is some. He said he feels that infill developments are good and this application is good land use.

MOTION: by Ricky Jones approve Item 6C (BACP-158), per Staff recommendations. The motion was seconded by Lee Whelpley.

After the vote, Fred Dorrell said BACP-158 will be heard by City Council on January 3, 2017, at 6:30 p.m.

Aye: 3 - Mark Jones, Lee Whelpley, and Ricky Jones

Nay: 1 - Fred Dorrell

7. Appeals

None

8. General Commission Business

A. 2017 Comprehensive Plan Update

Farhad Daroga said Staff created an outline of the upcoming task for revising the Comprehensive Plan. He said the current Comprehensive Plan was approved in 1997 by the Planning Commission and City Council. In 2003 the Comp Plan was modified. A policy within the plan is to amend it at least every 15 years, in which we are overdue. He said the timeline for revising the current plan is to discuss this with the Planning Commission as a non-voting item, and then City Council. Staff will then have several meetings and consider hiring a consulting firm to prepare a new Comprehensive Plan and update the old one. There are several items that need reviewed in the current plan and update, in addition, to adding the new Comp. Plan with new features that have been established in the last 20 years and what our City will look like in the next 20 years.

Mr. Daroga said the process may take over one year to one year and one-half to allow time for hearings and approvals, with the help of a Committee, Planning Commission and City Council. He said several existing chapters, from Chapter One to the latter chapters need to be revised to bring the topics up-to-date to meet today's criteria. Some of the revisions are modifying demographics, geography and so forth. He said the City currently consists of approximately 103 square miles within its fence line of which approximately 60 square miles have been incorporated in the City limits. A lot of development has occurred in the unincorporated City areas as well. Perhaps within the next 25 to 30 years, the duration for the future Comprehensive Plan, some of those areas will be in our City limits and out City could be 103 square miles in the future.

Farhad Daroga said the current population of the City of Broken Arrow is approximately 110,000 and will perhaps double in the next many decades. The City needs to review its Master Plan, infrastructure networks, transportation networks, parks and recreation networks, land use and zoning periodically. A list of topics to be considered will be provided to the consultant to study. Mr. Daroga said the topic, today, is for discussion only and provide time for the Planning Commission to think about these topics for the future with a bottom line question of what the Commission would like the Community to look like and be like in the next 25 to 35 years.

Mr. Daroga said, recently a lot of emphasis has been on making communities healthy. The health component is not just recreation and parks, sidewalks and trails, but the environment, and environmental quality issues. The Health component is a big item that all cities are looking at. Sustainability is another issue to consider -the way streets and parking lots are being developed and changes are yet to come. He said these are discussion topics that will be brought to the table to get the process going. The discussion will be brought forth to the Planning Commission in the next couple of months and allow the Commission to provide input so Staff has an understanding of what to tell the consultant that our Community is looking for.

Ricky Jones said he has been on several committees for this type of thing and feels the most important thing is the consultant that is hired. He said he would not want the City to hire an out-of-state consulting firm that tells Broken Arrow what they need. He said, as a Community, it knows what it needs and the consultant should take direction from this Community. He said we are Oklahoma and need to update the Comp Plan but need the right consultant.

Fred Dorrell said he does not disagree with what Mr. Jones said; however, it is important to hear new ideas and input from someone else whether the Consultant is local or from another region.

Non-voting item. Information only.

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

None

10. Adjournment

MOTION: by Mark Jones to adjourn at 5:37 p.m. The motion was seconded by Lee Whelpley.

Aye: Mark Jones, Ricky Jones, Lee Whelpley, Fred Dorrell

Aye: 4 - Mark Jones, Lee Whelpley, Fred Dorrell, and Ricky Jones

Absent: 1 - Carolyne Isbell-Carr