



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 1, 2016

5:00 PM

Council Chambers

1. Call To Order

Meeting was called to order by Vice Chairman, Lee Whelpley at 5:00 p.m.

2. Roll Call

Present 3 - Mark Jones, Lee Whelpley, and Ricky Jones

Absent 2 - Carlyne Isbell-Carr, and Fred Dorrell

3. Old Business

None

4. Consideration of Consent Agenda

- A. [16-1399](#) **Consideration and possible action regarding BAL 2005, Raul Gonzalez, 1.06 acres, A-RMH, one-quarter mile east of 37th Street, north of Omaha Street**

Amanda Yamaguchi, Staff Planner, City of Broken Arrow presented the background for the Consent Agenda.

Lee Whelpley 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 Ricky Jones to approve the Consent Agenda. The motion was seconded by Mark Jones.

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

Absent: 2 - Carlyne Isbell-Carr, and Fred Dorrell

5. Consideration of Items Removed from Consent Agenda

None

6. Public Hearings

A. [16-1381](#) **Public hearing, consideration, and possible action regarding BAZ 1966, The Falls Event Center of Broken Arrow, 5.16 acres, A-1 to ON, east of 9th Street, one-quarter mile south of Omaha Street**

Brent Murphy, Senior Planner, City of Broken Arrow, presented the background for Item 6A. saying BAZ-1966 is a request to change the zoning designation on 5.16-acres of undeveloped property from, A-1 (Agricultural) to ON (Office Neighborhood). The unplatted property is located east of 9th Street, one- quarter mile south of Omaha Street. He said the applicant is interested in developing an event center on the property, which by the Zoning Ordinance is classified as a “Places of Assembly” and “Places of Assembly” are permitted in the ON district. According to the applicant, the proposed event center will be approximately 17,000 square feet with a banquet capacity of about 400 people. Vehicular access to the site will be from one point off of 9th Street and an overflow connection from the site to the existing drive located in Nienhuis Park. As per the Zoning Ordinance, the centerline onto 9th Street needs to be at least 250 feet from the centerline of the drive into Nienhuis Park. Staff recommends one overflow drive connection to Nienhuis Park, that being the westerly connection.

Mr. Murphy said, according to the FEMA maps, there is a small portion of this property that is located within the 100-year Floodplain of Adams Creek. This property is designated Level 2 in the Comprehensive Plan, as well as, Greenway Floodplain and ON zoning is in conformance within the Comprehensive Plan when the property is located adjacent to an arterial street, such as 9th Street.

Brent Murphy said, based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that BAZ-1966 be approved, subject to the property being platted. If the portion of the property that is in the 100-year floodplain remains in the floodplain, it shall be designated as FD (Floodplain District). A portion of this property is located within the approved PUD-110 and shall be abrogated. This abrogation is necessary because this portion of the property, along Omaha, was never platted which leaves the A-1 zoning designation on this portion. In addition, the access point onto 9th Street must meet the Zoning Ordinance requirements and that there be one point of the access into Nienhuis Park. In addition, there shall be only one overflow connection to Nienhuis Park, that being the westerly connection.

Lee Whelpley asked if the applicant was present and in agreement.

John Neubauer, Corporate General Manager for the Falls Event Center, West Jordan, UT, said they develop, own and operate small event centers throughout the western half of the United States. They have ten event centers in operation, four that are preparing to open and ten that will begin construction by the end of the quarter of this year. He provided a color drawing to the Commission members and explained that the drawing shows a list of their properties and those to begin operation.

Mr. Neubauer said the drawing depicts their brand look, which is typically a combination of brick and stone. Each building contains an event hall that can

accommodate up to 400 people. The other half of the building contain break-out-rooms that can consist of conference rooms, board rooms, theatre rooms, bride rooms and uses for family and corporate events, as well as non-profit events.

John Neubauer said they do not allow food to be prepared on-site and all food must be prepared off-site and their staging room must be used. The event centers do not sale or serve alcohol; therefore, all guests must fully comply with the laws of the City of Broken, as well as, the State of Oklahoma law. He said if alcohol will be served, at an event, they are required to use a licensed bartender who must be pre-screened by the Falls Event Center. In addition, the guests must have private security, when hosting parties of 75 or more people. He said having this facility will be a significant investment and they want to protect it. He said six million dollars will be invested for 17,000 square feet, which is roughly double the amount, per square foot, that is typically invested in a hotel.

Mr. Neubauer said they look forward to operating in Broken Arrow and hope to be in operation by next year or early 2018. He asked the Commission if they had any questions.

Lee Whelpley asked if they are in agreement with Staff recommendations.

John Neubauer said they are. He said they have a few recommendations that they will be working out with Staff; however, that will be later in the submittal process.

Lee Whelpley opened the public hearing and asked if anyone wished to speak to Item 6A., BAZ-1966.

Mike Wilburn, 812 E. Kansas Street said he lives across the street from this proposed project. He asked if this is City owned property or by the Greens. Brent Murphy said he believes it has been sold by the Greens to another company, Owasso Land Trust, a private land owner. Mr. Murphy said if this application were to be approved then they would begin the process of selling the property.

Mr. Wilburn said there are two creek bottoms on this site. Brent Murphy said part of this property is located within the 100-year floodplain and they would have to address this at the platting process.

Mike Wilburn asked if the property is being requested to be Commercial instead of Agriculture. Brent Murphy said the request is to change the property from A-1, because the PUD requirement of platting was never done, on this portion, and rezone to ON (Office Neighborhood). Ricky Jones said the request is not for commercial use - office use is being requested which is a lower zoning intensity use than commercial. Mr. Jones said this use (being requested) would fit in an ON zoning district.

Mr. Wilburn asked if the proposed 17,000 square foot building would have adequate parking and asked if the center would be used for weekend use only.

Lee Whelpley asked Mr. Wilburn to ask all of his questions and the applicant can address them after all questions have been asked.

Ricky Jones said he believes the proposed center could be used during the week and weekends. He said his firm would probably consider using this event center for company retreats and meetings with avionics setup.

Mike Wilburn asked if the north entrance to the park would be part of this property. Ricky Jones said it appears they have their own drive and the City asked them to connect into the north park entrance as a secondary point of ingress/egress.

Michael Skates said the Event Center asked to have an emergency access to the park and the drive that comes out of this development will need moved to the north and the two drives that tie on to Neinhuis Park will be limited to one connection point which has yet to be determined. He said this connection point will be made available when they are full and allow travelers to exit on their street, as well as through the park streets.

Lee Whelpley asked if anyone else wished to speak on Item 6A, BAZ-1966. No one responded. Lee Whelpley closed the public hearing and asked if John Neubeaur would like to respond to the concerns.

John Neubeaur said the events center will be used seven days a week. He said the center can be used for corporate or family events and is meant to be used to the extent that the public wishes to use it. He said it can be used for reunions, ethnic events, chamber breakfasts, rotary lunches, and/or corporate events in which the entire facility can be rented out at one time.

Ricky Jones said the alcohol and security provisions are impressive. He said due to the number of centers that they have built, they appear to know what they are doing and are making efforts to be good neighbors to surrounding land uses. He said the neighbor who voiced concerns does not want to hear loud noise when sitting on his porch at night.

Mr. Neubeaur said they do not want the neighbors to hear loud noise disturbances, from their locations, either. He said they have invested a lot of money into sound containment. He said this allows people to not hear things going on from room-to-room. In addition, no one (on the outside) would be able to hear the noise from a rock band playing within the building.

Ricky Jones said there is a park on the south side of this property and a golf course on the north side, there is not a lot of neighbors except caddy corner to them. Mr. Neubeaur said, correct.

MOTION by Mark Jones approve BAZ-1966, per Staff recommendations. The motion was seconded by Ricky Jones.

After the vote, Lee Whelpley said this item will be heard by the City Council on December 20, 2016, at 6:30 p.m. He said if anyone wishes to speak on this item, they must fill out a request to speak form prior to the meeting.

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

Absent: 2 -Carolyne Isbell-Carr, and Fred Dorrell

B. [16-1386](#) Public hearing, consideration, and possible action regarding BAZ 1967, Bentley Square, 8.14 acres, CG to RS-4, west of the southwest corner of Aspen Avenue and Jasper Street

Brent Murphy said Staff is recommending that Item 6B (BAZ-1967) be continued until the January 12th, 2017 Planning Commission meeting.

MOTION by Mark Jones to continue BAZ-1967 to January 12, 2017. The motion was seconded by Ricky Jones.

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

Absent: 2 -Carolyne Isbell-Carr, and Fred Dorrell

C. [16-1384](#) 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

Brent Murphy said Item 6C., PUD-79B is an item that Commissioner, Ricky Jones would have to excuse himself from discussion; however, this would cause us to not have a quorum. He said because of this, Staff recommends that PUD-79B be continued to the December 15, 2016 Planning Commission meeting.

MOTION by Mark Jones to continue PUD-79B to December 15, 2016 Planning Commission meeting. The motion was seconded by Ricky Jones.

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

Absent: 2 -Carolyne Isbell-Carr, and Fred Dorrell

D. [16-1380](#) Public hearing, consideration, and possible action regarding PUD 254 and BAZ 1968, QuikTrip, 2.77 acres, CN and CG/SP 257 to CN/PUD 254, northeast corner of Kenosha Street and 23rd Street

Brent Murphy said Item 6D. is PUD-254 and BAZ-1968 (Quiktrip). He said there was an error with the newspaper not publishing the notice correctly; therefore, Staff had to re-advertise this item for the December 15, 2016 Planning Commission meeting. He said Staff recommends this item to be continued to the December 15th date.

MOTION by Ricky Jones to continue PUD-254 and BAZ-1968 to the December 15, 2016 Planning Commission meeting. The motion was seconded by Mark Jones.

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

Absent: 2 - Carlyne Isbell-Carr, and Fred Dorrell

7. Appeals

None.

8. General Commission Business

None.

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

Brent Murphy said the Commission Members were sent an email advising of an upcoming Overlay District Public meeting on December 14, 2016 from 6 p.m. to 8 p.m. He said they will be sent an invitation for an upcoming workshop, to provide feedback. He said, in addition, Farhad Daroga will be presenting information, to the Commission, in the next meeting to discuss the Comprehensive Plan update.

Lee Whelpley asked when the last update was done to the Comprehensive Plan.

Brent Murphy said it was done in 2012, formally. It was prepared and adopted by the Council in 1997. He said it is 20 years old, has served its purpose and is due for an update.

10. Adjournment

MOTION by Ricky Jones to adjourn (at 5:20 p.m.). The motion was seconded by Mark Jones

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

Absent: 2 - Carlyne Isbell-Carr, and Fred Dorrell