



City of Broken Arrow

Minutes Planning Commission

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

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

Thursday, February 8, 2018

5:00 PM

Council Chambers

1. Call To Order

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

2. Roll Call

Present 3 - Mark Jones, Ricky Jones, and Lee Whelpley
Absent 2 - Carolyne Isbell-Carr, and Fred Dorrell

3. Old Business

None.

4. Consideration of Consent Agenda

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

Lee Whelpley asked if there were any questions of Staff.

Ricky Jones said he had no questions; however, stated his firm prepared the preliminary plat for Item 4B (Riverstone Estates II) and would need to remove that item from the Consent Agenda.

Mark Jones said his company is involved with Items 4C and 4E and requested that those items be removed from the Consent Agenda as well.

Lee Whelpley explained the Consent Agenda and asked if anyone wished to remove any other items for discussion. No one responded.

Larry Curtis, Plan Development Manager, City of Broken Arrow said Item A and D have items that have been revised on the Staff report from the version that was published after meeting with the Technical Advisory Committee. He said regarding the other items, there will not be a quorum and they will need to be heard at the next Planning Commission meeting.

A. [18-249](#) **Approval of an extension request of a requirement for BAL 1095, Tarp Estates Lot Split, 7.61 acres, R-1, R-3, RM, and SP 86B, south of Washington Street, one half mile west of Elm Place**

MOTION made by Ricky Jones to approve Consent Agenda Items 4A and 4D, per Staff recommendations including the updated Technical Advisory Committee review

comments to Item 4D. The motion was seconded by Mark Jones. The motion carried the following vote:

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

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

- B. [18-245](#) Approval of PT15-103B, Revised Preliminary Plat, Riverstone Estates II, 24.09 acres, 82 Lots, A-1 to RS-3, one-quarter mile east of Olive Avenue, one-quarter mile south of Tucson Street**

This item was removed from the Consent Agenda.

- C. [18-224](#) Approval of PT18-100, Preliminary Plat, Tucson Village II, 93 lots, 35.68 acres, A-1 to RS-3 and FD/PUD-234, south of Tucson Street, one-third mile west of 23rd Street**

This item was removed from the Consent Agenda.

- D. [18-222](#) Approval of PT18-101, Preliminary Plat, The Woods of Jasper Estates, 27.97 acres, 28 Lots, A-1 to PUD-265 and RS-2, north and west of the northwest corner of Jasper Street and 23rd Street**

MOTION made by Ricky Jones to approve Consent Agenda Items 4A and 4D, per Staff recommendations including the updated Technical Advisory Committee review comments to Item 4D. The motion was seconded by Mark Jones. The motion carried the following vote:

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

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

- E. [18-240](#) Approval of PT18-102, Preliminary Plat, Silverleaf II, 121 lots, 31.07 acres, A-1 to PUD 225/RS-3, one-quarter mile north of Omaha Street, west of 37th Street**

This item was removed from the Consent Agenda.

5. Consideration of Items Removed from Consent Agenda

Lee Whelpley said the Commission has decided to hear Items 4B, C and 4E at the next Planning Commission meeting (February 22, 2018) due to lack of quorum.

- B. [18-245](#) Approval of PT15-103B, Revised Preliminary Plat, Riverstone Estates II, 24.09 acres, 82 Lots, A-1 to RS-3, one-quarter mile east of Olive Avenue, one-quarter mile south of Tucson Street**

PT15-103B was continued to the next Planning Commission meeting, February 22, 2018, due to lack of quorum.

- C. [18-224](#) Approval of PT18-100, Preliminary Plat, Tucson Village II, 93 lots, 35.68 acres, A-1 to RS-3 and FD/PUD-234, south of Tucson Street, one-third mile west of 23rd Street**

PT18-100 was continued to the next Planning Commission meeting, February 22, 2018, due to lack of quorum.

- E. [18-240](#) Approval of PT18-102, Preliminary Plat, Silverleaf II, 121 lots, 31.07 acres, A-1 to PUD 225/RS-3, one-quarter mile north of Omaha Street, west of 37th Street**

PT18-102 was continued to the next Planning Commission meeting, February 22, 2018, due to lack of quorum.

6. Public Hearings

A. [18-223](#) **Public hearing, consideration, and possible action regarding PUD-4B (Planned Unit Development), a request for a Minor Amendment to PUD-4, Broken Arrow Family Drug, 3.79 acres, PUD-4B/CG, north of New Orleans Street, east of Elm Place**

Jane Wyrick, Planner II presented the background for Item 6A saying, Planned Unit Development (PUD) 4B is a request for a minor amendment to PUD-4 located on 3.79 acres associated with the Vandever East Center located north of New Orleans Street, east of Elm Place.

The parcel related to PUD-4B was created in 1976 as a part of the Corral Addition and later replatted as The Vandever East Center in 1977. PUD-4 was approved in 1977 and a major amendment was approved November 4, 1991, to create another parcel for Sonic Drive-In Restaurant.

Ms. Wyrick said PUD-4B, a request for a minor amendment to allow a building-attached, digital sign for Broken Arrow Family Drug and to modify the sign panels of the existing freestanding, multi-tenant signs for the Vandever East Center. The digital sign is proposed to be 50 square feet in area. The applicant proposes to utilize the existing freestanding sign structures along New Orleans Street and Elm Place. Section 6.4.D.10.b of the Zoning Ordinance permits approval of Minor Amendments to Planned Unit Development permits by the Planning Commission.

Jane Wyrick said based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD-4B be approved, subject to the conditions included in the Fact Sheet.

Lee Whelpley asked the applicant to step to the podium and state their name and address, for the record.

Todd Pendergraft, Owner of Broken Arrow Family Drug Stores, 3359 South Elm Place, said he agrees with the Staff report and looks forward to bringing more business to south Broken Arrow.

Lee Whelpley opened the public hearing for PUD-4B, Item 6A and asked if anyone wished to speak on the item. No one responded. Mr. Whelpley closed the Public Hearing for

MOTION made by Mark Jones to approve PUD-4B, per Staff recommendation. The motion was seconded by Ricky Jones. The motion carried the following vote:

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

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

B. [18-208](#) **Public hearing, consideration, and possible action regarding PUD-273 (Planned Unit Development) and BAZ-1995 (Rezoning), Scissortail Crossing**

II, 11.07 net acres, A-RM to PUD-273/RM, located one-quarter mile north of Albany Street, east of 23rd Street

Senior Planner, Brent Murphy presented the background for Item 6B saying, Planned Unit Development (PUD) 273 and rezoning request BAZ-1995 involve an 11.07 net acre parcel located one-quarter mile north of Albany Street, east of 23rd Street. Applicant is requesting that the zoning on the property be changed from A-RM to PUD-273/RM. The property is designated as Level 3 in the Comprehensive Plan.

The A-RM zoning that was assigned to the property was assigned when the property was annexed into the City of Broken Arrow in 2001. Development is proposed to have up to 273 maximum dwelling units. The modifications being requested to the Zoning Code are summarized in the Staff report, as well as what is required by the Zoning Code.

Mr. Murphy said this PUD is similar to the property to the north, that is under the same ownership as PUD-273, and proposed to be developed like that property. He said the project will have one point of access to County Line Road/23rd Street, in addition it will have access to the abutting property to the north. The property associated with the PUD is Level 3 in the Comprehensive Plan and RM (Residential Multi-Family) zoning requested via BAZ-1995 is in conformance.

Brent Murphy said based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD-273 and BAZ-1995 be approved as submitted, subject to the property being platted in accordance with the City of Broken Arrow Subdivision Regulations.

Ricky Jones said the property is zoned A-RM in which the applicant could apply to remove the "A" designation on the property, to remove the annexation, and rezone it to RM only. He said the applicant, in this application has applied for a PUD, an overlay of the zoning, which has restrictions and conditions for the property to lock this development into specific conditions. He said it appears that the decision to do the PUD versus straight zoning to RM is a safeguard to go along with the Zoning change. He asked Mr. Murphy if his understanding of the project is correct.

Brent Murphy said the PUD would provide a safeguard, in addition; it would allow adjustments to address the abutting property (to the north) that has been developed. It would reduce the building setback lines, yet still meet the landscaping open space areas on the south and east sides.

Lee Whelpley asked the applicant to step to the podium and state their name and address, for the record.

Scott Case, President of Case & Associates, 4200 E. Skelly Drive, Ste. 800, Tulsa said he agrees with Staff recommendations. He said Brent Murphy mentioned 223 units; however, the goal is 228 units.

Ricky Jones asked if this project is a sister project to the existing project to the north. He asked

what the occupancy rate is for the north side.

Mr. Case said the current occupancy at Scissortail Crossing is 93.5% occupancy. He said therefore they would like to do a Phase II of the development and build more housing in the area.

Larry Curtis said citizens have often asked him questions regarding multi-family homes in Broken Arrow and it appears, by the submittal before the Commission, that this type of housing is needed. He asked Mr. Case if he has noticed that Broken Arrow is underserved in multi-family homes.

Scott Case said they do weekly surveys and look at the area in quadrants. He said there are a lot of young professionals in the area needing this type of housing and this proposed location is good in reaching those who work in Catoosa, Tulsa and Broken Arrow.

Lee Whelpley said he was concerned when the first phase was developed due to the area only having a two-lane road and being surrounding my housing additions. He said that development has two areas for ingress and egress and was worried about the traffic during specific times of the day. He asked Mr. Case if the traffic in-and-out of Phase I is much of an issue now and if adding Phase II will make it worse.

Scott Case said they did a traffic analysis study in December and data was collected prior to Broken Arrow dismissing for the holidays. He said the recommendation from the traffic engineer found that the road was sufficient in width to provide additional 228 family units.

Ricky Jones said the arterial street will be improved in the next couple of years.

Discussion continued.

Lee Whelpley opened the public hearing for Item 6B and asked if anyone wished to speak on the item. No one responded. Mr. Whelpley closed the Public Hearing.

MOTION made by Ricky Jones to approve Item 6B, per Staff recommendation. The motion was seconded by Mark Jones. The motion carried the following vote:

After the vote, Lee Whelpley said Item 6B will be heard by the City Council on March 6th, 2018, at 6:30 p.m.

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

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

C. [18-194](#) Public hearing, consideration, and possible action regarding PUD-274 (Planned Unit Development) and BAZ-1996 (Rezoning), Doc's Container Storage, 0.40 acres, A-1 to PUD-274/IL, located one-half mile north of Houston Street, one-quarter mile east of 23rd Street, on Old Highway 51

Brent Murphy presented the background for Item 6C saying, Planned Unit Development (PUD) 274 and BAZ-1996 involve a 0.40-acre parcel located one-half mile north of Houston Street,

one-quarter mile east of 23rd Street, on Old Highway 51. The property was annexed into the City Limits of Broken Arrow on October 6, 1986, with Ordinance 1427.

Storage container, being used for mini-storage, are currently on the property and were placed on the site in 2014 without any knowledge or approval by the City of Broken Arrow. The zoning on the property is A-1 (Agriculture) and storage facilities are not allowed in the A-1 District; therefore, the applicant is requesting that the zoning on the property be changed from A-1 to PUD-274/IL to bring the property into compliance with the Zoning Code.

Mr. Murphy said this property was platted in 1953 as Lot 1, Block 2, Couch Addition. This plat was recorded in Wagoner County prior to being annexed into the City Limits of Broken Arrow; therefore, the property has not been developed to City of Broken Arrow standards. He said a summary of the requested modifications with PUD-274 have been provided to the Commission, in the Staff report for this case.

An existing off-premise advertising sign is located on the property next to the Muskogee Turnpike. According to aerial photographs, this sign has been located on the site since at least 1995. Off-premise advertising signs are not permitted by the Zoning Ordinance, but the existing sign is allowed to remain as a legal non-conforming structure.

Brent Murphy said, based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD-274 and BAZ-1996 be approved subject to the property being replatted in accordance with the City of Broken Arrow Subdivision Regulations along with the following statement being added to Section IX of the design statement for PUD-274 and the revised design statement being resubmitted by February 13, 2018, to prepare this item for City Council:

1. In addition, as per Section 8.1.A of the Zoning Ordinance, the lease associated with this sign shall not be extended or renewed, and the sign shall be removed within six months of the current lease expiring.

Lee Whelpley asked the applicant to step to the podium and state their name and address, for the record.

Dave Sanders, Sanders Engineering, 11502 South 66th E. Avenue, Bixby, said represents the Pruitt's and is the Engineering of Record. He said they have no objections to the Staff report.

Ricky Jones asked if they are ok with replatting and the other recommendations.

Dave Sanders said the issue with this project was brought to the City's attention because another business near this one came to the City wanting to do the same thing. He said that is when the Pruitt's were contacted, by the City, to discuss the project. Mr. Sanders said the Pruitt's want to bring the property into compliance and do what is right.

Lee Whelpley opened the public hearing for Item 6C and asked if anyone wished to speak on the item. No one responded. Mr. Whelpley closed the Public Hearing.

MOTION made by Mark Jones to approve Item 6C, per Staff recommendation. The motion was seconded by Ricky Jones. The motion carried the following vote:

After the vote, Lee Whelpley said Item 6B will be heard by the City Council on March 6th, 2018, at 6:30 p.m.

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

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)

None.

10. Adjournment

MOTION made by Ricky Jones to adjourn, at 5:22 p.m. The motion was seconded by Mark Jones. The motion carried the following vote:

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

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