



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, October 13, 2016

5:00 PM

Council Chambers

1. Call To Order

2. Roll Call

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

Absent 1 - Carlyne Isbell-Carr

3. Old Business

- A. [16-1229](#) **Consideration and possible action regarding BAL-2000, Waterloo Way Parcel 2 Lot Split, 10.42 acres, CG and PUD-126, north and west of the northwest corner of Tucson Street and Elm Place**

Brent Murphy presented the background for BAL-2000 saying this item was continued from the last Planning Commission meeting. The applicant submitted revised legal descriptions that have been accepted by Staff. He said this lot split request involves part of Lot 2, Block 1 of the Waterloo Way Subdivision and is located north and west of the northwest corner of Tucson Street and Elm Place.

Mr. Murphy said Staff recommends BAL-2000 be approved, subject to warranty deed for the conveyance of Tracts 1 and 2 shall be brought to the Planning Division to be stamped prior to being recorded in Tulsa County. He said the applicant is present and in agreement with the Staff report.

Fred Dorrell asked if the applicant is present. The applicant said yes, from the audience.

Fred Dorrell opened the public hearing and asked if anyone wished to speak on BAL-2000. No one responded. Mr. Dorrell closed the public hearing.

MOTION: by Mark Jones to approve BAL-2000, per Staff recommendations. The motion was seconded by Ricky Jones.

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

Absent: 1 - **Carlyne Isbell-Carr**

B. [16-1218](#) Public hearing, consideration, and possible action regarding a proposal to create a new Single-Family Residential Zoning District, RS-4, Single-Family Residential-4, with modifications to Section 2.1, Table 3.1-1, Section 3.2.A.2, Section 3.2.B.1, Section 3.2.B.2, Section 3.2.B.5, Section 3.3.C.2.b, Table 4.1-2, Section 4.1.E, and Section 5.9.J.4 of the Zoning Ordinance; along with modifications to Table 4.1, Section 4.1.2, and Section 4.1.3 of the Comprehensive Plan

Michael Skates presented the background for Item 3B saying, this item was presented to the Planning Commission several times as a discussion item. He said this item was continued from the last Planning Commission meeting. Item 3B is a request for a new zoning district, RS-4. He said the RS-4 district would have a minimum front building line of 20 feet with minimum 5 feet side yards and 20-foot rear yards. Lots would be approximately 6500 square feet with an allowance for the front building setback line of 15 feet with vehicle access from an alley.

Mr. Skates said developers currently utilize the Planned Unit Development (PUD) process, which creates a mandatory green space requirement on lots. Some developments do not have additional green space available to reduce the mandatory requirement. He said RS-4 zoning would allow developments to be closer to the street by 5 feet and avoid having a PUD. Currently, if a property owner, of a lot with a PUD, wants to expand their property by adding a pool or deck, they cannot. The property owner's request must be denied by the City, because they cannot meet the requirements of the PUD.

Michael Skates said Staff has identified the areas of the zoning code that need will have to be changed, as a result of having RS-4 zoning. He said the land use intensity criteria has been modified to reflect the dimensions of the current residential districts. The dimensions the RS-4 district, compared to the existing 5 districts, is longer and 5 feet narrower; however, the developable area is roughly the same as RS-3. He said Staff recommends approval of the RS-4 zoning district, as presented.

Fred Dorrell opened the public hearing for Item 3B, RS-4 Zoning and asked if anyone wished to discuss this item. No one responded. Mr. Dorrell closed the public hearing.

Fred Dorrell said he appreciates the information and input on the RS-4 zoning since the first time this topic was discussed.

Ricky Jones said this is a tool to add to the developer's tool belt to provide another option when building rather than a PUD.

MOTION: by Ricky Jones to approve Item 3B, RS-4 Zoning District as approved by Staff. The motion was seconded by Lee Whelpley.

After the vote, Fred Dorrell said this item will be heard by City Council on

November 1, 2016, at 6:30 p.m.

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

Absent: 1 - Carolyne Isbell-Carr

C. [16-1219](#) Public hearing, consideration, and possible action regarding a proposal to modify Section 3.3.D.3 of the City of Broken Arrow Zoning Ordinance regarding Storage Buildings

Michael Skates said Item 3C was continued to this meeting by the Planning Commission during the last meeting. He said this item relates to storage sheds on residential properties. Staff would like this item to be dismissed to allow more time to do research. This item may come back before the Commission again, with changes.

MOTION: by Ricky Jones to dismiss Item 3C, per Staff's request. The motion was seconded by Mark Jones.

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

Absent: 1 - Carolyne Isbell-Carr

4. Consideration of Consent Agenda

Amanda Yamaguchi, Staff Planner, presented the Consent Agenda.

Lee Whelpley asked Legal Counsel if there is an issue with voting on the meeting minutes since only two members, from that meeting, are at this current meeting. Lesli Myers suggested tabling the minutes to the next meeting.

A. [16-1221](#) Approval of Planning Commission meeting minutes of September 22, 2016

MOTION: by Ricky Jones to table Item 4A to the next regularly scheduled meeting. The motion was seconded by Lee Whelpley.

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

Absent: 1 - Carolyne Isbell-Carr

B. [16-1175](#) Consideration and possible action regarding BAL- 2001, Rick Jackson Properties, 2.86 acres, R-1, one-quarter mile north of Houston Street, one-quarter mile west of Elm Place

Ricky Jones asked JR Donelson, in the audience, if he was in agreement with Staff recommendations for item 4B. Mr. Donelson indicated he was.

MOTION: by Ricky Jones to approve item 4B, as recommended by Staff. The motion was seconded by Mark Jones.

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

Absent: 1 -Carolyne Isbell-Carr

5. Consideration of Items Removed from Consent Agenda

None

6. Public Hearings

A. [16-1170](#) Public hearing, consideration, and possible action regarding PUD-252, The Shops at Broken Arrow II Amended, 18.90 acres, CH/SP-223, one-quarter mile east of 9th Street, north of the Broken Arrow Expressway

Brent Murphy presented the background for Planned Unit Development (PUD)-252 saying, PUD-252 involves 18.90 acres located one-quarter mile east of 9th Street, north of the Broken Arrow Expressway. The property, which has been platted as a part of The Shops at Broken Arrow II, is zoned CH/SP-223. SP-223, which regulates the free-standing signs on the property, was approved by the City Council on March 4, 2008.

Mr. Murphy said the applicant want to expand the existing Shopping Center area onto the north part of the property as well as develop pad sites on the south part of the property next to Hillside Drive. The Zoning Ordinance requires all lots to front onto a public street. The developer desires to create tracts that do not have direct access to a public street. Access is instead proposed to be provided through the use of shared driveways and mutual cross access and parking agreements. This is the only exception to the Zoning Ordinance that is being requested.

Brent Murphy said based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD-252 be approved as presented. Since the property is already platted, Staff recommends that platting be waived. He said the applicant has indicated that they will re-plate to re-do the lot lines, instead of through lot splits.

Fred Dorrell asked if the applicant is present and in agreement with Staff recommendations. The applicant, from the audience, said they are in agreement.

Fred Dorrell opened the public hearing and asked if anyone wished to speak on this item, PUD-252.

Sharon Austin, 1605 N. 15th Street, Broken Arrow asked for clarification on what is being proposed with this PUD submittal and if they plan on building another dead end street. Brent Murphy said they want to divide the property into lots and some of the lots do not have frontage onto a public street. Mr. Murphy said with the PUD it allows lots to be created and some of them will not front onto Hillside Dr.

Mr. Murphy said there is no vehicular access to the north but there is a stub street and a sidewalk that will provide pedestrian access only. The sidewalk will allow pedestrians access, from the neighborhoods, without having to go all the way to County Line Road or 9th Street.

Mrs. Austin voiced concerns about existing issues with pedestrian traffic in this area. She said there are have been issues with stealing and littering near the existing creek.

Tommy Austin, 1605 N. 15th Street, Broken Arrow voiced concerns about an existing area, near this site, where a large hole was dug which filled with water creating a safety issue. Fred Dorrell said the item before the Commission is a PUD application and said these concerns can be called into the City.

Mr. Austin stated concerns regarding increased traffic and safety. He said the existing traffic makes it difficult to turn in and out of their neighborhood (West Wind) and asked what plans are being made to address additional traffic as a result of the new Quiktrip in this area, as well as more buildings from this application.

Michael Skates, Development Services Director, said the City has worked with a representative from the West Wind Addition for the past five years. He said the Police Department, Engineering, Streets and Development Services have all worked to address the signal light at Hillside and 9th Street. From that, the speed limits have been adjusted and the signs for the left turns. He said the City continues to grow and traffic demands become increasingly higher. The development proposed will add a new section of retail development and there will be no access to 15th Street. He said the consultant can look into the concern regarding the hole that was dug as that is not City property. Mr. Skates said as traffic continues to grow, the City Engineering and Streets Department evaluate street demands and adjust signals and various turning movements based on current needs.

Mr. Austin voiced concerns about speeding traffic in the area off of Lynn Lane and Hillside Drive. Mr. Skates said the City looked at this area and lowered the speed limit around the curb. Michael Skates said they can contact the City Action Center and request officers to do speed patrol. He said this request has happened before.

Fred Dorrell asked if anyone else wished to speak on this item, PUD-252. No one responded. Fred Dorrell closed the public hearing.

Mark Capron, applicant with Sisemore Wise, said the stub street will not be connected with vehicle access, even though there could be arguments to have vehicle access. He said Staff requested, per their goal to maintain connectivity to neighborhoods, to have pedestrian access and the developer is honoring that request. The only thing with this PUD is to allow these lots to be configured without the frontage as required by the Zoning Code. This property is zoned CH and there have always been plans for this area to be developed for high intensity use.

MOTION: by Mark Jones to approve PUD-252, per Staff recommendations. The motion was seconded by Lee Whelpley.

After the vote, Fred Dorrell said this item will be heard by the City Council on November 1, 2016, at 6:30 p.m.

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

Absent: 1 - Carolyne Isbell-Carr

B. [16-1174](#) Public hearing, consideration, and possible action regarding SP-277, Tiger Plaza Daycare Facility, 6.23 acres, CG, east of the northeast corner of 23rd Street and Kenosha Street

Brent Murphy presented the background for SP-277 saying, SP-277 is a request for a Specific Use Permit for a new daycare facility to be located in the Tiger Plaza Shopping Center. The property is developed and was platted as Tiger Plaza Shopping Center on May 21, 2001. This property is zoned CG and daycare facilities are allowed in the CG District with approval of a specific use permit.

Mr. Murphy said the applicant is proposing to use approximately 7,000 to 10,000 square feet on the east end of this shopping center. The daycare center will be operated by an individual licensed in the State of Oklahoma.

Brent Murphy said based on the Comprehensive Plan, the location of the property and surrounding land uses, Staff recommends approval of SP-277, as submitted. Since this property is already platted, Staff recommends that re-platting be waived.

Ricky Jones asked if the daycare will be inside the existing building. He asked if it will be a new building. Brent Murphy said there used to be a fitness center in this end of the building and they propose to use that area for the daycare.

Fred Dorrell asked if the applicant is present and in agreement with Staff recommendations. The applicant, from the audience, replied that they are in agreement.

Fred Dorrell opened the public hearing for SP-277 and asked if anyone wished to on this item. No one responded. Mr. Dorrell closed the public hearing.

MOTION: by Ricky Jones to approve SP-277, per Staff recommendations. The motion was seconded by Lee Whelpley.

After the vote, Fred Dorrell said this will be heard by City Council on November 1, 2016, at 6:30 p.m.

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

Absent: 1 - Carlyne Isbell-Carr

7. Appeals

None

8. General Commission Business

None

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

None

10. Adjournment

MOTION: by Mark Jones to adjourn (at 5:28 p.m.). The motion was seconded by Lee Whelpley.

Aye: 5 - Mark Jones, Carlyne Isbell-Carr, Lee Whelpley, Fred Dorrell, and Ricky Jones