



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, August 11, 2016

5:00 PM

Council Chambers

1. Call To Order

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

2. Roll Call

Present 4 - Carlyne Isbell-Carr, Lee Whelpley, Fred Dorrell, and Ricky Jones

Absent 1 - Mark Jones

3. Old Business

None

4. Consideration of Consent Agenda

Amanda Yamaguchi presented the background for the Consent Agenda Items. Brent Murphy said the applicant for Item 4B, BAL-1095, Tarp Estates Lot Split is in agreement with the Staff recommendations; however, is not at this meeting.

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

A. [16-948](#) Approval of Planning Commission meeting minutes of July 28, 2016

Motion by Ricky Jones to approve Agenda Items A through F, per Staff recommendations. The motion was seconded by Lee Whelpley.

Aye: 4 - Carlyne Isbell-Carr, Lee Whelpley, Fred Dorrell, and Ricky Jones

Absent: 1 - Mark Jones

B. [16-922](#) Consideration and possible action regarding 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 by Ricky Jones to approve Agenda Items A through F, per Staff recommendations. The motion was seconded by Lee Whelpley.

Aye: 4 - Carolyne Isbell-Carr, Lee Whelpley, Fred Dorrell, and Ricky Jones

Absent: 1 - Mark Jones

- C. [16-979](#) **Consideration and possible action regarding BAL 1098, Tiger Hill Plaza Lot Split, 30.41 acres, CG and IL/PUD 205B, southwest corner of Kenosha Street and 9th Street**

Motion by Ricky Jones to approve Agenda Items A through F, per Staff recommendations. The motion was seconded by Lee Whelpley.

Aye: 4 - Carolyne Isbell-Carr, Lee Whelpley, Fred Dorrell, and Ricky Jones

Absent: 1 - Mark Jones

- D. [16-939](#) **Consideration and possible action regarding PT15-117A, Revised Preliminary Plat, Crossings at Lynn Lane, 244 lots, 87.28 acres, A-1 to RS-3, north and east of the northeast corner of Washington Street and 9th Street**

Motion by Ricky Jones to approve Agenda Items A through F, per Staff recommendations. The motion was seconded by Lee Whelpley.

Aye: 4 - Carolyne Isbell-Carr, Lee Whelpley, Fred Dorrell, and Ricky Jones

Absent: 1 - Mark Jones

- E. [16-930](#) **Consideration and possible action regarding PT15-118, Conditional Final Plat, 51 Aspen Mini-Storage, 1 lot, 5.82 acres, A-1 to PUD 248/IH, one-third mile west of Evans Road, south of State Highway 51**

Motion by Ricky Jones to approve Agenda Items A through F, per Staff recommendations. The motion was seconded by Lee Whelpley.

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

Aye: 4 - Carolyne Isbell-Carr, Lee Whelpley, Fred Dorrell, and Ricky Jones

Absent: 1 - Mark Jones

- F. [16-924](#) **Consideration and possible action regarding PT15-119A, Revised Preliminary Plat, Kum & Go 837 a replat of Lot 1, Block 1 of BOL Addition & Lot 9, Block 2 of Prairie Dale Addition, 1 lot, 2.87 acres, A-RS1 and CN to PUD 247A/CN, west of Oneta Road, north of State Highway 51**

Motion by Ricky Jones to approve Agenda Items A through F, per Staff recommendations. The motion was seconded by Lee Whelpley.

Aye: 4 - Carolyne Isbell-Carr, Lee Whelpley, Fred Dorrell, and Ricky Jones

Absent: 1 - Mark Jones

5. Consideration of Items Removed from Consent Agenda

None

6. Public Hearings

A. [16-908](#) Public hearing, consideration, and possible action regarding BAZ 1960, Margaret Couch Scrapper Family Trust, 40 acres, A-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

Brent Murphy presented the background for BAZ-1960 saying, BAZ 1960 is a request to change the zoning designation on 40 acres of undeveloped land from A-1 (Agricultural) to RS-3 (Single-Family Residential). This property is located one-half mile south of Houston Street, one-quarter mile east of 23rd Street, north of the M.K.&T. Railroad and south of the Oak Creek South Estates subdivision.

Mr. Murphy said access to this property is limited, due to the railroad to the south and undeveloped properties to the northwest, and an industrial PUD to the east. Two stub streets from the Oak Creek South Estates subdivision will be the only access points to this property. Staff has suggested using the undeveloped property to the northwest as a construction entrance to mitigate concerns of residents about heavy equipment moving through the Oak Creek South Estates subdivision during construction. This 40-acre development is classified as Level 2 in the Comprehensive Plan and RS-3 is allowed in Level 2; therefore, Staff recommends that BAZ 1960 be approved, subject to the property being platted and construction access be provided from the northwest to County Line Road.

Fred Dorrell asked the applicant is present and to step to the podium.

Bill Richert, representing the property owner's, 6333 S. Blueback, Tulsa, OK said they are in agreement with the Staff recommendations. He said they are currently working on the other access point, recommended by Staff.

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

Ed Canella, 2913 E. Oakridge Street, Broken Arrow said his property is adjacent to the proposed development and is concerned about drainage due to current flooding issues. He said he is concerned about traffic issues and roadway damage as the streets

currently have pot-holes and damage. He said he is concerned about privacy and asked if there will be a fence and who will maintain it.

Fred Dorrell said the application at hand is for rezoning only and hydrology and other factors will be considered at the time of development.

Brent Murphy said a preliminary plat and conditional final plat will be submitted and drainage will be addressed as part of their engineering submittals. He said the engineering drawings will be reviewed by the City's Stormwater Division to ensure the plans are in conformance to the City's codes and regulations. He said there are no requirements for fencing as this application is not a PUD and is straight zoning.

Michael Skates said when the engineering drawings are reviewed by Staff they will most likely see the current flooding issue and improve it. He said the current subdivision is fairly old and the City has been working in the subdivision to repair the streets. Traffic should not be too significant. The streets are public and if there are any issues or concerns, Mr. Canella may contact the City's Action Center or Street Department to have someone evaluate the area. The City has an ongoing program to rehabilitate public streets and this year the City acquired additional tax funds; therefore, the City will be planning repairs on arterial and residential public streets.

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

Ronald Berry, 1312 S. 32nd Street, Broken Arrow said he lives in Oak Creek South and is concerned that the sewer, for this development, will be too small. He asked if the City will protect the resident's in the event the line is too small.

Michael Skates said the answer is yes and believes the line flows to the southeast. He said they will be tying onto the existing sanitary sewer system and go across 23rd Street. He said it will not go through the Oak Creek South neighborhood, it will connect to the interceptor line that runs north and south, down 23rd.

Mr. Berry said he is concerned there will be sewage back ups due to the line being to small and asked if the City will take care of the resident's. Mr. Skates said the consultant will be required to submit drawing plans for review. Mr. Skates told Mr. Berry he can contact Staff at anytime to check the status of the project and look at drawings.

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

MOTION by Lee Whelpley to approve BAZ-1960, per Staff recommendation. The motion was seconded by Carolyn Isbell-Carr.

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

Aye: 4 - **Carolyn Isbell-Carr, Lee Whelpley, Fred Dorrell, and Ricky Jones**

Absent: 1 - **Mark Jones**

B. [16-898](#) Public hearing, consideration, and possible action regarding BAZ 1961, Crossings at Lynn Lane, 26.95 acres, A-1 to RS-3, one-quarter mile east of 9th Street, north of Washington Street

Brent Murphy presented the background for BAZ-1961 saying, BAZ 1961 is a request to change the zoning designation on 26.95-acres of undeveloped land from A-1 (Agricultural) to RS-3 (Single-Family Residential). The property is located one-quarter mile east of 9th Street, north of Washington Street. The Crossings at Lynn Lane, immediately to the north and west of this property, is currently being developed. He said the applicant is in the process of acquiring this property and wants to expand the Crossings at Lynn Lane development onto this property.

Mr. Murphy said their revised preliminary plat, that includes this property, was submitted with this rezoning request and was just approved as an item on the Consent Agenda. He said this property is designated as Levels 2 and 3 in the Comprehensive Plan. RS-3 zoning is identified as being in conformance with the Comprehensive Plan in Level 2. In Level 3, RS-3 zoning is identified as “possible” . To be in conformance with the Comprehensive Plan, the proposed RS-3 zoning must be an extension of an adjacent R-2, RS-2, R-3, or RS-3 district and would not preclude access to a potential higher intensity use from an arterial street. The property associated with BAZ 1961 is proposed to be developed in conjunction with the Crossings at Lynn Lane development, which was zoned RS-3, subject to platting. Therefore, the RS-3 zoning proposed with BAZ 1961 is an extension of an adjacent RS-3 district and is considered to be in conformance with the Comprehensive Plan. Staff recommends that BAZ 1961 be approved, subject to the property being platted.

Fred Dorrell asked if the applicant is present and would step to the podium.

Andrew Shank, Eller and Detrich, 2727 E. 21st., Ste. 200, Tulsa, said they are in agreement with Staff's recommendation. He said this application is a continuation of the previous re-zoning they did in the area.

Ricky Jones said it appears that there are more Phases, to this project, after this one and it is a continuation of what was first proposed. Andrew Shank said that is correct. Mr. Shank said the first phase was rezoned and had a conditional final plat done and is currently under construction. The rest will be done in phases.

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

MOTION by Ricky Jones to approve BAZ-1961, 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 September 6, 2016, at 6:30 p.m.

Aye: 4 - Carolyne Isbell-Carr, Lee Whelpley, Fred Dorrell, and Ricky Jones

Absent: 1 - Mark Jones

C. [16-982](#) Public hearing, consideration, and possible action regarding PUD 205B-1, a request for a minor amendment to PUD 205B, Tiger Hill Plaza, 0.17 acres, IL/PUD 205B, south of the southwest corner of Kenosha Street and 9th Street

Brent Murphy presented the background for PUD-205B1 saying, Planned Unit Development (PUD) 205B-1 involves a 0.17-acres located south of the southwest corner of Kenosha Street and 9th Street on the City of Broken Arrow Tiger Hill property. This parcel is part of the City's Tiger Hill property and is part of PUD-205B.

Mr. Murphy said when PUD-205B was done it divided the area into three Development Areas - A, B, and C. Development Area A was for light industrial uses and Flight Safety leases most of the property associated with Development Area A. Development Area B, to the north, was for commercial uses. Development Area C was for the water tanks and towers.

Brent Murphy said the City of Broken Arrow is in the process of selling a portion of the property in Area B. This area was part of BAL-1098, lot split request that was part of the Consent Agenda approved earlier in this same agenda. He said there is a small 1.7-acre tract located in Area A, for industrial uses, that needs attached to area B. As a result, they have applied for this minor PUD change to allow those uses in the combined area.

Mr. Murphy said this property has already been platted; therefore, Staff recommends that PUD 205B-1 be approved as presented, with the suggestion that platting be waived.

Fred Dorrell asked if the applicant is present and in agreement with the Staff report.

Michael Skates, City of Broken Arrow, said they are in agreement.

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.

MOTION by Ricky Jones to approve PUD-205B1, per the Staff report. The motion was seconded by Lee Whelpley.

Aye: 4 - Carolyne Isbell-Carr, Lee Whelpley, Fred Dorrell, and Ricky Jones

Absent: 1 - Mark Jones

D. [16-909](#) Public hearing, consideration, and possible action regarding PUD 247A and BAZ 1962, Kum and Go 837, 2.87 acres for PUD 247A, A-1 to CN 1.15 acres for BAZ 1962, west of Oneta Road, north of State Highway 51

Brent Murphy presented the background for PUD-247A and BAZ-1962 saying, Planned Unit Development (PUD) 247A involves 2.87 acres located west of Oneta Road, north of State Highway 51. BAZ-1962 is a request to rezone a portion of that property, the north 1.15 acres, from ARS-1 to CN (Commercial Neighborhood) has been submitted in conjunction with PUD 247. The south part of the property is already zoned CN and has been replatted as Lot 1, Block 1 of BOL Addition.

Mr. Murphy said on February 2, 2016, the City Council approved PUD-247 on the south portion of this property- where Kum & Go has a new store being built. After their conditional final plat was approved, the applicant began the process to acquire Lot 9, Block 2, Prairie Dale, which is immediately to the north. They propose to enlarge their site plan to accommodate diesel fuel sales and parking for trucks. As a result, they are submitting PUD-247A, that encompasses what had been approved previously, along with a request for a major amendment to PUD 247, in addition to the 1.15 acres.

Brent Murphy said a request to change the Comprehensive Plan designation was reviewed and approved by the City Council on August 2, 2016, subject to the property being replatted, subject to the covenants being modified in accordance with State law to allow commercial use on the property, and a PUD being submitted that is similar in context to the draft PUD submitted with their Comprehensive Plan change request, BACP-153. The design statement and concept plan submitted with PUD-247A, tonight, is the same as the draft PUD submitted with BACP-153.

Mr. Murphy said a copy of the recorded Certificate to Vacate Lot 9, Block 2, was recorded in Wagoner County prior to the property being annexed. With PUD 247A, they are proposing to develop this property in accordance with the use and development regulations of the CN district with the modifications listed in the Staff report.

With the approval of BACP-153, this property is designated as Level 4 in the Comprehensive Plan and CN zoning is in accordance with Level 4. Based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD-247A and BAZ-1962 be approved as presented, subject to the property being replatted.

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

Cameron Smith, Olsson & Associates, 550 St. Louis Street, Springfield, MO said, to clarify, Kum & Go has acquired Lot 9 and now owns it. He said they vacated that lot prior to the annexation and then completed the Comprehensive Plan change process. The current store is under construction and a phase two portion, the north property, will

be added to it. A drive off Oneta Road will provide access to trucks, and diesel pumps with five parking stalls and buffer will be added.

Mr. Smith said the PUD document is similar to the PUD that was submitted before; however, it has been modified to accommodate the drive, increase the landscape buffer width and added to the east and west sides where it abuts residential property. He said they have submitted final engineering drawings, as a requirement of the Conditional Final plat submittal. He said the items noted, they are in agreement with the Staff report.

Ricky Jones said during the Comprehensive Plan change hearing the Commission discussed screening, runoff and dumpsters which was substantially in conformance with the original draft PUD. He said they have done a good job of trying to mitigate any negative impact that may occur to the surrounding land uses.

Fred Dorrell opened the public hearing and asked if anyone wished to speak to this item.

Trace Morgan, from Stillwater, OK, representing his father who lives at 9815 South 239th E. Avenue, said his father's house is the primary lot that will be affected by this proposed application. He said when they received the public hearing notification, there was no mention of a truck stop.

Mr. Morgan said approximately six weeks ago, a legal representative for Kum & Go stopped by his father's residence while he was visiting. Mr. Morgan said he voiced concern about noise from diesel trucks running and was told there would not be a truck stop, that Kum & Go was expanding. Mr. Morgan said he himself is a lawyer and the news provided by the legal representative was false and was presented as such to the surrounding property owners.

Trace Morgan said his father has lived in his home for more than twenty-five years and has helped build Broken Arrow as well as served his country in World War II. He said the Commission's decision on this application will decide whether his father can reside in peace each night. In addition, a truck stop will decrease his father's property value and make it impossible to sell. He said the attempts to buffer diesel trucks running all night will not work.

Mr. Morgan said they are very concerned about the misrepresentation of this development, and that the Planning Commission and neighborhood surrounding this property has been misled. He said the plans for this development are for a truck stop and they are prepared to fight this misrepresentation and the nuisance it will cause the neighborhood, and more particularly, his father. Trace Morgan asked the Commission to table this application and investigate what the neighbors were told by the representatives.

Fred Dorrell asked if the applicant wished to respond to Mr. Morgan's comments.

Cameron Smith, Olsson & Associates said they never intended to be a truck stop. He said they have not changed the store from what was originally submitted. There are no showers and no restrooms. The plan is for local trucks to park and come in the store with no overnight parking. They have evaluated the area and the highway, knowing there will be trucks and wish to accommodate them. There will be local delivery trucks to supply the store.

Mr. Smith said, to his knowledge, there has been no misrepresentation. He said they have been honest and upfront since the first site plan submittal in February. Mr. Joyce did go to their house and was asked not to contact them any further and Kum and Go has respected those wishes. He said there has been no other conflict since then.

Ricky Jones asked Mr. Smith what the distance is from the back of Mr. Morgan's house to the back edge of Kum & Go and inside, where the buffer is proposed.

Cameron Smith said the required 20 feet planted buffer starts at the property line and goes 20 feet into the property line. Ricky Jones asked what he would guess the distance is from the west property line to the back of Mr. Morgan's house. Mr. Smith said he would guess about 120 feet from Kum & Go's property to the back where the garage is and the house is to the west, so the house would be another 50 or 60 feet. Mr. Smith said the proposed parking is east of the buffer, or about another 20 feet.

Ricky Jones said he was trying to understand the distance separation between the back of the residence and the first parking space, which could be for a truck.

Cameron Smith said the first truck parking stall would be about 35 feet from the property line at the front stall which is angled and the back of the stall would be about 50-60 feet.

Ricky Jones asked Cameron if showers would be provided and what would typically be provided with a truck stop.

Cameron Smith said there will be no showers and no laundry facilities. He said trucks can park during any hours due to the hours of the store, but the intent is for trucks to get fuel and move on. There will only be three pumps so there is little room for a bunch of trucks to come in and out. Looking at traffic, it doesn't appear that there will be a lot of trucks however they do not know.

Lee Whelpley said the concern is the noise a truck would make all night long, compounded by the number of trucks. He asked if they have addressed this concern as a nuisance or problem.

Mr. Smith said it has been addressed in the form of a fence and a landscape buffer and the setback from the property. He said he does not know of any other option to do.

Lee Whelpley said the concern is noise and asked if there is a reason trucks cannot turn their trucks off all night.

Cameron Smith said they cannot control the trucks shutting on and off. He said the noise should not be any different than the noise from the highway traffic.

Ricky Jones said sometimes trucks have auxiliary power units running to keep the trailer cool. The noise should not be any louder than the trucks traveling the existing highway nearby.

Cameron Smith said they spoke with the neighbor directly to the north and accommodated what was requested. The owner said he was a truck driver for many years and after looking at the plans for this store he signed the form to vacate the plat and was fine with it. Mr. Smith said they had concerns with noise, lights and parking lot lights and once they saw dark sky pictures of other stores, they were fine with the plans.

Ricky Jones said the eastern most parking bay appears to be closest to the property to the north rather than the residence to the west. Cameron Smith said, as far as property line, it is. Mr. Smith said the back of that parking stall is about 22.3 feet.

Lee Whelpley asked how many trucks can the space accommodate. Cameron Smith said it depends on how many are traveling and would guess 2 or 3 at the most.

Trace Morgan stepped to the podium again and asked if it would be possible to ask Kum & Go to prohibit the overnight parking- through signage. He said posted signage stating no overnight parking allowed would alleviate most of the issues with this proposal. A sign would not prevent all people from abiding from by it but would eliminate concerns of the property owner to the north as well as our property to the west. He said if Kum and Go's intent is to not have trucks park overnight then why not post signs stating so. Signage would be inexpensive and alleviate the concerns.

Ricky Jones asked if the City can enforce the restriction requirement. Lesli Myers, City Attorney said she did not know about enforcing time limits.

Michael Skates said the intent of Kun & Go is to not have trucks park overnight. The highway traffic, most likely, decreases at night. He said the PUD can be modified to try and address noise issues caused by trucks and other vehicles. Previous PUD's have had restrictions such as no outdoor music at certain times, etc. This development is not a truck stop; it is for public use.

Discussion continued between Commission members.

Ricky Jones said he is looking at the land use and this proposal fits the land use. He said he would not like to put restrictions on items that are not the Commission's expertise. The land owner can choose to put up signs; however, he is not comfortable

with proposing restrictions when the land use looks acceptable.

Discussion continued.

Carolyn Isbell-Carr said based on the location of the property, traffic and noise could be increased at specific times.

Discussion continued.

Lesli Myers said they can modify the PUD to post signage.

MOTION by Ricky Jones to approve PUD-247A, per Staff recommendations. This motion failed due to lack of a second motion.

MOTION by Lee Whelpley to approve PUD-247A per Staff recommendations and the addition of text in the PUD design statement that the applicant shall post signs on property stating no overnight parking for any large vehicles. The motion was seconded by Carolyn Isbell-Carr.

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

Aye: 4 - Carolyn Isbell-Carr, Lee Whelpley, Fred Dorrell, and Ricky Jones

Absent: 1 - Mark Jones

7. Appeals

None

8. General Commission Business

A. [16-875](#) Discussion regarding modifications to Section 3.3.D.3 of the City of Broken Arrow Zoning Ordinance regarding Storage Buildings

Michael Skates said the item before the Commission is a proposed amendment to the current zoning ordinance requirement for storage buildings. Currently Section 3.3.d.3 of the ordinance requires that storage buildings under 200 square feet, in residential districts, be 5 feet from lot lines and cannot be located in utility easements. Staff is proposing to change the language of this ordinance and create an Item "A" and Item "B" for storage buildings under 200 feet and storage buildings over 200 square feet. Currently storage buildings under 200 feet do not require a permit. Many storage buildings, throughout the city, that are less than 200 square feet get installed and are often in violation of the language written in the zoning code, which is difficult for Staff to enforce. He said in many instances, when the violation is discovered, the shed has been

at its location for 20 plus years which put the City in an awkward situation on whether the storage building should be moved or not. If one building is enforced, then property owners come forth with complaints that the surrounding neighbors have a storage building that is also in violation. This causes the issue to multiply and add a burden to Staff trying to figure out how to resolve.

Mr. Skates said Staff is recommending changes in an effort to resolve this. Item "A" would read, storage buildings not exceeding 200 square feet may be placed in rear yards in any A-1 or R-districts provided that projections beyond the exterior wall of the building do not extend over any lot line. For this section, the rear yard shall be defined as a yard extending between the side lot lines beginning from the rear of the main building and extending to the rear lot line. He said this language is from the building code. He said often times, property owners do not know about utility easement lines and install storage buildings over them. He said often the property will get sold, with the storage violation, and the new owner must address the issue.

Item "B" would read, storage buildings exceeding 200 square feet located in any A-1 or R district shall require a building permit and shall comply with all standards of the Zoning Ordinance applicable to the principal use with which they are associated. No part of the building, however, shall be located within a utility easement. He said buildings over 200 feet are rather large and do require permits which requires plotted drawings be submitted, that show utility easements, and they cannot build over them.

Mr. Skates said the goal is to help the residents of Broken Arrow from the proposed modifications. If the Commission has no issues with the proposed changes, Staff would like to move forward and advertise the changes then bring the item back to the Commission as a public hearing item.

Fred Dorrell asked if there are any height restrictions.

Michael Skates said there are height restrictions for accessory buildings associated with houses. He said typically when the building is under 200 square feet they aren't getting too big; however, some of the new ones have lofts in them which may be 14-15 feet, but they are limited to 35 feet. Staff's recommendation is for the building not be any higher than the roof line.

Lee Whelpley asked if storage buildings refers to 'moveable' buildings.

Michael Skates said most often when referring to 100 to 200 square foot buildings they are mobile and can be moved. Most often they do not have concrete pours. Some people may pour concrete floors and they are fairly easy to move. Over the years there has been concern with a building on a utility easement and a need for a utility company or city to access the easement, but those type of projects are set up with bid items to move them anyway.

Mr. Skates said the larger buildings generally have some type of concrete pour with a footing and foundation. Any building over 200 square feet requires permitting.

Ricky Jones said he is ok with the public hearing and permits. He said the only issue he has is the imaginary line, the 17.5-foot utility easement. He said a property is owned and the owner gives the right to City and franchise people to install their utilities there. As lots get smaller a 17.5 utility easement in the rear of the property limits the property owner

from doing anything. He said this can be discussed further at the public hearing.
The Commission members agreed that this item can move forward with a public hearing.

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

10. Adjournment

MOTION by Ricky Jones to adjourn at 6:05 p.m. The motion was seconded by
Carolyn Isbell-Carr.

Aye: 4 - Carolyn Isbell-Carr, Lee Whelpley, Fred Dorrell, and Ricky Jones

Absent: 1 - Mark Jones

NOTICE:

**1. ALL MATTERS UNDER "CONSENT" ARE CONSIDERED BY THE PLANNING
COMMISSION TO BE ROUTINE
AND WILL BE ENACTED BY ONE MOTION. HOWEVER, ANY CONSENT ITEM CAN BE
REMOVED FOR
DISCUSSION, UPON REQUEST.**

**2. IF YOU HAVE A DISABILITY AND NEED ACCOMMODATION IN ORDER TO
PARTICIPATE IN THE MEETING,
PLEASE CONTACT THE DEVELOPMENT SERVICES DEPARTMENT AT 918-259-8412,
TO MAKE ARRANGEMENTS.**

**3. EXHIBITS, PETITIONS, PICTURES, ETC. PRESENTED TO THE PLANNING
COMMISSION MAY BE RECEIVED
AND DEPOSITED IN CASE FILES TO BE MAINTAINED AT BROKEN ARROW CITY
HALL.**

**4. RINGING/SOUND ON ALL CELL PHONES AND PAGERS MUST BE TURNED OFF
DURING THE PLANNING
COMMISSION MEETING.**

POSTED on _____, _____ at _____ am/pm.

City Clerk