



# City of Broken Arrow

## Minutes Planning Commission

City Hall  
220 S 1st Street  
Broken Arrow OK  
74012

*Chairperson Jaylee Klempa*  
*Vice Chair Robert Goranson*  
*Member Jonathan Townsend*  
*Member Jason Coan*  
*Member Mindy Payne*

**Thursday, July 27, 2023**

**Time 5:30 p.m.**

**Council Chambers**

### 1. Call to Order

Chairperson Jaylee Klempa called the meeting to order at approximately 5:30 p.m.

### 2. Roll Call

**Present: 5 -** Mindy Payne, Jason Coan, Jonathan Townsend, Robert Goranson, Jaylee Klempa

### 3. Old Business

There was no Old Business.

### 4. Consideration of Consent Agenda

- A. 23-972** **Approval of LOT-000916-2023, Adams Creek Lot Split, 1 lot to 2 lots, 2.92 acres, CH (Commercial Heavy), one-eighth mile north of Kenosha Street (71st Street), west of 23rd Street (193rd E. Avenue/County Line Road)**  
Staff Planner Henry Bibelheimer presented the Consent Agenda.

Chairperson Klempa explained the Consent Agenda consisted of routine items, minor in nature, and was approved in its entirety with a single motion and a single vote, unless an item was removed for discussion. She asked if there were any Items to be pulled from the Agenda; there were none.

MOTION: A motion was made by Jason Coan, seconded by Mindy Payne.

#### **Move to approve the Consent Agenda**

The motion carried by the following vote:

**Aye: 5 -** Mindy Payne, Jason Coan, Jonathan Townsend, Robert Goranson, Jaylee Klempa

### 5. Consideration of Items Removed from Consent Agenda

There were no Items removed from the Consent Agenda; no action was taken or required.

### 6. Public Hearings

- A. 23 977** **Public hearing, consideration, and possible action regarding PUD 000894 2023 (Planned Unit Development minor amendment), Aspen Ridge Business Park, approximately 41.28 acres, CH (Commercial Heavy), RM (Residential Multi Family), PUD 324B to CH (Commercial Heavy), RM (Residential Multi Family), and PUD 000894 2023, one half mile south of Florence Street (111th Street), east of Aspen Avenue (145th East Avenue), north of the Creek Turnpike**

Planning and Development Manager Amanda Yamaguchi reported PUD-000894-2023 was a request for a minor amendment to PUD-326B to amend driveway locations onto Norfolk Drive, on an approximately 41.28-acre site. She reported this property was currently zoned CH (Commercial Heavy) and RM (Residential Multi-Family), along with PUD-324A. She indicated the property was located one-half mile south of Florence Street (111th Street), east of Aspen Avenue (145th East Avenue). She stated the plat for this property, Aspen Ridge Business Park, was recorded in Tulsa County on March 14, 2023. She noted PUD-324 has been amended twice, and those modifications were outlined in the Staff report. She indicated PUD-894 was a request to amend the locations of future driveways onto Norfolk Drive. She stated the PUD exhibit showed the proposed location of driveways on both the north and south sides of Norfolk, which did not meet the minimum 250-foot driveway separation requirements of the Zoning Ordinance (Section 5.3.B.3.a). She explained the proposed separation for the eastern drives was approximately 189-feet, however the center drives were designated as right-in right-out only and the proposed western drives were to be separated by approximately 237-feet. She stated no other modifications to the Zoning Ordinance, or PUD, were being requested. She indicated according to FEMA maps, none of the property was located in a 100-year floodplain area. She stated Staff recommended approval.

The applicant, Brian Daniel, Oaktrust Development, stated he was in agreement with Staff recommendations. He thanked Staff.

Commissioner Goranson asked if a concrete porkchop median would be constructed at the ingress/egress.

Mr. Daniel responded there were a couple of right-ins and right-outs on the property and a concrete median would be constructed to prevent left hand turns.

Commissioner Goranson noted there was no median currently.

Project Engineer Jason Dickeson stated a new porkchop was designed by Engineering and Development and Mr. Daniel who was looking at installing this newly designed median.

Discussion ensued regarding the porkchop median and road striping.

Chairperson Klempa closed the public hearing as there were no citizens signed up to speak.

MOTION: A motion was made by Jason Coan, seconded by Jonathan Townsend.

**Move to approve Item 6A per Staff recommendations**

The motion carried by the following vote:

Aye: 5 - Mindy Payne, Jason Coan, Jonathan Townsend, Robert Goranson, Jaylee Klempa

**B. 23 982      Public hearing, consideration, and possible action regarding BAZ 000906 2023 (Rezoning), Reed Rezoning, 22.69 acres, A 1 (Agricultural) to RS 1 (Single Family Residential), located one quarter mile north of Washington Street (East 91st Street South), west of 23rd Street (193rd E. Avenue/County Line Road)**

Chairperson Klempa indicated she was an acquaintance with the property owner. She stated she would abstain from the discussion as well as the vote for this Item.

Mr. Bibelheimer reported BAZ-000906-2023 was a request to change the zoning designation on 22.69 acres from A-1 (Agricultural) to RS-1 (Single-Family Residential). He reported the property was located one-quarter mile north of Washington Street, west of 23rd Street, and was unplatted. He stated the property owner was interested in splitting the lot into a 2-acre tract and a 20.69-acre tract. He indicated there was an existing single-family residence on the property, and the owner expressed interest in selling the 2-acre tract. He stated the potential buyer of the 2-acre tract expressed interest in building a single family dwelling. He noted if the rezoning request was approved, a request to split the lot would need to be submitted. He stated according to the Zoning Ordinance, the minimum lot size for the A-1 zoning district was 5 acres; this means to create a 2-acre tract, the property would have to rezone. He stated the RS-1 zoning district required a minimum lot size of 10,000 square feet, and a minimum frontage of 85 feet. He reported the property had approximately 760 feet of frontage onto County Line Road. He stated the exhibit submitted by the applicant indicated there would be adequate frontage for the proposed lots with the requested RS-1 zoning. He stated the exhibit also indicated there were no utility easements dedicated along County Line. He stated County line was a primary arterial street which has a minimum ultimate right of way of 120 feet. He indicated the property was designated as Level 2 in the Comprehensive Plan; the RS-1 zoning requested was in accordance with the Comprehensive Plan in Level 2. He stated based upon the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommended BAZ-000906-2023 be approved. He noted Staff recommended platting be waived subject to ultimate right of way being dedicated for County Line Road, as well as a 17.5 foot utility easement along County Line Road.

The applicant, Don Reed, the property owner, indicated he lived in the home currently on this property and had a young couple who wished to purchase 2.5 acres to build a home.

Discussion ensued regarding rezoning the property and the lot split which would take place following rezoning.

Chairperson Klempa closed the public hearing as no citizens signed up to speak.

Commissioner Coan asked if this property was in the FEMA floodplain.

Mr. Bibelheimer responded in the negative.

MOTION: A motion was made by Jonathan Townsend, seconded by Mindy Payne.

**Move to approve Item 6B per Staff recommendations**

The motion carried by the following vote:

Aye: 4 - Mindy Payne, Jason Coan, Jonathan Townsend, Robert Goranson  
Abstain: 1 - Jaylee Klempa

Chairperson Klempa indicated this Item would go before City Council on August 15, 2023.

**C. 23 994      Public hearing, consideration, and possible action regarding BAZ 000864 2023 (Rezoning) and PUD 000865 2023 (Planned Unit Development), Iron Buck Acres, 7.38**

**acres, on the northwest corner of Kenosha Street (71st Street) and Oneta Road (241st East Avenue)**

Ms. Yamaguchi reported BAZ-000864-2023 and PUD-000865-2023 were requests to change the zoning on an approximately 5.85-acre site from A-1 (Agricultural) to IL (Industrial Light)/PUD-000865-2023 and a 1.53-acre tract from A-1 to CG (Commercial General). She stated the property was located on the northwest corner of Kenosha Street (71st Street) and Oneta Road (241st East Avenue). She reported the 1.53 acre tract was located on the northwest corner of Kenosha and Oneta. She stated this smaller tract was proposed to be developed in accordance with the zoning ordinance and was not a part of PUD-000865-2023. She stated rezoning this property to CG was in compliance with the comprehensive plan, which designated this lot as Level 4. She stated the 5.85 acre tract was an L shape, located to the north and west of the smaller tract, and had frontage on both Kenosha and Oneta. She stated the tract was Comprehensive Plan Level 6, which supported rezoning to IL if done with a PUD. She explained for this reason, PUD-000865-2023 was proposed to be developed in accordance with the City of Broken Arrow Zoning Ordinance and the use and development regulations of the IL (Industrial Light) district, with the following exceptions: lot frontage increased from 50 feet to 100 feet; west setback reduced from 30 feet to 17.5 feet; building height limited to 50 feet or 3 stories as opposed to 50 feet or 4 stories; landscaped edge trees increasing from 1 tree every 25 to 1 tree every 20 feet; and signage increased to two signs allowing one on each street frontage; a 6 foot masonry perimeter fence along the south and east boundary where abutting an arterial street and a 6 foot opaque fence along the north, west, and the southeast boundary which abutted the property being rezoned CG; and a reduced parking requirement. She stated Staff recommended the masonry fence along the north still be required per zoning ordinance as it abutted a residential neighborhood. She stated according to FEMA maps, none of the property was located in a 100-year floodplain area. She stated Staff recommended BAZ-000864-2023 and PUD-000865-2023 be approved, subject to the property being platted, and a masonry screening fence be required along the northern boundary of the property as required by the zoning ordinance.

The applicant, Mark Capron, Wallace Design Collective, stated this property was next to a power substation. He stated he was requesting commercial in the hard corner and ministorage on the rest of the property as a buffer. He indicated he was requesting the reduction in the masonry fence along the north side of the property because there would not be much traffic as it would be abutting the ministorage area.

Chairperson Klempa asked if Mr. Capron was in agreement with Staff recommendations regarding the masonry fence along the north side of the property.

Mr. Capron responded in the negative; he was not in agreement with Staff recommendations. He stated he proposed an opaque fence as opposed to a masonry fence.

Commissioner Coan asked what type of opaque fence would go along the west boundary.

Mr. Capron stated a regular opaque wood fence would go along the west boundary.

Ms. Yamaguchi noted the west boundary was adjacent to the substation, but the north boundary would abut a residential area if it were ever developed.

Chairperson Klempa asked if masonry columns would still be required every 30 feet if an opaque wood fence were permitted.

Ms. Yamaguchi explained this could be required if specified and it might be a good compromise.

Commissioner Goranson asked if the parking area would be paved.

Mr. Daniel responded in the affirmative. He stated he did not believe there would be outdoor storage.

Commissioner Payne asked if the developer planned to build three stories.

Mr. Daniel responded this was a definite possibility.

Commissioner Coan asked where the detention area would drain.

Mr. Daniel stated he believed it drained to the northwest corner.

Discussion ensued regarding the dry pond detention area and drainage from the property.

Chairperson Klempa closed the public hearing as there were no citizens signed up to speak.

MOTION: A motion was made by Jason Coan, seconded by Mindy Payne.

**Move to approve Item 6C per Staff recommendations with the change that wood fencing be permitted as long as masonry columns are spaced 80 feet apart along the north property line**

The motion carried by the following vote:

**Aye: 5 -** Mindy Payne, Jason Coan, Jonathan Townsend, Robert Goranson, Jaylee Klempa

**7. Appeals**

There were no Appeals.

**8. General Commission Business**

There was no General Commission Business.

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

Ms. Yamaguchi indicated appointments were requested for the Subdivision Regulation Committee previously and Planning Commission appointed two members. She asked who wished to be the primary Committee Member and who wished to be the secondary Committee Member.

Planning Commission designated Robert Goranson as the primary Committee Member, and Mindy Payne as the secondary Committee Member.

Community Development Director Kevin Maevers noted he would be heading the Subdivision Regulation Committee. He announced that Amanda Yamaguchi was officially promoted to Planning and Development Manager.

Planning Commission congratulated Ms. Yamaguchi.

Commissioner Payne suggested adding a section where citizens could address the Commission on subjects not on the Agenda.

Discussion ensued regarding the possibility of an open public comment section for citizens to discuss items not on the agenda and protocols for the potential public comment agenda item.

Ms. Yamaguchi indicated she would look further into this possibility and update the Planning Commission at the next meeting. She indicated she would also send out the training for Planning Commission before the next meeting.

Discussion ensued regarding curb cuts; who was responsible for replacing the curb and gutter when curb cuts were changed; and City Staff asking developers to remove existing nonconforming driveways in certain situations.

Commissioner Goranson pointed out a specific curb cut which he felt the developer should replace with curb and gutter and asked why City Staff did not make this request.

Mr. Dickeson explained Engineering Staff did ask developers to make such replacements when such discrepancies were caught.

Ms. Yamaguchi noted if the property was already dedicated as right-of-way, then it was the City's responsibility to replace the curb and gutter; however, if the developer was dedicating the right-of-way as part of the project, then the City could require curb and gutter replacement.

Commissioner Goranson asked if curb and gutter replacement could be included as a stipulation in a PUD.

Assistant City Attorney Parker responded in the affirmative.

**10. Adjournment**

The meeting adjourned at approximately 6:09 p.m.

MOTION: A motion was made by Mindy Payne, seconded by Jason Coan.

**Move to adjourn**

The motion carried by the following vote:

**Aye: 5 -** Mindy Payne, Jason Coan, Jonathan Townsend, Robert Goranson, Jaylee Klempa