



City of Broken Arrow
Meeting Agenda
Planning Commission

Robert Goranson Chairman
Jason Coan Vice Chairman
Jaylee Klempa Commissioner
Jonathan Townsend Commissioner
Mindy Payne Commissioner

Thursday, October 24, 2024

5:30 PM

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

1. Call To Order

2. Roll Call

3. Old Business

4. Consideration of Consent Agenda

- A. [24-1452](#) Approval of Planning Commission meeting minutes of September 12, 2024

Attachments: [09-12-2024 Planning Commission Minutes.he](#)

- B. [24-1459](#) Approval of LOT-001774-2024 Lot Split, Luth Residence, approximately 9.63 acres, 1 lot to 2 lots, , RS-4 (Single Family Residential) located one quarter mile east of South Lynn Lane Road (South 177th East Avenue), and south of West Florence Street (East 111th Street South).

Sponsors: Planning Commission

Attachments: [2 - Case Map](#)

[3- Aerial](#)

[4 - Exhibit](#)

5. Consideration of Items Removed from Consent Agenda

6. Public Hearings

- A. [24-1440](#) Public hearing, consideration, and possible action regarding BAZ-001765-2024 (Rezoning), Ellsworth Asphalt Plant, 12.83 acres, IL (Industrial Light) & CG (Commercial General) to IH (Industrial Heavy) & FD (Floodplain District), directly south of Houston Street (81st Street) and approximately one sixteenth mile west of 23rd Street (193rd Avenue/County Line Road)

Attachments: [2-Case Map BAZ-001765-2024](#)
[3-Aerial BAZ-001765-2024\(a\)](#)
[4-Comprehensive Plan BAZ-001765-2024](#)

- B. [24-1460](#) Public hearing, consideration, and possible action regarding SP-001773-2024, Ziggi's Coffee, 1 acre, request for a Specific Use Permit for a Drive Through Coffee Shop, south of the southeast corner of East Albany Street (61st Street) and County Line Road (North 23rd Street)

Sponsors: Planning Commission

Attachments: [2-Case Map](#)
[3 - Aerial](#)
[4 - Conceptual Site Plan](#)

7. Appeals

8. General Commission Business

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

10. Adjournment

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 COMMUNITY DEVELOPMENT 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.**

A paper copy of this agenda is available upon request.

POSTED this ____ day of _____, _____, at _____ a.m./p.m.

City Clerk



City of Broken Arrow

Request for Action

File #: 24-1452, **Version:** 1

**Broken Arrow Planning Commission
10-24-2024**

To: Chairman and Commission Members
From: Community Development Department
Title:

Approval of Planning Commission meeting minutes of September 12, 2024

Background: Minutes recorded for the Broken Arrow Planning Commission meeting.

Attachments: 09-12-2024 Planning Commission Minutes

Recommendation: Approve minutes of Planning Commission meeting held September 12, 2024.

Reviewed By: Amanda Yamaguchi

Approved By: Rocky Henkel



City of Broken Arrow

Minutes Planning Commission

City Hall
220 S 1st Street
Broken Arrow OK
74012

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

Thursday, September 12, 2024

Time 5:30 p.m.

Council Chambers

1. Call to Order

Chairperson Robert Goranson called the meeting to order at approximately 5:30 p.m.

2. Roll Call

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

3. Old Business

There was no Old Business.

4. Consideration of Consent Agenda

A. 24-1252 Approval of Planning Commission meeting minutes of August 8, 2024

B. 24-1214 Approval of PR-000074-2022 | PT-001686-2024, Conditional Final Plat, Creekside at Forest Ridge Phase II, approximately 21.56 acres, 53 proposed lots, A-1 to RS-3 located one-quarter mile north of Kenosha Street (71st Street), one-half mile east of Oneta Road (241st E. Avenue)

C. 24-1215 Approval of PT-001696-2024|PR-000223-2023, Conditional Final Plat for Algehazi Addition, 0.73 acres, A-1 to IL/PUD-000708-2023, approximately one-quarter mile north of Houston Street and one-quarter mile east of 23rd Street, southwest of the Broken Arrow Expressway

D. 24-1218 Approval of LOT-001649-2024 Parson Lot Split, 34.42 acres, 1 lot to 3 lots, A-1 (Agricultural), southwest of the southwest corner of Omaha Street (51st Street) and Elm Avenue (161st E. Avenue)

Chairperson Goranson asked if there were any Items to be removed from the Consent Agenda; there were none.

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

Move to approve the Consent Agenda

The motion carried by the following vote:

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

Chair Goranson indicated Items 4B and 4C would go before City Council on September 17, 2024.

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. 24-1250 Public hearing, consideration, and possible action regarding PUD-001660-2024 (Planned Unit Development) and BAZ-001703-2024 (Rezoning), Pathways Services, 8.3 acres, A-1 (Agricultural) to IL (Industrial Light), located approximately one quarter mile west of Olive Avenue (129th Avenue) and directly south of Florence Street (111th Street)

Senior Planner Joel Hensley reported Planned Unit Development-001660-2024 and zoning request BAZ-001703-2024 have been submitted in conjunction and encompass approximately 8.3-acres which was currently unplatted. He stated the applicant proposed to change the zoning from Agricultural to Industrial Light with a PUD. He indicated the property was located approximately one quarter mile west of Olive Avenue and directly south of Florence Street. He stated this request was to facilitate the development of both office and manufacturing uses. He stated PUD-001660-2024 was proposed to be developed in accordance with the IL district of Zoning Ordinance except as specified in the Staff Report. He reviewed these exceptions noting, additionally, the applicant would like to deviate from the Comprehensive Plan language which stated, "they must feature a masonry building facades" and the proposed language was "the current façade requirements." He noted the current zoning code required walls facing arterial streets and highways to be constructed of but not limited to masonry, concrete panels, glass block, glass curtain walls, EIFS, or stucco. He stated based on the conceptual site plan at least two and at most three walls would require

masonry. He stated access to the proposed development would be provided by a driveway on Florence Street. He stated there were five provisions for PUD approval according to Zoning Code and at least one was required to be met for approval; Staff believed the PUD satisfied provision 5 by providing a productive use of land and land use compatibility. He stated the subject property was designated as Level 6 (Regional Employment/Commercial) in the Comprehensive Plan; Industrial Light with a PUD was considered to be in accordance with the Comprehensive Plan in Level 6. He stated according to the FEMA Maps, none of this property was located in the 100 year floodplain. He noted water and sanitary sewer service were available from the City of Broken Arrow. He stated based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommended PUD-001660-2024 & BAZ-001703-2024 be approved, subject to the property being platted.

The applicant, Justin Debruin, with Wallace Design Collective, stated this was a Level 6 designation through the Comprehensive Plan. He stated Pathway Services had a primary use of office with an accessory light manufacturing use. He noted Pathway Services conducted inventories of street systems in various municipalities. He stated he was confident this was an appropriate fit for the area.

Chair Goranson asked how many vehicles would be on site.

Mr. Debruin stated there would be approximately 82 parking spaces.

Planning and Development Manager Amanda Yamaguchi stated once a site plan was developed, and the square footage was determined, then the number of parking spaces would be calculated. She said the PUD was conceptual in nature. She stated there would be different parking requirements based on the office space and the warehouse space.

Commissioner Jaylee Klempa asked about the applicant's interpretation of the current façade requirements as there were no renderings showing examples.

Mr. Debruin stated he was working with Staff on this. He noted any code requirement the City had would be met.

Chair Goranson stated he was unsure if "code appropriate" was the correct terminology.

Mr. Debruin noted he wrote that.

Chair Goranson suggested "in accordance with code requirements" would be more appropriate.

Ms. Yamaguchi stated this could be clarified before the City Council meeting.

Vice Chair Jason Coan stated he had concerns about the wall being an EFIS product because EFIS was not very durable for a perimeter wall. He stated he would ask for EFIS not to be an option.

Commissioner Klempa noted the wall could be masonry along the bottom of the wall and then an EFIS material higher up.

Vice Chair Coan stated weed eating would ruin the stucco as well.

Chair Goranson agreed, noting it was important for the wall to look nice as the Creek Turnpike was here.

Commissioner Mindy Payne asked if this property would still be Native American property once it was sold to a non-Native American.

Mr. Hensley responded in the negative.

Commissioner Payne stated she wanted to be sure no casino could be located on this land.

Mr. Hensley indicated no casino would be permitted on the property as it would be owned by a non-Native American and would fall under the jurisdiction of the City. He stated conversely, the City had no jurisdiction on Native American property.

Discussion ensued regarding the motion.

MOTION: A motion was made by Jason Coan, seconded by Jaylee Klempa.

Move to approve Item 6A per Staff recommendations with the stipulation that EFIS not be allowed on the lower three feet of the exterior building wall

The motion carried by the following vote:

Aye: 4 - Jonathan Townsend, Jaylee Klempa, Jason Coan, Robert Goranson:

Abstain: 1 - Mindy Payne

Chair Goranson indicated this Item would go before City Council on October 1, 2024 at 6:30 p.m.

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)

Vice Chair Coan related a story about the Broken Arrow Fire Department who responded to a phone call from his daughter regarding a cat stuck in the sewer line. He noted the Fire Department responded quickly and saved the kitten. He commented on the small town feel of Broken Arrow. He thanked the Fire Department.

Chair Goranson asked for clarification on voting terminology. He noted abstain was actually considered a no vote or a negative vote.

Assistant City Attorney Graham Parker noted abstain was counted as a no vote, for example, if there was a motion to approve and there were not enough yes votes, the abstain was counted as a no and the motion would not pass. He suggested explaining this if it ever happened in front of a large audience at a Planning Commission Meeting to ensure the public understood the ramifications. He noted it helped to state a reason for an abstain vote.

Commissioner Payne explained she abstained from the vote as she was familiar with the people involved.

Commissioner Klempa noted some might think a Commissioner was abstaining just because he or she did not want to vote, so understanding why a Commissioner abstained was a good thing.

Discussion continued regarding different vote scenarios involving abstain votes and how an abstain vote would affect each vote.

Vice Chair Coan asked what would happen if a motion did not pass but the item was not denied.

Mr. Parker explained the item would have to be tabled or withdrawn.

10. Adjournment

The meeting was adjourned at approximately 5:48 p.m.

MOTION: A motion was made by Jaylee Klempa, seconded by Mindy Payne.

Move to adjourn

The motion carried by the following vote:

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



City of Broken Arrow

Request for Action

File #: 24-1459, **Version:** 1

**Broken Arrow Planning Commission
10-24-2024**

To: Chairman and Commission Members
From: Community Development Department
Title:

Approval of LOT-001774-2024 Lot Split, Luth Residence, approximately 9.63 acres, 1 lot to 2 lots, , RS-4 (Single Family Residential) located one quarter mile east of South Lynn Lane Road (South 177th East Avenue), and south of West Florence Street (East 111th Street South).

Background:

Applicant: Brittany Luth

Owner: Brittany Luth

Developer: N/A

Location: One quarter mile east of South Lynn Lane Road (South 177th East Avenue), and south of West Florence Street (East 111th Street South).

Size of Tract 9.63 acres

Number of Lots: 1 lot to 2 lots

Present Zoning: RS-4 (Single-Family Residential)

Comp Plan: Level 2 (Urban Residential)

LOT-001774-2024 is a Lot Split application that has been submitted for an unplatted tract of land one quarter mile east of Lynn Land and south of Florence Street.

BAZ-001411-2024 was approved by City Council on May 21, 2024. This changed the zoning designation on the property from A-1 to RS-4. This rezoning was done with the intention of applying for this lot split. LOT-001774-2024 is a proposed lot split that would break the current 9.63 acre tract into a northern parcel of 2 acres (Tract B), and a southern parcel of 7.63 acres (Tract A). The Tract A is a flag lot, with 55' of frontage onto Florence Street, which meets the minimum criteria. Both lots being created would meet the minimum dimensional requirements of the zoning ordinance for RS-4.

According to FEMA maps, none of the property is located in a 100-year floodplain area. Water and sanitary sewer are available from the City of Broken Arrow.

Attachments: Case map
Aerial Map
Exhibit

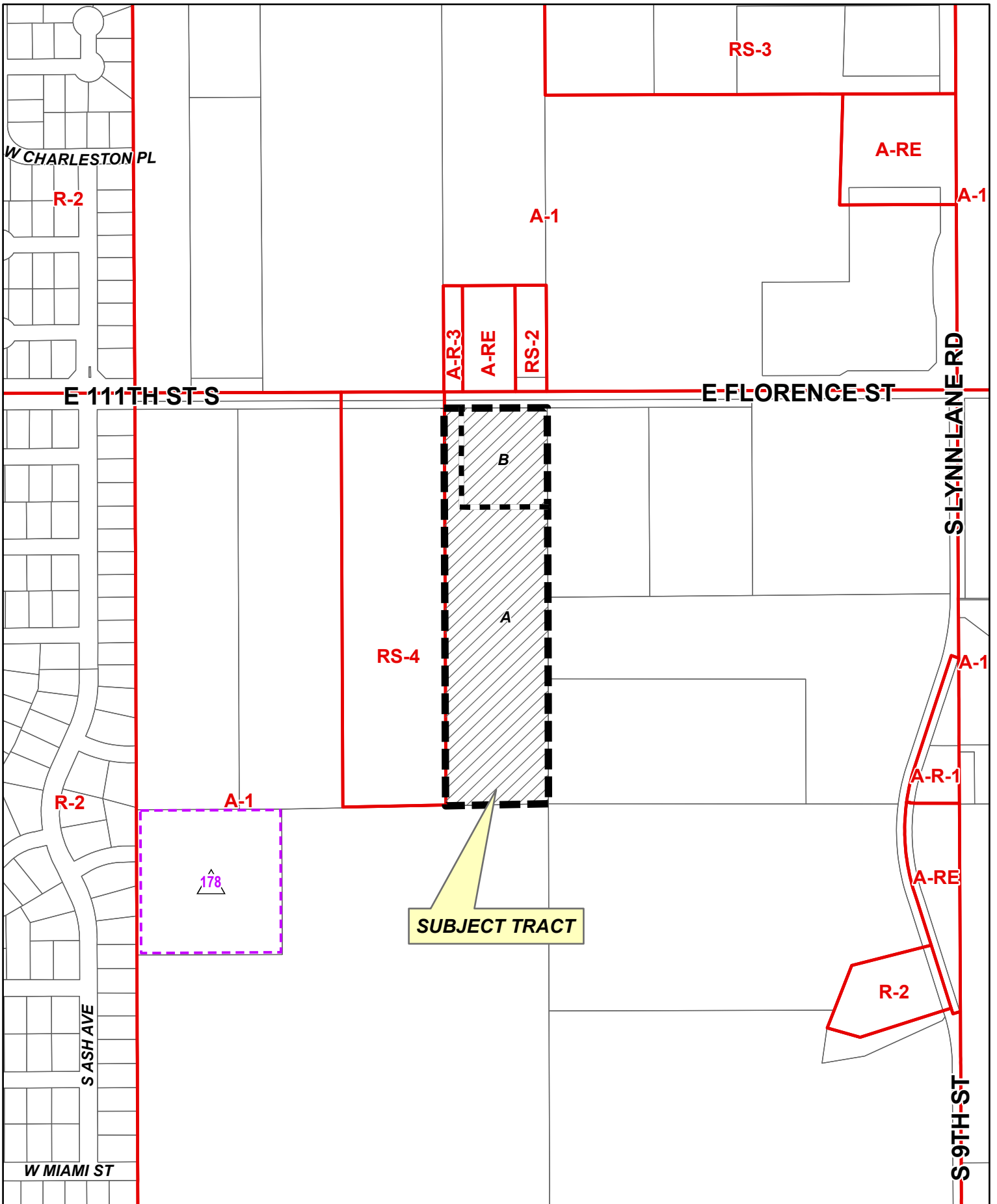
Recommendation:

Staff recommends LOT-001774-2024 be approved, subject to new warranty deeds for the two parcels being brought simultaneously to the Planning & Development Division to be stamped prior to being recorded in Tulsa County.

Reviewed By: Amanda Yamaguchi

Approved By: Rocky Henkel

HMB

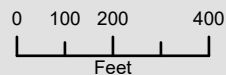


300' Radius



Subject Tract

LOT-001774-2024



35 18-14





W CHARLESTON PL

E 111TH ST S

E FLORENCE ST

S LYNN LANE RD

B

A

SUBJECT TRACT

S ASH AVE

W MIAMI ST

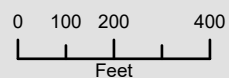
S 9TH ST

Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2023



Subject Tract

LOT-001774-2024



35 18-14



LEGEND

- AC = AIR CONDITIONER
- AD = AREA INLET
- ASP = AUTO SPRINKLER
- BC = BOTTOM OF CURB
- B/L = BUILDING LINE
- BM = BENCHMARK
- BWF = BARBED WIRE FENCE
- CATV = CABLE TV PEDESTAL
- CL = CENTERLINE
- CLB = CLIMB BARRIER
- CLF = CHAIN LINK FENCE
- CO = CLEAN OUT
- CPS = COX POWER SUPPLY
- CMP = CORRUGATED METAL PIPE
- CPP = CORRUGATED PLASTIC PIPE
- DGDI = DOUBLE GRATE DROP INLET
- DIP = DUCTILE IRON PIPE
- EM = ELECTRIC METER
- EO = ELECTRIC OUTLET
- EPED = ELECTRIC PEDESTAL
- ET = ELECTRIC TRANSFORMER
- FF = FINISH FLOOR
- FG = FINISH GRADE
- FH = FIRE HYDRANT
- FP = FLAG POLE
- FL = FLOWLINE
- GM = GAS METER
- GR = GAS REGULATOR
- GV = GAS VALVE
- GL = GROUND LIGHT
- GP = GUARD POST
- GUY = GUY ANCHOR
- HDWL = HEADWALL
- HPP = HIGH POWER POLE
- HPS = HANDICAP PARKING SIGN
- HWF = HOG WIRE FENCE
- ICV = IRRIGATION CONTROL VALVE
- LP = LIGHT POLE
- (M) = MEASURED DATA
- MB = MAILBOX
- MW = MONITORING WELL
- (P) = PER PLAT
- PLF = PLASTIC FENCE
- PM = PARKING METER
- PP = POWER POLE
- PPD = POWER POLE W/ DROP SERVICE
- PPDT = POWER POLE W/ DROP & TRANSFORMER
- PPLT = POWER POLE W/ LIGHT & TRANSFORMER
- PPM = POWER POLE W/ ELECTRIC METER
- PPNS = POWER POLE / NO SERVICE
- PPPT = POWER POLE W/ TRANSFORMER
- RCB = REINFORCED CONCRETE BOX
- RCP = REINFORCED CONCRETE PIPE
- RD = ROOF INLET
- SSLH = SANITARY SEWER LAMP HOLE
- SSMH = SANITARY SEWER MANHOLE
- S/B = SETBACK
- SGDI = SINGLE GRATE DROP INLET
- SH = SPRINKLER HEAD
- SP = SIGN POST
- STMH = STORM SEWER MANHOLE
- STJB = STORM SEWER JUNCTION BOX
- TM = TELEPHONE MANHOLE
- TPED = TELEPHONE PEDESTAL
- TC = TOP OF CURB
- TD = TOP OF DECK
- TG = TOP OF GRATE
- TR = TOP OF RIM
- TS = TRAFFIC SIGNAL
- TSPL = TRAFFIC SIGNAL LIGHT POLE
- TSPB = TRAFFIC SIGNAL PULL BOX
- TSMH = TRAFFIC SIGNAL MANHOLE
- TVLT = TELEPHONE VAULT
- TW = TOP OF WALL
- U/E = UTILITY EASEMENT
- UM = UTILITY MARKER
- VP = VENT PIPE
- WF = WATER FAUCET
- WM = WATER METER
- WSE = WATER SURFACE ELEVATION
- WV = WATER VALVE
- WDF = WOOD FENCE
- (Z) = ZONING
- C— = CENTERLINE
- X— = FENCE LINE
- OC— = OVERHEAD COMMUNICATION
- OE— = OVERHEAD ELECTRIC
- SS— = SANITARY SEWER
- ST— = STORM SEWER
- S— = TOP/TOE OF SLOPE
- UC— = UNDERGROUND COMMUNICATION
- UE— = UNDERGROUND ELECTRIC
- UG— = UNDERGROUND GAS
- UT— = UNDERGROUND TELEPHONE
- WL— = WATER LINE

NEW LEGAL DESCRIPTION - REMAINDER OF TRACT "A"

A TRACT OF LAND THAT IS PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-FIVE (35), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF THE NE/4 OF SAID SECTION 35; THENCE NORTH 88°37'54" EAST ALONG THE NORTH LINE THEREOF A DISTANCE OF 659.01 FEET TO THE NORTHWEST CORNER OF THE WEST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (W/2 E/2 NW/4 NE/4) OF SAID SECTION 35; THENCE SOUTH 01°26'59" EAST ALONG THE WEST LINE THEREOF A DISTANCE OF 50.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST FLORENCE STREET AND THE POINT OF BEGINNING;

THENCE NORTH 88°37'54" EAST ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 55.00 FEET; THENCE SOUTH 01°26'59" EAST AND PARALLEL WITH THE WEST LINE OF THE W/2 E/2 NW/4 NE/4 OF SAID SECTION 35 A DISTANCE OF 317.12 FEET; THENCE NORTH 88°37'54" EAST A DISTANCE OF 274.72 FEET TO THE EAST LINE OF THE W/2 E/2 NW/4 NE/4 OF SAID SECTION 35; THENCE SOUTH 01°29'04" EAST ALONG SAID EAST LINE A DISTANCE OF 954.49 FEET TO THE SOUTHEAST CORNER OF THE W/2 E/2 NW/4 NE/4 OF SAID SECTION 35; THENCE SOUTH 88°37'24" WEST ALONG THE SOUTH LINE THEREOF A DISTANCE OF 330.30 FEET TO THE SOUTHWEST CORNER OF THE W/2 E/2 NW/4 NE/4 OF SAID SECTION 35; THENCE NORTH 01°26'59" WEST ALONG THE WEST LINE THEREOF A DISTANCE OF 1271.65 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST FLORENCE STREET AND THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 332,443.05 SQ. FEET OR 7.63 ACRES. BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83).

NEW LEGAL DESCRIPTION - SPLIT TRACT "B"

A TRACT OF LAND THAT IS PART OF THE NORTHEAST QUARTER (NE/4) OF SECTION THIRTY-FIVE (35), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST OF THE INDIAN BASE AND MERIDIAN, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE U.S. GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

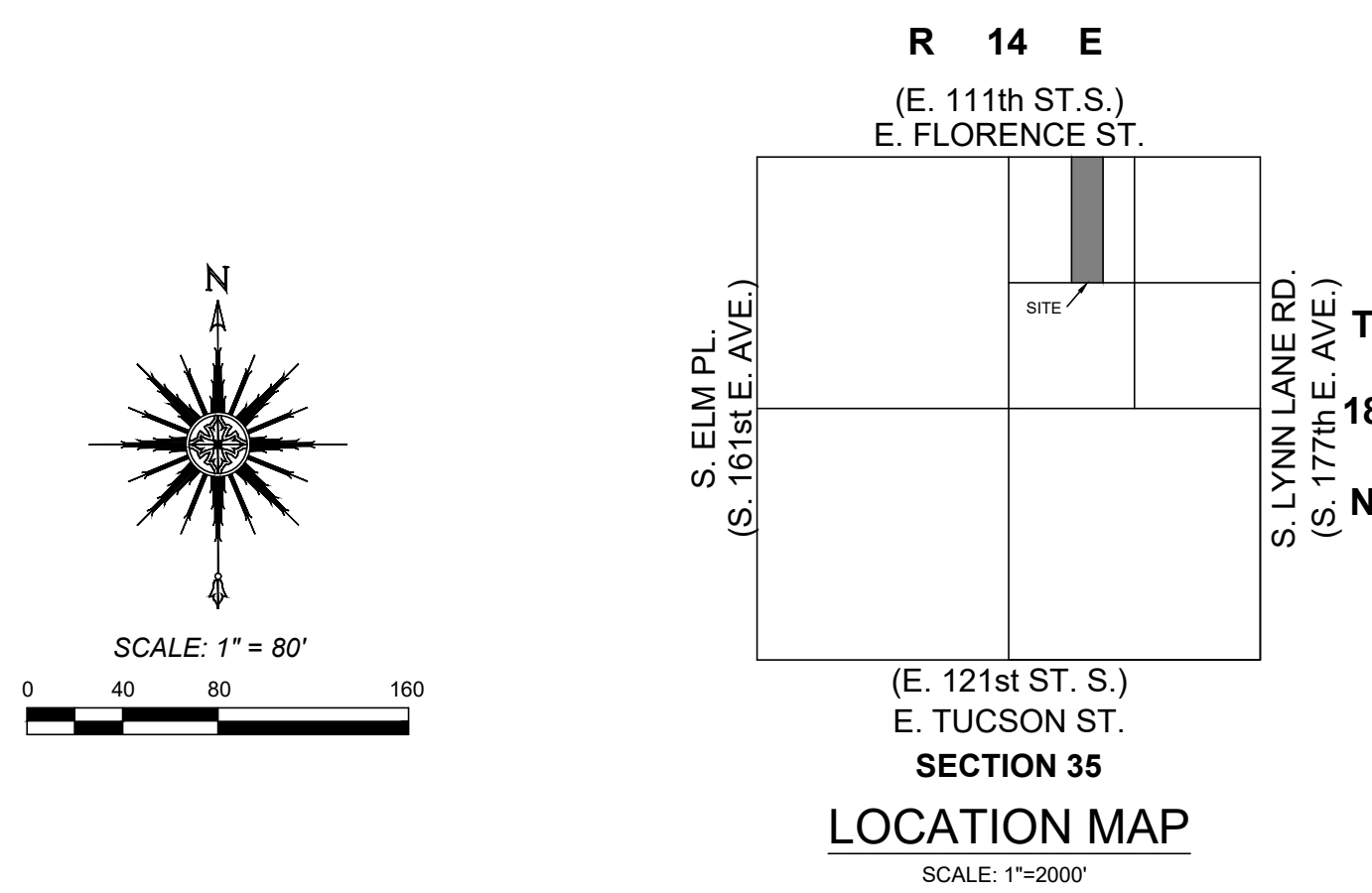
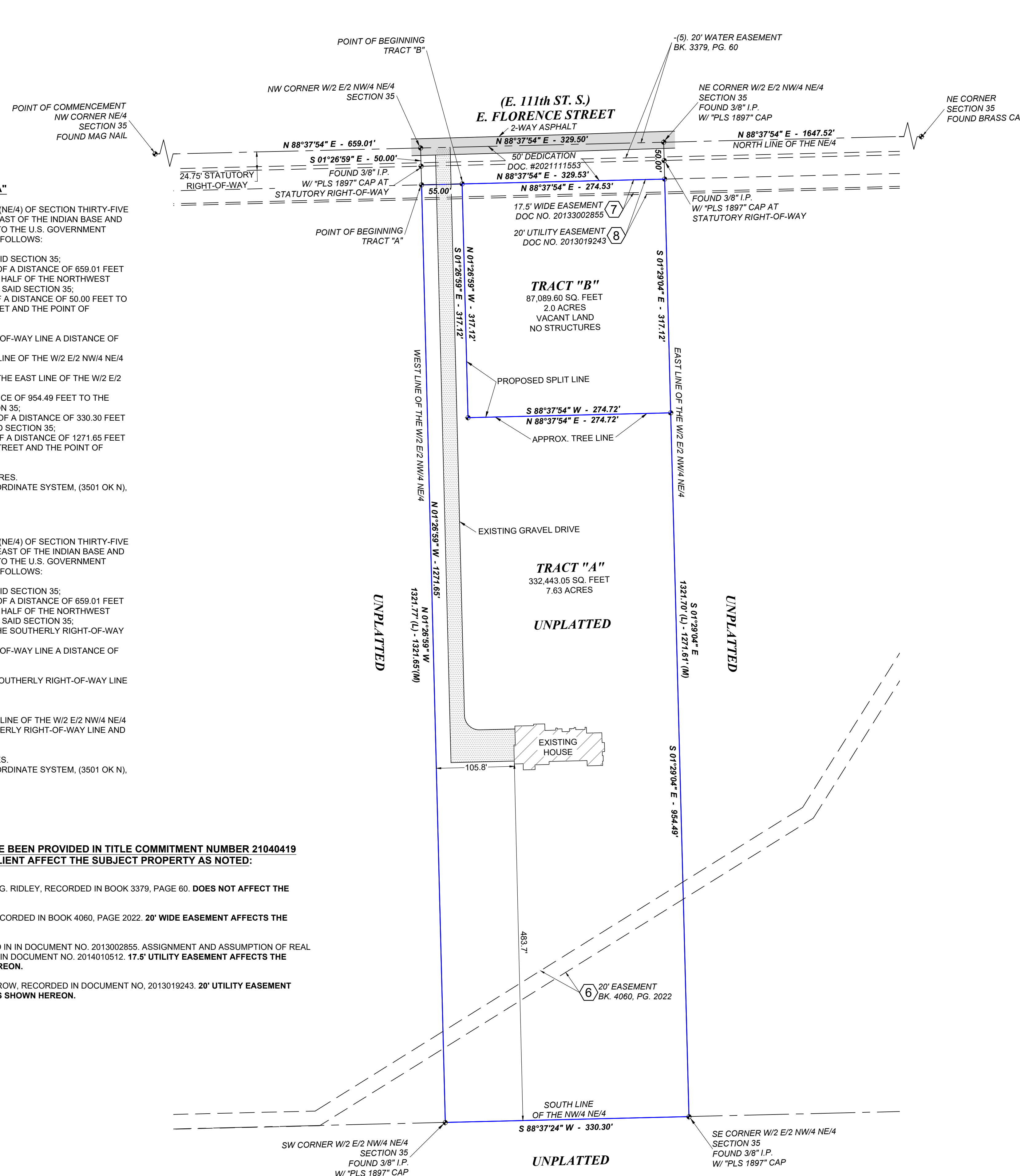
COMMENCING AT THE NORTHWEST CORNER OF THE NE/4 OF SAID SECTION 35; THENCE NORTH 88°37'54" EAST ALONG THE NORTH LINE THEREOF A DISTANCE OF 659.01 FEET TO THE NORTHWEST CORNER OF THE WEST HALF OF THE EAST HALF OF THE NORTHEAST QUARTER OF THE NORTHEAST QUARTER (W/2 E/2 NW/4 NE/4) OF SAID SECTION 35; THENCE SOUTH 01°26'59" EAST A DISTANCE OF 50.00 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE OF EAST FLORENCE STREET;

THENCE NORTH 88°37'54" EAST AND CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 55.00 FEET TO THE POINT OF BEGINNING; THENCE NORTH 88°37'54" EAST AND CONTINUING ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE A DISTANCE OF 274.53 FEET; THENCE SOUTH 01°29'04" EAST 317.12 FEET; THENCE SOUTH 88°37'54" WEST 274.72 FEET; THENCE NORTH 01°26'59" WEST AND PARALLEL WITH THE WEST LINE OF THE W/2 E/2 NW/4 NE/4 OF SAID SECTION 35 A DISTANCE OF 317.12 FEET TO THE SOUTHERLY RIGHT-OF-WAY LINE AND THE POINT OF BEGINNING.

SAID TRACT OF LAND CONTAINS 87,089.60 SQ. FEET OR 2.0 ACRES. BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83).

THE FOLLOWING RECORDED DOCUMENTS THAT HAVE BEEN PROVIDED IN TITLE COMMITMENT NUMBER 21040419 (EFFECTIVE DATE: MAY 4, 2024 AT 7:00 AM) BY THE CLIENT AFFECT THE SUBJECT PROPERTY AS NOTED:

- 5. 20' WATER EASEMENT IN FAVOR OF R.P. RIDLEY AND GLADYS G. RIDLEY, RECORDED IN BOOK 3379, PAGE 60. DOES NOT AFFECT THE SURVEYED PROPERTY, BUT IS SHOWN HEREON.
- 6. 20' EASEMENT IN FAVOR OF THE CITY OF BROKEN ARROW, RECORDED IN BOOK 4060, PAGE 2022. 20' WIDE EASEMENT AFFECTS THE SURVEYED PROPERTY AS SHOWN HEREON.
- 7. 17.5' UTILITY EASEMENT IN FAVOR OF THE PUBLIC, RECORDED IN IN DOCUMENT NO. 2013002855. ASSIGNMENT AND ASSUMPTION OF REAL PROPERTY INTERESTS IN FAVOR OF ONE GAS, INC., RECORDED IN DOCUMENT NO. 2014010512. 17.5' UTILITY EASEMENT AFFECTS THE NORTHERLY 17.5' OF THE SURVEYED PROPERTY AS SHOWN HEREON.
- 8. 20' UTILITY EASEMENT IN FAVOR OF THE CITY OF BROKEN ARROW, RECORDED IN DOCUMENT NO. 2013019243. 20' UTILITY EASEMENT AFFECTS THE NORTHERLY 20' OF THE SURVEYED PROPERTY AS SHOWN HEREON.



LEGAL DESCRIPTION - EXISTING PARENT TRACT - WD DOC. #2022100611

A TRACT OF LAND IN THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER (NW/4 NE/4) OF SECTION THIRTY-FIVE (35), TOWNSHIP EIGHTEEN (18) NORTH, RANGE FOURTEEN (14) EAST IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE UNITED STATES GOVERNMENT SURVEY THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHWEST CORNER OF SAID NE/4, SAID POINT ALSO BEING THE NORTH 1/4 CORNER OF SAID SECTION 35; THENCE ALONG THE NORTH LINE OF SAID NE/4 NORTH 88°37'52" EAST 659.01 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUING ALONG SAID NORTH LINE NORTH 88°37'52" EAST 329.50 FEET TO A POINT FROM WHICH THE NORTHEAST CORNER OF SAID SECTION 35 BEARS NORTH 88°37'52" EAST 1647.52 FEET, SAID CORNER MARKED BY A 3-INCH BRASS CITY OF BROKEN ARROW DISC IN A WATER VALVE BOX; THENCE DEPARTING SAID NORTH LINE SOUTH 01°29'03" EAST 1321.70 FEET TO A POINT ON THE EAST-WEST 1/16 LINE OF SAID NE/4; TO A POINT FROM WHICH THE NORTHEAST 1/16 CORNER OF SAID SECTION 35 BEARS NORTH 88°37'10" EAST 330.31 FEET, SAID CORNER MARKED BY A 1/2 INCH IRON PIN; THENCE ALONG SAID EAST-WEST LINE SOUTH 88°37'10" WEST 330.31 FEET TO A POINT FROM WHICH THE CENTER-CENTER NORTH 1/16 CORNER BEARS SOUTH 88°37'10" WEST 660.61 FEET, SAID CORNER MARKED BY A 3/8 INCH IRON PIN WITH YELLOW PLASTIC CAP MARKED, "CA 3643"; THENCE DEPARTING SAID EAST-WEST LINE NORTH 01°26'58" WEST 1321.77 FEET TO THE POINT OF BEGINNING.

SURVEYOR'S NOTE: 50' RIGHT OF WAY DEDICATION FILED AS DOC. #202111553 HAS ALTERED THE CAPTIONED LEGAL AND HAS BEEN ACKNOWLEDGED IN THE PROVIDED INFORMATION.

SURVEYOR'S NOTES

PREPARED FOR: JD DEVELOPMENT GROUP, LLC / JOSHUA LUTH
PHYSICAL ADDRESS: 605 E. FLORENCE ST., BROKEN ARROW, TULSA COUNTY, OK 74011
BEARINGS ARE BASED UPON THE OKLAHOMA STATE PLANE COORDINATE SYSTEM, (3501 OK N), NORTH AMERICAN DATUM 1983 (NAD83).
EASEMENTS MAY EXIST THAT ARE NOT SHOWN.

SET 3/8" IRON PIN W/ GREEN "FRITZ CA5848" CAP OR MAG NAIL W/ "FRITZ CA5848" WASHER AT ALL CORNERS UNLESS NOTED AND SHOWN OTHERWISE HEREON.

PARENT TRACT GROSS LAND AREA: 419,532.7 SQ. FEET OR 9.63 ACRES.
TRACT "A" GROSS LAND AREA: 332,443.05 SQ. FEET OR 7.63 ACRES.
TRACT "B" GROSS LAND AREA: 87,089.60 SQ. FEET OR 2.0 ACRES.
THE SURVEYED PROPERTY IS CURRENTLY ZONED A-1 PER INCOG ZONING MAP.
WE HAVE EXAMINED A MAP BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FLOOD INSURANCE RATE MAP, CITY OF BROKEN ARROW, OKLAHOMA, COMMUNITY PANEL NO. 40143C0393M - SEPTEMBER 30, 2016, WHICH INDICATES THE SURVEYED PROPERTY TO BE WITHIN UNSHADED ZONE X (AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOODPLAIN).

LAST SITE VISIT: JUNE 23, 2022.

ALL UTILITIES MAY NOT BE SHOWN - CALL OKIE 1-800-522-6543!

CERTIFICATE OF SURVEY

FRITZ LAND SURVEYING, LLC AND THE UNDERSIGNED PROFESSIONAL LAND SURVEYOR, UNDER CERTIFICATE OF AUTHORIZATION CA #5848, DO HEREBY STATE THAT THIS PLAT OF SURVEY IS A TRUE AND ACCURATE REPRESENTATION OF THE SURVEY MADE ON THE GROUND AND OF THE FACTS AS FOUND AT THE TIME OF THE SURVEY AND THAT THIS PLAT MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS ADOPTED BY THE OKLAHOMA STATE BOARD OF LICENSURE FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS.

WITNESS MY HAND AND SEAL THIS 26th DAY OF FEBRUARY, 2024.

ANDY FRITZ, PLS
OK LIC. 1694
CA #5848



LOT LINE ADJUSTMENT		
W/2 E/2 NW/4 NE/4 OF SEC.35, T18N, R14E		
605 E. FLORENCE ST., BROKEN ARROW, TULSA COUNTY, OK 74011		
SURVEY: DCH	DATE: 06/23/2022	PREPARED BY: FRITZ LAND SURVEYING, LLC
DRAFT: RLL	DATE: 02/14/2024	524 E. MAIN ST., JENKS, OK 74037
APPROVED: PLS	DATE: 02/26/2024	PH: 918-528-5121
REV:	PROJECT NO.: 24070	FRITZLANDSURVEYING@GMAIL.COM
		C.A. # 5848 EXPIRES: 6-30-2024





City of Broken Arrow

Request for Action

File #: 24-1440, **Version:** 1

**Broken Arrow Planning Commission
10-24-2024**

To: Chairman and Commission Members
From: Community Development Department
Title:

Public hearing, consideration, and possible action regarding BAZ-001765-2024 (Rezoning), Ellsworth Asphalt Plant, 12.83 acres, IL (Industrial Light) & CG (Commercial General) to IH (Industrial Heavy) & FD (Floodplain District), directly south of Houston Street (81st Street) and approximately one sixteenth mile west of 23rd Street (193rd Avenue/County Line Road)

Background:

Applicant: Lou Reynolds, Eller & Detrich
Owner: Steve Couch, Import Markets, Inc
Developer: Robert Ellsworth, Ellsworth Construction
Engineer: Nicole Watts & Mark Capron, Wallace Design Collective
Location: Directly south of Houston Street (81st Street) and approximately one sixteenth mile west of 23rd Street (193rd Avenue/County Line Road)
Size of Tract 12.83 acres
Number of Lots: 1
Present Zoning: IL (Industrial Light) & CG (Commercial General)
Proposed Zoning: IH (Industrial Heavy) & FD (Floodplain District)
Comp Plan: Level 7 (Major Industrial)

BAZ-001765-2023 is a request to change the zoning designation on 12.83 acres from IL (Industrial Light) & CG (Commercial General) to IH (Industrial Heavy) & FD (Floodplain District). The property is located directly south of Houston Street (81st Street) and west of 23rd Street (193rd Avenue/County Line Road) and is currently un-platted.

The applicant is requesting to rezone the lot in preparation for the development of the Ellsworth Asphalt Plant, which is permitted by right in the IH zoning district. This property meets all of the dimensional standards for the IH zoning district.

This property is designated as Level 7 in the Comprehensive Plan and requested IH zoning is in accordance with that designation.

SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

The surrounding properties contain the following uses, along with the following development guide and zoning designations:

Location	Comprehensive Plan	Zoning	Land Use
North	Level 6	AG	Residential
East	Level 7	CG	Undeveloped
South	Level 7	IH	Concrete Plant
West	Level 7	IH	Concrete

According to FEMA’s National Flood Hazard Layer, the eastern section of the property is located in the 100-year floodplain and is proposed to be rezoning as FD.

Attachments: Case Map
Aerial Image
Comprehensive Plan

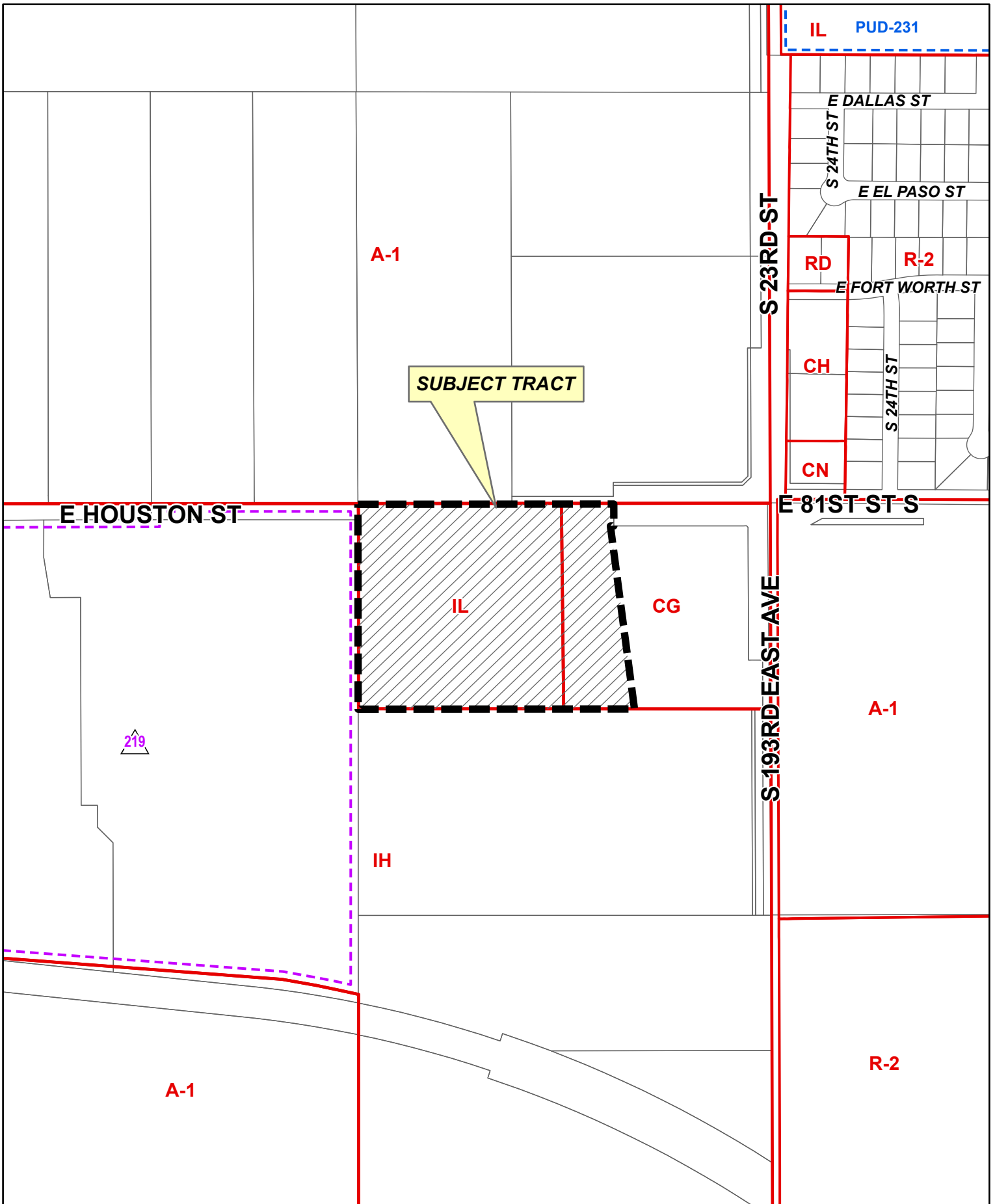
Recommendation:

Based upon the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that BAZ-001765-2024 be approved subject to the property being platted.

Reviewed by: Amanda Yamaguchi

Approved by: Rock Henkil

JTH

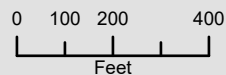


300' Radius



Subject Tract

BAZ-001765-2024



13 18-14





SUBJECT TRACT

E HOUSTON ST

E 81ST ST S

S 23RD ST

S 193RD EAST AVE

E DALLAS ST

S 24TH ST

E EL PASO ST

E FORT WORTH ST

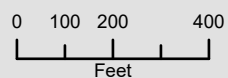
S 24TH ST

*Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2023*



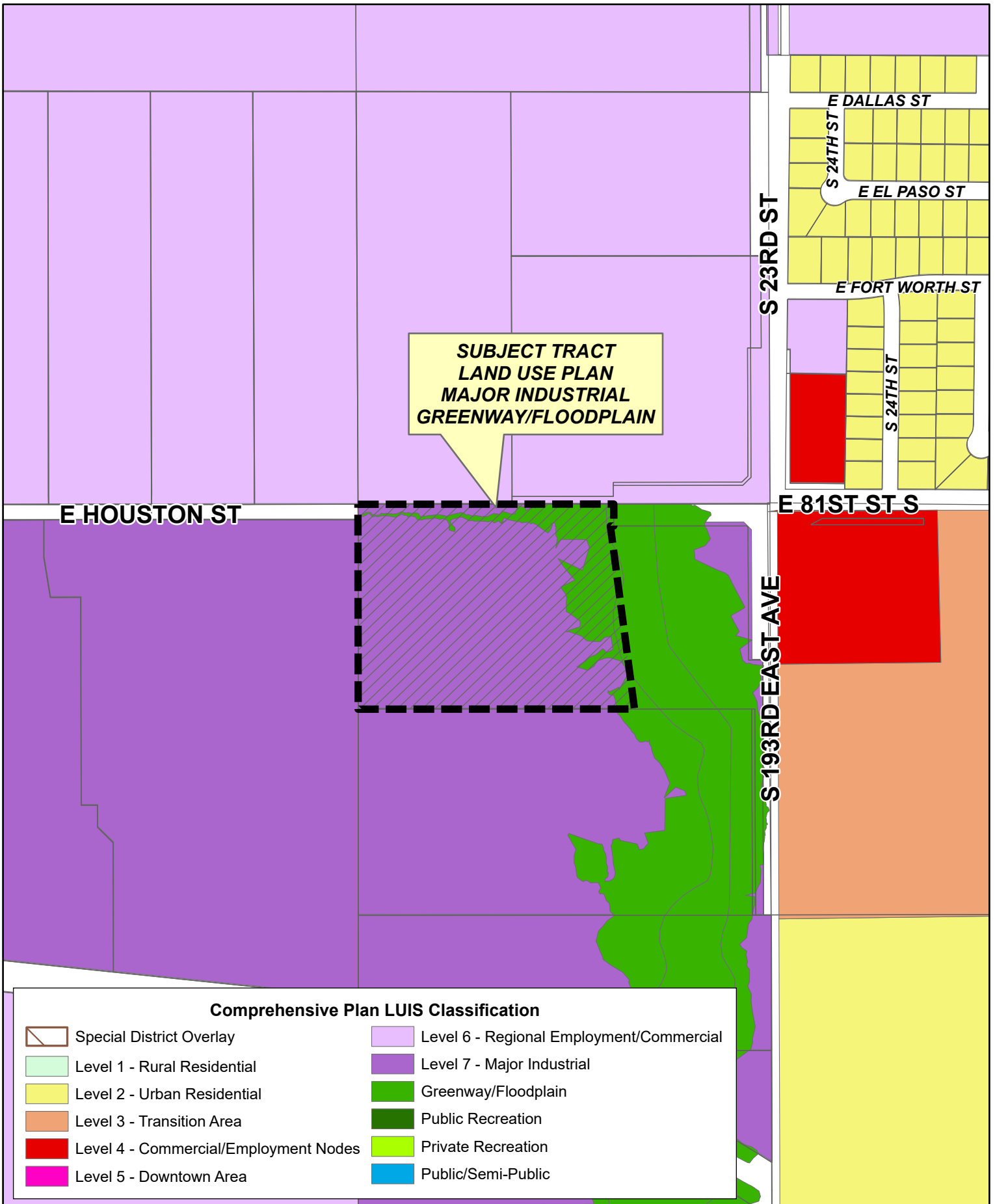
Subject Tract

BAZ-001765-2024















13 18-14





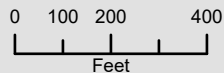
**SUBJECT TRACT
LAND USE PLAN
MAJOR INDUSTRIAL
GREENWAY/FLOODPLAIN**

Comprehensive Plan LUIS Classification

 Special District Overlay	 Level 6 - Regional Employment/Commercial
 Level 1 - Rural Residential	 Level 7 - Major Industrial
 Level 2 - Urban Residential	 Greenway/Floodplain
 Level 3 - Transition Area	 Public Recreation
 Level 4 - Commercial/Employment Nodes	 Private Recreation
 Level 5 - Downtown Area	 Public/Semi-Public



BAZ-001765-2024



13 18-14





City of Broken Arrow

Request for Action

File #: 24-1460, Version: 1

**Broken Arrow Planning Commission
10-24-2024**

To: Chair and Commission Members
From: Community Development Department
Title:

Public hearing, consideration, and possible action regarding SP-001773-2024, Ziggi's Coffee, 1 acre, request for a Specific Use Permit for a Drive Through Coffee Shop, south of the southeast corner of East Albany Street (61st Street) and County Line Road (North 23rd Street)

Background:

Applicant: Justin DeBruin (Wallace)
Owner: Forum Properties LLC
Developer: Ziggi's Coffee
Architect: NA

Location: South of the southeast corner of East Albany Street (61st Street) and County Line Road (North 23rd Street)

Size of Tract: 1 acre
Number of Lots: 1
Present Zoning: CN (Commercial Neighborhood)
Comp Plan: Level 4 (Commercial/Employment Nodes)

SP-001773-2024 is a request for a Specific Use Permit for a "Restaurant with drive-thru" on property located South of the southeast corner of East Albany Street and County Line Road. The property has been platted as part of Lot 1 Block 1 of Quail Hollow and is zoned CN (Commercial Neighborhood).

The applicant is proposing a drive-thru coffee shop for this location. A drive-thru coffee shop fits within the use category of "Restaurant with drive-thru", which is only allowed in CN with a Specific Use Permit. A conceptual site plan has been included, which shows the proposed layout of the coffee shop, which is proposed to be built within all regulations of the zoning ordinance.

SURROUNDING LAND USES/ZONING/COMPREHENSIVE PLAN

The surrounding properties contain the following uses, along with the following development guide and zoning designations:

Location	Development Guide	Zoning	Land Use
North	Level 4	CN	Restaurant
East	Level 3	RM	Multi-Family
South	Level 4	CN	Undeveloped
West	Public/Semi-Public	A-1 / SP - 234	High School

According to Section 6.5.C.8 of the Zoning Ordinance, a Specific Use Permit can be approved only if the City Council finds that all of the following criteria have been met:

- a. The proposed use is consistent with the comprehensive plan and all applicable provisions of this Ordinance and applicable state and federal regulations;
- b. The proposed use is consistent with the purpose and intent of the zoning district in which it is located;
- c. The proposed use is consistent with any applicable Specific Use Permit standards set forth in Section 3.2, *Specific Use Permit Standards*;
- d. The proposed use is compatible with adjacent uses in terms of scale, site design, and operating characteristics (hours of operation, traffic generation, lighting, noise, odor, dust, and other external impacts);
- e. Any significant adverse impacts anticipated to result from the use will be mitigated or offset to the maximum extent practicable;
- f. Facilities and services (including sewage and waste disposal, water, gas, electricity, police and fire protection, and roads and transportation, as applicable) will be available to serve the subject property while maintaining adequate levels of service for existing development;
- g. Adequate assurances of continuing maintenance have been provided.

In Staff's opinion, SP-001773-2024 is consistent with the above criteria.

Attachments: Case map
Aerial photo
Conceptual Site Plan

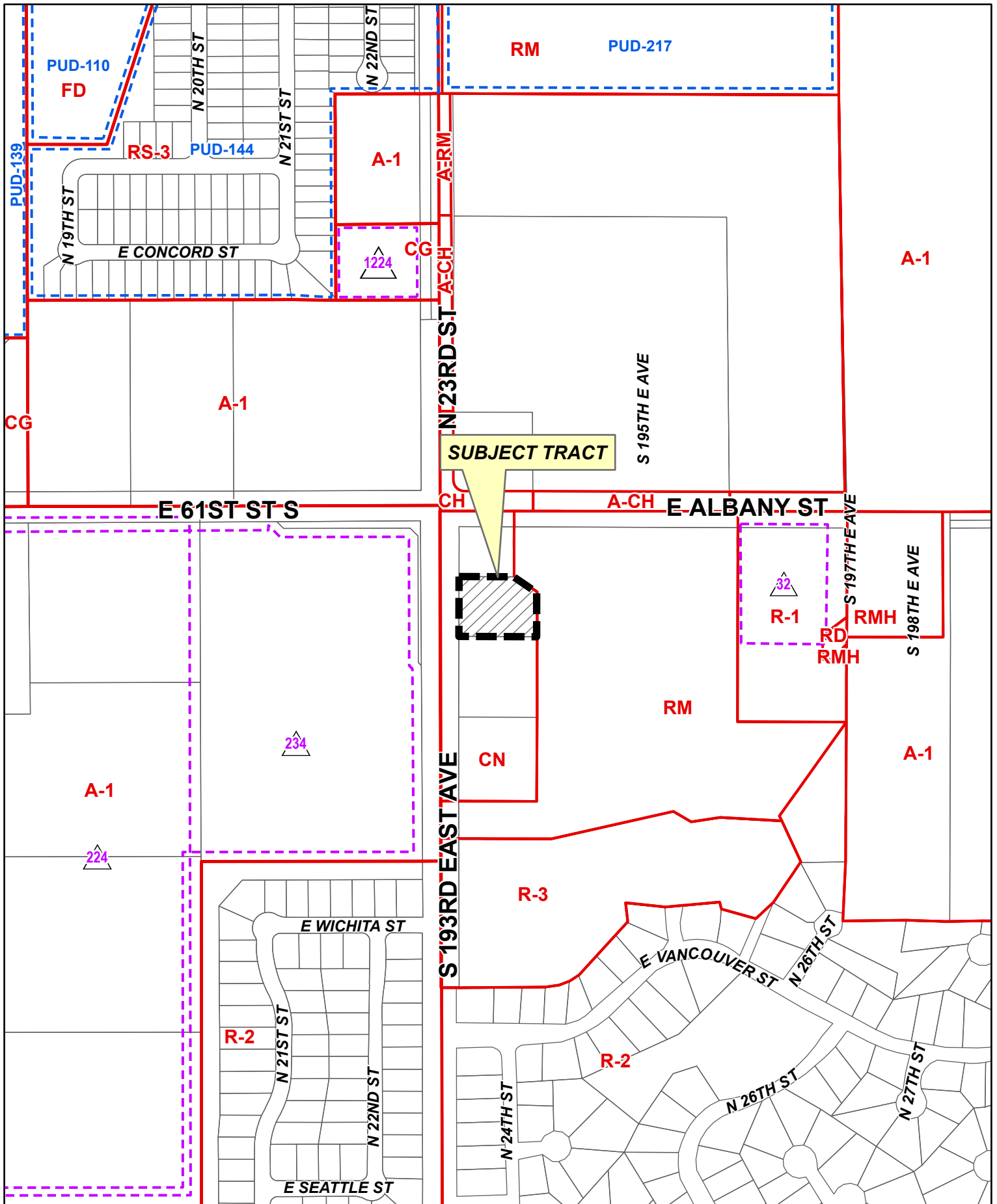
Recommendation:

Based on the Comprehensive Plan, the surrounding land uses, the location of the property, and requirements of the Zoning Ordinance, Staff recommends SP-001773-2024 be approved.

Reviewed By: Amanda Yamaguchi

Approved By: Rocky Henkel

HMB



SUBJECT TRACT

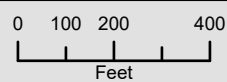


300' Radius



Subject Tract

SP-001773-2024



06 18-15





SUBJECT TRACT

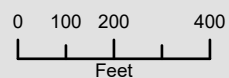


Note: Graphic overlays may not precisely align with physical features on the ground.
Aerial Photo Date: 2023



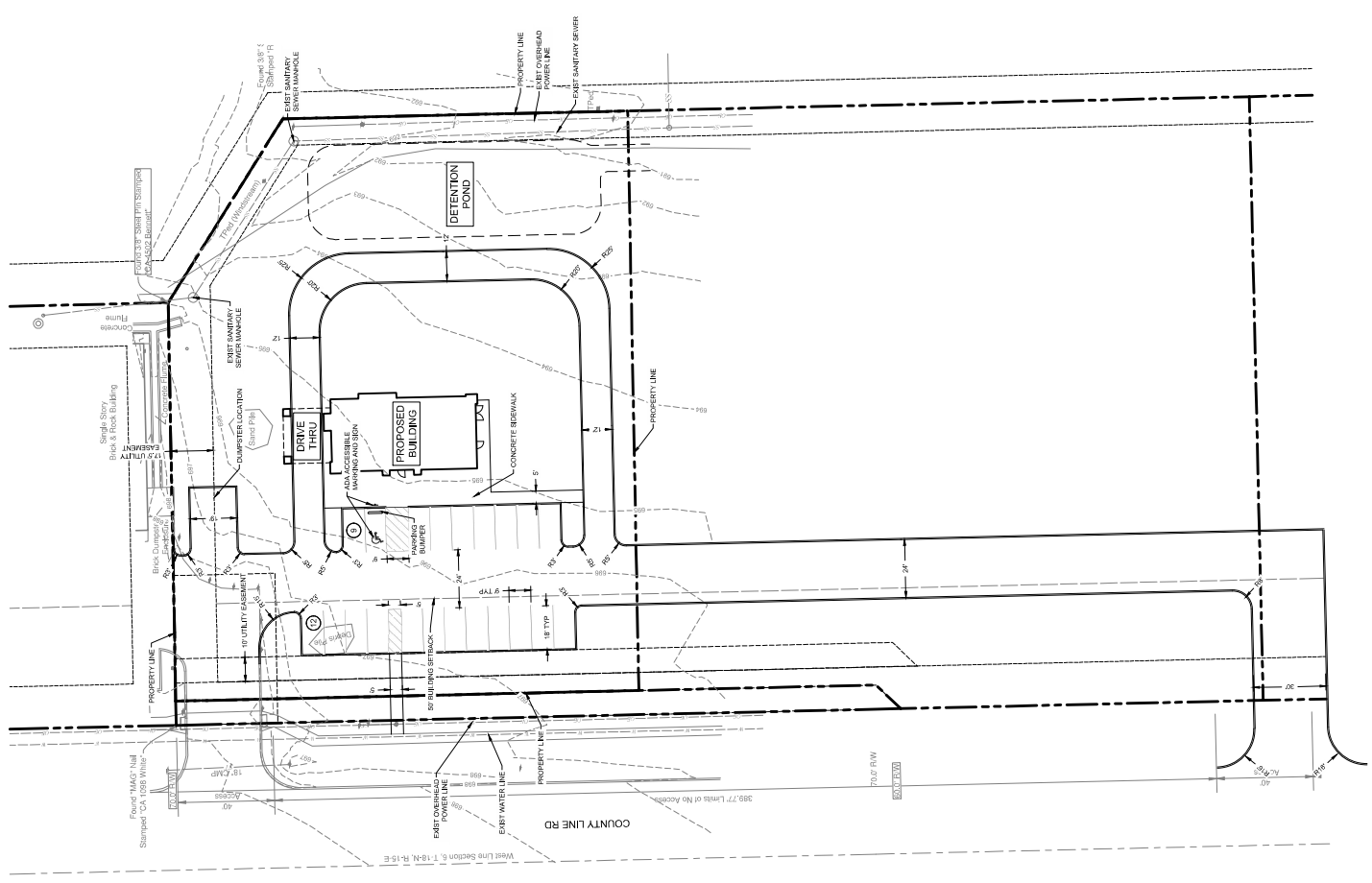
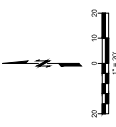
Subject Tract

SP-001773-2024



06 18-15





- GENERAL SITE NOTES:**
- ALL WORK AND MATERIALS SHALL COMPLY WITH ALL MUNICIPAL REGULATIONS AND CODES, WHICH ARE VERY STRICT.
 - ALL WORK AND MATERIALS SHALL COMPLY WITH O.S.A.A. STANDARDS.
 - CONTRACTOR SHALL BE RESPONSIBLE FOR ALL RELOCATIONS INCLUDING BUT NOT LIMITED TO SANITARY SEWER, WATER, AND POWER, ETC. AS REQUIRED. ALL WORK SHALL BE IN ACCORDANCE WITH LOCAL ORDINANCES AND SHALL BE APPROVED BY SUCH ALL LOCAL GOVERNMENTS. REFER TO LANDSCAPE PLANS FOR GRASS, TREES, AND PLANTED MATERIALS.
 - ALL DIMENSIONS AND COORDINATES ARE FROM FACE OF CURB UNLESS SHOWN OTHERWISE.

PARKING SUMMARY	
PROVIDED PARKING:	20
STANDARD:	1
ACCESSIBLE:	1
TOTAL PROVIDED PARKING:	21

CAUTION:
 NOTICE TO CONTRACTOR
 THE CONTRACTOR IS SPECIFICALLY CAUTIONED THE LOCATION AND ELEVATION OF EXISTING UTILITIES AS SHOWN ON THESE PLANS AND MEASUREMENT TAKEN IN THE FIELD. THE CONTRACTOR MUST CALL THE LOCAL UTILITY COMPANIES AND MEASUREMENT TAKEN IN THE FIELD TO VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO ANY CONSTRUCTION TO PREVENT DAMAGE TO THE UTILITIES.

