



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, April 13, 2017

5:00 PM

Council Chambers

1. Call To Order

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

2. Roll Call

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

Absent 1 - Carlyne Isbell-Carr

3. Old Business

None

4. Consideration of Consent Agenda

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

Fred Dorrell explained the Consent Agenda voting process and asked if anyone wished to remove any items from Consent for discussion. No one responded.

A. [17-2030](#) Approval of Minutes, Planning Commission meeting held March 23, 2017

MOTION: by Ricky Jones to approve Consent Agenda Items 4A, B, C, D and E, per the Staff report. The motion was seconded by Mark Jones.

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

Absent: 1 - Carlyne Isbell-Carr

B. [17-1994](#) Approval of BAL-2015, J-E-R Lot Split, 1 Lot, 14.02 acres, A-1, southeast corner of Jasper Street and Olive Avenue

MOTION: by Ricky Jones to approve Consent Agenda Items 4A, B, C, D and E, per the Staff report. The motion was seconded by Mark Jones.

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

Absent: 1 - Carolyn Isbell-Carr

- C. [17-2007](#) **Approval of PT15-117A, Conditional Final Plat, Ninety-One Phase I, a re-plat of Crossings at Lynn Lane I, 40 lots, 15.49 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 Consent Agenda Items 4A, B, C, D and E, per the Staff report. The motion was seconded by Mark Jones.

After the vote, Fred Dorrell said Items 4C, D and E will be heard by City Council on May 2, 2017, at 6:30 p.m.

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

Absent: 1 - Carolyn Isbell-Carr

- D. [17-2031](#) **Approval of PT16-113, Conditional Final Plat, Oak Creek South Phase II, 68 lots, 19.13 acres, R-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**

MOTION: by Ricky Jones to approve Consent Agenda Items 4A, B, C, D and E, per the Staff report. The motion was seconded by Mark Jones.

After the vote, Fred Dorrell said Items 4C, D and E will be heard by City Council on May 2, 2017, at 6:30 p.m.

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

Absent: 1 - Carolyn Isbell-Carr

- E. [17-2026](#) **Approval of PT17-100, Conditional Final Plat, Kum & Go 1866 Addition, 1 lot, 3.07 acres, A-CG to CG/PUD-94, northeast corner of Omaha Street and Aspen Avenue**

MOTION: by Ricky Jones to approve Consent Agenda Items 4A, B, C, D and E, per the Staff report. The motion was seconded by Mark Jones.

After the vote, Fred Dorrell said Items 4C, D and E will be heard by City Council on May 2, 2017, at 6:30 p.m.

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

Absent: 1 - Carolyn Isbell-Carr

5. Consideration of Items Removed from Consent Agenda

None

6. Public Hearings

- A. [17-1991](#) **Public hearing, consideration, and possible action regarding PUD-258 and BAZ-1974, Kenosha Storage, 5.85 acres, A-1 to IL/CG/PUD 256, north and west of the northwest corner of Kenosha Street and Oneta Road**

Brent Murphy said Staff received an email, from the applicant, after Notices were sent out for PUD-258 & BAZ-1974 requesting this application to be withdrawn.

MOTION: by Mark Jones to withdraw Item 6A, per applicant request. The motion was seconded by Lee Whelpley.

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

- B. [17-2028](#) **Public hearing, consideration, and possible action regarding a proposal to amend Chapter 5, Section 5.9 Telecommunication Towers, of the Broken Arrow Zoning Ordinance.**

Larry Curtis, Plan Development Manager provided the background information for Item 6B, saying this item is a request to update Section 5.9, Telecommunication Tower portion of the Broken Arrow Zoning Ordinance. He said this update helps make this particular section of the ordinance clearer in how telecommunication towers, cell phone towers, and the antennas associated with them, are processed. The modification will also add a Section pertaining to Small Wireless Facilities.

Mr. Curtis said this update was requested by the City Legal Department and has been outsourced for the modification and review. Originally, the Staff report suggested approving this item, as presented; however, through discussions with Staff, legal and outside council, three areas have been added along with the addition of Small Wireless Facilities. The three areas are covered in the update under the, Small Wireless Facility portion.

He said the way the ordinance is written today; a wireless facility can be added on top of utility poles which may be located in the right of way. This does not provide any height requirements other than it can be as high as the nearest utility pole. This explanation does not clarify if that means adjacent to a utility pole or other. For clarification, the proposed changes would indicate no pole may be taller than 50 feet, in addition to that the separation between the poles. Currently, the ordinance does not specify how many feet in between the poles where the facilities would be placed - if they can or cannot be clustered. The proposed modifications would clarify this.

Larry Curtis said Staff posed the question if Small Wireless Facilities would be permissible in right-of-ways within single family neighborhoods. Legal counsel has taken this under advisement and further clarification. He said the overall new draft proposal provides clear guidance, whereas the current ordinance has items all meshed together. The proposed modifications and additions should provide better guidance on how to

process particular items associated with cell phone towers, i.e. if antennas are needed to be added to a location, follow this procedure, etc.

Ricky Jones asked if these changes/additions have been sent to the wireless industry for feedback.

Michael Skates said he did not know if the legal department sent out any information to wireless companies and/or industry for feedback. He said Broken Arrow was selected by AT&T to be the first in Oklahoma to have a beta site, which will be in the Downtown Rose District. The City's legal department has been working with outside counsel on this new state of the art technology and is being used in some of the larger cities already. The City of Broken Arrow will be the first in this region of Oklahoma to have 5G, or small cell, so the changes to Section 5.9 are to prepare for the future. Cell towers, as they exist today, will not be what is seen in the future and will appear on different types of structures.

Mr. Skates said the cell tower communication community is on board with this and the City has been approached by various utility type companies that want access to right-of-way for various small 5G and fiber optic type systems. He said Staff has questions that were presented to the legal department, regarding utility poles which are not owned by the City. These type of questions are being looked into, thus the presentation to Planning Commission and later to the City Council. The City Manager and Legal are pushing this item forward.

Larry Curtis said the current Ordinance, regarding standard cell phone towers and antennas, will not be changed in the standard of cell phone tower procedure. The proposed changes simply add to the existing Ordinance for cell phone capabilities.

Lee Whelpley asked what 5G is. Michael Skates said he believes 5G is a faster and more available Wi-Fi in areas that ordinarily would not have Wi-Fi access.

Lee Whelpley asked if the Rose District itself would have Wi-Fi. Michael Skates said yes.

Larry Curtis said having 5G in the downtown area will allow cell phone access when there are large events in the Rose District; whereas, typically large events like concerts are overrun with users and the network gets overloaded.

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 the draft for amendment to Section 5.9, Telecommunication Towers, as presented. The motion was seconded by Lee Whelpley.

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

May. Larry Curtis said that, at this time, Legal does not know if it will be on the first City Council in May or the second.

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

7. Appeals

8. General Commission Business

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

10. Adjournment

MOTION by Mark Jones to adjourn (at 5:12 p.m.). The motion was seconded by Ricky Jones.

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