



City of Broken Arrow

Minutes Planning Commission

Chairperson Lee Whelpley
Vice Chair Ricky Jones
Member Fred Dorrell
Member Carolyne Isbell-Carr
Member Mark Jones

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

Thursday, November 16, 2017

5:00 PM

Council Chambers

1. Call To Order

Meeting was called to order by Chairperson, Lee Whelpley at 5:00 p.m.

2. Roll Call

Rollcall

Present 4 - Mark Jones, Fred Dorrell, Ricky Jones, and Lee Whelpley
Absent 1 - Carolyne Isbell-Carr

3. Old Business

None

4. Consideration of Consent Agenda

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

Lee Whelpley explained the Consent Agenda and asked if anyone wished to remove any items for discussion. No one responded.

A. [17-2881](#) **Approval of Planning Commission meeting minutes of November 2, 2017**

A MOTION was made by Ricky Jones to approve Item 4A, 4B, and 4C, per Staff recommendations. The motion was seconded by Fred Dorrell. The motion carried the following vote:

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

B. [17-2869](#) **Approval of BAL-2027CB, Lovelle Consolidation, 15.18 acres, unplatted, A-1, one-quarter mile north of New Orleans Street, west of 9th Street**

A MOTION was made by Ricky Jones to approve Item 4A, 4B, and 4C, per Staff recommendations. The motion was seconded by Fred Dorrell. The motion carried the following vote:

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

C. [17-2867](#) **Approval of PT17-109, Conditional Final Plat, Ronda Norton Center II, 1 lot, 4.55 acres, PUD 94/CG to PUD 94S-1/CH, one-half mile south of Omaha Street, one-quarter mile east of Aspen Avenue**

After the vote, Lee Whelpley said Item 4C will be heard by City Council on December 5, 2017, at 6:30 p.m.

A MOTION was made by Ricky Jones to approve Item 4A, 4B, and 4C, per Staff recommendations. The motion was seconded by Fred Dorrell. The motion carried the following vote:

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

5. Consideration of Items Removed from Consent Agenda

None

6. Public Hearings

A. [17-2849](#) Public hearing, consideration, and possible action regarding BAZ 1989 (rezoning), Rose Rock Village, 7.42 acres, A-RM to RM, one-quarter mile east of the northeast corner of Albany Street and 23rd Street

Senior Planner, Brent Murphy presented the background for Item 6A. saying BAZ-1989 is a request to change the zoning designation on a 7.42 - acre tract of undeveloped land located one- quarter mile east of the northeast corner of Albany Street and 23rd Street. The property is presently zoned, A-RM (Annexed Multifamily Residential) and the request is to change the zoning to RM (Multifamily Residential). Applicant is interested in developing a senior living apartment complex on the property. The conceptual site plan submitted shows a three-story, 60-unit complex containing 18 one bedroom units and 42 two bedroom units. While the applicant is interested in developing senior housing on the property, with the proposed RM zoning, any use that is allowed in the RM district would be permitted as long as it is developed in accordance with the RM development regulations.

The 7.42 acres associated with BAZ-1989 was platted in Wagoner County as a part of Lot 2, Block 1 of County Line Center. However, that plat was not platted to the City of Broken Arrow standards and this application represents a portion of that property.

Mr. Murphy said in 2005, the City Council approved BAZ-1678 to change the zoning on all of Lot 2 from AR-5 to R-5, the previous term for multi-family designation. BAZ-1678 was approved subject to the property being re-platted. The property has not been re-platted, thus the A-RM zoning remains on the property.

Brent Murphy said the property is designated Level 3 in the comprehensive plan and RM zoning is in accordance with Level 3. Applicant is interested in rezoning the property from A-RM to RM to develop a senior housing complex. From the conceptual site plan they provided, it appears they are intending to develop the property in accordance with development regulations of the RM district. The RM zoning designation being requested with BAZ-1989 is in compliance with the Comprehensive Plan in Level 3. Therefore, based on the Comprehensive Plan, the location of the property, previous zoning actions on the property, and the surrounding land uses, Staff is satisfied this is the appropriate location for RM zoning and recommends that BAZ -1989 be approved, subject to the property being re-platted.

Lee Whelpley asked for the applicant to step to the podium and state their name and address.

Michelle Jennings, MBL Development, 9237 Board Parkway, Kansas City, MO 64114 said she is in agreement with Staff recommendations.

Lee Whelpley opened the public hearing and asked if anyone wished to speak on Item 6A. No one responded. He closed the public hearing.

After the vote, Lee Whelpley said Item 6A will be heard by City Council on December 5, 2017, at 6:30 p.m.

A MOTION was made by Fred Dorrell to approve Item 6A, per Staff recommendations. The motion was seconded by Mark Jones. The motion carried the following vote:

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

B. [17-2868](#) Public hearing, consideration, and possible action regarding BAZ-1990 (rezoning), Jackson Square on Main, 0.24 acres, R-3 to DM, south of Houston Street, one-quarter mile east of Elm Place

Staff Planner, Amanda Yamaguchi presented the background for Item 6B saying, BAZ-1990 is a request to change the zoning designation on a 0.24 - acre tract of undeveloped land located south of Houston Street and one-quarter mile east of Elm Place from R-3 (Single-Family Residential) to DM (Downtown Mixed-Use). The property is platted as Lot 6 and the East half of Lot 7, Block 14, Fears Addition. Applicant is proposing to construct a row home-style apartment structure on the property.

Ms. Yamaguchi said the applicant has not prepared any conceptual site plan and wish to request the zoning change first. DM zoning allows for many different uses, in the event this does not go through. Based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that BAZ-1990 be approved as presented.

Lee Whelpley asked the applicant to step to the podium and state their name and address.

Kathy Wolbar, Wolbar Properties, LLC, P.O. Box 1686, Broken Arrow said she is in agreement with Staff recommendations.

Lee Whelpley opened the public hearing and asked if anyone wished to speak on Item 6B, BAZ-1990. No one responded. Mr. Whelpley closed the public hearing.

After the vote, Lee Whelpley said Item 6B will go before City Council on December 5, 2017, at 6:30 p.m.

A MOTION was made by Mark Jones to approve Item 6B, per Staff recommendations. The motion was seconded by Ricky Jones. The motion carried the following vote:

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

C. [17-2814](#) Public hearing, consideration, and possible action regarding PUD 268, Alfa Laval, Inc, 39.43 acres, IL, east of 9th Street, one-quarter mile south of Houston Street

Planner II, Jane Wyrick said PUD-268 (Planned Unit Development) is a request from Alfa

Laval to expand their facility located east of 9th Street, one-quarter mile south of Houston Street. The project site currently includes three lots that are zoned Industrial Light (IL) and contains 39.43 acres.

Ms. Wyrick said in accordance with the Comprehensive Plan, Industrial Light (IL) zoning is permissible in areas with a Level 6 land use designation with approval of a Planned Unit Development. On March 7, 2017, the City Council approved BAZ-1971 to change the zoning designation on a 26.2-acre undeveloped tract from A-1 (Agricultural) to IL (Industrial Light) subject to the property being platted and a PUD being submitted and approved by the City Council. The lots that were rezoned are the two easternmost lots included in this PUD.

Ms. Wyrick said the west part of the rezoned property was initially platted as part of "Lynn Lane Industrial Park," recorded in Tulsa County in 1974. The plat included the Nashville Street right-of-way (ROW) that divided the plat into two blocks and extended eastward from 9th Street. In 1994, the plat was amended resulting in the combination of lots to create the "Amended Plat of Lynn Lane Industrial Park" (the lot where Alfa Laval's facility is now located). It also vacated a portion of the project site resulting in that portion being unplatted. The street ROW that was dedicated as part of the Lynn Lane Industrial Park was never constructed, and the ROW was relocated to the south boundary of the industrial park site with the amended plat. The current proposal includes an additional parcel to the east, and the applicant proposes to dedicate additional street ROW extending nearly to the eastern boundary of the project site terminating in a cul-de-sac that meets the turning radius requirements for emergency vehicles.

Jane Wyrick said with PUD-268, Alfa Laval, Inc. is proposing to remove some of the existing buildings, constructing new buildings, and extending the drive aisles and parking areas to serve the new buildings. Additional expansion is anticipated in future phases. Construction is expected to begin as soon as the applicant obtains PUD approval and issuance of all permits.

The proposed buildings amount to approximately 70,730 square feet of area including office and manufacturing space resulting in a parking requirement of 151 spaces. The applicant is showing 265 spaces. The Zoning Ordinance limits the amount of parking to 125 percent of the minimum required which amounts to 189 spaces. As part of the PUD, the applicant is requesting that the project be permitted to provide 200 percent of the required parking due to the parking demand created during shift overlap.

Ms. Wyrick said landscaping will be done according to requirements of the Zoning Ordinance except for a few deviations. Because of the existing facility, the applicant is requesting that no landscaping be required along the west and south street boundaries and that an 8-foot screening fence be installed along the south boundary up until the first new driveway. After that point, fencing would be shorter around the parking area. Landscape islands would be no less than 8 feet in width, in the parking lot.

They will maintain the existing driveway entrance and additional driveways are proposed along E. Nashville Street. Two driveways will provide access to the parking lot, and an additional wider driveway will provide dock access for trucks accessing the site. The applicant will need

to secure a variance to the engineering standards for the wider driveway for the loading dock which is approximately 135 feet in width.

There is an existing water line along Lynn Lane and they will be tying on to new water lines along the north side of E. Nashville Street to serve the new buildings. There is an existing sewer lift station to the northeast of the Alfa Laval site that they will tie into for their Sanitary Sewer service. Two proposed detention ponds will be constructed at the east end of the site and storm drainage will be conveyed over to the ponds. According to FEMA maps, none of the property is located in a 100-year floodplain.

Ms. Wyrick said based on the Comprehensive Plan, the location of the property, and the surrounding land uses, Staff recommends that PUD-268 be approved, subject to platting and to the conditions listed in the Staff report.

Lee Whelpley asked the applicant to step to the podium and state their name and address.

Malek Elkhoury, Khoury Engineering, 1435 East 41st Street, Tulsa said they are in agreement with Staff recommendations.

Lee Whelpley opened the public hearing and asked if anyone wished to speak on PUD-268, Item 6C. No one responded. He closed the public hearing.

Ricky Jones asked Staff what items are manufactured at Alfa Laval, stating he was curious.

Michael Skates said they manufacture air cooler exchanges which used to be, Ace. They make other types of machinery associated with the oil and gas industry.

Ricky Jones said it would not matter with the zoning case and was wondering about the shift work which can cause the need for the additional parking that has been requested.

Michael Skates said this project is one that the City and the Chamber of Commerce have been working on for quite some time and they are bringing other manufacturing components that they do around the country, to Broken Arrow. They are based out of Sweden and will have their headquarters in Broken Arrow. The City is working with the State to do street improvements in the area as well.

After the vote, Lee Whelpley said Item 6C will go to City Council on December 5, 2017, at 6:30 p.m.

A MOTION was made by Ricky Jones to approve Item 6C, PUD-268, per Staff recommendations. The motion was seconded by Fred Dorrell. The motion carried the following vote:

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

D. [17-2875](#) Public hearing, consideration, and possible action regarding the proposed final draft of the Downtown Residential Overlay District Design Standards and associated changes to Table 3.1-1 and Section 5.8.D of the Broken Arrow Zoning Ordinance

AJ Kirkpatrick, Director of Urban Planning, ADJ presented a PowerPoint to the Commission, regarding the Downtown Residential Overlay District Design Standards (DROD). He said they have been working with City of Broken Arrow Staff and Stakeholders for the past year for changes to the DROD to add some design standards for the square mile around Broken Arrow's downtown. He said he will provide a presentation and is available for any questions.

Mr. Kirkpatrick provided his background and said he is partnered up with Winter and Company for this DROD. He said the objectives of the project include engaging the community to determine the appropriateness of various residential building types; create a strong and unique sense of community; increase project feasibility by removing development barriers in the current zoning code; ensure compatibility with the Rose District's established residential districts; and create easy-to-use prescriptive design standards.

He said they decided to break down the differences between guidelines and standards with a focus on standards. Standards are predictable and measureable; they raise the minimum bar thus making it so these standards must be followed or the process cannot be completed; they can be administered by Staff; and Citizens and developers know what they can expect. Guidelines tend to be more nuanced, flexible and qualitative in nature, resulting in a standing committee that must review all projects to determine if guidelines are being met. Guidelines are performance oriented, and involve a lot of judgment of intent.

Mr. Kirkpatrick said the City has done a great job of planning the downtown area including the past Comprehensive Plan, which is being updated, the 2005 downtown master plan and the Rose District 2.0 study. He said all of those documents point to a need to raise the quality of development in the downtown area.

AJ Kirkpatrick said there are four phases with the DROD and they are currently in the fourth phase. The DROD is near adoption and has been heard by the Planning Commission and City Council at least once. He said trip number one was in December of 2016, in which his group interviewed over 30 stakeholders. In addition, a community workshop was held, with 85 attendees. At the workshop, attendees were given a workshop activity to choose pictures of certain designs and paste them to areas on maps of the City sub-areas. An aggregate map was then created showing all the feedback from the workshop. A lot of the feedback said to maintain the residential character of the neighborhoods in between development types. He said, to be fair to attendees, it was said that if the City is to encourage this type of development, then some thought needs to be given to infrastructure and whether it can support the type of densities proposed.

Mr. Kirkpatrick said trip number two was in May of 2017. The public attended, once again, and small group interview sessions took place to help refine the final product. He said there are 6 parts to the document and a lot of people have looked at it and said it has too many pages full of regulations. He said the point is that the document builds upon itself.

He said part one is the introduction which lists the guiding principles: implement the Comprehensive Plan (and Downtown Master Plan); promote high quality urban design and walkability; respond to context and key features; and respect established development patterns. Part two introduces the different sub-areas, with a total of 7. He referenced a map that was shown on his PowerPoint. Two and three will support mainly single-family development. Area four will be the mid-century modern, 1950's and 60's, master developed areas with a more uniform look than surrounding areas. Area 6 will be the main downtown corridors on Main and Broadway. Area 5 is called, "Rose District Transition" which is a buffer between residential neighborhoods and downtown levels of development. Area 7 is mostly focused on arterial properties. There may be some suburban types of development on the arterials but wanted to use the opportunity to raise the standards on that type of development.

Eight building forms are proposed to be allowed, starting with single-family and moving up to two family and cottage court. Cottage court was one of the higher scoring types of building forms which has historic precedent of homes in this era. In addition, Three/Four-plex/mansion apartments; row houses with individual entrances; flats which are more of a stacked product; mixed-use 'A' and mixed use 'B'. Mixed-use 'A' will be more residentially oriented with less commercial and some office. Mixed-use 'B' will be the full blown downtown style properties.

Mr. Kirkpatrick referenced a diagram with the different forms represented. He said a ninth form is proposed for accessory dwelling units, also called granny flats. Granny flats are a popular option when wanting to add additional residential units to properties within the older neighborhoods. Historically, they are what is was seen in these types of neighborhoods when they were first built out. He presented the diagram, within the DROD documents, that describes where the different forms are permitted.

AJ Kirkpatrick said part four of the DROD consists of the design intent statements. He said there are four categories of standards with different variables for each. The four (variable) categories consist of Lot; Building Form; Site; and Building Activation, and within each category are design statements. He said each building type has its own variables set forth within the four categories.

He said part six of the DROD is building material standard reference sheets. They are intended to help Staff and developers to provide expectations for certain design plans. He said within part six are definitions with visual descriptions.

Mr. Kirkpatrick said if the Planning Commission approves the DROD then it will be heard by City Council on December 5, 2017 for preview ordinance and resolution approval. The ordinance adoption will be heard by Council on December 19, 2017 with the DROD taking effect on January 2, 2018. He asked if the Planning Commission had any questions.

Ricky Jones said page 12 of the documents says, permitted uses, and seems to be absolute. He said if he wanted to build a two family dwelling, in Area 3, would he be allowed a special permit or exception.

Larry Curtis, Plan Development Manager, said the way the DROD was designed was to allow opportunities through the PUD process. He said if there is a case with something extraordinary, then the applicant has an option to bring the issue to Planning Commission and Council through a PUD.

Ricky Jones said that is a relief as he hates to limit development and creativity for certain projects. He said PUD's allow flexibility to work with unique characteristics for certain properties.

Larry Curtis said if design and use are there but a small change needs to be made to the exterior or something of that nature, then the applicant has the option to ask the Planning Commission for some type of relief.

Michael Skates said the City Manager is going to form a small committee for developments in the DROD area and before an applicant goes through the PUD process, the applicant can provide sketches of the proposed development and present them to the committee. This would allow the committee to provide an approval prior to going through the PUD process. If the project looked like it needed to move forward with a PUD then Staff would meet with the applicant to discuss options for the design. The DROD is what was planned; however, the committee is a safeguard for those projects that might have a lot of support to develop but not meet certain criteria.

Discussion continued.

Farhad Daroga, Special Project Manager said he wanted to state some things for the record. He said the DROD documents have been in the works for a year and the final draft was done in September with feedback from Stakeholders and several groups. Of the four items Mr. Kirkpatrick mentioned - if an applicant wishes to build a house and needs a variance, from lot and sight criteria, the item would go to the Board of Adjustment, according to current zoning standards. However, if they need relief from the building form and building activation, those variances must go to the Planning Commission. So, there is a possibility that occasionally a product may come forth to the Planning Commission for approval if the proposal does not meet the building form. Those type of relief mechanisms are built in, as shown on page 35.

Mr. Daroga said the last, October 31, 2017, version of the DROD was provided to the Commission and is posted on the City website; however, it has been modified. Chapter 5, under single-family sight design standards, for garages, page 37, Item E., the way it was written, corner lot setbacks were 30 feet. The recommendation is for a lesser set back on the site with the driveway, or vehicular access.

AJ Kirkpatrick said, with the further stipulation on a corner lot, there was nothing for the side setback to be used in that situation, from the street. The 20 feet guideline would apply if the garage was on the street that the front of the house was not on.

Lee Whelpley asked if AJ Kirkpatrick was in agreement with staff recommendations. Mr. Kirkpatrick said yes.

Farhad Daroga gave special thanks to AJ and Winter & Associates for their hard work on this project.

Larry Curtis provided thanks to Farhad Daroga stating the complexity of the project. He said Brent Murphy spent countless hours working on the DROD, as well as time spent from Jane Wyrick and Amanda Yamaguchi.

After the vote, Lee Whelpley said this item will be heard by the City Council on December 5, 2017, at 6:30 p.m.

A MOTION was made by Ricky Jones to adjourn at The motion was seconded by Fred Dorrell. The motion carried the following vote:

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

7. Appeals

None

8. General Commission Business

None

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

None

10. Adjournment

A MOTION was made by Mark Jones to adjourn, at 5:44 p.m. The motion was seconded by Fred Dorrell. The motion carried the following vote:

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