



City of Broken Arrow

Minutes Planning Commission

City Hall
220 S 1st Street
Broken Arrow OK
74012

Chairperson Lee Whelpley
Vice Chairperson Ricky Jones
Commission Member Fred Dorrell
Commission Member Mark Jones
Commission Member Pablo Aguirre

Thursday, September 13, 2018

Time 5:00 p.m.

Council Chambers

1. Call to Order

Vice Chairperson Ricky Jones called the meeting to order at approximately 5:00 p.m.

2. Roll Call

Present: 4 - Pablo Aguirre, Mark Jones, Lee Whelpley, Ricky Jones

Absent: 1 - Fred Dorrell

Pablo Aguirre arrived at 5:02 p.m.

Vice Chairperson Jones stated Commissioner Fred Dorrell's son recently unexpectedly passed away. He asked for a moment of silence in remembrance of Jamie Dorrell, and for Commissioner Dorrell and family.

3. Old Business

There was no Old Business.

4. Consideration of Consent Agenda

Senior Planner Brent Murphy presented the consent agenda.

A. 18-1008 Approval of PT16 108A, Conditional Final Plat, North Rose Business Park, 13.20 acres, 13 lots, RM, R 2, CN, and CH to IL/PUD 253A, north of Kenosha Street, one quarter mile east of Elm Place

Mr. Murphy reported the applicant was present and in agreement with the Staff Report.

B. 18-1044 Approval of PT18 102, Conditional Final Plat, Silverleaf II, 121 lots, 31.17 acres, A 1 to PUD 225/RS 3, one quarter mile north of Omaha Street, west of 37th Street

Mr. Murphy reported the applicant was present and in agreement with the Staff Report. He stated the Technical Advisory Committee and Staff recommended approval.

C. 18-1039 Approval of PT18 105, Preliminary Plat, RDS Business Park, 19.70 acres, 6 Lots, A 1 to CN, one quarter mile north of Kenosha Street, east of 23rd Street

Mr. Murphy reported the Technical Advisory Committee and Staff recommended approval subject to the check list. He stated the applicant was present and in agreement with the Staff Report.

D. 18-1052 Approval of PT18 109, Preliminary Plat, Boston Heights, a replat of Lot One, Block Two Arrow Acres, 2.10 acres, 7 Lots, A 1 to RS 2, one half mile east of Elm Place, one quarter mile south of Washington Street

Mr. Murphy reported the Technical Advisory Committee and Staff recommended approval subject to the attached check list. He stated the applicant was present and in agreement with the Staff Report.

E. 18-1067 Approval of BAL 829A, Thomas and Dollie Shaw Lot Split, 1 Lot, 0.53 acres, south of Dearborn Street, east of 37th Street at 20925 E. 43rd Street South

Mr. Murphy reported the applicant was present and in agreement with the Staff Report.

Vice Chairperson Jones stated Commissioner Mark Jones requested Item 4B be removed from the Consent Agenda. He explained the Consent Agenda was approved in its entirety with a single motion and a single vote unless an item was to be removed for discussion. He asked if there were any other Items to be removed. Mr. J.R. Donaldson requested Item 4C be removed for discussion.

MOTION: A motion was made by Pablo Aguirre, seconded by Lee Whelpley.

Move to approve the Consent Agenda for Items A, D and E per Staff recommendations

The motion carried by the following vote:

Aye: 4 - Pablo Aguirre, Mark Jones, Lee Whelpley, Ricky Jones

Vice Chairperson Jones stated Item 4A would go before City Council on October 2nd, 2018 at

6:30 p.m. He stated if any citizen desired to speak regarding Item 4A at the City Council Meeting, said citizen was required to fill out a Request to Appear Before City Council form in advance.

5. Consideration of Items Removed from Consent Agenda

Item 4B and Item 4C were removed from the Consent Agenda for discussion.

Mr. Brent Murphy reported Item 4B was a conditional final plat for Silverleaf II. He stated the Technical Advisory Committee and Staff recommended approval subject to the attached check list. Vice Chairperson Jones asked if there were any questions of Staff. There were none. He asked if the applicant was in agreement with the Staff Recommendation. The applicant stated he was in agreement. Vice Chairperson Jones asked if any in attendance wished to speak regarding Item 4A. There were none who wished to speak.

MOTION: A motion was made by Pablo Aguirre, seconded by Lee Whelpley.

Move to approve Item 4B per Staff recommendation

The motion carried by the following vote:

Aye: 3 - Pablo Aguirre, Lee Whelpley, Ricky Jones
Recused: 1 - Mark Jones

Commissioner Mark Jones left the room for discussion of Item 4B and returned following the vote.

Vice Chairperson Jones reported Item 4B would be presented to City Council on October 2nd, 2018 at 6:30 p.m.

Mr. Brent Murphy reported Item 4C was the preliminary plat for RDS Business Park. He stated the Planning Commission had reviewed and approved a rezoning request for CN (Commercial Neighborhood).

Mr. J.R. Donaldson stated his address was 12820 South Memorial Drive, Bixby, IA. He stated he wanted the Planning Commission to be aware a PUD for this preliminary plat would be applied for and some check list items would be modified. Vice Chairperson Jones asked if the preliminary plat should be approved. Mr. Murphy responded if the Planning Commission so desired it could go ahead and approve the preliminary plat. He explained when the PUD was brought back, if the comments were addressed, Staff could approve the PUD; however, if the comments were not addressed, or not approved of, the PUD would still go before City Council.

Vice Chairperson Jones opened up the Public Hearing for Item 4C. He asked if any present wanted to speak regarding Item 4C. There were none who wished to speak. He closed the Public Hearing for Item 4C.

MOTION: A motion was made by Mark Jones, seconded by Lee Whelpley.

Move to approve Item 4C per Staff recommendation

The motion carried by the following vote:

Aye: 4 - Pablo Aguirre, Mark Jones, Lee Whelpley, Ricky Jones

6. Public Hearings

A. 18-1007 Public hearing, consideration, and possible action regarding SP 290 (Specific Use Permit), Refiner's Fire International Ministries, 1.43 acres, CH, West of Elm Place, 250 feet north of Houston Street

Jane Wyrick, Planner II, reported Item 6A, SP 290, was a request for a Specific Use Permit for a place of assembly in an existing commercial center. She reported the proposed hours of operation for the place of assembly were Sundays from 11:00 a.m. until 3:00 p.m. and Tuesday and Wednesday evenings. She stated the tenant space was approximately 2,000 sq. feet in area and the current number of service attendees was 25 to 30 individuals; however, the lease area could accommodate up to 100 individuals. She reported the parking space requirement was 25 spaces. She explained per zoning code section 3.2.b, a minimum of 2 acres was required for a place of assembly when a property was served by Sanitary Sewer; however, this property site had 1.43 acres; therefore, Staff amended the recommendation to one of denial based upon the site not meeting the minimum acreage requirement for a place of assembly.

Vice Chairperson Jones stated he understood the applicant could go before the Board of Adjustment and request a variance of the two acre requirement, and if so granted could return to Planning Commission, or the applicant could ask for a PUD, or the applicant could withdraw the application.

Director of Development Services Michael Skates stated through the specific use permit right of way was required and the owner of the complex did not wish to dedicate the right of way to the City. He stated this, along with acreage requirements, caused Staff to recommend

denial. He stated he met with the pastors of the church and explained the situation. He stated he felt the best option would be removal of the application. He reported the church had been at this location for approximately three months, unaware of the restriction. He stated Staff would allow the church until the end of October to find a new location, and would assist in the search. Commissioner Aguirre asked what the reasoning was for the two acre requirement. Mr. Skates responded it was to ensure adequate parking. Vice Chairperson Jones stated minimum acreage requirements were fairly typical. He sympathized with the applicant's situation and invited the applicant to speak.

Pastor Eugene Floyd stated his address was 4007 West Orlando Place, Broken Arrow. He stated he was the Pastor of Founders Fire, International Ministries. He stated the intent was to rent the property and hold services at the property for one year. He stated it was a 2,000 sq. foot strip mall facility in which approximately 30 members met every Sunday. He reported it was not until the church sign was going up that he was made aware of the permit and right of way requirements. He thanked the Planning Commission for its time.

Vice Chairperson Jones opened up the Public Hearing for Item 6A. He asked if any present wanted to speak regarding Item 6A. There were none who wished to speak. He closed the Public Hearing for Item 6A.

MOTION: A motion was made by Mark Jones, seconded by Lee Whelpley.

Move to not approve Item 6A as amended by Staff recommendation

The motion carried by the following vote:

Aye: 4 - Pablo Aguirre, Mark Jones, Lee Whelpley, Ricky Jones

Vice Chairperson Jones stated he felt sorry this was denied. Discussion ensued regarding the church's options regarding the right to appeal, file for a PUD and finding a new location.

7. Appeals

There were no Appeals.

8. General Commission Business

A. 18-1078 Consideration, discussion and possible approval of PT18 108, Preliminary Plat, The Villages at Seven Oaks South, 13.68 acres, 57 Lots, A 1 to RS 3 (via BAZ 1622) to RS 3 to RS 4/PUD 280 (via BAZ 2010 & PUD 280), one quarter mile east of 9th Street, south of New Orleans Street

Mr. Brent Murphy reported this item was continued from the last Planning Commission Meeting, and as a result the applicant had gone to City Council, received approval for the PUD, but was required to amend the PUD to provide for an entrance off 12th Street. He stated the PUD would come back to the Planning Commission; therefore, he recommended the item be tabled until the PUD was resubmitted. He explained this would enable Planning Commission to review and vote for the PUD and Preliminary Plat during the same meeting. Vice Chairperson Jones asked if there was a set date for this. Mr. Murphy responded in the negative.

MOTION: A motion was made by Pablo Aguirre, seconded by Lee Whelpley.

Move to table Item 8A pending submission of an accompanying PUD

The motion carried by the following vote:

Aye: 3 - Pablo Aguirre, Lee Whelpley, Ricky Jones
Recused: 1 - Mark Jones

Commissioner Mark Jones left the room for discussion of Item 8A and returned following the vote.

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

Mr Brent Murphy reported on August 9th, 2018, at the City Council Meeting, Specific Use Permit 45A was approved as recommended by Planning Commission, and the Seven Oaks South PUD was approved by City Council pending a revised PUD to be brought before the Planning Commission. He reported PUD 281 for Milestone and PUD 282 for Chase Bank were approved as recommended by the Planning Commission. He reported the special hearing item went to City Council and was approved as per Staff and Planning Commission recommendation and a second hearing would be held at the upcoming City Council Meeting.

Chairperson Whelpley stated the funeral for Jamie Dorrell would be held at 11:00 a.m. on Monday at Hayhurst Funeral Home.

Special Projects Manager Farhad Daroga reported the Planning Commission received invitations for the next several meetings regarding the Comprehensive Plan. He reported the Steering Committee Meeting would be held Monday, September 24th, 2018 from 6:00 p.m. until 8:00 p.m. at Central Park, 1500 South Main, and the Public Hearing would be held Tuesday, September 25th, 2018 from 6:00 p.m. until 8:00 p.m. at the same location.

10. Adjournment

The meeting adjourned at approximately 5:24 p.m.

MOTION: A motion was made by Mark Jones, seconded by Lee Whelpley.

Move to adjourn

The motion carried by the following vote:

Aye: **4 -** Pablo Aguirre, Mark Jones, Lee Whelpley, Ricky Jones

Mayor

City Clerk