



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 Jaylee Klempa
Commission Member Julea' Marriott

Thursday, October 8, 2020

Time 5:00 p.m.

Council Chambers

1. Call to Order

Chairperson Lee Whelpley called the meeting to order at approximately 5:00 p.m.

2. Roll Call

Present: 4 - Julea' Marriott, Jaylee Klempa, Ricky Jones, Lee Whelpley
Absent: 1 - Fred Dorrell

Chairperson Whelpley welcomed Julea' Marriott to the Planning Commission.

Commissioner Marriott thanked Chairperson Whelpley and indicated she was happy to be serving on the Planning Commission.

3. Old Business

There was no Old Business.

4. Consideration of Consent Agenda

Planner II Jane Wyrick presented this Item.

- A. 20-1262** Approval of Planning Commission meeting minutes of September 24, 2020
- B. 20-1256** Approval of BAL-2099CB (Lot Combination), Primrose School of Broken Arrow, 2 Lots, 2.21 acres, one-quarter mile east of Aspen Avenue (145th East Avenue), south of Albany Street (61st Street)
- C. 20-1255** Approval of PT20-110, Preliminary Plat, Bricktown East, 23.5 acres, 92 Lots, CG and IL to PUD-318/RS-4, one-quarter mile north of Kenosha Street (71st Street), one-quarter mile west of Aspen Avenue (145th E. Avenue)
- D. 20-1259** Approval of PT20-114, Preliminary Plat, Presley Reserve, 40.20 acres, A-1 (Agricultural) to RS-3 (Single-Family Residential), south of Tucson Street (121st Street), one-half mile west of Aspen Avenue (145th East Avenue)

Vice Chairperson Ricky Jones asked for Item 4D to be removed from the Consent Agenda so he may recuse himself for this Item. Chairperson Whelpley asked if there were any other items to be removed from the Consent Agenda; there were none. He 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.

MOTION: A motion was made by Jaylee Klempa, seconded by Ricky Jones.

Move to approve the Consent Agenda less Item 4D

The motion carried by the following vote:

Aye: 4 - Julea' Marriott, Jaylee Klempa, Ricky Jones, Lee Whelpley

5. Consideration of Items Removed from Consent Agenda

Vice Chairperson Ricky Jones recused himself for Item 4D. He left the Chambers prior to and returned following the discussion and the vote for this Item.

MOTION: A motion was made by Jaylee Klempa, seconded by Julea' Marriott.

Move to approve the Consent Agenda Item 4D as recommended by Staff

The motion carried by the following vote:

Aye: 3- Julea' Marriott, Jaylee Klempa, Lee Whelpley
Recused: 1 - Ricky Jones

6. Public Hearings

- A. 20-1247** Public hearing, consideration, and possible action regarding BACP-172 (Comprehensive Plan Change), Robson North, 69.47 acres, Level 2, Level 3, Level 4, and Greenway/Floodplain to Level 2 and Greenway/Floodplain, generally located one-eighth mile north of Kenosha Street (71st Street), one-quarter mile east of 65th Street (241st E. Avenue/Oneta Road)

Senior Planner Brent Murphy reported BACP-172 was a request to change the Comprehensive Plan designation from Level 2, Level 3, Level 4, and Greenway/Floodplain to Level 2 and Greenway/Floodplain on 69.47 acres located one-eighth mile north of Kenosha Street (71st Street), one-quarter mile east of 65th Street (241st E. Avenue/Oneta Road); the property was unplatted and undeveloped. He reported the area associated with BACP-172 was designated as Level 2 in the previous Comprehensive Plan; however, when the 2019 Comprehensive Plan was prepared there were discussions between the property owner and the consultant about creating the "Forest Ridge Area Town Center". He stated most of the property which was part of BACP-172 was designated as Level 3; Level 3 had a variety of land uses. He noted Level 3 was referred to as a transitional area and included single family, duplexes, multifamily, and office. He stated the applicant was requesting a decrease in the intensity of this use and if approved, the applicant would ask for rezoning to RS-3, single family detached. He indicated Staff recommended BACP-172 be approved as requested subject to the property being platted. He noted tonight was only a discussion regarding changing the Comprehensive Plan.

The applicant, Tim Terral with Tulsa Engineering and Planning, address 9810 E. 42nd Street, Suite 100, Tulsa indicated he was in agreement with Staff recommendation.

Chairperson Whelpley opened the public hearing.

Citizen Mark Doyle stated his address was 24240 E. 61st Street South. He spoke in opposition to the item. He stated he was concerned about the amount of water in Adams Creek; Covington Creek and School Creek fed Adams Creek on his property. He reported Adams Creek doubled in size in the last 10 years. He stated he was concerned about the prospect of the waterflow increasing. He asked if consideration was being given to how the waterflow would affect those downstream.

Commissioner Klempa explained today's meeting was only to discuss whether BACP-172 met the requisitions of the Comprehensive Plan; Mr. Doyle's concerns would be reviewed and considered once the land was platted through the Engineering Department of Broken Arrow. She explained, however, there were certain codes and regulations which did not allow additional water runoff from this property onto other properties.

Mr. Doyle discussed the flooding and waterflow difficulties on his land noting he was concerned about any development upstream of his property.

Commissioner Klempa explained the developer would submit plans which would go through a review process during which the Engineers would review the plans and the hydrology report which would show how the developer would keep the water on the property.

Citizen Chris Ohler stated his address was 6921 S. 245th East Avenue. He spoke in opposition to the item. He stated he had the same concerns as Mr. Doyle. He indicated he had flooding difficulties as well which worsened over the past ten years with further development in his area. He asked where the entrance would be located for the new development. He stated he did not feel his street could handle construction traffic; it was in poor condition. He asked about the park area of the development.

Chairperson Whelpley indicated Mr. Ohler would be able to discuss these questions at a future meeting.

Chairperson Whelpley read public comments submitted online: 1) Citizen Angela Tohlen, address 7201 E. Memphis Street who was opposed to a new housing development due to noise, congestion, increased traffic, school crowding, overtaxed infrastructure, and needed road repairs. 2) Citizen Nikki Chambers, address 25311 E. 66th Street stated she was opposed to the planned housing development; she wished to preserve her semi-rural lifestyle; she had concerns regarding infrastructure, safety, and flooding. 3) Citizen Danny Lee Byers address 7022 S. 250th E. Avenue was opposed. He recommended zoning remain A-1, but if changed, keeping lot sizes similar to existing lot sizes. He had concerns about flood damage compensation which he felt should be provided by the City. 4) Citizen Nathan Michael Givens, address 25207 E. 65th Street was opposed. He had concerns regarding the lack of infrastructure for the increase in population, environmental impacts, sewer access for the surrounding homes, and flooding. He indicated the land was not suitable for development due to the creek system which passed through.

Mr. Terral noted the concerns were not associated with the Comprehensive Plan; however, he would comment. He noted the Comprehensive Plan designation for the property currently allowed a much more intense use; if the Comprehensive Plan change were not approved, the land could be developed with multifamily, office buildings, commercial, etc. He explained he was requesting a Comprehensive Plan change which would only allow single family detached homes on the property. He noted no hydrology studies had been done at this point but these would be completed. He indicated the City required stormwater detention. He

stated the stormwater runoff would not be made worse, and probably would be improved by creation of the stormwater detention area.

Chairperson Whelpley closed the public hearing.

Vice Chairperson Ricky Jones stated the Citizen’s concerns were valid; however, he was confident in the City review process. He noted if this Comprehensive Plan change were not approved the landowner could move forward and develop the property at a higher density and higher intensity level. He explained BACP-172 was a request to reduce the amount of impervious area which could be developed in the area. He indicated he was confident in the City’s review process during which these issues and concerns would be examined. He stated he was confident the City would not allow any development which would increase any negative impact on the area. He suggested the interested parties stay in touch with the City regarding this project.

MOTION: A motion was made by Ricky Jones, seconded by Jaylee Klempa.

Move to approve Item 6A per Staff recommendation

The motion carried by the following vote:

Aye: 4 - Julea’ Marriott, Jaylee Klempa, Ricky Jones, Lee Whelpley

Chairperson Whelpley indicated this Item would go before City Council on October 20, 2020 at 6:30 p.m.

Vice Chairperson Ricky Jones encouraged the interested parties to attend the City Council Meeting; the Citizens would be required to sign up to speak. He noted Planning Commission was only a recommending body.

B. 20-1248 Public hearing, consideration, and possible action regarding PUD-47H (Planned Unit Development), Cloudi Mornings, 0.21 acres, PUD-47/CG/IL to PUD-47H/CG/IL, located one-quarter mile south of Albany Street (61st Street), one-half mile west of Olive Avenue (129th E. Avenue)

Mr. Brent Murphy reported Planned Unit Development (PUD)-47H involved a 0.24-acre parcel located one-quarter mile south of Albany Street (61st Street), one-half mile west of Olive Avenue (129th E. Avenue). He reported the applicant was requesting a major amendment to PUD-47 to allow a medical marijuana growing/cultivation facility to be located on the property; the property, which was located at 2201 N. Yellowwood Avenue, (South 55 feet of Lot 21, Block 3, 6100 Center), was presently zoned PUD-47/CG/IL. He noted the property history was included in the Staff Report. He noted the original PUD was approved on April 16, 1984. He explained at the time PUD-47 was approved, the growing of medical marijuana was not recognized as a permitted use in the I-1 district. He reported on September 18, 2018, the City Council approved Ordinance 3540 that established regulations for retail medical marijuana dispensaries and medical marijuana commercial growing/cultivating facilities. He stated today, the City of Broken Arrow Zoning Ordinance recognized medical marijuana growing/cultivating as a permitted use in the IL district; however, for the applicant to be able to renew the medical marijuana license, acknowledgement from the local jurisdiction that the growing/cultivation facility was in compliance with the Zoning Ordinance must be obtained. He stated, therefore, for Staff to acknowledge zoning was in compliance, medical marijuana growing/cultivation had to be recognized as a permitted use. He reported the request to allow a marijuana growing/cultivation facility was the only change being requested to PUD-47. He noted according to the applicant, they contacted the Board for the 6100 Center Property Owners Association about the requested modification to PUD-47 and was informed that the Board had no issues with the request. He stated therefore, based on the Comprehensive Plan, the location of the property, the existing PUD, the unique condition associated with the request, and the surrounding land uses, Staff recommends that PUD-47H be approved as requested. He noted since the property was already platted, Staff recommended platting be waived. He indicated the applicant was in agreement with the Staff Report.

Chairperson Whelpley opened the public hearing; he noted no one asked to speak. He closed the public hearing.

MOTION: A motion was made by Jaylee Klempa, seconded by Julea’ Marriott.

Move to approve Item 6B per Staff recommendation

The motion carried by the following vote:

Aye: 4 - Julea’ Marriott, Jaylee Klempa, Ricky Jones, Lee Whelpley

Chairperson Whelpley indicated this Item would go before City Council on November 3, 2020 at 6:30 p.m.

C. 20-1249 Public hearing, consideration, and possible action regarding PUD-94V (Planned Unit Development) and BAZ-2066, Aspen Circle, 6.90 acres, PUD-94/CG to PUD-94V/CH and IL, located north of the Broken Arrow

Expressway, south of Albany Drive, and east of Aspen Avenue (145th E. Avenue)

Mr. Murphy reported Planned Unit Development (PUD)-94V involved a 6.90-acre parcel located north of the Broken Arrow Expressway, south of Albany Drive, and east of Aspen Avenue. He stated the applicant was requesting a major amendment to PUD-94 and with BAZ-2066 was asking that the underlying zoning be changed from CG (Commercial General) to CH (Commercial Heavy) and IL (Industrial Light). He noted some of the potential uses being contemplated on the property included vehicle sales and rental, vehicle service and major repair (collision center), and a convenience store. He noted PUD-94V divided the 6.90 acres into two development areas, A and B. Development Area A, which contained 2.97 acres adjacent to Aspen Avenue, the Broken Arrow Expressway off-ramp, and Albany Drive, would be developed in accordance with the use and development regulations of the CH district except as modified by the PUD. He stated while a convenience store was being considered conceptually, all uses allowed in the CH district, except sexually oriented businesses, were allowed in Development Area A; in addition, vehicle sales and rental was recognized as a permitted use. He reported Development Area B, contained 3.93 acres next to Albany Drive and the Broken Arrow Expressway off-ramp, would be developed in accordance with the use and development regulations of the CH and IL district, except as modified by the PUD. He reported the only permitted uses were limited to: Restaurant, drive-in; restaurant, drive-thru; convenience store with gas sales; alcoholic beverages, retail store; vehicle sales and rentals; vehicle services and repair, major; vehicle services and repair, minor. He noted an automobile collision center was illustrated as part of the conceptual site plan. He noted a comparison of standard zoning requirements and the PUD was provided in the Staff Report. He noted the landscaping was being increased; limitations were placed on the signs (smaller, lower signs); access points were restricted. He stated based upon the Comprehensive Plan, the PUD submitted with BAZ-2066 and the associated limitations on permitted land uses and vehicular access, the location of the property, features (i.e. landscaping, screening, and sign controls) provided in the PUD, and the surrounding land uses, Staff recommended PUD-94V and BAZ-2066 be approved as presented, subject to the property being platted.

Chairperson Whelpley asked if this was located by the Norton Chevrolet. Mr. Murphy responded in the affirmative.

The applicant Eric Sack with Sack & Associates address 3530 E. 31st Street, Suite A, Tulsa stated he was in agreement with Staff recommendations. He noted the landscaping and screening planned for this site would present a nice “front door” for those coming off the Broken Arrow Expressway entering Broken Arrow.

Commissioner Klempa asked about the masonry intended for the collision center. Mr. Sack responded the architectural style of the collision center would match the Chevrolet Dealership as it was an extension of the dealership. He reported the screening fence, however, had masonry components including masonry columns and a small wall underneath a wood fence.

Commissioner Klempa stated she had an issue with there being no masonry on the front of the building (east side) which abutted the street and would be visible in the “front door” to the City. Mr. Sack noted the design was consistent with the Chevrolet Dealership. Commissioner Klempa indicated she understood; however, the Dealership was further north and much further away from the highway. She stated there was also an apartment building located southeast of this property which would be looking directly at this new collision center. She indicated she wished to see a masonry front on the building. Mr. Sack stated perhaps this could be considered during the detailed site plan as this was purely conceptual at this time and a collision center may not be developed or oriented as presented. Commissioner Klempa stated she understood.

Mr. Murphy commented the site plan would not be reviewed by Planning Commission, only Staff. He suggested including a masonry clause as part of the motion.

Chairperson Whelpley asked about signage. Mr. Murphy responded the project identification sign would be 25 feet high; however, the remaining signs would be lower at no higher than 10 feet in height and no more than 100 square feet. He noted according to zoning code, a business within 500 feet of the expressway could build signs up to 50 feet in height; however, this PUD was restricting the sign height. He noted the signs would be similar to signs in the development to the north.

Chairperson Whelpley opened the public hearing; there were no public comments. He closed the public hearing.

Assistant City Attorney Tammy Ewing reminded the Planning Commission there were certain things which needed to be considered when deciding whether or not to approve an amendment to the zoning map: “1) The rezoning will promote the public health, safety and general welfare; 2) The rezoning is consistent with the Comprehensive Plan and the purposes

of the Zoning Ordinance; 3) The rezoning is consistent with the stated purposes of the proposed Zoning District; 4) The rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract; 5) Future uses on the subject tract will be compatible in scale with uses on other properties in the vicinity of the subject tract.” She asked if she understood Commissioner Klempa was agreeing these standards were being met if one change was made. Commissioner Klempa responded in the affirmative; some sort of masonry was needed on the front of a building along the road.

Mr. Curtis discussed how the motion should be worded to reflect Commissioner Klempa’s wishes. Assistant City Attorney Ewing further discussed how best to word the motion. Discussion ensued regarding the motion, and regarding masonry requirements.

MOTION: A motion was made by Jaylee Klempa, seconded by Julea’ Marriott.

Move to approve Item 6C with additional masonry requirements for west-facing buildings in Development Area A and east-facing buildings in Development Area B
The motion carried by the following vote:

Aye: 4 - Julea’ Marriott, Jaylee Klempa, Ricky Jones, Lee Whelpley

Chairperson Whelpley indicated this Item would go before City Council on November 3, 2020 at 6:30 p.m.

D. 20-1257 Public hearing, consideration, and possible action regarding PUD-276A (Planned Unit Development Minor Amendment), Timber Ridge Cottages, 8.05 acres, RM/PUD-276, one-quarter mile south of Kenosha Street (71st Street), east of 37th Street (209th E Avenue)
Planning and Development Manager Jill Ferenc reported Planned Unit Development (PUD)-276A, minor amendment to PUD-276, involved an 8.05-acre parcel located one-quarter mile south of Kenosha Street, east of 209th E Avenue; the property was zoned RM (Residential Multi-Family) and PUD-276 and was platted as Lot 1, Block 1, Timber Ridge Cottages. She reported BACP-161, a request to change the comprehensive plan designation on this property from Level 4 to Level 3, was approved by the City Council on April 17, 2018; BAZ-1998 and PUD-276 were approved on this property by City Council on May 1, 2018. She noted Timber Ridge Cottages was a senior multi-family housing with a mix of duplex (6 units), 4 Plex (40 units), and apartment style dwellings (28 units) for a total of 74 units. She stated with PUD-276A, the applicant was requesting to reduce the landscaping requirements in Section 5.2.B.1.a.iii of the Zoning Ordinance. She explained this section required, in the RM district, at least two trees and five shrubs be planted per multi-family housing unit. She explained due to the compact nature of this development, the applicant was requesting to reduce this requirement to one tree and three shrubs per unit. She stated all other landscaping requirements, perimeter landscaping and parking lot landscaping, would be provided per the Zoning Ordinance. She noted in total, 132 trees and 222 shrubs would be required for this development if PUD-276A were approved; all other provisions of PUD-276 would remain as approved. She noted the area had undeveloped land to the north, east and west; the Creek Turnpike was further east, and the Ridge at Broken Arrow was located south of the property. She stated based on the property, the surrounding land uses and the nature of the amendment of the request, Staff recommended PUD-276A be approved.

Chairperson Whelpley opened the public hearing; there were no public comments. He closed the public hearing.

The applicant Riley Shantz with DHTC Development, address 1326 S. Virginia Avenue, Springfield, MO, noted approximately half the development contained impervious surface. He discussed the utilities and the landscaping.

Vice Chairperson Ricky Jones indicated he drove out to see the development which was underway. He noted this was a unique, high-density development with tight spaces. He agreed with the requested modifications to the landscaping.

MOTION: A motion was made by Ricky Jones, seconded by Jaylee Klempa.

Move to approve Item 6D per Staff recommendation

The motion carried by the following vote:

Aye: 4 - Julea’ Marriott, Jaylee Klempa, Ricky Jones, Lee Whelpley

E. 20-1258 Public hearing, consideration, and possible action regarding BAZ-2068 (Rezoning), Medwise Urgent Care South, 29.18 acres, A-1 (Agricultural)/SP-270 (Specific Use Permit) to CN (Commercial Neighborhood) and ON (Office Neighborhood), south of the Creek Turnpike, east of Elm Place (161st East Avenue)
Planning and Development Manager Jill Ferenc reported BAZ-2068 was a request to change the zoning designation on a 29.18-acre tract from A-1 (Agricultural)/SP-270 to CN (Commercial Neighborhood) and ON (Office Neighborhood); the property was platted as Lot 1, Block 1, Lifechurch.tv Broken Arrow South. She noted the Specific Use Permit would

remain. She reported the applicant was proposing to rezone the east 27.97 acres, to ON for the LifeChurch property; the west 1.21 acres was requested to be rezoned to CN for a proposed urgent care facility. She explained with the current A-1 zoning designation, the property was required to have 330-feet of street frontage. She noted in order to split the property and have both new parcels meet the street frontage requirements a rezoning was necessary. She indicated the proposed ON and CN zoning districts were chosen based on the current and proposed uses of the property. She reported a Specific Use Permit, SP-270, was approved on this property on August 6, 2013 by the City Council. She indicated Section 3.2.B.6 of the Zoning Ordinance stated where an assembly use was originally approved by a specific use or PUD, any subsequent associated development which increased the intensity of the use on the site by more than what has been approved required an amendment to the specific use or PUD. She explained in order to allow the proposed urgent care facility, SP-270 needed to be abrogated on the portion of the property being rezoned to CN. She stated the remainder of the property, which was being requested to be rezoned to ON, would retain the provisions of SP-270; if any change of use was proposed on this property, the property owner would need to submit an application to amend the specific use permit which would require public notice. She reported access to this property was through a private drive located to the south of the Creek Turnpike. She indicated the property plat had a "limits of no access" along the northwest boundary of the property; therefore, any newly created parcel would be required to utilize the existing LifeChurch driveway and obtain a mutual access easement. She stated no future access points would be allowed onto Elm Place.

Ms. Ferenc reported the surrounding land uses and zoning classifications included A-1 Creek Turnpike to the north, A-1 undeveloped to the east, R-2 single family to the south and CG commercial development to the west. She stated this property was in Level 4 (Commercial/Employment Node) and Level 2 (Urban Residential) of the Comprehensive Plan. She noted CN was considered to be in accordance with the Comprehensive Plan in Level 4; ON was considered in accordance with the Comprehensive Plan in Level 2, provided the site was located adjacent to an arterial street and none of the traffic from the ON area utilized roads passed through a single-family residential neighborhood. She stated based on the Comprehensive Plan, location of the property and the surrounding land uses, Staff recommended BAZ-2068 be approved subject to the following conditions: 1) Access to any future development on the CN property be through a mutual access easement to the existing drive onto Elm Place; 2) The portion of SP-270 in the area being rezoned to CN shall be abrogated; and 3) Any change in use of the ON property shall require an update to SP-270. in a 100-year floodplain area.

Vice Chairperson Ricky Jones stated at some point in time South Elm Avenue was designated to be a secondary arterial and would require 100 feet of right-of-way and would be widened to five lanes. He asked if this was correct. Ms. Ferenc responded in the affirmative.

Chairperson Whelpley asked if there were any stub streets into the area. Ms. Ferenc responded in the affirmative; there were stub streets in the north, but the stub streets were not connected as agreed in the Specific Use Permit. Chairperson Whelpley noted the only entrance would therefore be the single entrance off Elm. Ms. Ferenc agreed. She noted when the eastern portion of the property was developed this would need to be addressed. She indicated there was not enough frontage on Elm to provide the capacity to split the drive further. Chairperson Whelpley commented the east side terrain was pretty rugged; he believed there was a ravine. Ms. Ferenc agreed and noted there would be challenges in development to the east.

The applicant's representative Robert Gotwals, address 100 W. 5th Street, Suite 1100, Tulsa, stated he was in agreement with Staff recommendations.

Chairperson Whelpley opened the public hearing.

Citizen Ryan Kral stated his address was 6109 S. 1st Place. He presented a petition to the Planning Commission. He noted the residents in his neighborhood were concerned the property behind LifeChurch may be developed in a manner not conducive to the current lifestyle of the area. He noted no residents were concerned about the urgent care center but were concerned about the rezoning to ON behind the urgent care center. He noted understanding if anything were built behind the urgent care center a street would need to be constructed for access, the residents were concerned about being located next to a new street. He indicated he and his neighbors were requesting this particular portion of the property be zoned single family residential to ensure residents were provided notice when the property was developed. He asked if CN zoning was necessary for the urgent care center. He asked if there was a more appropriate healthcare zoning which could be utilized.

Ms. Ferenc explained urgent care was permitted in several commercial zoning districts and ON zoning districts but would require at least Office or Commercial Neighborhood. She noted different zoning options were considered for this urgent care center and as each zoning option had different setback requirements, CN was chosen as most appropriate for this

location due to topographical restraints.

Citizen Zach Duck stated his address was 513 W. Quanah Street. He stated it sounded as if the back half of this property was planned to be developed as an office facility for the church. He noted after sitting through this meeting and seeing previous Items being discussed he felt a more comprehensive plan should be proposed prior to the rezoning of the back half of the property. He agreed with the access and traffic concerns.

Vice Chairperson Ricky Jones stated he felt Mr. Duck might be thinking of a Planned Unit Development (PUD) when he asked for a more comprehensive plan. He explained a PUD was voluntarily submitted by applicants; the City could not require a PUD. He stated the property owner had a right to ask for straight zoning as was being done in this case. He noted zoning codes (through straight zoning) provided setback requirements, height limitations, screening requirements, and theoretically enough safeguards to minimize negative impact from the development. He explained reasons why certain developers chose to submit PUDs.

Citizen Austin Bacchus stated his address was 6200 S. Cedar Avenue. He stated he worked as a project manager for PSO and moved to Oklahoma in 2016. He demonstrated where his property was located in relation to the church property. He noted he lived near the turnpike, but the turnpike noise was muted due to the greenspace between his property and the turnpike. He indicated he believed the value of his home was increased by this greenspace and he did not want to lose the value of his home with development of an office space in the greenspace. He stated he hoped residential homes could be developed instead and possibly a sound barrier wall could be installed. He indicated he was concerned about increased traffic.

Chairperson Whelpley read the public comments which were submitted online: Citizen Brett Harrington, address 4600 E. 2nd Street, Edmond, OK, indicated he was in support of the development of the urgent care center and the possible future development of the remainder of the property.

Chairperson Whelpley closed the public hearing.

Mr. Robert Gotwals discussed the zoning areas. He commented there were no intentions of developing the ON zoned area at this point; it was only needed to accommodate the CN area in the front of the property. He noted anything which was developed on the back half of the property would require much more than the mutual access easement; it would require a dedicated street to be constructed, which was a considerable expense, and as such would impact any development considerations.

Vice Chairperson Ricky Jones stated the requested zoning was in accordance with the Comprehensive Plan. Ms. Ferenc concurred. Vice Chairperson Ricky Jones explained what the Comprehensive Plan was and how it was used. He stated he felt this was a good zoning request as the property was right next to the intersection and the turnpike.

Chairperson Whelpley stated he did not like everything being in one small area. Vice Chairperson Ricky Jones agreed, but noted the physical configuration of the land prohibited development options. He noted there were a few stub streets to the south, but he agreed the traffic should not go through the neighborhood; therefore, the only place there could be access was on Elm.

Chairperson Whelpley asked if a slowdown lane was constructed for this facility. Mr. Murphy responded in the affirmative; a right turn lane was built going into this facility as part of the specific use permit. Chairperson Whelpley stated this would help keep traffic on Elm moving smoothly.

Mr. Ryan Kral asked how comprehensive the Comprehensive Plan was; did the Comprehensive Plan include restrictions to protect the Citizens of Broken Arrow. Vice Chairperson Ricky Jones explained the Comprehensive Plan was one tool City Planners utilized in the development process; there were other tools including the zoning code and the subdivision regulations. He stated zoning codes and subdivision regulations put forth development standards which protected surrounding properties. He suggested the interested parties stay in contact with the City as this development moved forward. He suggested the interested parties stay in contact with the Church as he was certain the Church wished to be a good neighbor. Mr. Kral stated he has been in touch with the Church and the real estate company which was setting up the urgent care center.

Vice Chairperson Ricky Jones stated based on the Comprehensive Plan and the surrounding land uses he would support this application.

MOTION: A motion was made by Ricky Jones, seconded by Julea' Marriott.

Move to approve Item 6E as recommended by Staff

The motion carried by the following vote:

Aye: 4 - Julea' Marriott, Jaylee Klempa, Ricky Jones, Lee Whelpley

Chairperson Whelpley indicated this Item would go before City Council on November 3, 2020 at 6:30 p.m.

Vice Chairperson Ricky Jones thanked all those who attended and participated during this evening's meeting.

7. Appeals

There were no Appeals.

8. General Commission Business

A. 20-1207 Consideration and possible approval of the 2021 Planning Commission meeting and calendar schedule

Ms. Jill Ferenc reported the proposed calendar for 2021 included meetings on the second and fourth Thursdays of each month with the exception of November and December. She noted it was consistent with the previous year's calendar.

MOTION: A motion was made by Jaylee Klempa, seconded by Julea' Marriott.

Move to approve Item 8A as recommended by Staff

The motion carried by the following vote:

Aye: 4 - Julea' Marriott, Jaylee Klempa, Ricky Jones, Lee Whelpley

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

There were no remarks, inquiries or comments by Planning Commission and Staff.

10. Adjournment

The meeting adjourned at approximately 6:23 p.m.

MOTION: A motion was made by Ricky Jones, seconded by Julea' Marriott.

Move to adjourn

The motion carried by the following vote:

Aye: 4 - Julea' Marriott, Jaylee Klempa, Ricky Jones, Lee Whelpley