



City of Broken Arrow

Minutes Planning Commission

City Hall
220 S 1st Street
Broken Arrow OK
74012

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

Thursday, August 8, 2019

Time 5:00 p.m.

Council Chambers

1. Call to Order

Chairperson Fred Dorrell called the meeting to order at approximately 5:00 p.m.

2. Roll Call

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

3. Old Business

There was no Old Business.

4. Consideration of Consent Agenda

Staff Planner Amanda Yamaguchi presented the Consent Agenda.

A. 19-916

Approval of Planning Commission meeting minutes of July 25, 2019

B. 19-954

Approval of PT19-112, Preliminary Plat, Timber Ridge Cottages, 8.05 acres, 1 Lot, A-1 (Agricultural) to RM(Residential Multi Family) and PUD-276 (Planned Unit Development), one-quarter mile south of Kenosha Street (71st Street), east of 37th Street (209th East Avenue)

Ms. Yamaguchi reported the applicant was in agreement with the Staff Report.

Chairperson Dorrell 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. He asked if there were any items to be removed from the Consent Agenda. There were none.

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

Move to approve the Consent Agenda per Staff recommendation

The motion carried by the following vote:

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

5. Consideration of Items Removed from Consent Agenda

There were no Items removed from the Consent Agenda. No action was needed or taken.

6. Public Hearings

A. 19-928 Public hearing, consideration, and possible action regarding PUD-290A (Planned Unit Development), a minor amendment to PUD-290, Riverbrook Apartments, 14.56 acres, RM to PUD-290A/RM, located one-half mile south of Jasper Street (131st Street), east of Aspen Avenue (145th East Avenue)

Senior Planner Brent Murphy reported the applicant was requesting a minor amendment to PUD-290 to modify the fence requirement along Aspen Avenue. He stated according to the Zoning Ordinance an opaque fence was required when adjacent to an arterial street; the applicant was requesting permission to install an architectural metal fence with brick columns every 40 feet. He noted additional landscaping with berms would be added on both sides of the fencing and all landscaping and fencing would be located on the apartment property. He stated everything else in PUD-290 would remain the same. He reported based on the Comprehensive Plan, existing zoning, design statement, conceptual site plans submitted with PUD-290 and PUD-290A, location of the property and the surrounding land uses, Staff recommended approval of PUD-290A subject to the property being platted in accordance with the Broken Arrow Subdivision Regulations.

The applicant, Mr. Patrick Rooney, stated his address was 36 E. Cameron Street, Tulsa, OK 74103. He stated he was in agreement with Staff recommendations.

Chairperson Dorrell opened the Public Hearing for Item 6A. He asked if any present wished to speak regarding Item 6A; hearing none, he closed the Public Hearing.

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

Move to approve Item 6A, PUD-290A, per Staff recommendation

The motion carried by the following vote:

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

B. 19-929 Public hearing, consideration, and possible action regarding SP-296 (Specific Use Permit), Broken Arrow Public Schools, STEM, 79.8 acres, A-1, one-quarter mile east of 23rd Street (193rd E. Avenue/County Line Road), north of Albany Street (61st Street)
Planner II Jane Wyrick reported SP-296 was a Specific Use Permit for a STEM School and for other school related functions and land uses. She stated the property included a single family residence and was unplatted. She noted the Broken Arrow Zoning Ordinance required all schools within agricultural and residential zoning districts to have a Specific Use Permit. She reported Broken Arrow Public Schools was proposing a STEM school with a 50,000 sq foot main building and a 16,000 square foot agricultural sciences covered structure which would be open to the air. She stated other agricultural uses were planned elsewhere on the site. She noted the school site had 1,315 linear feet of frontage and two driveway entrances were proposed which planned to loop through the south portion of the site. She stated on July 16, 2019 the City Council amended Section 5.7 Signs of the Broken Arrow Zoning Ordinance via Ordinance No. 3586; included in the amendment was a provision for permanent free standing signs located on lots for educational institutions to be constructed and maintained to the standards contained in Section 5.7C, General Sign Standards for all non-residential zoning districts. She stated a portion of the south and east of the property was located in a 100-year flood plain associated with the Adams Creek Basin and a regional detention facility was planned in this area to serve the site. She stated educational facilities were permitted in any agricultural district with a Specific Use Permit by the Zoning Ordinance, and as mentioned with Ordinance No. 3586, signs were permitted for educational institutions; therefore, SP-296 was in accordance with the Comprehensive Plan and Zoning Ordinance. She stated based on the Comprehensive Plan, location of the property and the surrounding land uses, Staff recommended approval of SP-296 subject to the property being platted.

The applicant, Broken Arrow Public Schools, 701 S. Main Street Broken Arrow, OK, 74012, was in agreement with Staff recommendations.

Chairperson Dorrell opened the Public Hearing for Item 6B. He asked if any present wished to speak regarding Item 6B; hearing none, he closed the Public Hearing.

Vice Chairperson Lee Whelpley asked if there was a time limit on this Specific Use Permit. Acting Director of Community Development Larry Curtis responded in the negative; historically the City of Broken Arrow did not place time limits on Specific Use Permits for schools.

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

Move to approve Item 6B, SP-296, per Staff recommendation

The motion carried by the following vote:

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

Chairperson Dorrell stated Item 6B would go before City Council on September 3, 2019 at 6:30 p.m.

7. Appeals

There were no Appeals.

8. General Commission Business

A. 19-1001 Consideration discussion and possible action to recommend the appointment of Fred Dorrell to the Elm and New Orleans Steering Committee

Acting Director of Community Development Larry Curtis reported a number of weeks ago City Council passed an Ordinance in the creation of the Elm and New Orleans Steering Committee and were appointing twelve members to the Committee. He stated there was a need for the Planning Commission to be on the Steering Committee and Staff recommended the Chairman be nominated for the Committee.

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

Move to recommend Fred Dorrell be appointed to the Elm and New Orleans Steering Committee

The motion carried by the following vote:

Aye: 3 - Mark Jones, Ricky Jones, Lee Whelpley

Abstain: 1 - Fred Dorrell

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

Mr. Larry Curtis reported an item came before the Planning Commission a number of weeks ago in regards to short term rentals (AirBNB). He reported City Council took a preview ordinance on Tuesday to approve the Ordinance with two modifications: 1) It was recommended by the Planning Commission to place a one year time limit on short term rental Specific Use Permits; however, Staff showed renewing the Specific Use Permit annually would be costly and potentially would prevent homeowners from coming into compliance. He stated

City Council approved a five year time limit on the Specific Use Permits. 2) City Council requested Staff bring the Ordinance back to City Council one year after codification for review.

10. Adjournment

The meeting adjourned at approximately 5:11 p.m.

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

Move to adjourn

The motion carried by the following vote:

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